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The Child Perspective in the CRC

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The Child Perspective in the CRC

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I am grateful to Judge Edward O. Spain, the Chair of the Children's Committee of the New York State Bar Association, for extending the invitation and for his willingness to let my students make their case for U.S. ratification of the CRC. I am also grateful to Professor Kathe Klare of Albany Law School for her great support of this project, both with her expertise in Educational Law and Children as well as her generally optimistic and supportive approach. Professor Katheryn D. Katz has also been a constant support; without her encouragement this project would have been hard to complete. Professor Melissa Berque has been supportive of both me and my students in this project and I owe her great thanks. The Albany Law School faculty have been incredibly supportive of this project and I am grateful to Dean Guernsey for his funding of a Child Rights Symposium, an event co-sponsored by the New York State Division of Criminal Justice Services at Albany Law School. We were honored by the participation of Commissioner Gladys Carrion, Esq., Janelle M. Cleary, Anne Reynolds Copps, Esq., Janine Lounsbery, Elana Marton, Esq., Karen Schimke, Betsy Stevens, and the Honorable Margaret T. Walsh. Their contributions were vital to this project because they provided the legislative knowledge and experience in child rights implementation at the New York state level. A very special thanks is due to Editor-in-Chief, Robert C. Penn, of the New York City Law Review of the City University of New York School of Law—a more intellectually dedicated editor is hard to find.

SYMPOSIUM ON THE U.N. CONVENTION ON THE RIGHTS OF THE CHILD: THE CHILD PERSPECTIVE IN THE CRC

Maria Grahn-Farley*

I. INTRODUCTION

The election of President Barack Obama brings with it the hope that the United States will rejoin the international legal community as an active partner in human rights work. The U.N. Convention on the Rights of the Child (“CRC”) is the most ratified treaty in the world.¹ There are 193 countries that are parties to this treaty.² Every country in the world is a party to the CRC except the

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¹ Convention on the Rights of the Child, Nov. 20, 1989, 1577 U.N.T.S. 3, *available at* www2.ohchr.org/english/law/crc.htm [hereinafter CRC]. *See also* Maria Grahn-Farley, *A Theory of Child Rights*, 57 U. MIAMI L. REV. 867, 884–85 (2003); Maria Grahn-Farley, *A Child Perspective on Juvenile Justice*, 6 J. GENDER RACE & JUST. 297, 299 (2002); Maria Grahn-Farley, *Crossing Borders*, 30 CAP. U. L. REV. 657, 658 (2002). Maria Grahn-Farley, *Neutral Law and Eurocentric Law Making: A Post-Colonial Analysis of the UN Convention on the Rights of the Child*, 34 BROOK. J. INT’L L. 1 (2008).

² For a list of signatories and parties to the CRC, *see* U.N. Convention on the Rights of the Child, Status Report, <http://treaties.un.org/doc/Publication/MTDSG/Volume%20I/Chapter%20IV/IV-11.en.pdf>.

United States and Somalia.

It is important that the United States ratifies the CRC and becomes a full member of the human rights community again. American children should have the same level of protection as children in the rest of the world, and the United States should hold its treatment of its own children up to the same standard that is expected of all the nations of the world. The United States already encounters the CRC through its developing aid projects around the world. International child rights is a two-way street: you hold yourself to the same standard that you impose on others. In other words, international child rights begin at home.³ This means that the United States must hold itself to the world standard—this is of special importance because of the fact that every other country in the world is held to the standard of the CRC.⁴

This symposium, the first of its kind, provides a legal evaluation of the possible effects of ratification of the CRC on domestic law in the United States. This symposium follows the U.N. reporting guidelines for measuring compliance with the Convention. It is a preview of what ratification of the CRC will mean to the children in the United States. This symposium is the first attempt to describe and compare U.S. legal standards, in its complex federal-state system, to an international standard over a complex and broad spectrum of issues covering the life and aspects of the rights of the child in United States. This is a methodological challenge because it has never been done before. This means that there will be methodological choices, such as a primary focus on New York State law instead of federal law that might be discussed and adjusted for the future. In the end, it all comes down to a question of resources. If the United States had been a State Party to the CRC, this type of report would probably have been produced with a significantly larger budget and also with greater cooperation between state parties.

The main conclusion of this report is that the United States is in general compliance with international child rights standards and law with the exception of a few areas of concern, some of which are addressed in this symposium: the child in the custody of the state, access to qualitative education, and the child's protection

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³ See Karin Söder, [Forward], 12 N.Y. CITY L. REV. 443 (2010).

