Recognition and capability – a new way to understand how children can achieve their rights?

Nigel Thomas (University of Central Lancashire)

Daniel Stoecklin (University of Geneva)

Keywords: capability, recognition, rights, intergenerational relations, theories of childhood

Introduction

The aim of this chapter is to explore new ways of understanding how children achieve a place in society. The focus is both analytical and ethical, attending to the processes that enable children or impede them in realising their potential value as members of societies. The task of developing new sociological understandings of childhood has recently been addressed using a number of different theoretical approaches, singly or in combination (Alanen, 2014). This chapter explores aspects of children's place in society using two theoretical models: recognition theory, in particular the three modes of 'love, rights and solidarity' (Honneth, 1995) and the capability approach (Sen, 1999). The idea is not to merge the two perspectives; on the contrary it is to show what they respectively draw attention to.

We will look at the 'blind spots' in both approaches, the missing links that other theories may help to fill. Whilst recognition theory puts the focus on personal identity, the capability approach is primarily concerned with acts that people have or have not the freedom to perform. We suggest that the link between activities and identities is a central issue, as it is always mediated by specific values that are a key element in the processes whereby recognition is achieved or denied. For instance, it appears that children often must show that they share a

specific community of value before their cognitive ability is recognised as mature enough to actively participate in legal relations. From the point of view of capability theory, then, esteem/solidarity as expressed in recognition theory could be seen as a 'conversion factor' enabling children to exercise in reality the rights that they already have in law. In such ways recognition may be necessary in order to have one's capacities converted into capabilities.

We consider in particular the application of both theories to the case of the United Nations Convention on the Rights of the Child (CRC) as an example of how children's place in intergenerational relations is constructed, crafted as it is by adults for the presumed benefit of children, but at the same time reinterpreted by children themselves (Hanson & Poretti, 2012). The recursivity of the process whereby children achieve a place in society is underlined, as achieved functionings retroact on the social definition of individual entitlements. The 'rights of the child' then become part of the configuration of personal and social factors that convert these entitlements into an ever evolving capability set. The chapter concludes with a review of current attempts to use the two theories to inform and guide empirical research with children.

Honneth's theory of recognition[1]

Honneth's project is to build a theory of social progress that is founded on the concept of intersubjective *recognition* as a fundamental element in human interaction and individual and group identity. Not only does he put the concept of recognition at the heart of his social theory; he has also done more than any other author to articulate the concept of recognition in a complex way. It is this articulation, perhaps as much as the overarching theory, that makes his model interesting as a way of thinking about children's place in society.

[1] This section draws substantially on Thomas (2012).

Throughout the development of his theory, Honneth maintains the threefold conceptualisation of intersubjective recognition which he originally took from Hegel, for which he found empirical support in Mead (1934), and which he refers to in summary as 'love, rights and solidarity'.

By *love* he means 'primary relationships insofar as they – on the model of friendships, parent-child relationships, as well as erotic relationships between lovers – are constituted by strong emotional attachments among a small number of people' (Honneth, 1995, p. 95). For him, these relationships are the site of complex emotional interactions, of which the most significant are affection, attachment, trust, and the struggle to achieve a balance between symbiosis and self-assertion. Many things can go wrong in such primary relationships; but the outcome, when they are successful, is a mutual recognition of independence 'supported by an affective confidence in the continuity of shared concern' (1995. P. 107).

By *rights* Honneth refers to the respect for persons implied in modern legal relations. The first step is that 'subjects reciprocally recognize each other with regard to their status as morally responsible' (Honneth, 1995, p. 110). Honneth links this to a Kantian concept of rational autonomy that immediately raises questions about *who* is included; questions that, as we argue below, he does not fully address. What he does suggest is that 'the essential indeterminacy as to what constitutes the status of a responsible person leads to a structural openness on the part of modern law to a gradual increase in inclusivity and precision' (*ibid.*). This tends to produce both an extension of the classes of people to whom basic human rights are extended, and an extension of the types of rights to which they are entitled, as Marshall (1963) showed. Honneth's contribution is to link this with social respect, and with self-respect, which he argues is dependent on the ability to claim one's rights through a legal process. Empirical support for this is to be found in the negative; for example, in experiences of the civil rights movement,

where subjects 'talk of how the endurance of legal under-privileging necessarily leads to a crippling feeling of social shame, from which one can be liberated only through active protest and resistance' (1995, p. 121; see also Fanon, 1961). The extension of rights to children is on the contrary a positive example whereby the burden of proof of the incapacity of children to exert their rights is put on the parties (the States), notably regarding the kind or level of maturity required to be heard (art. 12 CRC), and therefore 'structural openness' mentioned by Honneth is a central issue.

By *solidarity* Honneth means 'the forms of social regard in which subjects are recognized according to the socially defined worth of their concrete characteristics' (1995, p. 121). Honneth employs a broad conception of the values and goals that 'taken together, comprise the cultural self-understanding of a society' (p. 122). This understanding is historically variable, and the forms that esteem can take therefore depend in part on 'the degree of pluralization of the socially defined value-horizon' (*ibid.*). Specifically, Honneth argues that the move to a social order in which values (a) are not tied to one's place in society and (b) are subject to individual determination creates a space in which people's sense of being 'valuable' depends on being 'recognized for accomplishments that they precisely do not share in an undifferentiated manner with others' (p. 125). However, he is also clear that 'the worth accorded to various forms of self-realization and even the manner in which the relevant traits and abilities are defined fundamentally depend on the dominant interpretations of societal goals in each historical case' (p. 126).

