



Archived at the Flinders Academic Commons:

<http://dspace.flinders.edu.au/dspace/>

'This is the peer reviewed version of the following article:

Redmond, G. (2014). To their fullest potential?:

Conceptualising the adequacy of children's living

standards for their development. *International Journal of*

Children's Rights, 22(3), 618-640.,

which has been published in final form at

<http://dx.doi.org/10.1163/15718182-02203005>

This author accepted manuscript (post print) is made available in accordance with publisher copyright policy

Copyright (2014) Brill Academic Publishers.

To Their Fullest Potential? Conceptualising the Adequacy of Children's Living Standards for their Development

Gerry Redmond

School of Social and Policy Studies, Flinders University of South Australia, Adelaide, Australia

gerry.redmond@flinders.edu.au
<http://www.flinders.edu.au/people/gerry.redmond>

August 2013

Abstract

In this paper a framework is proposed for conceptualising 'fullest potential' towards which, according to the Convention on the Rights of the Child (CRC), children's education should be directed (Article 29). Children's development to their fullest potential is linked explicitly to their right to a standard of living adequate for their development (Article 27). The paper argues that focus on 'fullest potential' as a human rights issue exposes a tension between the rights of children, the obligations of parents to their children, and the obligations of the state to support all children's development.

Length: 7,154 words (excluding endnotes and references)

Keywords: child rights; living standards; child development; fullest potential; capabilities; inequality

To Their Fullest Potential? Conceptualising the Adequacy of Children's Living Standards for their Development

1 Introduction

What is fullest potential and why is it important? Speeches on child wellbeing and development by politicians, and policy statements by governments are liberally sprinkled with the phrase.¹ Sometimes the concept of ‘fullest potential’ is left open-ended and undefined. Often it is linked to a narrower set of accomplishments, such as educational achievement in childhood and economic productivity in adulthood.

The Convention on the Rights of the Child (CRC) (United Nations, 1989), states that children have the right to ‘a standard of living adequate for their physical, mental, spiritual, moral and social development’ (Article 27), and that the education of the child shall be directed towards the development of their ‘personality, talents, and mental and physical abilities to their fullest potential.’ (Article 29). In this paper, these two Articles are interpreted as meaning that children have the right to a living standard adequate for their development to their fullest potential. This is not a radical interpretation of the CRC; it merely expresses what policy documents in many countries express – that a child’s background should not influence her destination in life, and that the role of public education is to maximise outcomes for all children.²

¹ For example, President Barack Obama stated in a video address on 13 March 2010: “Unless we take action — unless we step up — there are countless children who will never realize their full talent and potential. I don’t accept that future for them. And I don’t accept that future for the United States of America.”

² See for example the following Australian and US examples: MCEETYA, *Melbourne Declaration on Educational Goals for Young Australians*, Carlton, Vic., Ministerial Council on Education Employment Training and Youth Affairs, December 2008, http://www.mceecdya.edu.au/verve/_resources/National_Declaration_on_the_Educational_Goals_for_Young_Australians.pdf; U.S. Department of Education, *Blueprint for Reform: The*

The concept of ‘fullest potential’ has not received a great deal of attention to date in the literature on child rights. This is perhaps not surprising, given that it is only in recent years that international bodies, and indeed academics, have begun to turn their attention on some of the normative aspects of human rights, such as the right to enjoyment of the highest attainable standard of health (Committee on the Rights of the Child, 2013), or the meaning of ‘maximum resources’ in the context of economic, social and cultural rights ([Johnstone and Ámundadóttir, 2011](#); [Nolan, 2013](#)). The aim of this paper is to make a contribution towards extending this literature through examination of the concept of ‘fullest potential’, and its relationship to children’s living standards. This suggests a number of challenges. First, if a child’s living standard should be sufficient to enable her to develop to her fullest potential, then what does this imply for how living standards are defined? Second, how can ‘development to fullest potential’ be defined in a way that both does justice to the aspirations inherent in the term, and acknowledges real-world challenges associated with its realisation? Third, what is the role of the state and of parents as duty bearers whose obligation it is to secure children’s access to their development to their fullest potential? It is argued that while the goal of every child attaining the right to development to their fullest potential may appear somewhat utopian, sustained focus on this goal will bring to the fore the choices that society needs to make if it is to do justice to all its children in defining practical and achievable goals in the space of child development. These choices are equally relevant in all societies, in both the majority and minority worlds.

The paper is organised as follows. Section 2 describes the CRC, focusing in particular on articles relevant to children's right to an adequate standard of living, and to their right to development to their fullest potential. The definition of living standards under three different approaches – material welfare, social exclusion, and capabilities – is discussed in Section 3. This Section concludes that the capability approach offers the greatest potential as a framework for defining living standards that are adequate for children's development to their fullest potential. Section 4 elaborates further on the meaning of adequate living standards for children's development to their fullest potential, given heterogeneity in individual needs, characteristics and preferences. Section 5 then considers the feasibility in policy terms of every child attaining their fullest potential, given that parents are key (but hardly unbiased) duty bearers for their children: their actions have the dual function of constantly pushing the boundaries of fullest potential, while at the same resisting moves to equalise outcomes among children. Section 6 concludes.

2 Children's Rights

The CRC has a dual purpose: first, to extend the fundamental human rights recognised for adults to children so as to challenge assumptions about children based on their age, and the exclusion and exploitation to which this can give rise; and second, to call attention to children's particular status with specific vulnerabilities, interests and entitlements ([White, 2002](#)). In this Section, attention is focused on just two articles of the CRC, Article 27 (concerning the child's living standards) and Article 29 (concerning the purpose of her education). Article 27.1 states:

States Parties recognize the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development.

Craven, writing on the International Covenant on Economic, Social and Cultural Rights, notes that the lack of clarity in the term 'adequate standard of living' has resulted in a right "which appears to have little independent substance." (Craven, 1995, p.293) This is undoubtedly the case. It is other rights (to life, survival, health education, etc.) that appear to ultimately point towards what an adequate standard of living might entail. According to Bowers Andrews, Article 27 suggests the need to conceptualise the child's living standards in terms of her whole self and her development, and not simply her physical needs. "In effect, the UN has issued a challenge to nations through Article 27 that requires them to discover what conditions are adequate and necessary for their children's development and to secure, to the extent possible, those conditions for each child." (Bowers Andrews, 1999, pp.7-8)

There are a number of resources that can feed into achievement of child development, among which family and parental resources are one element, as Article 27.2 states. Another important element is the resources of the state that are either directly invested in the child, or invested through the parents – this is the focus of Article 27.3, and more generally of Article 4, which obliges states parties to undertake economic measures "to the maximum extent of their available resources." This paper shall argue that the responsibility of both parents and the state for the adequacy of children's living standards is at the same time necessary and problematic. The right to an adequate standard of living, moreover, can only be judged in terms of its adequacy according to the outcome – the child's development – that it achieves. Article 27.1

clearly states as much. We can only therefore truly know if a child's standard of living is adequate if they are developing towards, as Article 29.1(a) puts it, their fullest potential.