⁴ Jennifer Turner & Alice Farmer, *Children of Lesser Rights: United States Failure to Ratify the Convention on the Rights of the Child*, in HUMAN RIGHTS BEGIN AT HOME 33 (Jamil Dakwar & Mia Nitchun, eds., 2009), http://www.aclu.org/pdfs/humanrights/udhr60_report_20090410.pdf.

against discrimination for the disabled child and the child belonging to a minority group. A significant concern, however, is the lack of coordination across disciplines and institutions of child and youth-related legislation and programs. I have found that the discrepancy between international law standards and New York state law is often due to the absence of what I call a “child perspective” within the state law. It is the presence of a child perspective that gives coherence to the CRC. Essentially, a child perspective is what binds this very ambitious treaty on the rights of the child together as a holistic document that serves as a practical tool for examining child rights legislation.

II. BACKGROUND

Beyond the symposium’s unique contribution to the field of international child law, it also brings together a unique constellation of authors. Ms. Karin Söder, former Secretary of State of Sweden and former President of Save the Children Sweden, the lead agency in drafting the CRC and the largest child rights non-governmental organization in the world, has written the Foreword.⁵ Without Ms. Söder’s contribution in the drafting, we would most likely not have a Child Rights Convention today. Ms. Kathryn Grant Madigan, the 110th President of the New York State Bar Association, has written the Afterword.⁶ Ms. Grant Madigan is a fierce advocate for child rights and for U.S. ratification of the CRC. Ms. Jacquelyn Greene is the Director of Juvenile Justice Policy at the New York State Division of Criminal Justice Services. Ms. Greene’s essay summarizes and gives direct assessments of the practical and legislative challenges that U.S. child rights advocates are facing, with or without ratification of the CRC.⁷ What her work shows is that the ratification of the CRC and U.S. re-entry into the international human rights arena will benefit the international child rights agenda and U.S. domestic policy. Alexandra R. Harrington’s article examines CRC Article 1 against New York State’s age-based provisions in order to determine how age is used throughout a variety of legal arenas in New York State, including voting rights, employment, and criminal culpability.⁸

⁵ See Save the Children Sweden, <http://www.savethechildren.se/Where-we-work/> Sweden (last visited Mar. 9, 2010).

⁶ See Kathryn Grant Madigan, *Afterword*, 12 N.Y. CITY L. REV. 597 (2010).

⁷ See Jacqueline Greene, *Children’s Rights: An Empty Promise for New York State’s Most Vulnerable Youth*, 12 N.Y. CITY L. REV. 447 (2010).

⁸ See Alexandra R. Harrington, *Article 1 of the CRC and New York State Law*, 12 N.Y. CITY L. REV. 461 (2010).

My students in my International Child Rights course performed the legal analysis of the relationship between international child rights and New York State law. These amazing students signed up for my course, little-knowing of the burden of work that was to be placed upon them. This symposium benefited greatly from Ms. Grant Madigan's invitation to my students to present their research and findings to the Children's Committee of the New York State Bar Association.

There is one person who has meant more to me as a child rights activist and professional woman than anyone else. This person is Ms. Karin Söder, the author of this symposium's Foreword. I met Ms. Karin Söder when Save the Children Sweden was implementing the CRC within its own institution. I was at the time, by law, a child. I was just fifteen years of age when I was elected to the national board of Save the Children Sweden. Save the Children was in the process of implementing the CRC internally and, in adherence to the right of the child to be heard, it elected children to positions in all of its elected bodies. This is how I became a colleague of Ms. Karin Söder. Throughout the years, by now over two decades, she has been a role model to me for how to keep the struggle for the rights of children alive in society and within one's heart. She taught me how to keep one's own government and politicians accountable for making decisions in the best interests of the child within their jurisdictions, and how to advocate for international cooperation and partnership between richer and poorer countries.⁹ For all these lessons and many more, I dedicate this symposium to Ms. Karin Söder, as a small token of how much I value her contribution to the field of international child rights, her

