

Children's social vulnerability: an ethical reflection on the age bias during the COVID pandemic

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Abstract

Children are vulnerable in a qualitatively different way when compared to adults for both biological and social reasons. In this article I focus on how social vulnerability becomes more severe in times of stress or crisis for adults, such as the current pandemic, affecting children's rights. Thus, I delve into the role of the age bias in children's social vulnerability to immediately explore how the age bias has been exacerbated during the pandemic. I analyze the case of Spain and the measures in relation to the COVID-19 lockdown regarding children's rights to health, education, and information. Thereby, I try to shed some light on how the age bias ends up generating measures and messages that normalize the discrimination and invisibilization of children's needs. I conclude advocating the need of implanting a preventive perspective, and the duty to guarantee children a voice in the public sphere as a matter of justice.

Keywords: Children's Rights, Age Bias, Vulnerability, Mental Health, COVID, Justice.

The vulnerability of childhood

The pandemic has had and still has a severe impact on children's lives, although children may have a much lower risk of being affected by COVID-19 in terms of physical health. The lock-down measures, including the closures of parks, schools and childcare facilities, and the switch to online-schooling have not only jeopardized specific goods

of childhood¹ and with it, children's rights, and proper development, but have also exacerbated social disadvantage and inequality. Being the family and specifically the caregivers the main agents of justice for children, the family became again the crucial space for children. As a result, children living in socially disadvantage families, in families dealing with stress, grief, economic hardships, as well as abusive, dysfunctional, and neglectful households have become invisible victims of the pandemic.

Childhood is a crucial phase of life, where our identity, coping mechanisms and skills for our future life are shaped. This should not be ignored in a multilevel stressful situation as the current pandemic. Ignoring that what worries or threatens the caregivers is crystalized in the caregiver-child relationship and has an impact on how caregivers perceive and feel about the child (Powell *et al.* 2013; Shah, Fonagy and Strathearn 2010) is letting children's rights at a risky situation. For this would not only shape how the child perceives herself, but how the child sees the world and what to expect in human interactions.

Taking also into consideration the relevance of timing when it comes to children evolving capacities, and both short and long term consequences of a breakage in the proper cognitive, social, emotional, intellectual stimulation and development of children, it is not unreasonable to estate that children's rights have in general terms been inadequately addressed during the pandemic. In fact, many times the materialization of children's rights has become a question of luck, rather than a matter of social justice.

Children are internationally recognized subject of rights since the 1989 UN Convention. However, children are still a segment of population especially vulnerable and often overshadowed due to their social and political vulnerability or powerlessness. 1989 UN Convention implied indeed a shift of paradigm in terms of children's conceptualization. Being recognized as subjects of rights implies that a) children are neither objects nor properties, b) adults have an especial responsibility in terms of children's right protection, c) children should not be discriminated, d) children's best interest should be protected in cases on conflict and, e) that children should be listened to as they have the right to participate in those decision that concern them (UN 1989). Although this may be reflected in specific laws, a change in the manifest concept of

¹ On this concept, see Gheaus (2015a) and MacLeod (2015).

childhood through documents have not directly led to a change in operative concept of childhood (Schapiro 1999). Our cultural heritage can indeed provide illustrative cases in relation to the roots of the problem. In other words, the age bias is not only still present, but has in fact been exacerbated during the pandemic. This is not strange, as parental rights over children were defended long before children were even considered as morally relevant beings. This, alongside the fact that current societies revolve around the adult and the fact that stressful situations, as the pandemic, reduce our openness to some else's needs and concerns, leads to a situation where children's right can easily be jeopardized.

On its part, vulnerability is a term that has gain recognition in ethics and applied philosophy (Mackenzie, Rogers, Dodds 2014; Scully 2014; Schweiger and Graf 2017). Vulnerability, although sometimes a vague term, relates directly to the concept of moral damage, for being vulnerable is being susceptible of suffering a moral damage. Defined as "being at increased risk of suffering harm and/or having diminished capacity to meet one's needs, safeguard one's interests or protect oneself from harm" (Mackenzie, Rogers and Dodds 2014, 4), vulnerability is an intrinsic part of human existence. Nevertheless, children are radically vulnerable when compared to adults as our relationship with them implies an asymmetry. "Children are vulnerable because they need care not only to survive but also to develop their basic physical, intellectual, and emotional capacities" (Mullin 2014, 266). Thus, children are an especially vulnerable segment of the population, not only because of their singular traits, but also because their lack of public voice in an adult-centered public sphere.

The relation between vulnerability and children's rights is clear. Rights are prerogatives that we recognize, given human vulnerability, to protect -in this case- children from suffering the type of moral damage that would truncate their development and flourishing as human beings. As a result, not all types of vulnerability and harm associated with it would be relevant to the human rights discourse. Rather, those that imply a disadvantage and an obstacle in reaching a minimum threshold of dignity as a human being would be the relevant type of vulnerability.

