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CRITICAL REVIEW

A PERSON'S A PERSON, NO MATTER HOW SMALL[1]

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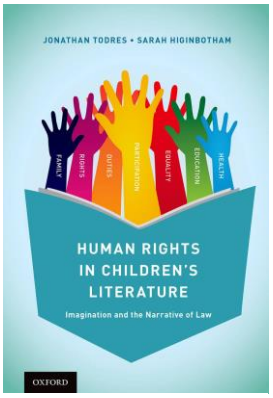
Horton Hears a Who! Is a novel by Dr. Seuss, which has recently become an award-winning animation feature film. In the story, Horton the elephant, a nature teacher, discovers life – no, an entire world! – inside a speck of dust in the forest. From then on, he vows to protect the small universe from those who think it is "nothing but a speck", while he encourages his students to exercise imagination to create new possible worlds. Horton's example should be followed by every legal practitioner: defending minorities, helping them build a better world. Thus, literature can be a strong ally to the law. The novel by Dr. Seuss can be summarized in the idea that *a person*



TODRES, Jonathan; HIGINBOTHAM, Sarah. *Human rights in children´s literature: imagination and the narrative of law*. Oxford: Oxford University Press, 2016. 321p.

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is a person, no matter how small. Inspired by it, Jonathan Todres and Sarah Higinbotham introduce issues of human rights, especially regarding children, based on children's literature. The idea came from an article written by the authors and published by *Columbia Law Review* (Todres, 2013).

Fiction can touch us – adults or children – as much as, or perhaps more than the thing we call *reality*. As truth as this is, a story that encompasses the fight for human rights will be more striking and persuasive than any judicial decision or legislation could ever be. Through children's literature, thus, people are able to learn the importance of having rights and duties in society, as well as how to exercise them. Each chapter in the book by Todres and Higinbotham refers to excerpts from the UN Convention on the Rights of the Child.

The book has four goals: i. to introduce children's literature as a discourse source on human rights, making it accessible to children; ii. To connect several and different fields of knowledge – including international children's law, family law, as well as cultural, pedagogical, and literary studies – that deal with human rights, in order to develop a multidisciplinary exploration on how children's rights are represented in children's literature; iii. Through this multidisciplinary study, and from research carried out with children, to demonstrate that children's literature may be a powerful communication tool in regard to the rights and duties of children in a democratic society; iv. Foster the reader's comprehension on how international norms of human rights are disseminated and received by adults and children alike.

The first chapter is about how children's literature can be used as a means for teaching children about their rights, highlighting Article 42 of the Convention on the Rights of the Child. It grants that all the States Parties must "undertake to make the principles and provisions of the Convention widely known, by appropriate and active means, to adults and children alike". It also analyzes how pieces of fiction for the children and youth are filled with backgrounds that regard human rights, since the abusive relations surrounding *Cinderella* to the punishment of *Curious George*. The chapter then proposes the exploration of those lessons from children's

literature in order to teach children about their rights and the rights of other people. Children's books – and the authors studied over five hundred books of literature in English – allow children to think about human rights in adequate ways for their development, besides being deeply imaginative.

The second chapter focuses on children's participation rights in their society. According to the tradition of liberalism, autonomous people are those who have the right to express their opinions and decide their own lives. It then analyzes *Peter Rabbit* and *The Little Mermaid* as stories that encompass the social and legal theories about children at the turn of the 20th century. Hence, when the character Mrs. Rabbit forbids her children to enter Mr. McGregor's garden, at the risk of being killed, the idea is that children must attend, obey and unilaterally respect adult authority without question. Likewise, The Little Mermaid's desire to participate in the public world is represented in a tragic way: she finds the undersea world oppressive and suffocating, loathing the suffocating atmosphere of the underwater castle; and constantly dreams of emerging to land. Finally, at the age of fifteen, she gets what she wants through the magic potion of the Sea Witch, which gives her legs, but takes away her *voice*.

These stories emphasize how children are perceived in public spaces, especially those from the 19th century. They are seen as *unwanted intruders* in this "adult" realm. These narratives convey that children should give up trying to enter the civic sphere, and let themselves be fully tutored by adults. Civic participation, however, is a central component of democracy. The enshrining of the right to participate in political decisions as a fundamental right is in the Universal Declaration of Human Rights: "The will of the people shall be the basis of the authority of government" (Article 21). Being so, children need to participate in public affairs and be heard and recognized as individuals who may contribute to their communities.

The third chapter in the book is about the principle of non-discrimination in the legislation of human rights. Non-discrimination, a core principle of human rights law (and children's rights law), advocates for the dignity inherent to every children and adult. Children's literature is filled with messages – either positive or negative ones – about

discrimination. The chapter explores the basic concepts of equality and discrimination, focusing mainly on discrimination based on race, sex, disability and age. Discrimination themes are outlined in stories like Dr. Seuss' *The Sneetches*, *The Berenstain Bears*, Mary Hoffman's *Amazing Grace*, *X-Men*, and Roald Dahl's *Matilda*. These and other stories offer children opportunities to face difficult and often painful issues of discrimination from a safe place.