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⁹ Article 4 of the CRC places an obligation upon wealthier countries to provide resources to those countries in need. See CRC *supra* note 1, art. 4 (noting that state parties shall take such measures "where needed, within the framework of international co-operation"). See also The Committee on the Rights of the Child, *Concluding Observations of the Committee on the Rights of the Child: Sweden*, ¶ 3, CRC/15/Add.2 (Feb. 18, 1993), available at [http://www.unhchr.ch/tbs/doc.nsf/\(Symbol\)/CRC.C.15.Add.2.En?OpenDocument](http://www.unhchr.ch/tbs/doc.nsf/(Symbol)/CRC.C.15.Add.2.En?OpenDocument) ("The Committee expresses its appreciation for the significant contribution of the Swedish Government and the Swedish non-governmental organizations to improving the situation of children worldwide. The prominence given by the State Party to furthering the rights of the child through international cooperation and assistance directly benefiting children follows the spirit of article 4 of the Convention and can serve as a useful guide for other States parties."); Maria Grahn-Farley, *Neutral Law and Eurocentric Lawmaking: A Postcolonial Analysis of the U.N. Convention on the Rights of the Child*, 34 BROOK. J. INT'L L. 1, 10 (2008) (describing the postcolonial tensions mediated through CRC article 4 assistance, which "acknowledges the economic disparities between the Global North and the Global South, requiring wealthy countries to provide resources to help poorer countries comply with the CRC.").

friendship, and the role she has played in my life as a wonderful mentor.

III. WHAT IS A CHILD'S PERSPECTIVE?

A child's perspective requires that the best interests of the child shall be paramount in all actions concerning the child,¹⁰ and resources must be made available to the *maximum extent* to realize the rights of the child.¹¹ In order to know what are the best interests of the child, adults have an obligation to hear the child in all matters concerning her or his welfare.¹² This does not mean that adults have to do whatever the child wants; rather, it means that adults have an obligation to find out the will of the child.¹³ This obligation comes from the fact that we, as adults, are asked to make informed decisions in the best interest of the child.¹⁴ In other words, the child should be of central concern when making decisions. The idea of a child's perspective on the rights of the child rests on the notion that each child has a right to be heard by adults—as parents,¹⁵ educators,¹⁶ health care providers,¹⁷ and governments¹⁸—who care about the child's opinion and well-being, and who do so by taking the child seriously and by providing resources—financial, human, and organizational—for the realization of the rights of each child.¹⁹

A child's perspective means that the law must take a holistic approach to international child rights, recognizing the interdependency of rights, recognizing that each right is also dependent on every other right, and seeing to it that the child is being heard in matters concerning the child.²⁰ The CRC includes civil, political, social, economic, and cultural rights. Generally speaking, within human rights law these two sets of rights are divided between the two Covenants.²¹ In addition to the first and second generations of

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¹⁰ CRC, *supra* note 1, art. 3.

¹¹ *Id.* art. 4.

¹² *Id.* art. 12.

¹³ *Id.*

¹⁴ *Id.* art. 3.

¹⁵ *Id.* arts. 5, 7, 9, 18, 20.

¹⁶ CRC, *supra* note 1, arts. 28, 29.

¹⁷ *Id.* arts. 24, 23, 25, 39.

¹⁸ *Id.* arts. 3, 4, 12.

¹⁹ *Id.* art. 4.

²⁰ *Id.* art. 12.

²¹ See generally International Covenant on Civil and Political Rights, Dec. 16, 1966, 999 U.N.T.S. 171; International Covenant on Economic, Social and Cultural Rights, Dec. 16, 1966, 993 U.N.T.S. 3.

rights being treated as interdependent in the Convention, the treaty includes juvenile justice, humanitarian law, and refugee law.²² This holistic approach is a reflection of a child's perspective, and an aspiration to create a unified maximum standard of age eighteen for all matters concerning children.²³ The treaty refuses to divide the child into different legal identities and resists labeling the child according to his or her circumstance as imagined through legal treaties. The reality is that it is the same child moving between different legal frameworks, and the child's identity does not change just because his or her circumstances do.

To illustrate a child's perspective as seen through international child rights, the following story of Katherine serves as a fictional example. Katherine is 10 years old. She is under the age of eighteen and is a child under the CRC.²⁴ Katherine belongs to a minority group and she has a right to not be discriminated against due to her minority status.²⁵ She has a right to be protected from discrimination based on her or her parents' ethnicity, as well as a protected freedom of expression that includes the right to practice her culture.²⁶ The tension in Katherine's country increases and erupts into violence between the majority and Katherine's minority group. The Articles of the CRC and Optional Protocol regarding armed conflict²⁷ are central to protecting her as a child in a situation of armed conflict—not only as directly involved in the conflict but also from being in proximity to the violence. In the wake of armed conflict, Katherine has a right to be protected against sexual exploitation in the forms of sexual violence and commercial sexual exploitation in nearby military camps on both sides.²⁸ Katherine and her family succeed in fleeing the conflict. The articles regarding refugee status and the right to rehabilitation are of high prior-

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²² CRC, *supra* note 1, arts. 22, 38, 37, 39.