Article 29.1(a) of the CRC states that "States Parties agree that the education of the child shall be directed to: (a) The development of the child's personality, talents and mental and physical abilities to their fullest potential." This Article builds on Article 26.1 of the Universal Declaration of Human Rights: "Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms." If achievement of 'fullest potential' is to be a realistic goal of policy, then it cannot remain a vague aspiration. Education in the context of Article 29 is usually broadly interpreted, as the Committee on the Rights of the Child (2001, paragraph 2) makes clear in stating that education needs to be seen as much more than formal schooling, and should include a broad range of experiences and learning processes which enable children to develop fully in the society in which they live.

In contrast to the concept of education, the concept of 'fullest potential' does not appear to have been given a great deal of attention by human rights scholars. This is perhaps not surprising. Rachel [Hodgkin and Peter Newell \(2007\)](#) suggest that the Committee on the Rights of the Child has not been able to examine these more normative issues, and has focused instead on statistical measures of drop-out rates, repeat classes and international research on school-going children's achievement in mathematics, science and literature. However Thomas Pogge's (2008) understanding of human rights as moral rights provides a useful starting point for the consideration of 'fullest potential'. First, he differentiates between non-fulfilment and under-

fulfilment of rights, moving away from the language of ‘rights violations’ ([Chapman, 1996](#)), with its implied preoccupation with failure to reach minimum standards. Second, Pogge explicitly links the setting of thresholds against which the fulfilment of rights is judged to the social costs associated with achievement of those thresholds – in other words, society must make a judgement about the weight it gives to ‘fullest potential’ as a goal for children’s development, and the price it is prepared to pay to achieve this goal. Making deliberations on societal goals open and explicit constitutes in itself an important step towards human rights fulfilment ([Sen, 2004](#)). Open consideration of the price society is prepared to pay for children’s achievement of their fullest potential shifts debate on children’s living standards and development onto the issue of inequalities within societies, and between them, and it is here that debates on fullest potential can make a contribution towards creating better conditions for all children’s development.

3 Approaches to defining adequacy in living standards

It is probably fair to say that debates on the meaning of an adequate standard of living have not usually taken place within a human rights framework. This is apparent, for example, from discussion of the phrase during the travaux préparatoires for the International Covenant on Economic, Social and Cultural Rights ([Craven, 1995](#)). Where living standards have been considered in the context of human rights, concern has not tended to be with ‘living standards’ in the abstract, but with low living standards - poverty, deprivation, exclusion and disadvantage (Office of the High Commissioner of Human Rights, 2004). As Gertrude Himmelfarb (1984) argues, ‘poverty’ as it is currently conceived is a relatively modern concept arising from social and economic dislocation that followed the processes of enclosure of land,

industrialisation and urbanisation, first in Britain, and later in other European countries, during the 18th and 19th centuries. More recently, dissatisfaction with the conceptualisation of poverty purely in material terms has given rise to a number of alternative, partially overlapping, ideas, for example, underclass ([Murray, 1984, 2012](#)), disadvantage ([Wolff and de-Shalit, 2007](#)), exclusion ([Rogers, 1995](#)), and capabilities ([Sen, 2009](#)). Indeed, over the past two decades, debates on the meaning of poverty have greatly influenced debates on human rights ([Office of the High Commissioner of Human Rights, 2004](#); [Pogge, 2008](#)). Three ideas have had a particular influence – the material welfare approach which focuses on material resources,³ the social exclusion approach which focuses on processes and relationships, and the capability approach which focuses on agency and freedom. Living standards are discussed in the context of these three approaches below.⁴

Living standards and material welfare

The characterisation of living standards in purely material terms has a long history, and what is termed here the material welfare approach has developed sophisticated tools over several decades to examine the phenomenon ([Redmond, 2013, forthcoming](#)). In essence, the material welfare approach has sought to measure and compare household, family and individual material resources (income, wealth, possessions, access to services, etc.) as indicators of living standards, and to construct thresholds representing the cut-off between ‘adequate’ and ‘inadequate’ living

³ Sometimes seen in developing countries as a ‘basic needs’ approach; see F. Stewart, ‘Basic Needs Strategies, Human-Rights, and the Right to Development’. *Human Rights Quarterly* 11 (3) (1989):347-374.

⁴ All three approaches are discussed in more detail in G. Redmond, ‘Poverty and Social Exclusion’. In *Handbook of Child Well-being*, A. Ben-Arieh, I. Frones, F. Casas and J. Korbin, ed. (Dordrecht: Springer, 2013, forthcoming). Original edition, *ibid.*.

standards (this is a gross simplification of a vast and complex literature). Adoption of a material welfare approach suggests that a child's right to an adequate standard of living could be seen for example in terms of rights to an adequate level of income, or to an adequate level of consumption. Either way, the right refers to the (objectively measurable) actual income or consumption level, not the utility, welfare or outcomes gained from them (Atkinson, 1989).

Moreover, as the focus shifts to material resources as ends in themselves, the relationship between the adequacy threshold (measured in money, for instance) and actual outcomes for which the material resources are intended tend to be under-specified (Ruggeri Laderchi, Saith, and [Stewart, 2003](#)). The adequacy threshold becomes a goal in itself. An example is the World Bank's 'dollar a day' poverty threshold, now incorporated in the Millennium Development Goals. What a life lived at this threshold can achieve is secondary, if it is considered at all.

Living standards and social exclusion

If living standards under the material welfare approach are associated with the level of material resources at one's disposal, living standards under the social exclusion approach are more concerned with participation in practices and activities considered customary in the society in which one lives. In other words, the social exclusion approach is more concerned with poverty as a relationship, especially between the 'included' and the 'excluded', with the latter to a large extent experiencing their predicaments as a result of actions of the former; that is, agency is explicitly recognised (Atkinson, 1998; Lister, 2004). Unlike material poverty, exclusion is seen as a *process* as well as a state, and is multidimensional in form. That is, it is concerned with exclusion across a range of domains in addition to material welfare,

such as employment, health and disability, racial discrimination, and access to services, etc. However, applications of this approach do not usually distinguish between resources (money, for example) and outcomes (such as a child's developmental or educational achievements) – both can be indicators of, or 'risk factors' for exclusion. There is nothing inherent in the social exclusion approach to determine the ordering of these risk factors.