Children face several types of vulnerability that increase the chances of suffering multiple disadvantages as well as are intrinsically dependent on caregivers, which makes them profoundly vulnerable. Children's traits

make them particularly vulnerable given their physical and emotional needs, dependence on others, and their physical, mental, economic, and social fragility. One could distinguish between natural vulnerability, related to the child's development, such as physical and psychological, and supervening vulnerability, which does not arise from the natural characteristics of the child, but from how the child is seen and treated in each context. This would be the case of symbolic or social, economic, political vulnerability (Schweiger and Cabezas 2016, 115-116; Cabezas y Graf 2018). In any case, this distinction between natural and cultural vulnerability is only relevant for analytic purposes, since, in everyday life they may appear interwoven and combined.

As previously mentioned, the idea of vulnerability can be fruitful, as it connects harm with the fragility of children's rights, especially in social context where the age bias is operative. In this sense, the vulnerability of childhood can guide our moral claims and demands of justice. By being aware of what damages children, we can better determine what threats make children particularly vulnerable, both in the short and long term. Therefore, I will focus on what follows on symbolic vulnerability and its key role in the perpetuation of children's inequalities and the invisibility of effects of the pandemic in children's lives.

Children's social vulnerability: the age bias

This type of vulnerability encompasses aspects of physical, psychological, economic, and political vulnerability and reflects the fact that "being a child" is generally related to less prestige than that of adults, which leads to a lack of attention to children or even subtle yet normalized forms of disrespect or contempt.

In this type of vulnerability, nature and culture are intertwined. The inherent vulnerability related to their physical and mental capacities is combined with how children are treated. In other words, how inherent vulnerabilities manifest in children's lives depends on how the very concept of childhood is culturally configured.

Thus, social vulnerability cannot be addressed without paying attention to the role of the age bias. This term, coined by Young-Bruehl (2012), refers to the discrimination and prejudices that children face in modern societies and consists of ignoring children's voices and needs in favor of those of the adult.

One might think this bias is overcome since UN 1989 Convention. Moreover, one might even think that modern societies idealize childhood, overprotect them, and suffer from a Peter Pan complex. However, as true as these statements may be, they in fact denote that the age bias has not been surpassed. The 1989 UN Convention was a shift of paradigm, but a change in manifest concepts does not immediately translate in a change in operative collective conceptualizations on childhood. Attitudes and cultural heritages are slowly changed. Likewise, idealization of childhood is a form of ignoring current children as well as overprotection is in fact a way of neglecting children's actual needs.

Despite progress, most societies revolve around the adult so that children's specific needs are often dismissed. Some examples that show how modern societies are adult-centered would be the underrepresentation of children in research and development funds (Schweiger and Graf 2015), the growing appearance of child-free areas² such as restaurants and hotels, or the increasing lack of public space in the cities in favor of adults' needs and activities, so that the streets have gone from being a place to explore, play and interact to become a threat for children (Gill 2021).

Being excluded from spaces, such as restaurants, not for their safety or well-being, but for the adults' benefit, is a clear example of the age bias, as well as a clear reflection of how a society perceives childhood and how it relates to it. Prohibiting the entry of a segment of the population to a place like a restaurant because it is assumed that children will be annoying to adult customers involves several issues of justice, intertwined with a concrete conception of childhood. Prohibitions or limitations on a subject of rights as children would only be justified if they consider the best interest of the minor. For this reason, we do not allow children to exercise some human rights, such as the right to marry. However, what is the benefit for the child in the expansion of childfree spaces such as restaurants? Clearly, these are not measures designed to protect the child's interests, as indicated in the 1989 Convention. Rather, they are

² See the following articles published in the press to delve into the debate on child-free restaurants: *BBC news*, "Bad behavior forces Hampshire pub to go child-free": <https://www.bbc.com/news/uk-england-hampshire-53999105>; or *La Vanguardia*, "Restaurantes ¿con o sin niños?" [Restaurants: with or without children?]: <https://www.lavanguardia.com/vida/20190102/453884149071/presencia-ninos-restaurantes-debate.html>

measures designed for the benefit of an adult segment of population that perceives children as annoying and as a second-class subject of rights. The right of admission of the owner is usually exercised against specific people and in many cases once an inappropriate behavior has been carried out, not as a prohibition against a whole group of citizens. In these terms, it is a type of social aggression as well as a vicarious punishment based on the age bias.

Another example can be found in the measure recently suggested by an airline³. This time the airline was suggesting allowing other customers to know where a baby is going to sit to avoid nearby seats. This display of passengers' information would not be accepted if the segment of population were not children. Would we consent that a privileged group could know where the unprivileged one is sitting because is generally accepted that they are annoying if the discrimination were associated to nationality, gender, or religion?

At this point it is important to clarify that surpassing the age bias does not mean treating children as if they were adults. On the contrary, this would imply in many cases a form of negligence. Rather, each type of vulnerability can generate an instance of injustice and moral damage. In the case of social vulnerability, we are at risk of silencing children's experience and with it; we are at risk of being blind to a group of injustices. Thus, placing the focus on the age bias implies highlighting how the asymmetric situation can lead to discriminations against children's best interest that are not always so easy to justify.

