Young children's right to be heard on the quality of their education: Addressing potential misunderstandings in the context of early childhood education

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Abstract
In early childhood education many researchers and professionals across the world have embraced the United Nations Convention on the Rights of the Child's requirement to include young children in decision-making. In the context of ongoing discussion about young children's capacity to share their views and opinions about matters affecting them, there is often a focus on demonstrating 'evidence' that young children can participate in decision-making as capable meaning-makers in their own lives, defying traditional paternalistic approaches and assumptions. While acknowledging the important work that has been undertaken to support children's participatory rights, this article seeks to raise questions about whether understanding the right of young children to be heard, particularly in relation to the quality of their education, may have been subject to a form of 'rights inflation' that has extended the scope of the application of the right beyond the parameters of the legal framework and/or promoted an interpretation which exceeds what the text of the Convention can bear. In this article, we explore three possible misrepresentations relating to young children's participation in decision-making related to the quality of education: (1) that all children can, should and want to have opportunities...
to share views on all matters affecting them; (2) that young children should always be allowed to learn and play freely; and (3) that children are the experts in their worlds. We do this to open up a conversation about the limits and partiality of young children's participation when viewed through the lens of children's human rights, highlighting, inter alia, the ongoing need to underscore the role of parents/guardians and professionals in enabling young children to enjoy all of their human rights, including the right to a quality education, fully.

**KEYWORDS**

early childhood, education, participation, rights

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**Key insights**

**What is the main issue that the paper addresses?**

The paper questions whether existing understanding of children's participation in early childhood education may extend beyond what is required by the UN Convention on the Rights of the Child.

**What are the main insights that the paper provides?**

The paper argues that there is a gap in understanding between what it is sometimes claimed that young children can and should do in terms of children's right participation in early childhood education and what they actually can, should and want to do.

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**INTRODUCTION**

The United Nations Convention on the Rights of the Child (‘CRC’ or ‘Convention’) (UN, 1989) has provided not only an impetus but a framework for including young children in decision-making, especially in relation to their education. Many early childhood researchers and professionals across the world have embraced the implementation of the obligation with enthusiasm, generating a large body of knowledge and creative practices that endeavour to ensure that young children’s views are sought and taken seriously in early childhood education (e.g. Cheeseman et al., 2022; Correia et al., 2023; Kangas & Lastikka, 2019; Matsui, 2020; Nsamenang, 2013). While this is to be welcomed, this article sounds a note of caution about what is and is not required in a children’s rights approach to participation in early childhood education (‘ECE’), focusing on the inherent limits and possible external restrictions on the exercise of the right to have views given due weight in accordance with their age and maturity. It begins by describing Article 12(1) of the CRC, with a particular focus on implementation in early childhood, acknowledging the potential of this unique phase of childhood education. It also provides an account of its relationship with Article 29 of the CRC which contains a set of globally agreed principles on the aims of education—in effect
an agreed blueprint of what the world’s governments consider constitutes a ‘quality’ education. The many and inevitable limitations on the implementation of the right, particularly for younger children are then addressed. This includes tackling some of the prevalent (albeit often unintended) misrepresentations of the extent of the obligation, including the oft-cited trope that ‘children are “the” experts in their own lives’.

**YOUNG CHILDREN’S RIGHT TO PARTICIPATE IN EDUCATIONAL DECISION-MAKING IN PRACTICE**

Article 12(1) of the CRC gives every child who is ‘capable of forming a view’ the right to express it and a right to have that view given ‘due weight in accordance with age and maturity’. The right remains one of the most cited but least understood of all the rights in the Convention (Lundy, 2007). One of the ongoing common misunderstandings is that the qualification of ‘age and maturity’ applies across the whole provision so that it is not necessary to seek children’s views where they are young or do not have sufficient understanding of the issues being discussed. That is a misreading of the text: the right to have the view given due weight applies to all children capable of forming a view and is not limited by age or maturity. In fact, the Committee on the Rights of the Child (‘the Committee’) defines early childhood to include all children under the age of 8 and we adopt this definition for the purposes of the discussion. The Committee has stressed the importance of the right for all children in this age group:

> The right to express views and feelings should be anchored in the child’s daily life at home (including, when applicable, the extended family) and in his or her community; *within the full range of early childhood health, care and education facilities*, [emphasis added] as well as in legal proceedings; and in the development of policies and services, including through research and consultations. (UN, 2005, para. 14)