Honneth's theory of recognition is both a theory of individual development in a social context, and a theory of social change in a historical context (see **Figure 4.1** below). Although the theory is a developmental and historical one, and the modes are also expressed as stages (if mainly cumulative rather than successive), a degree of synchronicity in its application is also

permissible, even necessary. One does not cease to need recognition in the form of love, and the point at which one begins to need respect and esteem may be rather earlier in life than Honneth sometimes implies, as we argue below. On this basis, the model can in principle be used to interrogate any social setting – for example a workplace, a festival, a parliament, a nursery, a war – since all three modes of recognition will always be more or less present or absent, and the ways in which they are or are not expressed may or may not be problematic.

Mode of recognition	Emotional support	Cognitive respect	Social esteem
Dimension of personality	Needs and emotions	Moral responsibility	Traits and abilities
Forms of recognition	Primary relationships (love, friendship)	Legal relations (rights)	Community of value (solidarity)
Developmental potential	–	Generalization, de-formalization	Individualization, equalization
Practical relation-to-self	Basic self-confidence	Self-respect	Self-esteem
Forms of disrespect	Abuse and rape	Denial of rights, exclusion	Denigration, insult
Threatened component of personality	Physical integrity	Social integrity	'honour', dignity

Figure 4.1: The structure of relations of recognition (based on Honneth 1995)

Honneth does not talk about children except in the context of primary relationships of love and care. The exclusion of children from universal human rights is taken as read, which means that

the question of their status is not made explicit. This is in the face of Honneth's own assertion that

> It must always be asked of a universally valid right – in light of empirical descriptions of the situation – what the circle of human subjects is, within which, because they belong to the class of morally responsible persons, the rights are supposed to be applicable. (p. 113)

We argue here: (i) that children *do* belong to the class of morally responsible persons, are therefore holders of rights and entitled to respect; (ii) that children are people with talents and capabilities, who contribute in a variety of ways to society and culture, and so are deserving of esteem. Research in childhood studies, and the adoption of the CRC, have led to these assumptions being more widely, if not universally, accepted. It then becomes possible to analyse children's place in society using the concepts provided by Honneth's recognition theory: to ask when, where and how they achieve reciprocal recognition (i) as love, (ii) as respect and (iii) as esteem. In other words, the model invites us to look at children not only as recipients of care and affection, but also as givers of care and affection, *and* as rights-bearers and rights-respecters, *and* as potential, if not actual, members of a community of solidarity based on shared values and reciprocal esteem.

The capability approach

Capabilities can be defined as the real freedom one has to lead the kind of life one has reasons to value (Sen, 1999). The capability approach began as a theory of welfare economics, but developed into a broader theory of justice, notably by Sen (1999) and Nussbaum (2000). In this approach 'individual advantage… is judged by a person's capability to do things he or she has

reason to value' (Sen, 2010, p. 231). The approach employs some key concepts. *Capabilities* are a person's real freedoms or opportunities to achieve functionings. Capabilities are based on (a) *resources* and (b) *conversion factors – personal, social and environmental factors which enable people to convert resources into functionings*. The aim is to analyse inequality in a way that allows for *agency* and *difference, rather than imposing external measures that are intended to fit all*.

Like Honneth, Sen and Nussbaum barely mention children except with a developmental orientation ('children and parental duties'). Implicitly, individual advantage is judged by a child's capability to do things he or she will have reason to value in the future – or by his or her future capabilities. The central concept of 'agency freedom', or freedom to follow ones own life choices, is not really applied to children.

The capability approach has only recently been applied to children (Ballet, Biggeri & Comin, 2011; Biggeri & Comin, 2010, 2011; Dixon & Nussbaum, 2012) and to children's rights (Stoecklin & Bonvin, 2014). Dixon and Nussbaum remain stuck in a vulnerability and 'future' orientation to children. Ballet *et al.* apply the approach to children in a way that tries to allow for their agency to some extent, with the concept of 'evolving capabilities' (see also Liebel, 2014). Stoecklin and Bonvin seek to identify the factors that convert entitlements (formal rights) into capability (real freedom). They hold that there is always a gap between children's formal liberties (rights) and their real freedom (capability), and that the conversion factors necessary to convert the rights on paper into effective enjoyment of rights include social factors such as public policies and individual factors such as cognition. **Figure 4.2** below shows how, depending on personal and social conversion factors, individual entitlements are converted into more or less important and numerous possible functionings.