On the other hand, while there is nothing inherent in the material welfare approach that can point to the meaning of 'adequacy' (it has to be exogenously imposed), it has a fairly clear meaning within the social exclusion approach: adequacy equates with participation in activities and practices that are customary in the community where a person lives. In other words, adequacy in the space of social exclusion can be equated with some measure of the average, or defined in relation to the average. To some extent, adequacy can be a matter of subjective judgement, but it usually also involves a considerable degree of objective measurement (Barry, 1998; Levitas, Pantazis, Fahmy et al., 2007; Lister, 2004).

Living standards and capabilities

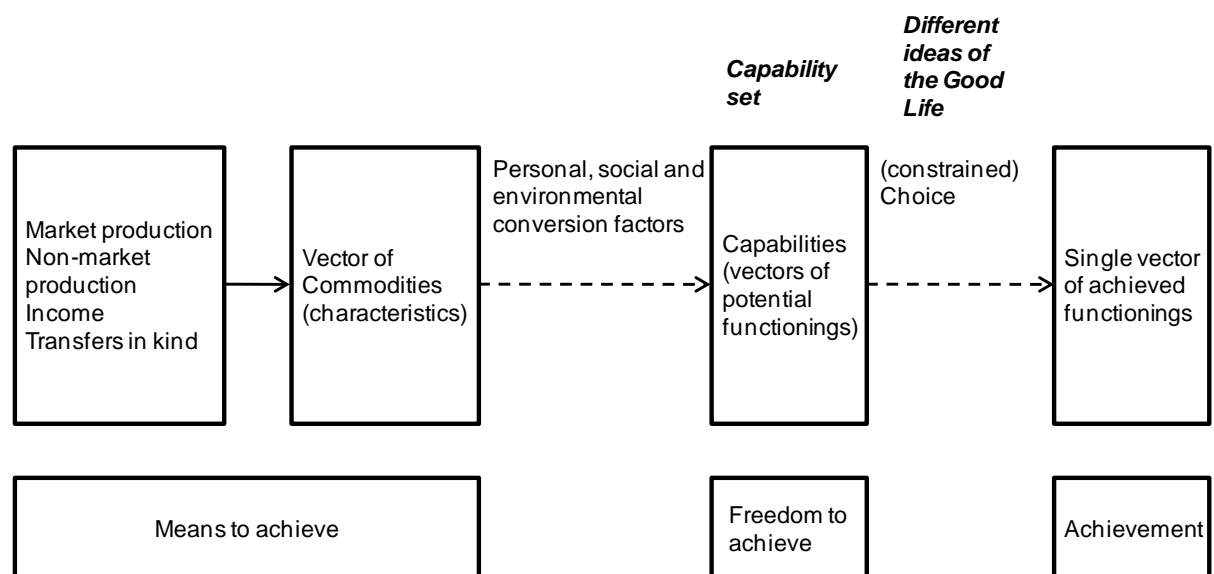
The capabilities approach, proposed by Amartya Sen and Martha Nussbaum, can be seen in large part as a critique of the standard utility-oriented approaches that focus purely on income and commodities as the space for policy concerns (Nussbaum, 2000; Sen, 1987, [1999](#), 2009). Whereas material welfare is about a stock or flow of countable resources or commodities, capabilities are about our opportunities to make use of possessions and other things in order to lead a life which we have reason to value. Capabilities are those things that are *intrinsically* valuable, including some things that an individual may not explicitly desire ([Deneulin, 2002](#); [Saito, 2003](#)). Like

the social exclusion approach, the capabilities approach is multidimensional or pluralist – concerned with a number of freedoms that cannot necessarily be aggregated into a single index. This is fundamentally different from the ‘monist’ tradition that is characteristic of much of the material welfare approach with its focus (for the most part) on money, which is eminently aggregable (Wolff and de-Shalit, 2007). In this sense, capabilities analysts appear to resist defining anybody as ‘capable’, just like social exclusion analysts are reluctant to define anybody as ‘excluded’ (Burchardt, Le Grand, and Piachaud, 2002; Sen, 1985). Material welfare moreover is instrumentally important, but capabilities, Sen argues, are intrinsically important. Factors other than economic resources can influence these intrinsically important outcomes. Because people have different skills, characteristics and attributes, and live in different situations, they may need different levels and types of resources (both material and non-material) in order to achieve a functioning that is associated with a given set of capabilities.

While the material welfare approach sees utility or welfare as the implicit target for the generation of income or the consumption of commodities, the capabilities approach is not concerned with utility, but with freedoms, as expressed in capabilities, and realised in *functionings*. Ingrid Robeyns describes the relationship between commodities, capabilities and functionings graphically in Figure 1. Commodities comprise a range of goods and services that act as inputs for the achievement of capabilities. Each commodity in the commodity bundle has a particular set of characteristics that define the commodity’s usefulness in terms of enabling freedoms in a given capability set. However, the usefulness of the vector of commodities depends also on the personal characteristics of the individual and the characteristics of

her living environment – these can fundamentally alter the usefulness of a given vector of commodities for the enabling of a particular capability. For example, high speed internet positively transforms the usefulness of computers as tools for learning, while lack of access to electricity negatively transforms their usefulness. Capabilities analysts argue that policies should focus primarily on enhancing capabilities or freedoms. That is, it is the job of the policymaker acting in the capabilities space to ensure that each individual has fundamental freedoms that are considered to be intrinsically important, taking full account of the personal, social and environmental factors that might otherwise present obstacles to the realisation of those freedoms.

Figure 1: The relationship between commodities, capabilities and functionings in Sen’s capability approach



Source: Robeyns (2003), p.12

What people do with these freedoms is essentially their own choice, but it is nonetheless expected that the actual choices that people make – their functionings – can be seen as indicators of the freedoms that they have, since freedoms themselves are difficult to observe. Therefore, a child who does well at school might be assumed

to possess capabilities in the space of the intrinsically important dimension of education, and by extension that she has sufficient resources or means to function in this space.