A further area where there remains some confusion is the fact that Article 12(1) applies to ‘all matters affecting the child’ (including the child’s rights to and in education articulated in Articles 28 and 29 of the Convention; Lundy et al., 2019). It is important to note that these key provisions which articulate the child’s right to education do not, in fact, mention ECE at all—an omission so significant that there has been a recent call for a new optional protocol to the Convention that addresses this gap, among others (Sheppard, 2022). Nonetheless the Committee has defined ‘education’ broadly and has repeatedly called for states to include free access to early childhood education (Lundy, 2012). Moreover, the concept of ‘quality’ is not one that is used in the CRC at all in relation to education. Rather Article 28 of the CRC defines access to education and Article 29 defines the ‘aims of education’: together they provide a human rights blueprint for the quality of education (Lundy, 2012; UN, 2001). Reading Articles 12, 28 and 29 together, human rights law requires that young children are supported to express their views individually and as a group on all matters affecting them and that this obligation extends to the entire remit of their educational experience.

We note that ‘quality’ in ECE is a strongly contested concept (Cannella et al., 2016; Dahlberg et al., 2007; Penn, 2011; Urban, 2016). However, neurobiological research has shown that high ‘quality’ early childhood programmes have an impact on brain development and neuro-synapse connections during the first 3 years of a child’s life (Dalli et al., 2011; McCain & Mustard, 1999). Research also indicates that early childhood education supports children’s transition to and engagement with school (OECD, 2006). For children ‘at risk’, or who are economically disadvantaged, high ‘quality’ early childhood education can
improve intellectual and social and emotional skills which promotes lifelong learning, social engagement and economic productivity in adulthood (Bakken et al., 2017). High ‘quality’ early childhood programmes can also offer support around issues of equity, fairness and justice, including culturally sustaining pedagogies. In short, there is clear evidence not only that ECE is a matter that ‘affects’ children (a pre-condition for the engagement of Article 12(1)) but also that receiving a high ‘quality’ education is a means of realising children’s other human rights, including a right to education that is consistent with Article 29.

The requirement to enable young children to participate in early childhood educational decision-making is clear. Despite this, young children are one of the groups who have traditionally been least likely to be involved in decision-making in their own lives. There are a number of reasons for this, including: a perception that young children, particularly those under the age of 5, are seen as lacking the cognitive capabilities and maturity to be able to form ‘reliable’ or ‘valid’ views or opinions about the world around them (Ferreira et al., 2018; Powell et al., 2011); adults’ lack of capacity or understanding on how to create opportunities and develop methods to support children to share their views (MacNaughton et al., 2007); and adults’ wish to shield children because of a fear of exposing young children too early to what they perceive as adult or complex issues (Peters, 2020). These reasons and others are often presented as unjustifiable barriers to the realisation of children’s right to be heard. However, we suggest that this black and white characterisation may be unhelpful to the wider endeavour since: there are issues where children may not have reliable views; it can do ECE professionals a considerable disservice to suggest that they cannot support children’s expression; and there are times when children should be shielded from information that is not appropriate. Throughout the discussion, our overall contention is as follows: acknowledging the distinct challenges to the meaningful participation of the very young child is not a barrier to implementation of the child’s right under Article 12 of the CRC but a realistic approach that can underscore the overall aim of ensuring that young children enjoy the right in the evolving but legally informed way that the Committee envisages and to which they are entitled (UN, 2005, 2009).