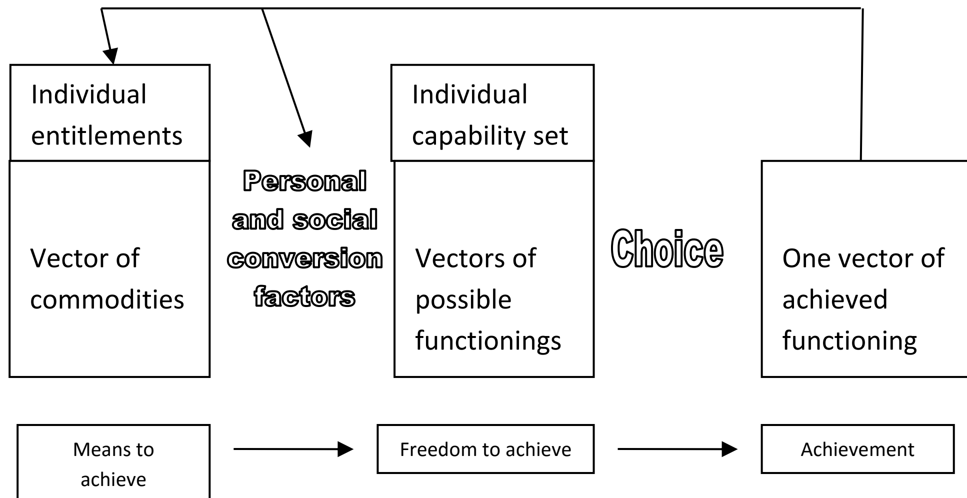

Figure 4.2 : from entitlements and commodities to achieved functionings (Stoecklin and Bonvin 2014, p.134)

The feedback loops indicated by backwards arrows illustrate 'the recursivity or cyclical aspect of the process, whereby achieved functionings, in later sequences, retroact on the social definition of individual entitlements as well as they become part of the configuration of personal and social factors that convert these entitlements into an ever evolving capability set' (Stoecklin & Bonvin, 2014, p. 134). The decision-making process is therefore seen as a complex interplay between children's reflexivity, that of adults and the opportunities offered by actual structures.

The notion of recursivity in participation processes highlights that achievements or experiences resulting from the child's choice among several possibilities that were at hand (freedom to achieve) are crucial for the re/interpretation of one's individual entitlements. This (re)interpretation also corresponds to the bottom-up translation of children's rights, or 'living rights': the understandings of rights as they are experienced by children in different contexts (Hanson & Poretti, 2012). This means that children can themselves have agency upon how individual entitlements are understood in a specific community, and actually children's actual choices are to a great extent dependent on their own understanding of their rights.

Our starting point is that:

(i) Children do have life goals and reasons to value particular functionings;

(ii) There is no reason in principle not to apply the capability approach with children as with adults;

(iii) Everyone's freedom to choose their life goals is potentially limited by societal expectations in various ways – not only children's.

Therefore we can use the capability approach to understand children's place in society:

a) To consider the resources available to children – which include adult care and concern for their present and future wellbeing, as well as resources that support their autonomous action.

b) To understand the 'conversion factors' (personal, social and environmental) that turn those resources into capabilities – including the propensity of the adult world to take account of children's own views and support their autonomous action.

c) To analyse the evolution of capabilities in individual cases and on a broader group or societal level.

d) To understand how local and global inequalities are maintained and how they can be challenged – including inequalities between adults and children.

Commonalities and differences

We can now begin to compare the two theoretical approaches in relation to the understanding of children's position in society. Both approaches combine socio-economic analysis with an

ethical underpinning. Both theories can help us to understand children's social position. Both theories can be used to make demands on behalf of children. Recognition theory is primarily a theory of social relations, while the capability approach also embraces material resources. Recognition theory is a general theory of society, while the capability approach is an 'informational' model without prescriptive content. Both potentially offer new and useful ways of thinking about children's place in society.

Both have particular strengths and limitations. Recognition theory has been criticised for not taking account of power (McNay, 2008). Honneth's version of recognition theory has also been criticised for demoting the importance of struggles over distribution of resources (Fraser, 1995). Honneth's theorising is firmly rooted in Western European philosophy, history and social institutions. On the other hand, the capability approach has grown to address issues of development and poverty and does not have an explicit historical dimension, but is arguably better at addressing global issues and contexts (and therefore global childhoods). It remains unclear, or contested (Nussbaum, Sen) how far 'capabilities' can be generalised and how far they are self-defined. Finally, applying either model to children and childhood raises the old question of one childhood as a structural formation or multiple childhoods as social constructs (Qvortrup, 2009).

The two theories in dialogue

A dialogue between recognition theory and the capability approach can help to reveal new features of both. First, the centrality of activity in the capability approach, the centrality of identity in recognition theory, and their respective silence on the relationship between activity and identity. In the capability approach 'real freedom to live a life they have reason to value' implies the idea that to 'live' is manifested in 'doings'; predominant accounts of capabilities

are still made through the presence or absence of substantial and concrete activities that are considered as indicators of one's 'real freedom'. In recognition theory, the focus is on acceptance by others of one's own conception of self, be it in terms of love, rights or solidarity. The focus each theory puts on another aspect of one's experience (activities versus identity) prepares the ground for implicit hypotheses. In the capability theory, one would consider that 'doings' have some sort of priority over 'beings', whereas in recognition theory doings are seen as consequences of beings (being loved, being respected, being esteemed), so that identity is primary. Therefore, both theories, in different ways, suffer from missing connections between activities and identities.