²³ *Id.* art. 1.

²⁴ *Id.*

²⁵ *Id.* art. 30.

²⁶ *Id.* arts. 2 (nondiscrimination), 12, 13, 14, 15, 16, 17.

²⁷ Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict, G.A. Res. 54/263, U.N. Doc. A/RES/54/263 (May 25, 2000) [hereinafter Optional Protocol on Involvement of Children in Armed Conflict]. The United States is a party to the two Optional Protocols, but not to the CRC. See *supra* text accompanying note 2.

²⁸ See Optional Protocol on Involvement of Children in Armed Conflict, *supra* note 27; see also CRC, *supra* note 1, arts. 34, 37, 38, 39. See generally Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, G.A. Res. 54/263, U.N. Doc. A/RES/54/263 (May 25, 2000) [hereinafter Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography].

ity.²⁹ Article 2 of the CRC does not distinguish between legal and illegal residents, or citizens and non-citizens for purposes of protection under the CRC.

Using a child's perspective requires that we see Katherine as the same person throughout all of her experiences; that we are informed by Katherine's own expressions of her situation and experiences; and that we recognize that it is a construction or fiction to make Katherine's experiences into her identity. We must recognize that she remains Katherine all the way through her journey, although at different moments she is a child living in different social and political contexts. Throughout Katherine's movement through the Convention, the guiding principles of the best interests of the child, the right to be protected against discrimination, and the right to be heard follows her. A child's perspective is reflected in the way that the CRC adjusts to fit Katherine's journey, and is informed by her own expressions through speech and actions, instead of forcing Katherine to adjust her identity to fit the different categories of law.

A more concrete example of a child's perspective and the implementation of the CRC on local levels is exemplified by my daughter's school, The Gustavi School (Gustaviskolan) of Gothenburg, Sweden. The Gustavi School is a public school with a diverse group of children. In my daughter's class alone there are children coming from, or having parents from, the Ivory Coast, Croatia, Iran, Spain, Romania, China, Pakistan, Bangladesh and, of course, Sweden. The school embraces an explicit child's perspective in its educational methods. This approach is guided by the school's Headmaster, Stina Odsvik, my daughter's two teachers, Eva and Rebecca, and a governmental memorandum directing the kindergartens and elementary schools in Sweden in their child rights approach and CRC implementation.³⁰ The school actively measures the well-being of the individual child as well as the child's progress within the group.³¹ The school does so by creating an "In-

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²⁹ CRC, *supra* note 1, art. 22.

³⁰ See generally Ordinance for the Curriculum for the Pre-School (Statens skolverks författningssamling [SKOLFS] 1998:16) (Swed.); 1994 Ordinance for Compulsory Schools (Statens skolverks författningssamling [SKOLFS] 1994:1) (Swed.). The Gothenburg City School Plan, *infra*, as referenced in the Individual Development Plan, the Lpfö 98, and Lpfö 94 emphasize that learning and education begins with the self-expression of the individual child.

³¹ See, e.g., Göteborgs skolplan 2009-2010 [The Gothenburg School Plan 2009-2010], available at <http://www.goteborg.se> (search "Göteborgs skolplan 2009-2010"; then follow "Hagenskolans lokala arbetsplan 2009-2010" hyperlink).

dividual Development Plan” for each child.³² This Plan defines the school’s goals for each individual child based upon an agreement between the child, the parents, and the educators. The school asks the children, some as young as five, about their individual academic goals and their personal experience of school. The child is asked in the evaluation to indicate how she feels about the school in general by pointing to different levels of happy, neutral, and sad faces, and by drawing “rainbow clouds” around the different goals expressed by the child.

This policy illustrates how even very young children, some of whom may not yet be able to read and write, can be guaranteed the right to be heard based on their developmental levels. The questions are adjusted to the level of a five-year old. Examples include: “What do you think about the outdoors activities?”; “What do you think about the lessons?”; “What worries you?”; and “What makes you happy?” The child is asked how she feels she is being treated by her friends, and is asked how she in turn feels that she treats her friends. Another area of assessment has to do with how well the child, her classmates, her teachers, and her school support the child’s cultural heritage. Examples include: “How do you show respect for other people’s cultures?” or “How do you participate in your own culture?”³³ Such an evaluation means that a girl like Katherine would have a legal right to formal education in her native language as well as in Swedish.³⁴ It also means that a girl like Katherine would have a legal right to feel supported by her classmates, her teachers, and her school in her cultivation of both her native culture and her new Swedish culture.³⁵ The school’s policy shows her that the whole of her is accepted and that she does not need to compartmentalize her identities into different sections of her life. Based on the evaluations made by the child, the parents and the teachers create the Individual Development Plan for the specific child. Article 12—the child’s right to be heard—flows like a thread throughout the elementary education at the Gustavi School.