In spite of—or perhaps partly as a result of—persistent resistance to the idea that young children are capable of and/or should be engaged in these issues, there has been an exponential growth in research and practice relating to young children’s participation in ECE. While the introduction of General Comment No. 7 on Implementing Children's Rights in Early Childhood (UN, 2005) enhanced the motivation for this, the conceptualisation of young children particularly in relation to agency, competency and capacity as meaning makers and social actors through sociology and childhood studies has had a huge impact on child participation (Alderson, 2012; James et al., 1998). The reconceptualisation of young children, in particular, has led to an increase in children being consulted on a number of issues related to early childhood education. Children aged between 3 and 8 years of age have been consulted on transitioning to school (e.g. Brooks & Murray, 2018; Kocyigit, 2014), wellbeing (e.g. Koch, 2018; Puroila et al., 2012), play and learning (e.g. Pyle & Alaca, 2018), curriculum development (e.g. McGrath et al., 2008), pedagogical quality (e.g. Sheridan & Samuelsson, 2001) and their experience of children’s rights (Harcourt & Hagglund, 2013; Quennerstedt, 2016). It is notable that there has been markedly less opportunity for children under 3 years of age to share their views and experiences of education (but see Cheeseman et al., 2022; Elwick et al., 2014; Perry & Waller, 2011; Sumson et al., 2011; te One, 2009). That said, it is also important to note that most of this work has been undertaken in the context of research in the Global North (Australia and Europe), which reflects particular social–cultural circumstances (McMellon & Tisdall, 2020), and may not have been translated into pedagogical practice by teachers and administrators in early childhood education settings.
While cognisant of ongoing challenges, the growth in understanding and implementation of young children's right to participate is undoubtedly to be welcomed. Our own work has both benefitted from and contributed to this. In fact, three of us met and began to collaborate in a global initiative that was developed for the very purpose of exploring and promoting young children's right to be heard in education. Our core position, like others, is that young children are more capable of understanding and expressing their views on most issues, including their early educational experiences, than most adults give them credit for. That said, in this paper we take the opportunity to probe and reflect on a concern that we have discussed for some time, but have not until now interrogated systematically. This ongoing 'niggle' for us is as follows: in the drive to meet the resistance to the involvement of young children in decision-making and therefore to 'prove' or at least defend the notion that young children are capable of being meaningful-makers in their own lives, defying the traditional paternalistic approaches and assumptions, the right of young children to be heard may have been inflated, extending the scope of the application of the right beyond the legal framework and/or promoting an interpretation that exceeds what the text of the Convention can bear. In the sections that follow, we explore three ways in which this may occur in both scholarship and practice. We conclude by suggesting a legally sound framework for implementing child participation in early childhood education—one that supports and acknowledges young children's right to be heard, yet is attentive to the many limitations of that both in human rights law and in ECE practice.

THE LEGAL LIMITS OF CHILDREN'S PARTICIPATION IN ALL DECISION-MAKING ABOUT ‘QUALITY’ IN EARLY CHILDHOOD EDUCATION

In the previous section, we established that young children are entitled to have their views sought and given due weight on matters affecting them including the quality of their early childhood education and that there are many challenges to that being implemented in practice. What we did not discuss, and what is often omitted from discussion, are the limits of Article 12(1) and its particular application when children are very young. In the sections that follow, we explore the inherent and other limitations on the enjoyment of the right. In particular, the integral restrictions in the legal text of the right as worded in the Convention are first that the right to express views is afforded only to children 'capable of forming a view' and secondly that the right to have views given due weight is 'in accordance with age and maturity'. Both have apparent implications when the rights-holder is a younger child (Lundy et al., 2019). Added to that is the broader application of Article 12(1)—it applies to all decisions affecting the child or children which is a recognition of the reality that adults do and usually should make most of the decisions which impact on children, especially young children. Beyond the text of Article 12(1), it must also be understood that it does not operate in a vacuum and should be implemented in a way that accommodates children's other human rights such as the individual child's right to education, including an education that meets the 'quality requirements of Article 29 of the CRC or to be protected from harm. Where this is not possible, the right to be heard cannot be simply outweighed by another right (that is another widespread misunderstanding) but the weight to be given to the child's views may be impacted by its implications for the enjoyment of other human rights (such as the right to education or to protection from harm)' (Gillett-Swan & Lundy, 2022). With these general limits of the child's right to be heard clarified, we will next address what we perceive to be three common misunderstandings about the scope and application of children's right to participate in early childhood education, with a focus on their views as to its quality.
CHILDREN SHOULD ALWAYS HAVE THE OPPORTUNITY TO PARTICIPATE IN EARLY CHILDHOOD EDUCATION

From a rights-based perspective participation means more than simply taking part in activities: it is participation ‘with purpose’ and the purpose is for the children’s views to influence decision-making on the matters affecting them in their early education (Lundy & O’Donnell, 2021). However, this requires (a) that the child can form views on such issues and (b) that they want to express them. Both of these pre-requisites require interrogation. First the right applies only when a child is capable of forming a view. This is one of the most contentious aspects of the provision (and was omitted from the equivalent provision in Article 7 of the UN Convention on the Rights of Persons with Disabilities). However, it remains a restriction and one that was intended to ensure that the right is given to those who can benefit from it, that is form a view. That said, the Committee has taken a very generous interpretation of this, emphasising that: ‘Article 12 imposes no age limit on the right of the child to express her or his views, and discourages States parties from introducing age limits either in law or in practice which would restrict the child’s right to be heard’ (UN, 2009, para. 21).