In the capability approach,

> resources are conceived as means to reach a valuable end, i.e. the development of capabilities. What matters is the end and not the equal distribution of means; in this respect Sen's perspective ranges among the 'equality of opportunity' approaches. The main concern, then, is not to increase the means but to ensure as much as possible the achievement of the end. A key issue in this respect is that of conversion: as a matter of fact, the ability of people to convert the possession of resources or commodities into capabilities or real freedoms to live a life they have reason to value, depends on individual and social factors, i.e. individual characteristics such as gender, nationality, physical or mental abilities, etc. on the one hand, social norms, available public policies, socio-economic opportunities, etc. on the other hand (Bonvin & Stoecklin, 2016, pp. 22-23).

The question of identity is of course not reducible to 'gender, nationality, physical or mental abilities'. Nor are people's wishes and aspirations only the products of a collective habitus

(Bourdieu, 1992); they are also elaborated individually on the basis of specific identities (actual or sought). Hence, one's reflexive thinking in the elaboration of preferences is not solely determined by the collective debate about good *reasons* to value specific doings and beings. There is a double structuration (Giddens, 1984) whereby individual actions and social systems are reciprocally constructed.

The logic of double structuration is also contained in Stoecklin's (2013) conception of social action. This conception understands social action as the interplay between dimensions of experience displayed within one's activities, relations, values, images of self and motivations, as highlighted in **Figure 4.3** below.

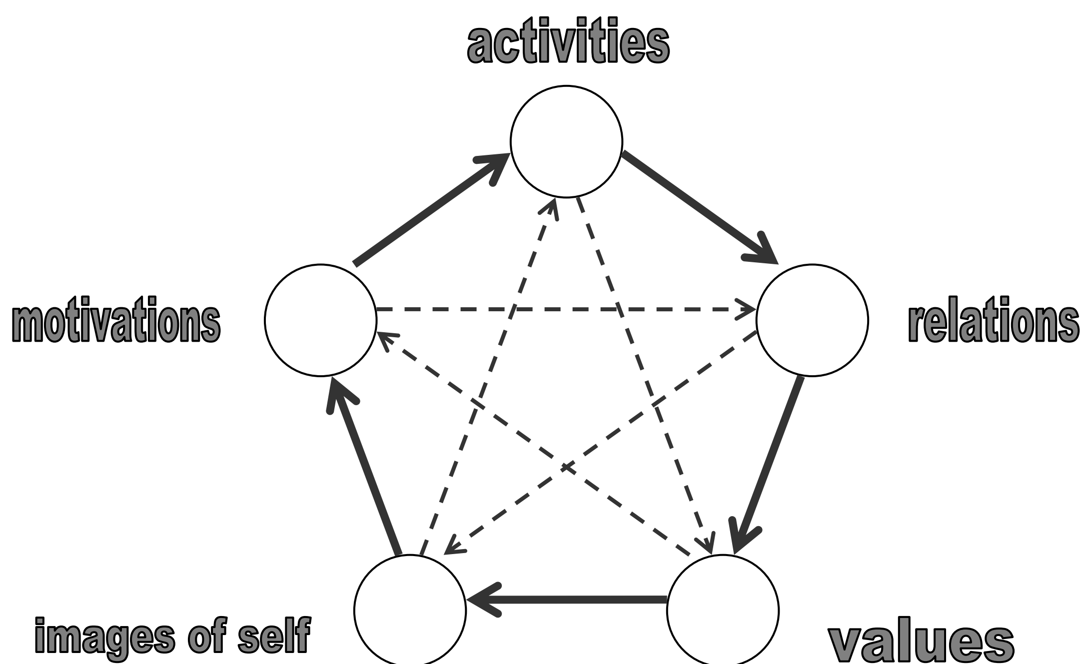

Figure 4.3: The actor's system (Stoecklin)

The interdependence between relations, values and images of self is of interest here. It suggests that identity results from reflections of and on the self (images of self) evolving according to the kind of values (love, rights, solidarity) that are 'shaped' within relationships. Along this conception, we do not consider values as preceding relationships, like a 'stock of knowledge'

(Schütz, 1987) that actors would grab onto, but rather as constructed within social interaction itself. Unless they are asked to do so, social actors do not often explicitly refer to values, they do not wear them or hold them as flags. Unless they want others to give up their own interests and act to their benefit, they are not using preconceived values in an instrumental way. Children also experience values first of all 'in the making', during interaction. The rationalisation of values comes with education, peer-group membership, identification with categories of people; all socially induced processes whereby values may eventually turn into rigidified discourses. The perspective of interpretive reproduction (Corsaro, 1997) is certainly relevant to account for this plasticity of values that is observable especially in early childhood. Hence, values are in the making and are 'shaped' within interactions and not given beforehand. Values are embedded in concrete relations with 'significant others' (Berger & Luckmann, 1966), family members in particular, and a 'generalised other' is formed through constant comparison with other contexts. A basic feature of identity can be highlighted: it is built within relationships that leave more or less open the set of values that any actor may conceive. Stoecklin's (2013) 'actor system' is helpful to conceive the construction of identity as the result of the links among the other dimensions of action. Not only do relations and values shape identities, but also activities and motivations. The recursive nature is underlined, as identities in turn are shaping motivations and activities.

