
Preface

This book was first suggested and started in 2004. It has taken 10 years to put together the chapter abstracts and notes, a structure, to work through a vast number of files in which cited material have been stored, books, online sources updating apace fast moving media reporting. In the end it was written from the middle of October 2013 through early September 2014. That was for a good reason.

This work is a follow-up to a joint publication, *The Next Generation: Lives of Third World Children*, written in 1987 through 1988 and published by Zed Press in 1989. In that book we looked at the ten rights principles described by the 1959 UN *Declaration of the Rights of the Child*. We were fully aware of the forthcoming convention and as well informed and up to date as probably most other people as drafting drew to an end (Ennew and Milne 1988: 14 and 200–216). Drafting finished soon after we had completed our work. In part one it looked at the state of children's right through the ten principles; in the second part it examined 12 country case studies. It was not written to criticise, advocate or predict but simply to look at what we had and what we hoped the new convention would move on to.

In many respects it is an extremely naive book looking back through it now. Yet one of the reasons this book came about is because whilst it never sold in vast numbers, it was much used, cited and enquired after for at least a decade. During that time we were often asked whether we would revise or update it and a new edition would appear. It was always a consideration. The commissioning editors at Zed also suggested a follow-up book.

In the fullness of time, there were less and less comments, but until very recently, it has been cited. Judith still received remarks and requests, including high praise for it as the best book of its kind at the time and even since. Looking back over it shows a starting point in our real involvement in children's rights rather than through single issues such as street children or child labour. The option of bringing it up to date became less and less attractive, and the first 10 years after the adoption of the *United Nations Convention on the Rights of the Child* was a defining moment because the century and millennium were close to ending and like everybody else we were curious about the future. Thus, after having occasional thoughts for five years, we decided to begin work on a follow-up; something like this has now shaped out in time for the twentieth anniversary of the adoption in 2009.

Changes in our lives and work made that difficult; thus, we snatched time when we met once or twice a year and exchanged ideas and materials electronically until we had a skeletal book with short abstracts below each chapter title. The entire book is very different to the work we set out to reprise without letting it become a polemical repetition of our 1980s points of view projected into the present. During 2013 Judith was saying that she would retire very soon after her seventieth birthday early in 2014, and then one of her priorities would be that we would begin seriously writing later that year. That was not to be. On 4 October 2013 she died. Within days I had decided all of our preparatory work would be compiled, the skeletal structure and abstracts fleshed out and a book begin to be written. By the end of October, I was giving every spare hour to working on it. I wanted to still be able to write it with my sense of how she would have approached some topics and specific issues had we been able to write together. I have done so to the best of my ability. Those chapters that were entirely to be written by her were naturally the most difficult, but she had left enough to work with to make it possible without too much deviation from her points of view. She had critically assessed the chapters I was to write alone, so she knew what she had thought was right, wrong or necessary to write about. Our planned joint chapters, only two, were perhaps the most difficult because we would have debated, ‘juggled’ and thoroughly dissected then reconstructed them, possibly several times. It is not easy to do that with oneself.

Nonetheless, her death triggered the start of a sometimes difficult effort to complete this book. I had been quite seriously ill myself, I was still taking medicines that often affected my memory and thought processes but the stimulation of writing and often at first forcing myself to remember made a major contribution to my recovery. At the time of Judith’s death, I realised how low I was and find it almost ironic how somebody lived with diabetes which had been a serious problem for many years but had only begun to slow her down over the last two or so years of her life and had certainly brought about her end; it was exactly that which brought me back to where I am by showing me never to give up.

Thus, I wrote intending to be a co-author and at least a proxy. On the other hand, I learned that that is a great ideal but not a practicality. I can never write as she would have, nor can I devise a means of sharing thoughts that would have included hard debating. Therefore, I used what we had jointly prepared and injected what I could of her thoughts and way of thinking. I am satisfied with the outcome.

This book itself is not exactly a follow-up to the 1989 one. It bears it in mind and has been carefully reread for inspiration but does seriously allow for how naive we considered it had become since finishing writing in 1988. It was the age of the 1989 convention; we had great expectations but have been massively disappointed, irritated by narrow-mindedness, and yet we have retained great faith in what has happened. We saw the haste with which the first countries signed, that the first ratifications brought it into effect in 1990 and that, whilst vast political changes were going on worldwide, newly emergent and independent nations were signing and ratifying it faster than any other convention had ever seen. We saw what appeared to be extensive political goodwill. On reflection I can see how naive that was since despite ratification many nations have achieved only marginally more than nothing. That does not mean giving up on it as a failure but the incentive to find a solution. This book is

not a defining explication of how that might be; it would be absurd to even try that but to contribute just the tiniest bit to a worldwide incentive to find a solution is all.