4 Living standards and fullest potential

Of the three approaches to the definition of living standards (material welfare, social exclusion, capabilities) discussed here, the capabilities approach is the only one that attempts to directly relate the means to achieve to actual achievements, taking account of social and environmental characteristics. With the material welfare approach, concern is just with material living standards, and any relationship to other outcomes is implicit. With the social exclusion approach, there is no clear ordering of material and other outcomes. With the capabilities approach, material welfare is one of several inputs to intrinsically important functionings. It is this key property that makes the capabilities approach especially useful in considering the adequacy of children's living standards for their development to their fullest potential.

Note that many capabilities analysts take a perfectionist approach in considering what capabilities or freedoms mean in concrete terms: that is, they sometimes assume that there is a set of essential capabilities towards which children's development should be directed, in the sense that they promote children's humanity – those things that make humans different from other life-forms ([Deneulin, 2002](#); Hurka, 1996). Nussbaum's well-known list of capabilities could be seen as one such vector of essential capabilities ([Nussbaum, 2003](#)). While many of the examples of achievement in this article relate to 'the capability to learn', or 'doing well at school' as a functioning within that capability space, it should be assumed as noted above that education to one's fullest potential encompasses much more than school based learning outcomes.

Development to Fullest Potential

To summarise, the aim of this paper is to establish a means of defining children's right to a standard of living that is adequate for them to develop to their fullest potential. If an adequate standard of living represents rights fulfilment in that it gives the child the possibility to achieve her fullest potential, then an inadequate standard of living represents the counterfactual of rights non-fulfilment in that it deprives the child of the possibility to achieve her fullest potential. Of the three approaches to the conceptualisation of living standards discussed in Section 3 above, only the capabilities approach can incorporate a truly normative conceptualisation of fullest potential, in that there is no upper limit on what potential can be achieved. In the material welfare approach, any definitions of 'fullest potential' would have to be exogenously imposed. In the social exclusion approach, attainment of fullest potential is constrained by community standards for participation – the attainment of these implies the attainment of fullest potential in this view. The social exclusion approach cannot easily accommodate notions of attainment that surpass community standards (although the approach is not wholly inimical to the societal goal of raising average community standards).

With the capabilities approach, the process of defining a normative conceptualisation of fullest potential is feasible (Sen, 2002), but nonetheless inhibited by some challenges. The first concerns the definition a standard of living that can achieve the most optimal outcomes: what elements, and how much of them, would constitute this standard of living? While leading a life one has reason to value could be judged, as the social exclusion approach suggests, in terms of a community, national or global standard, it is possible with the capabilities approach to go further than this: the standard need not be tied to what is considered *customary*, but could be related to

what is considered *achievable*, or potentially better than customary. At the level of the individual, optimal outcomes are difficult to determine. Instead, it is proposed that what is achievable, or optimal, is what children with the highest living standards manage to achieve. The implicit counterfactual is that children who do not have the highest living standards cannot achieve to their fullest potential.

Living standards and personal characteristics

The focus on living standards suggests a further challenge in the context of the capabilities approach. It implies that policy effort be concentrated not on capabilities themselves, but on the distribution of resources for the achievement of capabilities. The stylised assumption here is that achievement of an outcome O for child i in any given capability set (to lead a life she has reason to value) is the function of a set of largely unchanging and randomly assigned personal characteristics Z , and a living standard L comprising a wide range of material and non-material elements (including parental love and care, education provision, community services, etc.), so that

$$O_i = f(L_i | Zx_i) \quad (1)$$

where Z_i represents those personal characteristics that govern child i 's innate preferences and skills that will determine that she is better at languages than at maths, or prefers woodwork to philosophy – this is what produces ‘natural’ diversity or horizontal inequalities between children, to use Pogge’s (2002) terminology. While what counts as ‘natural’ diversity is clearly open to debate, the assumption here is that at least some diversity is natural. We cannot all be equally good at languages, mathematics, metalwork, sports and artistic expression (or equally desire to be). For each outcome O there is a different bundle and weighting of goods and services

making up living standard L . Therefore, the characteristics of these goods and services are implicitly incorporated in L .

Z_i also incorporates a conversion factor – x – which can be seen as the price associated with supporting children who have a socially recognised characteristic (such as a physical disability). This allows for differential content and weighting of goods and services that make up L_i so that children with the recognised characteristic have the same capability to reach their fullest potential in O_i as children without that characteristic ([Burchardt and Zaidi, 2005](#); [Sen, 1992](#)). For the former children, $x > 1$; for other children, $x = 1$. There are no circumstances where $x < 1$, since this would suggest only allowing resources for a child to achieve below her fullest potential, which is inconsistent with her rights ([Sen, 2002](#)). The important point here is that the condition is socially recognised. The alternative possibility, that all deficits are equated with non-fulfilment of human rights, suggests that all children should have the freedom to achieve equally in all endeavours, and also that the end-product should be *sameness*, rather than diversity, where, irrespective of children's diverse Z s, there would ideally be no distribution of any outcomes.⁵ This paper is in accord with [Pogge \(2008\)](#) to the extent that such a state of affairs is not even theoretically desirable. A midway point could be to suggest certain *key* capabilities where the aim of policy might be that all children should achieve to equally high standards. But as [Richard Arneson \(1989\)](#) says, which ones? Even then, is full equality in outcomes truly desirable or achievable?

⁵ Some see this as integral to the Capabilities approach; see S. Berges, 'Why the Capability Approach is Justified'. *Journal of Applied Philosophy* 24 (1) (2007):16-25, H. Brighouse and E. Unterhalter, 'Primary goods Versus Capabilities: Considering the Debate in relation to Equalities in Education'. In *Capabilities - Handlungsbefähigung und Verwirklichungschancen in der Erziehungswissenschaft*, H.-U. Otto and H. Ziegler, ed. (Wiesbaden: VS Verlag, 2008). Original edition.

The argument proposed here is that greater equality in O can only be achieved on the foot of greater equity in L . This characterisation of O as the product of L given Z can perhaps be seen as analogous to Gary Becker's (1981) characterisation of children's economic outcomes as the product of two factors – genetic endowment that parents pass onto their children, and resources that parents invest in their children. It is also perhaps analogous to studies in developmental psychology of intrinsic and extrinsic models of the influence of parental socio-economic status on child development and outcomes ([Conger and Donnellan, 2007](#)). Here it is assumed that at any given standard of living L , children will experience a range of outcomes O , and that their position in this range is determined by their personal characteristics Z . It is also assumed that these innate characteristics and preferences are not associated with prior living standards (in other words, they somehow describe the child 'in a state of nature'). However, it is also recognised that in practice their development is likely to be in part (indeed, in large part) determined by prior living standards, since parents influence children from birth (and even before – the impacts of inadequate nutrition or smoking during pregnancy, or foetal alcohol syndrome, on children's development are obvious manifestations of this).