Research has shown consistently that even the very youngest children can form and express views on aspects of their lives (Alderson, 2010). However, in the rush to assert young children’s capacity to convey their opinions on things that affect them, it might be forgotten that there are issues on which some children will simply not be able to form a view. This is especially likely to be the case for collective participation, for example, when national law and policy is set and policy-makers wish to engage with the views of children as a group (Lundy, 2018). For example, one of the things that affects the quality of children’s education is the resources allocated to it. The Committee has stressed that children should be involved in public spending decision-making (UN, 2019) and research has shown that some young children are capable of forming and expressing some views on some aspects of that (Lundy et al., 2020). There are excellent examples of young children’s views being taken into account in deciding how to allocate resources in their immediate environment, for example, play space. However, not all children can form or express views on all issues that affect them. It would be stretching the credibility of Article 12(1) to say that governments must consult directly with young children when agreeing annual spending on ECE. That does not mean that their rights and needs should not be factored into the budgetary process—they should, preferably through a robust child rights impact assessment that has taken account of research on young children’s experiences of ECE (Payne, 2019). However, this might best be achieved through consultation with, for example, adult experts, professionals and parents/guardians, particularly those who can speak to young children’s experiences. It is stretching the rationale and meaning of Article 12(1) to say that direct child participation is always required and, for example, that babies and infants should be included in advisory or project steering groups. Article 12 does not require babies to be brought to boardrooms for interaction with decision-makers (of course, no one thinks that) or indeed for decision-makers such as educational policy-makers or curriculum developers to go to early childhood centres to ‘consult’ children (albeit we recognise the considerable learning there may be in those visits for those not familiar with ECE practice) (Schnoor, 2013). To suggest otherwise stretches not just credibility but the boundaries of the legal text.

Secondly, a child should not be required to express a view on any topic or issue. Article 12 is a right and not a duty (Lundy, 2007). Like every right (bar one), the rights-holder has a choice whether or not to exercise it and should not be expected to do so. The one exception is pertinent here since it is, in fact, the right to education which states that ‘education shall be compulsory at least in the elementary stages’. As above, it is worth noting that early childhood education is not compulsory, although some might argue that it should be freely available to all children (Sheppard, 2022). The reason why elementary education is compulsory
is that it is understood that it is fundamental to the ability to understand, claim and enjoy all other human rights. The effect is that children are required to receive education, but they do not have to participate in decision-making about it (or indeed anything else). Sometimes remaining silent is children's way of expressing what they think (Hanna, 2021). However, in many cases, silence will be chosen simply because they do not have a view or do not wish to share it. Some children will not be interested and the right not to exercise their right must be respected. Not wanting to participate can be expressed by young children in multiple ways. Children who are mobile (walking, crawling, rolling) may move away from the space, others may verbalise through words and sounds to express their lack of interest, while babies and toddlers might use facial, hand and body gestures, for example turning their head away or waving their hands. As with adults, not all topics are of interest to children. Educators or researchers might be asking children to participate at a time when they are engaged or want to be engaged with other activities, environments and people within the early childhood space and the time is not convenient. This silence, lack of interest or engagement should not be misunderstood as lack of capacity. It is important to reflect on how, when and about what children are invited to express their views and why. For example, it is worth asking whether the pedagogical invitations are inclusive and culturally safe and the materials and language used are relevant and accessible to children's background and culture. The power relations between early childhood staff and children are also important since there may be risks for children if they critique curriculum, pedagogy and policies for relationships between children and adults. Yet even when these issues have been addressed, some children may just prefer to say nothing, to move away and/or to do something that is more interesting for them. It is therefore important to be aware also that participation is not always possible or even desirable in all situations (Mcneish, 1999). The right not to express a view is just as worthy of respect as the right to have views given due weight (UN, 2001).

**CHILDREN SHOULD BE ALLOWED TO LEARN AND PLAY FREELY**

Encouraging as much ‘participation’ in early education as possible is generally understood as an unqualified good. However, that depends on how participation is understood. From a pedagogical perspective, it is important that children ‘participate’—possibly better phrased as ‘engage’—in education. However, this is not what ‘participate’ means from a rights-based perspective. Rights-based participation is more than ‘taking part’ (Lundy & O'Donnell, 2021). As mentioned previously, participation in this context means going beyond engagement to ensure that children's views influence decision-making on the matters affecting them in their education. Notwithstanding the holistic benefits of free play or learning potentials of structured play for children, it is important to acknowledge fully the potential misunderstandings associated with the relationship between participatory and playful pedagogies and participation when viewed from a children's rights perspective.

