

Freedom from intervention and the rights of children

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Abstract. Henry Sidgwick raises a problem for the doctrine that all citizens have a right to as much freedom from intervention as possible, which begins with the observation that surely there is no intention to apply it to children. The writings of George Bernard Shaw suggest a solution to this problem, which I believe is now forgotten and which I in turn convey here.

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“A solution I felt my own I found before

There in the writings of George Bernard Shaw.”

What to make of the doctrine that each citizen is to have as much freedom from intervention as possible, the freedom doctrine for short? Well, we are not the first to evaluate it. Henry Sidgwick observes that whoever advocates the doctrine surely does not want to apply it to children, idiots, and the insane (Bk. 3, Ch. 5, Part 4). But, says Sidgwick, we cannot assume beforehand that all citizens outside these groups have capacities which make them suited to having this freedom, as the doctrine seems to. It is an empirical question whether a given adult is suited to this. I found a response suggested to this objection in the writings of George Bernard Shaw and my main aim is to convey it. Well, it is not framed as a response, nor does Shaw claim he devised it and I am not even sure that he clearly conceived it; but it can be so framed and that is one contribution of this brief paper, the other being an analysis of the objection.

A simple version of the objection involves four components.

Interpretive component 1. The freedom doctrine, appropriately interpreted, does not hold that children, idiots, and the insane are to have as much freedom from intervention as possible, because they all have some quality which makes them unsuitable for this, call it quality X.

Interpretive component 2. The freedom doctrine assumes that all citizens outside these groups do not have quality X.

Assumption evaluation criterion. This should not be assumed if it is an empirical question whether they lack this quality or not.

Empirical question thesis. It is an empirical question whether they lack this quality or not.

That is the components over. A more complicated version would say that what makes children unsuitable for having this much freedom is different from what makes idiots unsuitable and different from what makes the insane unsuitable. (I imagine a situation in which there is no one else and these differences become very significant. A Greta-Thunberg-like character declares, “Given the situation, we have to be the adults in this place,” but others say, “No, we’re the adults!”¹) Anyway, let’s work with the simple version.

The response derived from Bernard Shaw targets interpretive component 1, which enables the objection to get going: the component which says, “You are surely making an exception for them,” which leads onto “Why not for certain others?” Actually the freedom doctrine is best interpreted as holding that the same rights to freedom from intervention should be given to everyone, including children, to begin with. But you don’t get those rights if you violate the rights of others and that is what children do:

Experienced parents, when children’s rights are preached to them, very naturally ask whether children are to be allowed to do what they like. The best reply is to ask whether

¹ To me, the inspiring figure seemed similar to researcher Nadia Lisovskaya in a recent interview, though on closer inspection their beliefs are different (assuming some have not changed) and some expressions.

adults are to be allowed to do what they like. The two cases are the same. The adult who is nasty is not allowed to do what they like; neither can the child who likes to be nasty.

So the child soon ends up without the full package of freedom rights.

This solution raises various questions, most obviously, how do they regain freedom later, having been treated as rights-violators? And, do we not restrict the freedoms of children beforehand, rather than after a rights-violation, from our knowledge of what children are like?

References

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