It is further assumed that L is composed of material and non-material factors. But whereas children can be theoretically ranked on O (for example, proficiency in Mandarin) in terms of how they perform, standards of living necessary to achieve fullest potential in any outcome are not known – this depends on potentially unobserved talents and preferences. Herein lies a dilemma: Fullest potential in outcome O can be assumed to be achieved for child i with characteristics Z when her living standards L are maximised. However, L_i can only be defined in terms of its

efficacy in increasing O_i . The definition and level of L that produces the highest level of O is the definition and level of L that is adequate for children to develop to their fullest potential.

This is essentially a re-working of a problem that Brighthouse and Unterhalter perceive in Pogge's critique of capabilities – that in order to determine whether a person's rights to a certain level of resources (broadly defined) are fulfilled, it is necessary to examine their level of functioning, either in absolute terms, or in relation to the functioning of significant others ([Brighthouse and Unterhalter, 2008](#)). It is assumed here that the child's living standard is the only factor that matters in determining the outcome of interest, and that the main focus of policy interventions to fulfil children's rights to development should be on living standards (supporting capabilities), not outcomes (functionings). The derivation of a definition of living standard L that is most strongly associated with the outcome of interest O is an iterative process, based on both existing knowledge about the determinants of given outcomes, and on experimentation. Some weakening of this assumption is allowed only in the case of children with specified conditions (for example, a disability) where society agrees that extra resource inputs are necessary (that is, where $x > 1$).

Moving towards equality in living standards

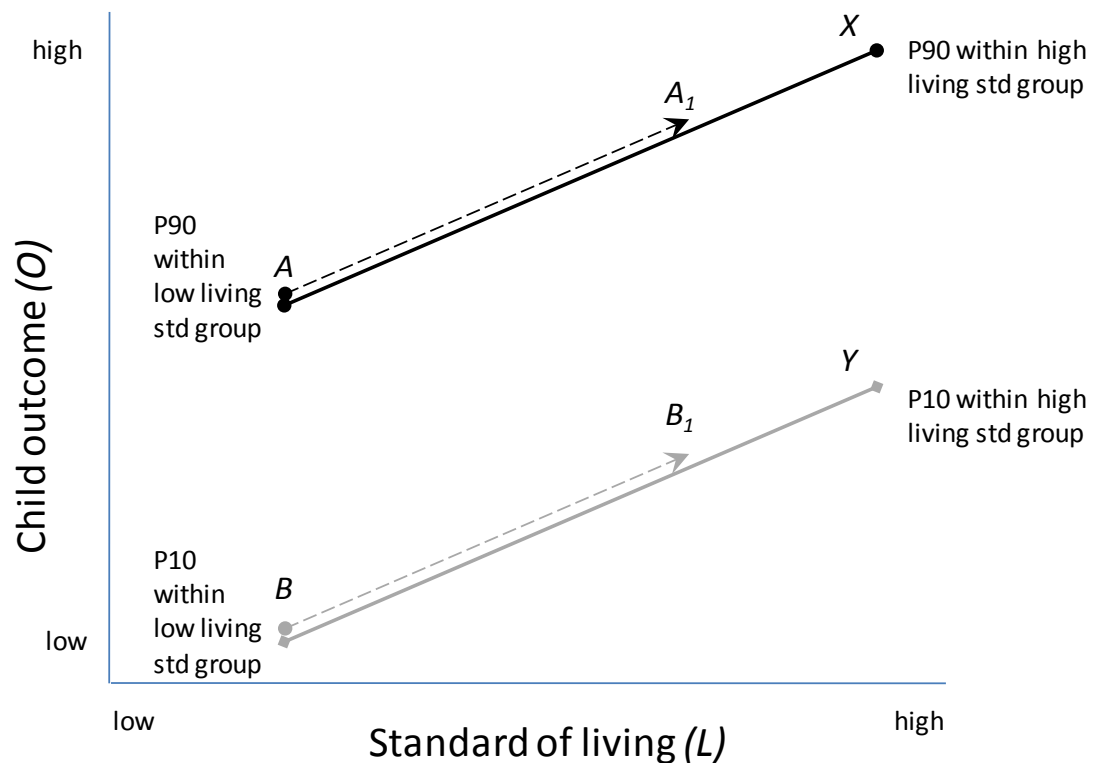
Figure 2 provides a stylised representation of the child's living standards and her development to her fullest potential. The horizontal axis of the Figure represents a quantifiable definition of Standard of Living where high values produce the most optimal developmental achievements, on average, while the vertical axis represents a quantifiable score of a child's development achievement or outcome (for example in a particular space of physical, cognitive, or social and emotional development, to name

three developmental areas with which child development experts have been especially concerned). The line BY represents the gradient of child developmental outcome scores at about the 10th percentile for children with low and high standards of living, respectively. The line AX represents the gradient of child developmental outcome scores at about the 90th percentile. It is assumed that all children along the lines BY and AX have the same Z , and the only factor differentiating them is their standard of living. The ranges AB and XY can be seen as representing the influence of Z on O , controlling for L , while the gradients AX and BY can be seen as representing the influence of L on O , controlling for Z .

The child's right to a living standard adequate for her development to her fullest potential should involve the equalisation of inputs (reduction of the gap between 'low' and 'high' living standards on Figure 2), where these inputs are clearly seen to be associated with outcomes ([Pogge, 2002, 2008](#)). Equalisation of inputs can be justified on the grounds that unequal living standards – the product of a particular set of socio-economic arrangements – are inhibiting some children from achieving their universally accepted right to develop to their fullest potential. Societies are therefore obliged to change those arrangements (or alternatively change the outcomes that matter) so that all children have the opportunity to achieve at the highest level possible for them, given their 'natural' endowments. The reduction of inequalities therefore follows a lexical ordering: the first priority of duty bearers is to equalise living standards among children, allowing for differential inputs only in the case of specified conditions. Once a satisfactory degree of equalisation has occurred (and this is a matter for public debate and social choice) then duty bearers can consider ways of

reducing inequalities among children with similar living standards but different outcomes.

Figure 2 Model of development to fullest potential for children with low and high standards of living



Note: The black line shows the gradient between the 90th percentile outcome score for children with low living standards and the 90th percentile outcome score for children with high living standards. The grey line shows the gradient between 10th percentile outcome scores for children with low and high living standards. The dashed lines show how the distribution of scores would have to be truncated if all children's outcome scores were to approach those achieved by children with high living standards. In other words, the score at A would have to reach A₁ and beyond (all the way towards X), and the score at B would have to reach B₁ and beyond (all the way towards Y). This diagram therefore assumes that fullest potential for all children will only be attained when the majority of children's outcome scores lie in the range XY.