As young children have become increasingly recognised as active agents in their own lives, participatory pedagogies have also become recognised as a way of enhancing children's engagement and deeper involvement in early childhood education and research practices (Cameron & Moss, 2020). Contemporary early childhood literature and research shows that child-centred approaches with a focus on agency, including supporting children's interests, self-initiated activities and play, are increasingly valued in early childhood pedagogical and methodological practices (Hedges, 2021). Play is acknowledged as essential to children's cognitive, social, emotional, linguistic and literacy development as well as their autonomy (Taylor & Boyer, 2020). Moreover, interpretations of the CRC through general comments and practice guidance emphasise agency as a fundamental component and corollary
of children's human rights, which motivates adults to provide opportunities for children to exercise agency (Freeman, 2007; UNICEF, 2014). Within early childhood the intention of participatory pedagogies to increase children's involvement and develop agency is often correlated with young children's participation rights (Brantefors & Quennerstedt, 2016). Perhaps it is the very significant emphasis placed on children's involvement and agency that creates confusion between participatory approaches and children's right to participate in decision-making as enshrined in Article 12. Participatory pedagogies and participation rights are not synonymous; it cannot be assumed that free play and/or choices equate to children's rights in education being realised fully or at all.

Free play and autonomous decision making are often constructed as value free. There is a large body of research, however, that challenges this assumption and argues that how children's (and adults') play is embedded with social, cultural, historical and political ideas and beliefs which result in children being included or excluded through play based on gender, sexuality, 'race', ethnicity, class, ability and religion (e.g. Farago et al., 2017; Grieshaber & McArdle, 2010). Educators need to be aware of how children's freedom to choose what and who they play with can be beneficial but also exclusionary (Wood, 2014). The idea of children learning and playing freely needs to be balanced with educators raising children's awareness about the rights of others in and outside of their early childhood setting.

From a children's human rights perspective, it is important that whatever is provided in ECE meets the requirements not only of Article 31 of the CRC but also of Article 29(1) of the CRC. This includes ensuring that children are supported to develop 'peace, tolerance, equality of the sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origins' (Art 29 (1), CRC). Moreover, the right to education and the right to be heard must be delivered in a way that is compliant with Article 2 of the CRC, a cross-cutting principle that prohibits discrimination on a number for grounds including 'sex' and 'race'. This is not proffered here to justify the rejection of opportunities for free play or choice. Rather it is a call to consider the sociopolitical elements of children's play encounters and choice making (Wood, 2014) that contribute to or disrupt the fulfilment of children's rights to and in education as a package, individually or collectively.

Research indicates that children are beginning to show signs of sexism, racism, homophobia from the age of 2 and 3 (Archangelo & O'Loughlin, 2021; MacNaughton, 2000; Prioletta, 2020; van Ausdale & Feagin, 2001; Xu, 2020). They can bring this to ECE and make choices accordingly. Gender research shows that preschool children become 'gender enforcers' on (re)establishing the stereotypical heterosexual gender rules and norms of in the classroom (Danby, 1998; MacNaughton, 1993, 2000; Martin & Ruble, 2010). This enforcement of gender norms means that children can be excluded from activities, materials and relationships, which limits the development of skills and knowledge that will affect future educational and employment opportunities. This also connects with emerging research on the experiences of transgender or non-binary gender conforming children in the early years (Kroeger & Regula, 2017; Warin & Price, 2020). In studies by Diamond et al. (2008) and Guralnick et al. (1996), it was found that when choosing children to play with in the preschool classroom most children chose other children with ‘typical’ development over children with a physical disability. Other scholars have reported the ways children engaged in racist discourses through play that marginalise and discriminate against children and adults from minoritised ethnicities (MacNevin & Berman, 2017; Pacini-Ketchabaw, 2014; Srinivasan, 2016, 2019; van Ausdale & Feagin, 2001).

