Hatred, fear and anger are so much part of the human condition that one wonders if the world can ever be at peace. However, a whole body of international humanitarian law that has been negotiated among countries since the end of the Second World War says together we can articulate rules and regulations that will hold our worst instincts in check. The UN Convention on the Rights of the Child (CRC) is one of the most important of these instruments because it is the most widely ratified human rights treaty in all of human history. Article 2, which constitutes one of the four cross-cutting principles of the CRC, the right to be free from discrimination, affirms:

1. States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child’s or his or her parents’ or legal guardian’s race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, birth, or other status.

2. States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions or beliefs of the child’s parents, legal guardians or family members.

Just think where the world would be now if this article was truly respected and implemented by all those countries who have signed on to it!

In 2018, six Shaking the Movers events sponsored by The Landon Pearson Centre for the Study of Childhood and Children’s Rights enabled varied groups of children and young people under the age of 18 to grapple with incidents and issues of discrimination so frequently marked by fear and hatred accompanied by anger and to come up with some solutions for policy makers. All the participants without exception had lived experience either directly or involving family and friends, so they had no trouble identifying the problems.

First of all, according to the reports from their sessions, they almost all felt discriminated against simply because they were children and regarded with skepticism indeed antagonism in many public spaces especially shopping malls and public transit. For some, especially the racialized ones, it was simply overheard remarks (mini-aggressions) or people crossing the street to walk on the other side. For others it was unmerited brushes with authority particularly, the police. More generally what they felt was a lack of respect for them as persons manifested, in part, by the failure to teach them their rights. This has been a constant refrain repeated over the 12 years we have been holding these events; the situation never seems to improve.

A second category of discrimination experienced by the young participants relates to gender, not just discrimination against girls but also against all those whose gender identity is in itself considered threatening to established norms.

A third category is comprised of racialized children who are frequent subjects of discrimination. This category includes indigenous children against whom the Canadian Human Rights Tribunal
has found Canada guilty of race-based discrimination but also includes black and Asian children, refugees and immigrants.

A fourth category the young participants identified is religious discrimination particularly against Muslims and Jews. No doubt smaller religious groups also experience discrimination as well but they were not mentioned.

A final category is comprised of children who are discriminated against because they are different for one reason or another. Some have either physical or cognitive disabilities, some have odd ways of speaking or dressing or whatever. These are children who are often bullied by other children or misunderstood or mistreated by their elders.

Not all of these forms of discrimination are fueled by hatred or indeed by fear, but none of them are acceptable. At the STM gatherings the young people were full of ideas for change but it is notable that all of their suggestions were peaceable. What they wanted was that everyone including themselves should be better educated about children’s rights; their parents and teachers, health and other professionals with whom they come in contact and especially, those in authority such as the police. So, this year our STM theme will be “Education, Diversity and Children’s Rights.”

As the reports from the several STM gatherings (written by young people who were present at the event) were received they were posted on the Centre’s website so that CRAN members could read them to prepare their responses. Then all the reports were delivered by their organizers in person on the afternoon before the event started so that they would be fresh in everyone’s minds. What follows are fifteen brief presentations that were stimulated by the young participants’ words. Not all their authors are referenced in this introduction but all are very much worth reading and reflecting on.

It is clear that the children had been heard and several themes in response emerge with clarity. One is the issue of identity and authenticity; children who are discriminated against are “othered.” As Gerison Lansdown states, “real challenges arise in constructing a positive identity when so many forces conspire to define you as a ‘loser’, problematic, difficult”. Aurelia Di Santo reinforces this idea when she suggests “giving children space to voice their thoughts and ideas, to pose questions and to disrupt adult interpretations will create an environment where children can embrace their multiple identities and their right to non-discrimination can be realized.” And Cheryl Van Daalen-Smith adds, “the impact of having one’s identity defined for them is that of denied authenticity.”

Another theme refers to the misuse of language used by adults in systems such as child welfare and youth justice. As Tom Waldock notes children in care have been referred to as ‘cases,’ ‘placements,’ etc all objectifying and dehumanizing terms so they may “suit bureaucratic processes like classification and categorization, [they] are not child-centered nor do [they] accord with empowerment or the full citizenship status of the UNCRC.” There have been improvements in this language in recent years but there is still a long way to go.

A third theme emerging from panel three relates to youth action to combat discrimination. Richard Mitchell promotes Greta Thunberg and of her efforts and actions on climate change, and
Daniella Bendo quotes from the report of the STM on children living with disabilities who asserted that they often feel enabled as opposed to disabled because they can do things that people without a disability can not.

Finally, Samira Ahmed speaks to the realities of advocacy for children in the Canadian legal system where “children by default, are thought of as property with limited personal agency, yet young people are often forced to prove their entitlement to rights they should be guaranteed as of right, including the right to participate in decisions about them.”

As can be seen, each of the CRAN members has responded to the youth from their particular professional expertise but each has also, as the reader will learn, recognizes the importance of engaging with children and adolescents in all their complexity in order to end unjust and unwarranted discrimination that harms us all.

The Hon. Landon Pearson, O.C