The range AB on Figure 2 does not represent fullest potential, since children with low living standards who scored in the range AB could clearly do better if their living standards improved. XY on the other hand could be seen as representing fullest potential (in a given society or community context), since this is what children with

high living standards achieve. X represents a better absolute developmental outcome than A , and Y represents a better absolute developmental outcome than B . The assumption is that given progressive equalisation in living standards, the slopes AX and BY should truncate, with children at A ultimately reaching an outcome at A_I and beyond, and children at B ultimately reaching an outcome at B_I and beyond (all the way to X and Y , respectively, at which point all children's rights to an adequate living standard are, on average, fulfilled, or the distribution is recalibrated). There is still considerable heterogeneity among children in terms of any outcome, but this is no longer associated with their living standards, but with Z , their 'natural' endowments and propensities.

5 But is it actually possible for every child to have a living standard adequate for achievement of her fullest potential?

The approach proposed in this paper for fulfilling children's right to a living standard adequate for their development to their fullest potential involves making progress towards the equalisation of children's living standards with extra compensation for some identified conditions that are seen to impact on children's opportunities to develop. This approach encompasses a clear value choice to focus on the distribution of inputs rather than of outcomes or capabilities. This approach is justified in part by the wording of the CRC – that children have a right to a living standard adequate for their development; the right here is to the input – the living standard. The approach is also justified in that a considerable amount of research shows that children's developmental outcomes are greatly influenced by those things which are included in living standards for the purposes of this analysis: not only material resources, but also inputs from and interactions with parents and families, and communities and

institutions; that is, capital in all its forms (Bourdieu, 1986). Progress towards equalising these inputs would go a long way towards children's greater achievement of their fullest potential.

Would it be enough? The work of Pierre Bourdieu attempts to explain relative immobility in class structures in postwar France through analysis of how the elite not only controls the levers for advancement, but also adjusts them in order to ensure that it maintains its competitive advantage over time, thus cementing its position at the top through generations even in the face of apparently egalitarian policies that aim to open up educational and other opportunities (Bourdieu, 1984, 1986; Bourdieu and Passeron, 1990). Annette Lareau succinctly sums up Bourdieu's ideas on socialisation: depending on their social origin, people are socialised differently. This process of socialization provides children and adults with a sense of what is 'natural' (he terms this *habitus*). Socialisation also determines the resources (*capital* – social, economic and cultural) that people inherit and can draw upon in their confrontations with different institutions (*fields*) in society (Lareau, 2003, p.275).

In other words, parents of different social classes interact differently with their children, and with the outside world. These patterns of interaction are partly brought about by what the actors are comfortable with, akin to the concept of adaptive preference that is discussed at length in the capabilities approach (Bourdieu, 1986). But Bourdieu's theory further suggests that they are also partly associated with explicit agency on the part of the actors in pursuit of a specific goal. The elite maintains its position in a number of ways. First, the elite defines success and taste, and "art and cultural consumption are predisposed, consciously and deliberately or not, to fulfill a social function of legitimating social differences." (Bourdieu, 1984,

p.7) Second, as Lareau shows in her ethnographic study of class inequality in the US, habitus and capital possessed by the elite are attuned to the criteria for successful encounters with official institutions, such as schools, employers and state bureaucracies; they are also attuned to the criteria for their children's economic and social success in the wider world. The elite maintains its position, partly because it simply acts out of habitus, but also because it actively competes to do so. The lower class on the other hand maintains its position because it possesses different types of habitus and capital which are less well attuned to their children's economic success, or to negotiating their way through official and other institutions. The habitus and capital of the lower class are less well attuned to these things because it is the elite that makes the rules, and changes them, to maintain its position. In other words, the assumption of cultural neutrality of institutions such as schools is false – they are on the side of the elite, even to the extent that a formal educational qualification is less a signal of a specific set of knowledge than of “capacity to adopt the aesthetic disposition” associated with that qualification (Bourdieu, 1984, p.28).

Bourdieu's ideas have been widely used to explain the perpetuation of differences in educational outcomes across social classes ([Lareau, 2003](#)). In common with other Marxist analysts, he has undergone criticism because his theory tends to explain the stability of social class formations across generations, but fails to explain social change; and also because the actions of parents and their children at particular junctures in the education system may not simply be the result of habitus or a given set of cultural capital, but could equally be seen as a rational choice for the actors involved ([Hatcher, 1998](#)). Nonetheless, Bourdieu's theory is relevant to this paper not so much in terms of explaining class immobility as in explaining the competitive

actions of the elite to maintain its position through generations, committing ‘symbolic violence’ on non-elites in the process. Bourdieu’s analysis resonates with Pogge’s (2008) emphasis on the negative obligation of duty bearers – to desist from using their accumulated capital to maintain their elite status, and level the intergenerational mobility playing field.

This is a tall order. Bourdieu argues that the capital that parents accumulate and pass to their children comes in three forms – economic, social, and cultural. It is difficult to imagine a world where the transfer of such capital from parents to children did not exist, for this would be a world played according to the rules of roulette, ...

... a world without inertia, without accumulation, without heredity or acquired properties, in which every moment is perfectly independent of the previous one, every soldier has a marshal’s baton in his knapsack, and every prize can be attained, instantaneously, by everyone, so that at each moment anyone can become anything.

(Bourdieu, 1986, p.241)

Social structure embodies capital, and societies cannot be easily organised according to the rules of roulette. But additionally, for the human rights advocate, parents are duty bearers for their children. In this sense, they are obliged to support their children’s development. Harry Brighouse and Adam Swift argue on the one hand that parent-child relationships have a particular specificity that demands partial treatment as they are essential for human flourishing. On the other hand, in common with Bourdieu, they also suggest that parental partiality towards children has distributional consequences, which raises questions about the extent to which societies should

permit parents to contribute to flourishing in their own children, and how flourishing should be distributed among all children ([Brighouse and Swift, 2009](#), p.47).