For ECE, a rights-based approach means challenging arguments that children are too young or innocent to understand when they are excluding and discriminating against children and adults. Derman-Sparks and Olsen Edwards (2020) highlight the important of implementing and anti-bias approach for both minority and majority children, focusing on the intersectionality of diversity and the associated biases. Escayg (2021) articulates
the need for a specific anti-racist approach to play, guiding children by engaging in critical discussions and experiences concerning racism and power relations, including white privilege (Escayg, 2019, 2021). Reframing the curriculum can be powerful in promoting a high ‘quality’ education and effecting the implementation of Article 29 of the CRC for all children. Collectively, these approaches illuminate the interdependency of participatory and non-discrimination principles, and point to the need to find balance between respecting children as agentic capable people and providing guidance in the practical implementation of all rights for all children in ECE settings, including in relation to the right to have views given due weight.

Secondly, tensions also continue to exist between balancing children's participation rights and adult roles in providing care and protection for children (Cheeseman & Press, 2022; Tisdall & Punch, 2012). So-called participatory and provision rights, in this case the right to education, should always be considered with protection rights with regard to ensuring a child’s right to physically and psychologically safe early childhood education settings. Many countries have regulatory requirements for ECE services to ensure children's safety, which might include setting the numbers of staff for supervision of children and/or the physical design of indoor and outdoor spaces. These regulations, policies and guidelines are often connected to risk management. Providing young children with opportunities to have a voice may therefore also need to be balanced with the need to make decisions that stop children when they are doing unsafe things where they could harm themselves and other people physically and, as discussed in the previous section, psychologically. Article 19 of the CRC requires that children are protected from all forms of harm including abuse and neglect. The role of the early childhood educator is to support and guide children to consider the risks and the potential harm to themselves and others and to provide safe ways to undertake risky play, for example. In short, there will be moments where the early childhood educator will need to stop play and prevent the child doing what they would otherwise choose to do, because it is unsafe. Children's views should be heard and given due weight but will not in these cases necessarily supersede safety. However, this is where the child's right to receive information about matters affecting them in Article 13 and 17 comes into play—explaining why a child cannot engage with an activity, material or behaviour is an important element of implementing a rights-based approach (Lundy, 2018).

CHILDREN ARE THE EXPERTS IN THEIR OWN LIVES

This is one of the most cited statements about children's participation, proffered to justify children's involvement. Presented didactically, it can be hard to query. Yet it is inaccurate in a number of respects, not least when it comes to decisions about the quality of education for young children. The problem lies in the use of the word ‘the’. This suggests that children are either the only or at least the primary experts in the decisions that are made about them. That is not, in fact, ever true and particularly so when it relates to very young children. A young child might, for example, wish to refuse to have a life-saving vaccine or medical treatment to avoid temporary discomfort but a parent/guardian may have to insist, and in some cases insist on the treatment against their child's will. In education too, decisions are made by adults in areas where children have no or limited expertise. Suggesting that children are ‘the’ experts here is another way in which we can not only underline the implementation of Article 12 but also diminish the contribution of parents/guardians and ECE professionals, the importance of which is also underscored by a full reading of the Convention.
Parents/guardians as experts

Parents/guardians have a right and a duty to advise and guide a child in the exercise of their human rights (including their right to education and to be heard) in line with the child's evolving capacities (Article 5, CRC). The younger the child, the larger the role parents/children will play (Varadan, 2019). The Committee on the Rights of the Child has stressed that: ‘Under normal circumstances, a young child's parents play a crucial role in the achievement of their rights, along with other members of family, extended family or community, including legal guardians, as appropriate. This is fully recognized within the Convention (especially Article 5), along with the obligation on States parties to provide assistance, including quality childcare services (especially Article 18)’ (UN, 2005). To take one example, one of the most significant decisions that parents/guardians will make is whether to send the child to early childhood education or to keep them at home and, if they choose the former, which type of provision to pick. From a rights-respecting perspective, young children should be informed with a particular toy or person. A parent/guardian should have the ability to see a wider or long-term picture. That might be to do with affordability or opening hours or the convenience of the commute or journey or the cultural diversity. Christensen and Stockdale (1991) administered a questionnaire to 230 parents who had children aged 2–5 years of age and found that parent decisions vary across socio-economic background, age of the parent and gender. Generally, parents made decisions based on safety, the educational value and the quality of the material and how a toy has been made (Christensen & Stockdale, 1991). These are all important factors to take into account, many of which will not be readily understood by a child. This in turn partly explains why the Convention gives parents/guardians the unique right and obligation to advise their children. Article 5 of the CRC affords parents the right (and duty) to advise and guide the child in the exercise of their rights in line with their evolving capacities (including their right to a ‘quality’ education in line with Article 29 of the CRC). In fact, so important is their contribution that it has been suggested that there is a Convention on the Rights of Parents embedded in the Convention on the Rights of the Child.i