The fourth chapter introduces two important components of growing children: identity and family. Children's identity rights provide the basis for children to reach many other rights. Deeply linked to identity rights are family rights, above all, the right to know and be cared for by parents or other adult caregivers. The authors thus explore how identity and family are expressed in children's literature, from fairy tales to Roald Dahl books and other more recent stories. Narratives such as *The Story of Ferdinand*, which features a strong bull who prefers to smell flowers than to fight, can bring to the reader an important topic of children's literature that is linked to molding one's own identity, even if it raises disapproval and non-conformity to the majority. Family also appears as a significant topic in children's literature, although often through stories about children who have been deprived of their families, such as *Harry Potter*, among other famous literary orphaned children.

The fifth chapter deals with civil and political rights of children in literature, especially based on English classic stories, such as *Curious George*, *The Wind in the Willows*, and *Little House on the Prairie*. Here, the authors focus those rights to juvenile justice and the right to be free of torture and of cruel, inhuman, degrading treatment. They examine how punishment and responsibility are represented in children's literature, using juvenile justice and restorative justice as a case study. The chapter also explores how accountability, with the liability aspect of the rights-duties system, is an important concept to be appreciated by children as part of developing a holistic understanding of their rights, roles and responsibilities in their communities.

The sixth chapter explores the representation of economic, social, and cultural rights of children in those narratives, focusing on specific rights

granting the well-being of children and allowing them to develop their full potential. Through influential children's books in England conveying these rights, such as *Cinderella* and *Click*, *Clack*, *Moo*: *Cows That Type* by *Doreen Cronin*, the authors discuss a series of economic, social, and cultural rights granted to children so that they can understand them and absorb them. The chapter focuses especially on the rights to health and education, labor rights, the right to play, and the right to adequate living conditions.

The seventh chapter brings a group of key practitioners of children's literature and in the lives of children as a whole: adults. Adults play a number of roles in children's stories. Some adult characters are human rights defenders through and through, such as Dr. Seuss' Horton the elephant, while others are perpetrators of human rights violations, such as Captain Hook in *Peter Pan*. In other children's stories, adults are portrayed as incompetent or at least not very useful to children's efforts (Mr. and Mrs. Darling in *Peter Pan*). The chapter considers adults as both guardians / protectors of children and perpetrators of violations to their rights. In the classic book by Antoine de Saint-Exupéry, *The Little Prince*, the authors investigate an adult's journey to understand and appreciate the world of children.

As for the eighth and last chapter, it concludes the book by recalling the core principle of children's rights law: *the best interest of the child*. It exposes the role that children's literature can and does play in children's education on their rights and the rights of other people, as well as how it can contribute to a culture of human rights. *The Day the Crayons Quit*, by Drew Daywalt and Oliver Jeffers, is brought as a case study to illustrate how many stories convey important messages on various human rights issues. The chapter also considers the role of children's literature in the defense of human rights and in education for human rights. Finally, the authors emphasize how children's literature can help adults increase their understanding of children's rights.

What makes the argument developed by Todres and Higinbotham persuasive are the excerpts of commentaries and open discussions they had conducted with young people of different ages in schools of Atlanta,

Georgia. They read selected narratives for those children and let them conduct the discussion by themselves, according to their own experiences and perspectives. These discussions and the reflections they accomplished reveal multiple meanings readers can give to a story, a scene or an illustration, and they also reveal common principles of human rights that young people are able to extract from literature (PAOLETTI, 2017). In a way, this book mobilizes a different vocabulary and method to accomplish what we have been doing for decades – evaluating books implicitly, based on their potential management of models for children readers, through topics of empowerment or self-determination of children characters. Readers might find a useful new analysis of labor rights and identity exploration. The book also demonstrates how such readings can prepare adults to defend social justice. For some, this method and argument – referring to children's literature as an educating instrument – could reduce literature to a pedagogical purpose. However, if the readers are being informed of human rights law, they actually offer a valid, crucial renewal of literary interpretation in our current political and critical context (Honeyman, 2017).

Human rights in children´s literature: imagination and the narrative of law is a book based on children's literature from Anglo-Saxon countries, whose focus is a universal issue: human rights. It thus can be used in law and literature research focused on children in Brazil, especially those aimed at the recognition and promotion of what Professor José Calvo González (2012), *in memoriam*, called a *literary culture of rights*. Brazil does not have Seuss, Dahl, but it includes great writers, such as Monteiro Lobato, Graciliano Ramos, Ana Maria Machado, Ruth Rocha, Pedro Bandeira, Ziraldo, Eva Furnari, Maurício de Sousa, Yaguare Yama, Rafael Calça, among others, past and contemporary, to achieve it.

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