Brighouse and Swift place considerable emphasis on the centrality of parent-child relationships, stating that a society with plentiful family relationships and high levels of inequality would be preferable to a society where levels of inequality are low but family relationships are scarce. However, they seek to place bounds on the impact of these relationships on wider inequalities in society by proposing that parents should be free to read bedtime stories to their children and send them to religious instruction, but not necessarily free to send them to elite educational institutions. Nonetheless, as Bourdieu's thesis suggests (and as Lareau, 2003, shows with her analysis of 'moments of social and cultural reproduction'), "(t)he family, even when kept within its genuinely valuable bounds, seems to be more threatening to the prospects for equality of opportunity, even of the conventional kind, than social democrats had hoped." (Brighouse and Swift, 2009, p.59)

In other words, even bedtime stories can serve to differentiate children. What hope for increased equality of resources (of which bedtime stories are one component) between children? Brighouse and Swift (2009) do not offer any specific solution to this problem, other than giving priority to antipoverty measures. Yet the agency of parents is surely important in another sense that is central to the idea of 'fullest potential'. In reading bedtime stories to their children, in sending them to elite schools, in engaging with them in original and creative ways, parents are pushing back the boundaries of fullest potential and developing new standards to which all children should perhaps have the right to aspire.

It is difficult to imagine the state with its (formally) egalitarian project, achieving new heights in ‘fullest potential’. Rather, the aspirations in Articles 27 and 29 of the CRC could perhaps be better served with a triple policy approach that first, allows parents the freedom to develop their children to their fullest potential; second, strives to reform the institutions that it controls (not least, the education system) so that inequalities between people in terms of how they interact with these institutions are minimised; and third, engages in continued resource transfers between families with higher and lower living standards, with a focus on only on the material, but also a wider range of resources that has been shown by research to make a difference to children’s lives and opportunities. Societies can shake things up every so often by rewriting the rules of social advancement (another word for revolution), but permanent revolution, where life becomes more like a game of roulette, as Bourdieu puts it, seems an unpromising basis on which to offer children living standards adequate for their development to their fullest potential.

6 Conclusion

In this article a rigorous interpretation of children’s right to development to their fullest potential is proposed. The rights aspect is important – it suggests that countries that have ratified the CRC need to consider how to interpret ‘fullest potential’ and how to put policies in place that enable children to achieve it. This understanding suggests that policy should constantly reinforce its efforts to reduce inequalities in living standards (broadly interpreted) among children, so that ‘natural’ abilities and preferences rather than living standards determine children’s developmental outcomes. However, it is only through examination of actual capabilities or

achievements that we can tell which children's living standards are adequate to the task.

The achievement of fullest potential for all children (even within the narrow bounds of formal education) assumes that different children will be interested in, and excel at, different things, but that there is nonetheless a distribution in all outcomes. Fullest potential does not mean the same level of achievement in all outcomes for every child. It means that all children have sufficient (material and non-material) resources and living standards to have the opportunity to achieve to their fullest potential.

However, reduction of inequalities in living standards on its own is not enough. A society (or state) that weighs heavily on parents and children in order to achieve equality of living standards may not be one that is best at encouraging excellence. Thus there exists a tension between every child's right to a standard of living adequate for their development (to their fullest potential) and the meaning of fullest potential itself. This tension is not merely abstract, but reveals itself in government policy statements (for example on education) that appear to pay lip-service to both, but may in practice prioritise one over the other. Elaboration of the concept of fullest potential can help in understanding tensions in policy aims and societal choices. More research on this tension, and on how the actual delivery of services such as education can mitigate it, is needed.

References

- Arneson, R. J., 'Equality and Equal Opportunity for Welfare'. *Philosophical Studies: An International Journal for Philosophy in the Analytic Tradition* 56 (1) (1989):77-93.
- Atkinson, A. B., *Poverty and Social Security*, (Hemel Hempstead (UK): Harvester Wheatsheaf, 1989).

- Atkinson, A. B., 'Social Exclusion, Poverty and Unemployment', In *Exclusion, Employment and Opportunity*, Atkinson, A. B. and Hills, J., ed. (London School of Economics: Centre for the Analysis of Social Exclusion, 1998).
- Barry, B., *Social Exclusion, Social Isolation and the Distribution of Income*, Centre for the Analysis of Social Exclusion, London School of Economics, CASE/12, <http://sticerd.lse.ac.uk/dps/case/cp/paper12.pdf>.
- Becker, G., *A Treatise on the Family*, (Cambridge, MA: Harvard University Press, 1981).
- Berges, S., 'Why the Capability Approach is Justified'. *Journal of Applied Philosophy* 24 (1) (2007):16-25.
- Bourdieu, P., *Distinction: A Social Critique of the Judgement of Taste*, (Cambridge (Mass.): Harvard University Press, 1984).
- Bourdieu, P., 'The (Three) Forms of Capital', In *Handbook of Theory and Research in the Sociology of Education*, Richardson, J. G., ed. (New York: Greenwood Press, 1986).
- Bourdieu, P., and Passeron, J.-C., *Reproduction in Education, Society and Culture*. Translated by Nice, R., (London: Sage, 1990).
- Bowers Andrews, A., 'Securing Adequate Living Conditions for Each Child's Development', In *Implementing the UN Convention on the Rights of the Child: A Standard of Living Adequate for Development*, Bowers Andrews, A. and Hevener Kaufman, N., ed. (Westport, Connecticut and London: Praeger, 1999).
- Brighouse, H., and Swift, A., 'Legitimate Parental Partiality'. *Philosophy & Public Affairs* 37 (1) (2009):43-80.
- Brighouse, H., and Unterhalter, E., 'Primary goods Versus Capabilities: Considering the Debate in relation to Equalities in Education', In *Capabilities - Handlungsbefähigung und Verwirklichungschancen in der Erziehungswissenschaft*, Otto, H.-U. and Ziegler, H., ed. (Wiesbaden: VS Verlag, 2008).
- Burchardt, T., Le Grand, J., and Piachaud, D., 'Degrees of Exclusion: Developing a Dynamic Multidimensional Measure', In *Understanding Social Exclusion*, Hills, J., Julian, L. G. and Piachaud, D., ed. (Oxford: Oxford University Press, 2002).
- Burchardt, T., and Zaidi, A., 'Comparing Incomes when Needs Differ: Equivalization for the Extra Costs of Disability in the U.K.'. *Review of Income and Wealth* 51 (1) (2005):89-114.
- Chapman, A. R., 'A "Violations Approach" for Monitoring the International Covenant on Economic, Social and Cultural Rights'. *Human Rights Quarterly* 18 (1) (1996):23-66.
- Committee on the Rights of the Child, *The Aims of Education*. United Nations 2001). Original edition.
- Committee on the Rights of the Child, *General comment No. 15 (2013) on the right of the child to the enjoyment of the highest attainable standard of health (art. 24)*, Geneva, Office of the United Nations High Commissioner on Human Rights, CRC/C/GC/15, Adopted by the Committee at its sixty-second session (14 January - 1 February 2013), http://www2.ohchr.org/english/bodies/crc/docs/GC/CRC-C-GC-15_en.doc.