So we can now return to the discussion on capability and recognition, considering the interdependencies in the 'actor's system', and underline two basic features. First, that Honneth's three modes of recognition are embedded in triadic links between relations, values and images of self, with values having a mediation effect. Second, that capabilities are embedded in the triad made of images of self, motivations and activities, with motivations as the mediator. That is to say that people's preferences (motivations) are strongly shaped by the images they have of themselves, as reflections of and on the self are embedded in the forms of

recognition identified by Honneth.Therefore, Honneth's theory of recognition, seen from the perspective of the 'actor's system', contributes to fill some gap in the capability approach, namely the importance of reflexive thinking about one's own identity. Reversely, the same perspective helps asking whether the recognition theory takes full account of the specific 'activities' inducing the prevalence of one mode of recognition over the others. There might be a tendency to see love, rights and esteem, only in a diachronic way, as modes of recognition that follow each other according to children's evolving capacities. It is more than probable now that we have highlighted the complexity of one's system of action, that the three modes of recognition can also form specific configurations according to activities and contexts. The diachronic and the synchronic perspective should not be opposed but seen as complementary. This is certainly more interesting, as it allows us to compare situations from a perspective that does not strictly oppose social constructionism and developmental psychology (the so-called Piagetian 'stages'), but rather seeks for bridges between them and so fosters the interdisciplinary debate.

Although Honneth's model of recognition theory locates rights/respect as prior to solidarity/esteem, there are suggestions (Thomas, 2012) that children are in practice often unable to realise the former until they have demonstrated that they merit the latter; in other words, that children must show that they share a specific community of value before their cognitive ability is recognised as mature enough to actively participate in legal relations. From the point of view of capability theory, then, esteem/solidarity may be seen as a 'conversion factor' enabling children to exercise in reality the rights that they already have in law. This leads us to a discussion on the CRC.

The CRC as a framework for recognition and capabilities

The CRC is the most ratified international treaty and consequently it also gives rise to a wide range of debates and myriads of positions within them. Different appraisals and understandings of the provisions contained in this normative framework have been observed, confirming the relevance of sociological and anthropological perspectives, especially when it comes to local interpretation and implementation. Nevertheless, some global trends can be identified, within which Hanson (2012) identifies four 'schools of thought' (paternalism, liberalism, welfare and emancipation). Our position is located within the 'emancipation' approach. We look at how children achieve a place in society, calling in two theoretical approaches (recognition and capability) to better understand the dynamics of children's agency.

We have come to a point where we suggest that these theories help go beyond ideological positions (what to do) and closer to sociological observations (how things are done). While the 'new sociology of childhood' emphasized childhood as a social construction and shed light on children's competences (James & Prout, 1990; Oswell, 2012), the majority of practice dealing directly with children is still dominantly paternalistic, protecting children's 'becomings'. The radical reaction of 'liberationists' to dominant traditional viewpoints presumes full competence and rationality of children ('being' independent citizens), and therefore claim that children should have equal rights to those of adults (Hanson, 2012, p. 74). Our position is to reject the 'being/becoming' dichotomy, because the life course is made of the interaction of both dimensions and hence this divide is a poor device to analyse the question of agency pertaining the entire life course.

The distinction between power and legitimacy is here central. With the adoption and ratification of the CRC, the social construction of childhood has been framed by the rational-legal domination (Weber, 2013). But the power of children as subjects of participation rights (legitimacy of their voices) remains restricted by adults' views and expectations. In a Weberian

perspective, we could say that the CRC entitles children to pursue legitimate claims (the 3rd optional protocol about individual complaints, entered into force in 2013, is a further step in this direction). Yet, legitimation does not prevent domination (Giddens, 1979). Children's voices may have legitimacy, but they have little or no effective power. The ethical position holding that every effort should be made to turn downward cycles (Lansdown, 2010) into upward cycles is an illustration of the perceived gap to be narrowed between children's enhanced legitimacy as rights-holders and their limited power as social actors.

On an analytical level, however, we should not only try to better understand the dynamics that enable children or impede them in realising their potential value as members of societies. We should also consider that this problem itself reveals something about the social construction of childhood: the very fact that children can be thought of as valuable participants to democratic processes of governance, that will in turn enhance their own capability, is only possible along the modern individualistic vision of the 'common good'. The rational-legal domination associated with human rights, extended to children through a binding normative instrument such as the CRC, should logically include children as stakeholders in the implementing of their own rights. But how much capability do they really have in this process? The capability of children over the official or dominant interpretation of their own rights is weak. We know that the provisions of the CRC were crafted by adults for the presumed benefit of children, and also that they are at the same time reinterpreted by children themselves (Hanson and Poretti, 2012). But how much of the latter is 're-injected' into debates around specific provisions of the CRC? How much are children's own reflexive formulations about their rights included in their implementation? How much do we respect the right of children, as a group, to express their views and to be heard, about their own understanding of what their rights are or should be?