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³² *See id.*

³³ *See* CRC, *supra* note 1, art. 30.

³⁴ This formal right in Sweden is called “hemspråk,” which translates to “home language.” Every child that speaks another language than the official language, Swedish, at home has a right to formal education in the home language to ensure that the child will be able to maintain good communication with parents and grandparents, and also feel culturally connected to the home culture. *See* Proposition [UBU12] 1996/97:110 Hemspråk (Swed.).

³⁵ *See id.*

IV. THE HISTORY TOWARDS A CHILD'S PERSPECTIVE

The CRC is the last of three international child rights documents spanning over almost one hundred years. The first international child rights document, the Geneva Declaration of the Rights of the Child ("Geneva Declaration"), dates back to 1924, when it was adopted by the League of Nations.³⁶ The Geneva Declaration was followed by the U.N. Declaration on the Rights of the Child in 1959 ("U.N. Declaration").³⁷ The U.N. Declaration was replaced by the U.N. Convention on the Rights of the Child in 1989.³⁸ There are two trends to be noted in international child rights over the span of these three documents. The first trend shows a movement from the child being the "first" to the child being the "center." This is a move from seeing the child as exceptional to a perspective from which society sees its obligations toward children in the everyday as well as in the emergency or exception. The second trend shows the expansion of international child rights from socioeconomic and cultural rights to include civil and political rights. International child rights began with socioeconomic rights, with a focus on food, healthcare, and education. This was the opposite of general human rights, which has its origin in civil and political rights, such as the right to vote and the protection of property. International child rights as a field has, for over 100 years, slowly moved towards civil and political rights.

V. THE CHILD AT THE CENTER

Let us begin by addressing the first trend—the move from placing the interest of the child *first* to making the interests of the child *central* to all decisions affecting them. The difference between the best interests of the child shall be *the* paramount consideration instead of *a* paramount consideration³⁹ is the way that the child moves from the position of *first* to *central*. The move from placing the child *first* to viewing the best interest of the child to be *central* reflects the understanding of the child as belonging to a social context. This movement is visible through the Geneva Declaration, the U.N. Declaration, and the CRC.

The child is placed *first* in the Geneva Declaration, as exempli-

³⁶ Geneva Declaration of the Rights of the Child of 1924, Sept. 26, 1924, League of Nations O.J. Spec. Supp. 21, at 43 (1924) [hereinafter Geneva Declaration].

³⁷ Declaration of the Rights of the Child, G.A. Res. 1386(XIV), U.N. Doc. A/4354 (Nov. 20, 1959) [hereinafter Declaration of the Rights of the Child].

³⁸ CRC, *supra* note 1.

³⁹ See Geneva Declaration, *supra* note 37. See also CRC, *supra* note 1, art. 3.

fied in the third section: "The child must be *the first* to receive relief in times of distress."⁴⁰ The U.N. Declaration on the Rights of the Child continues that trend in Principle 2: "In the enactment of laws for this purpose, the best interests of the child shall be *the paramount consideration*."⁴¹ The difference between these two is an expansion of the areas in which we should place the interest of the child *first* from situations of distress to the wider socioeconomic field. The U.N. Convention on the Rights of the Child in Article 3 states, "The best interests of the child shall be *a primary consideration*."⁴² The difference in the wording between the Declaration and the Convention is the replacement of "the" with "a."⁴³ The trend away from putting the child first, established clearly in the Geneva Declaration of 1924, broadened in the Declaration of 1959, and ended in the Convention in 1989, is a trend towards a child perspective where the child is central to the larger society, not as the first but as one among us.

At face value, it seems as though a reduction in protection for the child is occurring—but this is not the case. The rights of the child have been moved from a status of exceptionality and detachment to a perspective from which we look at the child as being at the center of our concerns. This perspective also acknowledges the child's attachment and dependency on adults around her while realizing that the rights of the child are dependent on adult willingness to make these rights real. For example, it might be necessary to save the doctor first to be able to secure the survival of the child. Another more commonly occurring situation is the need to provide support to the caretaker so that the caretaker in turn can take care of the child. These examples show that the child needs adults for basic survival and development. One more example of this can be seen in the fact that child survival rates can be linked to the educational level of the mother.⁴⁴ This is also why the child has to be seen as existing in a context, and why working with the child alone will not be enough if the child's caretakers or wider community are left in need.