- Conger, R. D., and Donnellan, M. B., 'An Interactionist Perspective on the Socioeconomic Context of Human Development'. *Annual Review of Psychology* 58 (1) (2007):175-199.
- Craven, M., *The International Covenant on Economic, Social and Cultural Rights: A Perspective on its Development*, (Oxford Clarendon Press, 1995).
- Deneulin, S., 'Perfectionism, Paternalism and Liberalism in Sen and Nussbaum's Capability Approach'. *Review of Political Economy* 14 (4) (2002):497-518.
- Hatcher, R., 'Class Differentiation in Education: Rational Choices?'. *British Journal of Sociology of Education* 19 (1) (1998):5-24.
- Himmelfarb, G., *The Idea of Poverty: England in the Early Industrial Age*, (New York: Knopf, 1984).
- Hodgkin, R., and Newell, P., *Implementation Handbook for the Convention on the Rights of the Child*. 3rd ed, (New York: UNICEF, 2007).
- Hurka, T., *Perfectionism*, (Oxford: Oxford University Press, 1996).
- Johnstone, R. L., and Ámundadóttir, A. 2011. Defending Economic, Social and Cultural Rights in Iceland's Financial Crisis. *The Yearbook of Polar Law Online*, <http://booksandjournals.brillonline.com/content/10.1163/22116427-90000020>.
- Lareau, A., *Unequal Childhoods: Class, Race, and Family Life*, (Berkeley: University of California Press, 2003).
- Levitas, R., Pantazis, C., Fahmy, E., Gordon, D., Lloyd, E., and Patsios, D., *The Multi-Dimensional Analysis of Social Exclusion*, Bristol, Department of Sociology and School for Social Policy, Townsend Centre for the International Study of Poverty, and Bristol Institute for Public Affairs, University of Bristol, January 2007, http://www.cabinetoffice.gov.uk/media/cabinetoffice/social_exclusion_task_force/assets/research/multidimensional.pdf.
- Lister, R., *Poverty*, (Cambridge, UK: Polity Press, 2004).
- MCEETYA, *Melbourne Declaration on Educational Goals for Young Australians*, Carlton, Vic., Ministerial Council on Education Employment Training and Youth Affairs, December 2008, http://www.mceecdy.edu.au/verve/resources/National_Declaration_on_the_Educational_Goals_for_Young_Australians.pdf.
- Murray, C., *Losing Ground: American Social Policy 1950-1980*, (New York: Basic books, 1984).
- Murray, C., *Coming Apart: The State of White America, 1960-2010* Crown Forum, 2012).
- Nolan, A. 2013. Economic and Social Rights, Budgets and the Convention on the Rights of the Child. *The International Journal of Children's Rights*, <http://booksandjournals.brillonline.com/content/10.1163/15718182-02102003>.
- Nussbaum, M., *Women and Human Development: The Capabilities Approach*, (Cambridge: Cambridge University Press, 2000).
- Nussbaum, M. C., 'Capabilities as Fundamental Entitlements: Sen and Social Justice'. *Feminist Economics* 9 (2-3) (2003):33-59.
- Office of the High Commissioner of Human Rights, *Human Rights and Poverty Reduction: A Conceptual Framework*, Geneva and New York, United Nations, HR/PUB/04/1,
- Pogge, T., 'Can the Capability Approach Be Justified?'. *Philosophical Topics* 30 (2) (2002):167-228.

- Pogge, T., *World Poverty and Human Rights*, (Cambridge, UK: Polity Press, 2008).
- Redmond, G., 'Poverty and Social Exclusion', In *Handbook of Child Well-being*, Ben-Arieh, A., Frones, I., Casas, F. and Korbin, J., ed. (Dordrecht: Springer, 2013, forthcoming).
- Robeyns, I., *The Capability Approach: An Interdisciplinary Introduction*, University of Amsterdam, Department of Political Science, and Amsterdam School of Social Sciences Research,
- Rogers, G., 'What is Special About a Social Exclusion Approach?', In *Social Exclusion: Rhetoric, Reality, Responses*, Rogers, G., Gore, C. and Figueredo, J. B., ed. (Geneva: International Institute of Labour Studies, United Nations Development Programme, 1995).
- Ruggeri Laderchi, C., Saith, R., and Stewart, F., 'Does it matter that we do not agree on the definition of poverty? A comparison of four approaches'. *Oxford Development Studies* 31 (3) (2003):243-272.
- Saito, M., 'Amartya Sen's Capability Approach to Education: A Critical Exploration'. *Journal of Philosophy of Education* 37 (1) (2003):17-33.
- Sen, A., 'A Sociological Approach to the Measurement of Poverty: A Reply to Professor Peter Townsend'. *Oxford Economic Papers* 37 (4) (1985):669-676.
- Sen, A., *The Standard of Living*, (Cambridge: Cambridge University Press, 1987).
- Sen, A., *Inequality Re-examined*, (Cambridge, MA: Harvard University Press, 1992).
- Sen, A., *Development as Freedom*, (Oxford: Oxford University Press, 1999).
- Sen, A., 'Why Health Equity?'. *Health Economics* 11 (8) (2002):659-666.
- Sen, A., 'Elements of a Theory of Human Rights'. *Philosophy & Public Affairs* 32 (4) (2004):315-356.
- Sen, A., *The Idea of Justice*, (London: Allen Lane, 2009).
- Stewart, F., 'Basic Needs Strategies, Human-Rights, and the Right to Development'. *Human Rights Quarterly* 11 (3) (1989):347-374.
- U.S. Department of Education, *Blueprint for Reform: The Reauthorization of the Elementary and Secondary Education Act*, Washington, DC, United States Department of Education, March 2010, <http://www2.ed.gov/policy/elsec/leg/blueprint/>.
- United Nations, *Convention on the Rights of the Child*, Adopted and Opened for Signature, Ratification and Accession by General Assembly resolution 44/25, 20 November 1989, <http://www.unhcr.ch/html/menu3/b/k2crc.htm>.
- White, S., 'Being, Becoming and Relationship: Conceptual Challenges of a Child Rights Approach in Development'. *Journal of International Development* 14 (8) (2002):1095-1104.
- Wolff, J., and de-Shalit, A., *Disadvantage*, (Oxford: Oxford University Press, 2007).