This should be further researched with a focus on the feedback arrows of the capability framework (**Figure 4.2**), together with the structural openness mentioned by Honneth, allowing for the inclusion of children as responsible persons. This structural openness is linked to two important questions raised by the capability approach: how do we understand 'freedom' and how do we consider 'reason'? Freedom to lead a certain kind of life has to do with the actual possibilities that are in fact two-sided: in order to do something, one has to be able to act in the relevant ways to achieve what one wants to do (positive freedom), but one also must not be prevented by other persons or by circumstances (negative freedom). To play music for instance is a freedom that necessitates a proper capacity to use an instrument (including one's voice) but also an environment where one is not prevented to do so by other people or/and by the absence of instruments. Hence, the freedom to lead a life based on respect for human rights requires the capacity to identify rights and an environment that is conducive to seeing oneself and others as rights-bearers. Actually the latter is a precondition to the former. In other words, there must be some rights-grounded habitus, resulting from the reproduction of social norms through their internalisation in individual actors, in order for children to be able to recognise and name a right (Snodgrass-Godoy, 1999). Children's rights are therefore necessarily an adult-driven habitus, as the process of internalisation of something called a 'right' can only be embedded in education, which is an ontological necessity (Dewey, 1910). Compared to other species, human beings develop their innate functional capacities (such as walking or talking) in the long run. The symbolic capacities necessary to make sense of something called a 'right' take even longer to fully develop. Sometimes also adults do not have a clear understanding of what a 'right' entails and requires: the interdependence of rights and duties, the conventional dimension of rights, hence their interpretation, deconstruction and reconstruction, all these rather complex issues which are actually only gradually understood by actors that are learning through experience. Nobody can reasonably expect children (at any age) to understand a 'right'

if no concrete example of it is mentioned or experienced. It takes the capacity to systematize specific events into a specific configuration, that can be compared to a ‘general rule’ that had already emerged from previous experience. So we see that the recognition of any right, and of the violation thereof, takes a learning process favoured by the “structural openness” Honneth mentioned. Rights are not innate, they are learnt conventions. On this basis we can now better understand that the ‘freedom to lead a certain kind of life’ does actually not just require that someone would be able to act in a certain way and that other people or circumstances do not oppose to one’s desires; it also depends on the elaboration of one’s desires, of how something may become desirable, and this is very much a social process linked to structural openness. We may see here that the two aspects, ‘freedom’ and ‘reason’ are actually linked together. Things people have ‘reason’ to value are precisely collectively elaborated:

> Capabilities are not a matter of preferences, but of ‘reasonable’ preferences. (…) Capabilities must be, then, something people have ‘reason to value’ and do not necessarily equate with their preferences. (…) In his work, Sen consistently insists on an open definition of rationality and denounces the limitations of too specific a view on this issue. Partisans of a strictly economic view of rationality based on a cost-benefit analysis are for instance considered as ‘rational fools’ (Sen, 1977). In his eyes, the problem of rationality is ‘undecidable’ (Sen, 2002), which means that the content and criteria of rationality cannot be fixed once for all, they are to be determined in situation in the course of a public discussion. This argument accounts for Sen’s constant insistence on the importance of public reasoning (Sen, 2009). (Bonvin & Stoecklin, 2016, pp. 24-25)

The relevance of individual preferences is always debated and public support is necessary to build a good ‘reason’ to value them. The social norms prevailing in the public deliberative

space are already an expression of in-built preferences, reflecting the 'normality' (deriving from a 'capability' to make norms and naturalise them) of individuals equipped with more resources taking different forms of capital: economic, social, cultural and symbolic forms of capital (Bourdieu, 1992). Honneth's (1995) conception of a 'value horizon' is a partial attempt to address this problem, by positing a range of values that, while not all shared universally, are generally recognised as socially acceptable value sets.

A major issue is that the limitation of structural openness often goes beyond what is necessary to protect children. Therefore the collective debate which is required is not democratic enough. The reasons to value certain things are the reasons of certain people more than others; and as children neither have an innate sense of rights nor a privileged position within the debate about 'reasonable preferences', they are in fact highly dependent on the values that are predominant in certain settings. 'Being free to live the way one would like may be enormously helped by the choice of others, and it would be a mistake to think of achievements only in terms of active choice by oneself' (Sen, 1993, p. 44). This is why 'the enhancement of capabilities as a requirement of social justice depends on the joint action of the individual concerned and other actors in her environment' (Bonvin & Stoecklin, 2016, p. 22).

Conclusion – agency and freedom

There have been several attempts to test the application of the capability approach to children's place in society. In the field of organised leisure, Stoecklin and Bonvin (2014) use the capability approach to understand the relationship between children's rights and the praxis of participation. They identify four sets of factors – economical, political, organisational and personal – that enable 'the child's right to be heard' under Article 12 to be converted into effective participation. Combining these factors helps to understand the process element of

participation, while use of the 'actor's system' brings in children's reflexivity as a major converting factor and underlines the recursivity of the participation experience.