ECE professionals as experts

The claim that children are ‘the’ experts in their own lives also belies the expertise of ECE professionals. This is arguably especially important in this context given the historical obstacles that the profession has had to challenge. Early childhood education is a highly feminised industry. It is often seen as care work and mothering that is natural for women to provide with a lack of recognition of the skills and expertise required (Arndt et al., 2018; Osgood, 2011). Further, Krieg (2010) raised concerns about child-centred practice and a child’s interest approach to curriculum development creating misunderstandings by early childhood educators that their expertise and specialist knowledge should not shape the learning in the early childhood setting. To deny or diminish this input might create an unhelpful binary where children’s ‘voices’ are privileged over teachers’ knowledge. Rather than reinforcing this binary between adults’ and children’s expertise, it is important to view participation as an interdependent process that requires mutual respect (McMellon & Tisdall, 2020). Early childhood educators’ expertise and specialist knowledge about individual children and pedagogical strategies that foster participation are critical in order to make professional judgements that reconcile promoting children’s right to a quality education and giving due weight to the children’s views in decision making. This presents
an ethical challenge for ECE professionals who are responsible for realising children's rights. Adults must reflect on their personal assumptions of what they consider best for children and seek to find a balance between their expertise and what they understand to be children's views in the matters being decided. From this perspective, children's views are clearly not necessarily authoritative (or often privileged), which in turn highlights that professional expertise is essential for responsible duty-bearers who face the multiple challenges inherent in facilitating the right to participate.

**CONCLUSION**

Participation in ECE has enjoyed a considerable surge in interest, in the wake of a persistent and entrenched resistance to the idea that young children are competent meaning makers. Notwithstanding criticisms of its exclusionary beginnings and Western-dominated representations of children and childhoods (Faulkner & Nyamutata, 2020), the CRC, in particular Article 12(1), has both motivated and informed this increased activity. In the rush of enthusiasm, we wish to raise a question as to whether proponents (including ourselves) may, at times, have perhaps gone too far and argue that there is a range of assumptions and practices that should be questioned when viewed through the lens of children's rights. Our intention is not to undermine the significant body of work that has demonstrated how important it is to engage young children in ECE and how that can be achieved, but to open a conversation across diverse childhoods globally about the limits of young children's participation when viewed through the CRC—the human rights lens that is often used to justify both research and practice.

We suggest that a holistic rights-based approach to participation in relation to the ‘quality’ in ECE requires consideration not only of the inherent limits of Article 12(1), particularly when applied to young children, but also a need to read the right to be heard squarely alongside young children's other human rights, including their right to an education that complies with Article 29 CRC, one that protects them from harm, both physically and psychologically (Article 19) and one that allows parents and caregivers to advise and guide them as they exercise their rights (Article 5). Crosscutting all of this is a requirement to ensure that adult decision-makers—rightly influential in young children's lives—have children's best interests as a priority (Article 3(1)). This in turn requires them to take into account children's views but only if children can and wish to express them. Positioning young children's right to be heard in relation to the quality of their education, within this wider, more nuanced understanding of the child rights paradigm could play a role in stopping or stemming the credibility gap. This gap—between what it is sometimes claimed that young children can and should do and what they actually can, should and want to do—provides fertile soil for the growth of the already widespread cynicism that accompanies attention to young children’s views on their education. Going forward, the human rights imperative continues to be that we should seek young children's perspectives on the quality of ECE wherever decisions are being made that affect them, yet all the while bearing in mind that: they may not have or be capable of forming a view on issues connected to quality; they may not wish or choose to share their views; their views may be overridden if they undermine the enjoyment of their own rights or those of others; and that parents and early childhood professionals have expertise that is core to the delivery of young children's human rights, not least of which is their right to a ‘high’ quality education which recognises diversity in ECE settings.

**CONFLICT OF INTEREST STATEMENT**

There are no conflict of interests arising.
DATA AVAILABILITY STATEMENT
Data sharing is not applicable to this article as no new data were created or analysed in this study.

ETHICS STATEMENT
No data was collection so no ethical considerations arise.

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ENDNOTE
While not published in writing, this is attributed to Professor Michael Freeman.

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