For the sakes of clarity and full explanation, there are appendices. They are lengthy but without comment, simply giving full texts of conventions, charters and treaties that are pertinent. They are intended to be used as required but not as 'obligatory' reading.

From the outset, we, Ennew and Milne, set out not to be judge and jury, thus condemning either the state of children's rights or any human contribution to its advancement or lack of progress. From the Introduction and eight chapters, we originally chose three each and shared two. I have closely adhered to Judith's notes for the three I wrote instead of her but had to entirely take on the two shared ones beyond the briefest abstracts we wrote together. Rather than becoming entangled in sometimes futile arguments, it was often far more useful to observe, consider and then take note of things. Of course there have been critical comments and disagreements on issues and with individuals or organisations but never heated nor enduring. It always seemed far better to draw the key observations together in this way. These are by no means all of them nor indeed is any individual or organisation being criticised. That names and titles are referred to in what appear to be critical contexts is inevitability that does not thrust blame or any other negative value on those named. They may, in fact, be critical only because some readers who feel implicated read them as being so. That was never intended. Nonetheless, many topics are approached in a critical manner in order to emphasise observations about them. Chapter five on the (mis)appropriation of language as a children's rights terminology is probably the most significant. Having acknowledged that, it is extremely difficult to do so otherwise although it is, as all else, simply a set of observations which are opinions about a particular phenomenon we recognised and wished to point out explicitly. Try as I may, I find no gentler way of taking a metaphorical bull by the horns.

It was always an attempt to keep our integrity by being honest about what we saw post-1989 and hoped would and could be done with our views. I found it very hard going since I do not like hurting anybody's feelings. Even so, I am quite certain that some people and perhaps a few organisations will feel attacked and expect some kind of apology or climb down on those matters. Since there are no attacks of this kind intended, I simply request people who may feel any kind of offence when reading to take it or leave it and not develop it into a debate which would be a distraction from the task actually in hand. It is this entire work that is intended to be read and not just parts with which people or organisations immediately identify. Disagreement and critique are as welcomed as positive reception in order to contribute to sustaining the advance of children's rights. Thus, there is no objective setting out a future, making plans and setting agendas for the future of that task here. It is a review of roughly a quarter of a century until the present, at least the most recent past, that does not set out criteria. It does, however, suggest that the present convention and all of the apparatus around it may need to be improved, given more powers to enforce and lead, but does not set out how that might possibly be. That is left to those who are willing to take in what they read here and the opinions of others with similar views.

It is, therefore, clearly a tribute to Judith Ennew, but it also pays homage to all of the people who have contributed so much to children's rights over the years and wishes to encourage others to take up the cause. Some years ago Judith suggested that we do not show other people this work until it is in the hands of publishers and at least at the stage of final edits. In fact her rationale was that we could eternally take in what other people said and develop it further but thus never finish. As with the first book it is also written from very personal perspectives. Nevertheless, I wish to thank some people for inspiration or at least support. Antonella Invernizzi listened, made suggestions and debated some ideas, Nigel Cantwell has always been an enormous inspiration, Henk van Beers and Manfred Liebel both consistently continue to work for children's rights in an opened-minded manner, Jasmin Lim represents a new generation that has much to offer and then there are far too many who shall remain unnamed because the list would be long. Rather than make omissions I have not attempted to write that list, but I know who they are.

Those named and myself were able to come together with several other friends and colleagues at the *Children Out-of-Place and Human Rights: International Symposium in Memory of Judith Ennew*, at the Freie Universität Berlin on 27 and 28 October 2014, thanks to the efforts of Manfred Liebel. We said 'goodbye' to her, but not her work and its influence which we wish to see developed and grow in the hands of a new generation of children's rights researchers and practitioners. I was able to gather some thoughts to round this book off from Alejandro Cussiánovich, Per Miljeteig, Michael Bourdillon, Sharon Bessell, Roxana Waterson and Bill Meyers who was too ill to attend but with whom I had been exchanging ideas, all of whom had a close working relationship with her.

Although earlier it was mentioned this book was finished in October 2014, in fact the Berlin Symposium and other important matters such as Somalia ratifying the *Convention on the Rights of the Child* in January 2015 have meant that up until submission of the manuscript, this was always a work in progress.

Thus, this is not a book by or about Judith, as much as a tribute to her as the original shared ideas, the discussions and disagreements en route to reaching what we had to say were as much hers as mine. Judith was an outstanding academic who only ever kept one foot in that world but commanded more respect than most other people who worked in the field of the human rights of children. It is a hard task to live up to her demanding standards. Nevertheless, the burden fell on me to assemble and write it; I have now done so; thus, as she and I would always wish, we now place the burden of taking it forward in the hands of the next generation.

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Reference

- Ennew, J., & Milne, B. (1989). *The next generation: Lives of third world children*. London/Philadelphia: Zed Books/New Society Publishers.

Rights of the Child

25 Years After the Adoption of the UN Convention

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