In relation to the participation of children in care, Robin (2014) uses the capability approach to show how children can move from being 'objects' to 'subjects'. She shows that there is still a gap between the formal right accorded by the French Child Protection Reform Law to children living in care to take part in the assessment process (as part of a number of new rights accorded to children living in care following adoption of the CRC) and the concrete opportunities for those children to actually exercise this right. These constraints are due to interdependences of individual features and social opportunities in decision-making processes taking place in care facilities. This study also approaches these processes as non-linear, cumulative and retroactive.

There have also been a few attempts to test the application of recognition theory. Thomas (2012) observed the operation of young people's forums, in research that highlighted the importance of both love and solidarity, and the surprisingly low profile of rights, in the work of these forums. Distinguishing the different modes of recognition proved to be a powerful took in analysing the strengths and weaknesses of this particular approach to young people's participation, with resonance for participants. In schools, a large study by Graham, Fitzgerald, Powell, Thomas, Anderson, White and Simmons (2014) discovered that Honneth's categories of 'love, respect and esteem' also appeared highly resonant when students and teachers talked about their conceptions of wellbeing. A subsequent study, now nearing completion, is showing the strength of the relationship between participation and wellbeing, and how that is mediated by experiences of intersubjective recognition and misrecognition.

To our knowledge there has been one attempt to apply the two theories together. Golay and Malatesta's (2014) research in children's councils in Lausanne explored the understanding of 'opportunities and barriers' in two different types of council in terms of three components of

capabilities (opportunity, capacity and agency) together with the three modes of recognition. Using the two frameworks in combination, together with elements of a 'living rights' approach which attends to the claims children make from their lived experience (Hanson & Poretti, 2012; Hanson & Nieuwenhuys, 2013 ; Liebel, 2008) enabled the authors to analyse and critique in some depth the operation of children's councils, showing how their modes of working are mainly defined by adults, and how institutional goals play a major role in defining the frame of participation, restricting the opportunities that councils present for children and reinforcing class and gender inequalities. Real change would require the recognition of children as a group and overcoming 'social cleavages' so that girls and other devalued groups have a better chance to participate (p. 124). The authors suggest that these preconditions, considered as social and individual conversion factors in the capability approach, would be required to promote solidarity and foster a larger recognition of children's contribution.

These studies represent, we suggest, the beginnings of a project to test the usefulness of these two theoretical models, separately and together, in understanding the limits and possibilities, the constraints and the enablers, the particular characteristics and the determinants, of children's participation in society.

Both theories are fundamentally about conceptions of freedom. Sen distinguishes between *substantive* freedom, which the capability approach aims to explain, and *procedural* freedom, which it does not. Honneth's account of recognition is fundamentally an account of freedom and how it is 'actualized'. This is very clear from his more recent work (Honneth, 2014). Here, Honneth distinguishes between negative or *legal freedom*, reflexive or *moral freedom* and *social freedom*. Social freedom is dependent on cooperation with others.

Can one theory be subsumed under the other? For instance, could we interpret capabilities as a means to achieving fuller recognition, on the one hand, or recognition as a resource, or as a

conversion factor, or on the other. Or is it better to employ them in parallel? To ask (in a relation to a child, a group of children, or all children): Where and how children achieve reciprocal recognition (how children are cared for, how their rights are respected, in what ways they are valued)? What resources and what conversion factors enable them to achieve what functionings?

As we have noted, the capability approach mainly highlights activities, whereas the recognition theory puts relationships and images of self in its focus. The links between different dimensions of action (praxis) must therefore be specified, and we suggest that the 'actor's system' can help with this (Stoecklin, 2013). The capability approach, focusing on the range of possible activities an actor has access to, according to individual and social conversion factors, should consider that the other dimensions of action, namely relations, values, images of self and motivations, are interwoven within the conversion factors. Therefore, one's relations and images of self, which in recognition theory is the focal aspect of action, is bound to the aforementioned interwoven dimensions.

These symbolic dimensions of action are actually instantiated in institutional forms – conventions, institutions, positions – which in turn inform interactions. This two way structuration between intersubjectivity and social institutions is notably addressed by Honneth's (2014) recent work which moves on from the intersubjectivity that underpins his original statement of recognition theory to look at the part played by important social institutions. This is an attempt to reconstruct the values implicit in social institutions, in order to critically illuminate precisely how they fail to deliver, or enable, true freedom, and what would need to change in order to make that implied promise a reality. That of course involves struggle, a struggle in which we contend that children can and should be understood as playing a full part.

References

Alanen, L. (2014). Theorizing childhood. *Childhood*, 21(1), 3-6.

Ballet, J., Biggeri, M., & Comim, F. (2011). *Children and the Capability Approach*. Basingstoke/New York: Palgrave Macmillan.

Berger, P., & Luckmann, T. (1966). *The Social Construction of Reality: A treatise in the sociology of knowledge*, New York: Anchor Books.

Bonvin, J., & Stoecklin, D. (2016). Children's Rights as Evolving Capabilities: Towards a Contextualized and Processual Conception of Social Justice. *Ethical Perspectives*, 23(1), 19-39.

Bourdieu, P. (1992). *The Logic of Practice.* Cambridge: Polity.

