

Moving promises to action: a critique of the CRC from an ECD perspective

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*As the CRC was being reviewed and ratified, those in the early childhood field had high hopes that it would provide them with a legal basis for getting governments to devote more resources to programming for young children and their families. Many people turned to Robert Myers, a known spokesperson for the field as a whole. Thus, he undertook an analysis of the extent to which the CRC did – or did not – provide a strong basis for the creation of holistic ECD programmes. What follows is a critique of the CRC that highlights its lack of clarity in some areas, and suggests ways to remedy its inadequate treatment of early childhood care and development.**

Rights related to healthy child development do not seem to be set out with clarity in the Convention

Developmental rights are much less clear and concrete in the Convention, for instance, than rights to survival or rights related to protection. As an example, in Article 27, where an appropriately integral view of development is established in Section 1, development is then linked in Section 2 directly to providing ‘conditions of living necessary for the child’s development’, and in Section 3 this is reduced more explicitly to providing ‘material assistance and support programmes, particularly with regard to nutrition, clothing and housing’.

The early childhood care and development (ECCD) community, I believe, would insist that development requires much more than nutrition, clothing and housing. No mention is made in this article of the Convention of psychosocial or educational conditions that should be provided to promote healthy development. Rather, these pieces of what might be considered a key dimension in the developmental rights of children are scattered throughout the document and are often handled in a negative way or a way that does not make clear the connection to healthy development.

In general, the Convention assigns primary responsibility for the

‘upbringing and development of the child’ to parents or legal guardians who are to act in ‘the best interests of the child’ (Article 18, Section 1).

However, as indicated above, governments are also assigned responsibilities for assisting parents and legal guardians in the performance of their childrearing responsibilities (Article 18, Section 2) and also for taking ‘all appropriate measures to ensure that children of working parents have the right to benefit from child-care services and facilities for which they are eligible’ (Article 18, Section 3). Notwithstanding these provisions, as one looks at National Plans (or Programmes) of Actions (NPAs),

attention by governments to child care institutions, facilities and services is frequently missing. Governments often seem to be content to leave the responsibility for childcare with parents.

Attention to preschool education does seem to be present in many NPAs. This is ironic because the Convention does not include preschooling or early learning in its treatment of a child’s right to education. Although Article 29 states that the education of the child should be directed to ‘the development of the child’s personality, talents and mental and physical abilities to their fullest potential’ (Article 28), that provides the context for this statement

treats education strictly in terms of schooling. Accordingly, the educational rights of children are specified in terms of primary, secondary, higher and vocational education (schooling).

Thus, the development referred to in Article 29 is that which occurs in school, and primary school is defined as the starting point. Learning and education associated with development during the earliest years (whether at home or in preschool settings) are left out of the educational rights of children. Instead, we are left to assume that this early learning is covered in other parts of the Convention, in relation to, for instance, childcare and childrearing (Article 18), various measures of protection (eg, freedom from abuse, Article 19), or in relation to children in special circumstances, including children with mental or physical disabilities (Article 23).

One reason this lack of clarity with respect to the right to education is disturbing is that most monitoring of the ECCD component of the Convention is being carried out in relation to the education sector, based on the interpretation given to the Convention at the Summit for Children.

A low priority was assigned to ECCD at the World Summit for Children

Another reason why ECCD may not be receiving its due as part of the follow up of the Convention is that a relatively low priority was assigned to ECCD as the provisions of the Convention were interpreted and translated into goals at the Summit for Children and in the resulting Plan of Action. The emphases given to particular areas in the worldwide Plan of Action are reflected in National Plans and in monitoring. More specifically, the Plan, set out at the Summit in September 1990, listed 26 objectives to be pursued, each related to an area of sectorial actions favouring the child. The grouping of these objectives by sector was as follows:

Health and education of women	4 objectives
Nutrition	8 objectives
Child health	6 objectives
Water and sanitation	3 objectives
Basic education	4 objectives
Children in difficult circumstances	1 objective

It is clear that actions related to all of these objectives have a bearing on the development of young children, but particularly on their physical development as problems are overcome

related to protein-energy malnutrition, lack of micronutrients, diseases, etc. What is again weak, however, is recognition of the mental, social, moral and spiritual dimensions of development referred to in the Convention. The one (number 5) goal of the 25 listed that deals directly with child development is the first goal listed under education which states: 'Increase early childhood development activities, including appropriate low-cost interventions based in the family and in the community'. However, it is very general.

This goal goes beyond the Convention's treatment of *basic education* and does provide a basis for attention to early childhood development. The reader will note, however, that the goal is extremely general (as contrasted, for instance, with other goals such as 'elimination of illness caused by guinea worm by the year 2000', or 'reduction of 50 percent in deaths caused by diarrhoea in children under age 5'). The reader will also note the reference to low-cost interventions, a stipulation that is not deemed necessary when setting out other goals or proposed actions.

A further interpretation of the Convention and consolidation of priorities was made at the Summit by defining in the worldwide Plan of

Action seven 'Principal Goals of Survival, Development and Protection'. The seven refer specifically to: 1) infant and child mortality; 2) maternal mortality; 3) malnutrition; 4) water and sanitation; 5) universal access to basic education; 6) illiteracy; and 7) protection of children in especially difficult circumstances. In this delimitation, basic education is made synonymous with primary schooling, thereby setting aside early childhood development from the *principal* goals. Here we see even more clearly how the Summit interpreted and gave priority to certain parts of the Convention on the Rights of the Child. This is important to note because National Programmes of Action have been formulated, in the main, with respect to the goals set out by the Summit rather than with respect to the broader conditions of the Convention on the Rights of the Child. As a result, many provisions of the Convention are not considered in National Plans, including such basic rights as the simple right of a child to a name (something that is not part of the legal fabric of many societies), the right not to be abused, or civic rights and the right to participation. And, in the process of following the seven general goals of the Summit, child development and care during the early years are virtually missing from some NPAS and the related monitoring process.