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⁴⁰ Geneva Declaration, *supra* note 37 (emphasis added).

⁴¹ Declaration of the Rights of the Child, *supra* note 38 (emphasis added).

⁴² CRC, *supra* note 1, art. 3 (emphasis added).

⁴³ Compare CRC, *supra* note 1, with the Declaration of the Rights of the Child, *supra* note 38, and the Geneva Declaration, *supra* note 37.

⁴⁴ See George T. Bicego & J. Ties Boerma, *Maternal Education and Child Survival: A Comparative Study of Survey Data from 17 Countries*, 36 SOCIAL SCIENCE & MEDICINE 1207 (1993).

VI. FROM SOCIAL, ECONOMIC, AND CULTURAL RIGHTS TO CIVIL AND POLITICAL RIGHTS

Child rights have historically been grounded in social, economic and cultural rights with a focus on healthcare, education, and basic needs, such as food and clothes.⁴⁵ It was not until the CRC that civil and political rights were incorporated into the body of child rights.⁴⁶ This is the opposite path from the development of general human rights, where the main emphasis has been on civil and political rights moving towards social, economic and cultural rights.⁴⁷ It was not until 1989 that children were directly given civil and political rights, such as freedom of religion, freedom of speech, freedom to organize, and most importantly, the right to be heard, in Article 12 of the CRC.⁴⁸

VII. WHY THE UNITED STATES SHOULD RATIFY THE CRC

Historically, international child rights originated in the poverty-stricken areas of Europe⁴⁹ where people helped each other's children.⁵⁰ After the first and second World Wars, in poor and underdeveloped European states, much work focused on Europe's starving and poor children in need of food, healthcare, and education.⁵¹ The underlying notion of international child rights is that we should do at home what we expect others to do abroad. Thus, the United States, for its credibility abroad as an advocate of human rights, would benefit from the ratification of the CRC as a demonstration that the United States holds itself and its treatment of its own children to the same standard to which other countries' are held.

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⁴⁵ See *Crossing Borders*, *supra* note 1, at 662.

⁴⁶ Compare CRC, *supra* note 1, with the Declaration of the Rights of the Child, *supra* note 38, and the Geneva Declaration, *supra* note 37. See also *Crossing Borders*, *supra* note 1, at 659.

⁴⁷ See *Crossing Borders*, *supra* note 1, at 662.

⁴⁸ Compare CRC, *supra* note 1, with the Declaration of the Rights of the Child, *supra* note 38, and the Geneva Declaration, *supra* note 37. See also Jennifer C. Phillips, *Children's Rights to Health Care and Participation: United States Implementation of the UN Convention on the Rights of the Child*, 30 CAP. U. L. REV. 657, 694 (2002).

⁴⁹ Save the Children Sweden, <http://www.savethechildren.se/About-Us/The-organization/> (see the historical section describing the origin of Save the Children, UK).

⁵⁰ See Grahn-Farley, *supra* note 9, at 9-10 (discussing the adoption of the CRC as a post-Cold War treaty).

⁵¹ See Save the Children Sweden, *supra* note 49.

VII. CONCLUSION

A child perspective means that the rights of the child have moved from being exceptional, and only to be considered in exceptional moments of emergency, to being a central part of the way we look at our society. Moving from the exceptional to the center means that in times of non-emergency the child and children remain at the core of our concerns and are thus recognized as having fates interlinked with wider social policies. There are emergencies that appear before the child and children that remain unnoticed unless we take a child perspective. A mother's lack of access to healthcare for her child is not a socially accepted emergency, like a sinking ship, but for a family without access to healthcare even the most minor of child illnesses can become a state of emergency.

A child perspective means that the child's civil and political rights are met with the resources geared towards a realization of all the child's rights through the advancement of social, economic, and cultural rights. It is critical to children in United States, as well as to children abroad where United States' agencies and non-governmental organizations are active, that the United States finally joins the rest of the international community in sharing a commitment to its children at home as well as to the children encountered in activities abroad. It is critical that the United States holds itself and its own government to the same standards to which it holds the rest of the world when advocating for human rights abroad. It is my sincere hope that the United States will give American children the same protection of child rights as that possessed by children everywhere else in the world.