Corsaro, W. (1997). *The sociology of childhood*. Thousand Oaks: Pine Forge Press.

Dewey, J. (1910). *How we think*. Boston: D.C. Heath & Co.

Fanon, F. (1961). *The Wretched of the Earth*. Harmondsworth: Penguin.

Fraser, N. (1995). From Redistribution to Recognition: dilemmas of justice in a 'postsocialist' age. *New Left Review*, 212, 68-93.

Golay, D., & Malatesta, D. (2014). Children's Councils Implementation: A Path Toward Recognition? In D. Stoecklin & J-M. Bonvin. *Children's Rights and the Capability Approach: Challenges and Prospects* (pp. 109-130). Dordrecht: Springer.

Graham, A., Fitzgerald, R., Powell, M., Thomas, N., Anderson, D., White, N., & Simmons, C. (2014). *Improving approaches to wellbeing in schools: What role does recognition play? Final Report*. Centre for Children and Young People, Southern Cross University, Lismore.

Hanson, K. (2012). Schools of thought in children's rights. In M. Liebel (ed.), *Children's rights from below. Cross-cultural perspectives* (pp. 63-79). Basingstoke: Palgrave Macmillan.

Hanson, K., & Nieuwenhuys, O. (eds) (2013). *Reconceptualizing Children's Rights in International Development: Living Rights, Social Justice and Translations*. Cambridge: Cambridge University Press.

Hanson, K., & Poretti, M. (2012). 'Living Rights' ou l'enfant sujet de droits: la traduction de la compréhension de leurs droits par les enfants eux-mêmes à l'attention de la communauté internationale. In P. Meyer-Bisch (dir.), *L'enfant témoin et sujet: les droits culturels de l'enfant* (pp. 81-101). Genève, Suisse : Schulthess.

Honneth, A. (1995). *The Struggle for Recognition: The Moral Grammar of Social Conflicts*. Cambridge: Polity Press.

Honneth, A. (2014). *Freedom's Right: The Social Foundations of Democratic Life*. Cambridge: Polity Press.

James, A., & Prout, A. (1990). *Constructing and Reconstructing Childhood: Contemporary Issues in the Sociological Study of Childhood*. Basingstoke: Falmer Press.

Lansdown, G. (2010). The realisation of children's participation rights. Critical reflections. In B. Percy-Smith & N. Thomas (Eds.), *A Handbook of Children and Young People's Participation: Perspectives from theory and practice* (pp. 11-23). London: Routledge.

Liebel, M. (2014). From Evolving Capacities to Evolving Capabilities: Contextualizing Children's Rights. In D. Stoecklin & J-M. Bonvin (Eds.), *Children's Rights and the Capability Approach: Challenges and Prospects* (pp. 67-84). Dordrecht: Springer.

Marshall, T. (1963). Citizenship and social class. In T. Marshall, *Sociology at the Crossroads and Other Essays*. London: Heinemann.

McNay, L. (2008) *Against Recognition*. Cambridge: Polity Press.

Mead, G. (1934). *Mind, Self and Society*. Chicago: University of Chicago Press.

Nussbaum, M. (2000). *Women and Human Development: The Capabilities Approach*. Cambridge: Cambridge University Press.

Oswell, D. (2013). *The Agency of Children. From Family to Global Human Rights*. Cambridge: Cambridge University Press.

Qvortrup, J. (2009). Childhood as a structural form. In J. Qvortrup, W. Corsaro & M. Honig (Eds.), *The Palgrave Handbook of Childhood Studies* (pp. 21-33). Basingstoke: Palgrave.

Robin, P. (2014). The Participation of Children in Care in the Assessment Process. In D. Stoecklin & J-M. Bonvin (Eds.), *Children's Rights and the Capability Approach: Challenges and Prospects*. Dordrecht: Springer.

Schütz, A. (1987). *Le chercheur et le quotidien*, Paris : Meridiens Klincksieck.

Sen, A. (1992). *Inequality Re-Examined*, Oxford: Clarendon Press.

Sen, A. (1999). *Development as Freedom*. Oxford: Oxford University Press.

Sen, A. (2010). *The Idea of Justice*. London: Penguin.

Shapiro, I. (2005). *The State of Democratic Theory*. Princeton: Princeton University Press.

Snodgrass-Godoy, A. (1999). 'Our right is the right to be killed': making rights real on the streets of Guatemala. *Childhood*, 6(4), 423-442.

Stoecklin, D. (2013). Theories of action in the field of child participation. In search of explicit frameworks. *Childhood*, 20(4), 443-457.

Stoecklin, D. & Bonvin, J-M. (2014). Cross-Fertilizing Children's Rights and the Capability Approach. The Example of the Right to Be Heard in Organized Leisure. In D. Stoecklin & J-M. Bonvin (Eds.), *Children's Rights and the Capability Approach: Challenges and Prospects* (pp. 21-33). Dordrecht: Springer.

Thomas, N. (2012). Love, rights and solidarity: studying children's participation using Honneth's theory of recognition. *Childhood*, 19(4), 453-466.

Weber, M. (2013). *La Domination*. Paris: La découverte.