Brasil: 'A criança tem direitos assegurados antes mesmo de nascer' from: *A turma da Mônica*; Prefeitura do Município de São Paulo

An emphasis on what can be measured

That ECCD is weak in the follow-up activities related to the Convention and in many NPAS may be due to the fact that an emphasis has been placed on quantitative indicators in planning and monitoring the Convention, for which there are agreed-upon measures that can be compared internationally. Whereas there is general agreement on certain indicators such as infant mortality, weight for age, or low birth weight, similar agreement does not exist on how to measure the mental, social and emotional development of young children. And, given the cultural and social differences in the way in which child development is defined, it is difficult to insist on an internationally comparable measure for child development. There is a tendency to think that if something cannot be measured easily and compared internationally, it is not important, or even worse, that it does not exist. As one looks at NPAS and at reports of

progress, the measurable indicator that seems to be used for early childhood care and development is a measure of the coverage of preschool programmes. If preschool coverage increases, the assumption is that there is progress toward improving child development. However, this institutional view, concentrating on coverage, does not tell us what is actually happening with respect to various dimensions of children's development. Also, even this apparently simple indicator is often distorted because only formal programmes of preschooling are included in the coverage figure, leaving out non-formal programmes and leaving out such initiatives as parental education. Similarly, because this monitoring occurs in relation to educational programmes, childcare institutions and services may be left out. Finally, the indicator is not comparable internationally because of the wide variation in the type and quality of the preschool programmes being offered in different settings. In brief, the quantitative measures being applied to monitor early childhood care and development within the framework of the Convention are, at best, very limited.

Some questions that must be asked

What I have presented above are thoughts and impressions that must be treated as hypotheses rather than facts when looking at a particular situation or National Programme of Action. As readers seek to verify these hypotheses and as they go about examining relationships between the Convention, the Summit, NPAS and specific actions in their respective countries, the following questions might be kept in mind.

1. How have the provisions of the Convention on the Rights of the Child been translated into the National Plan or Programme of Action in your country? Has the attachment of NPAS to the outcome of the Summit led to reinterpreting the Convention, or to leaving out attention to some important rights? If so, what provisions of the Convention have been set aside in the process?
2. Has your country written reports to be presented to the UN Committee on the Rights of the Child? If not, why not? If so:

- a. To what extent do the reports reflect a critical view of the situation of children and of progress toward fulfilment of the obligations under the Convention and to what extent do the reports simply present positive outcomes and plans?
 - b. Who has participated in the process of writing the reports and how has that affected them?
 - c. Is the information provided reliable?
 - d. Are national reports in the public domain? Have they been debated?
3. How has early childhood care and development been treated in your NPA, in monitoring and in reports? Are specific ECCD goals and objectives included? What are the indicators proposed for monitoring progress toward the goals? Are these adequate? Does monitoring concentrate on formal preschool education or are non-formal programmes and child care programmes also included?
 4. Does the inability to quantify early childhood progress distort planning and prejudice important areas?

A challenge

Despite ratification of the Convention on the Rights of the Child by most of the countries in the world, and despite the fact that *human development* and *quality of life* have been placed, in recent years, much more at the centre of the international development debate, child development has not yet become a natural and important part of that debate or of monitoring the developmental progress of nations. As suggested above, this failure is related at least in part to the failure to agree upon appropriate measures of what constitutes early childhood care and development.

This presents the ECCD community with a major challenge: to agree upon measures of early childhood development that can be used for monitoring the developmental progress of children at a national level. This means moving beyond measures of programme coverage. In facing this challenge, it will be important to accept and preserve differences in cultural definitions of early childhood development. This means that the indicators used will not be comparable

internationally (or even, necessarily, applicable at national levels in such heterogeneous places as India). But such agreed-upon indicators can be useful for planning, programming, monitoring and evaluation at either national or local levels which, after all, are where initiatives are taking place and where effects are expected.

In facing this challenge it will also be important to respect the integrated nature of development. It would be unfortunate, for instance, to define development exclusively in terms of physical development or of mental development, leaving aside social and emotional development. This suggests the need for developmental profiles of children and the need for periodic measurement of the several dimensions to see how they are moving over time. Creating a profile of child development or of the status of children may be more a political than a technical question, requiring ways to get different parts of government and society to bring together in one place the various measures presently being applied to create the profile. It may also involve an even more difficult task of overcoming feuds within academic communities

where various schools of thought defend at all cost their particular measures of child development. These potential obstacles notwithstanding, the goal is within our reach, as is being shown, for instance, in Jamaica where a process of monitoring the status of children has been agreed upon and is being tried out.

Let us accept the challenge of defining early childhood indicators that can be used to monitor children's development as our contribution to making the Convention on the Rights of the Child a living document. Let us promote solid planning and monitoring at national and local levels of child development programmes in the best interests of the child and of our respective societies. ○

* This article has been taken from 'The Convention on the Rights of the Child: moving promises to action' *Coordinator's Notebook No. 17*; The Consultative Group on Early Childhood Care and Development