The age bias during the COVID-pandemic: a question of justice

There is still a long way to go before the so-called age bias is overcome and children are no longer a secondary group of citizens, to some extent invisible in the public and political sphere. This bias, as mentioned in the previous section, is not new. However, it becomes more severe in extreme or stressful situations for adults, as the current pandemic. Therefore, in the following section I will advocate that children's rights have been inadequately addressed and neglected during the pandemic as well as I will try to show how this negligence is related to the exacerbation of the age bias. Thus, in what follows, I will delve into the role of

³ See CCN, "Japan Airlines releases baby seat map to allow passengers to avoid infants": <https://edition.cnn.com/travel/article/baby-seat-map-scli-intl/index.html>

the age bias during the COVID-pandemic. Specifically, I will analyze the case of Spain and the measures in relation to the COVID-19 lockdown, as it was one of the countries with the highest rate of cases. However, many situations could probably be applied to other contexts. By doing so, I hope to shed some light on how a specific collective imaginary on childhood ends up generating measures and messages that normalize the discrimination and invisibilization of children's needs in favor of adults' ones.

To analyze how the decision-making process related to COVID-19 measures reflects the age bias, and how this has played a role jeopardizing children's rights, I will follow the 1989 UN Convention's main groups of rights, namely: health, both psychical and mental, education, and information.

First, in relation to the right to health, it is remarkable how the needs of dogs were considered and accepted since the beginning of the lockdown by society, long before children's rights were part of a debate. Citizens were taking their dogs out for a daily walk without further social debate from the first moment, understanding that the dogs' and pets' physiological needs were one of the force majeure reasons contemplated⁴. However, it was not until after a month of lockdown that the conversation about children's needs started and some concerns on the long-term impact that this situation could have on their cognitive, physical, and emotional development began to be heard⁵. Even the cases of children with special needs, which could also be seen as a force majeure to walk through the streets, were the subject of a heated debate between adults, as it was the case in relation to autistic children. In other words, the

⁴ The first Decree Law during the lockdown on the 14th of March (BOE-A-2020-3692) mentioned that adults could leave the house to assist children (Art. 7.e.), but it did not show any concern on children's developmental needs locked at home to move, walk, etc. Likewise, it only allowed to leave the house due to a force majeure reason or basic needs (Art. 7.g.), which was interpreted as a way of allowing citizens to walk their pets without further debate. However, it was not socially interpreted as a permission to fulfill children's needs to the point that those adults seen with children on the streets were suspiciously regarded, as explained in the case of autistic children, so that they had to wear a bracelet.

⁵ See one of the first articles in the Spanish media bringing the subject into the public discussion, by the previous Spanish Children's Ombudsman, Javier Urrea, published by ABC on the 18th of April 2020: https://www.abc.es/familia/padres-hijos/abci-javier-urra-claro-ninos-utilizan-mecanismos-adaptacion-para-estar-casa-pero-larga-dejan-secuelas-202004180124_noticia.html

social interpretation of the article 7 from that law ended up privileging and normalizing the consideration of pet's physiological needs over children's developmental needs, including those with special needs, at risky environments or living in small households in overcrowding cities. This, therefore, can be interpreted as a sign of children's social vulnerability.

Also related to the possibility of taking a walk during the lockdown, it is eye-catching the debate and suspicion created on autistic children. When, after the parents complain, autistic children⁶ could go out to take a walk, the adult population's reaction was far from welcoming. The distrust and the fear about adults taking advantage of this measure reflects how the focus was placed on adults' behavior instead of children's needs to the extent that the president of the Spanish Autism Confederation was explaining how this measure was not a whim but a need⁷. As some adults kept on insulting from their balconies⁸ those parents waking with their children, autistic children's parent decided to use a blue armband so that they could be easily identified and not disturbed. This denotes a lack of concern about children's needs, as well as a lack of awareness about the potential consequences for a child (with or without autism) of being shouted out and insulted on the street. Notice that even if the case were that a caregiver was taking advantage of this measure, the child is not responsible of the decision, becoming so socially punished by an adult's decision. In a nutshell, this entire situation denotes how a society is more worried about adults' behavior than children' needs. In this sense, it is not surprising the fact that children see themselves as “a group differentiated from the group of adults, and as a group whose rights are neglected and rejected” (Mayall 2002, 21).

Another example on how the age bias has affected the realization of children's rights is the fact that the experts and the perspective assumed

⁶ See on the debate on children with autism the article “Los niños autistas podrán dar un paseo por la calle acompañados por un solo progenitor” [Autistic children will be able to take a walk accompanied by a caregiver], *ABC*, published on the 18th of March 2020: https://sevilla.abc.es/andalucia/sevi-ninos-autistas-podran-paseo-calle-acompanados-solo-progenitor-202003181922_noticia.html

⁷ The interview is available in *El País*, 1st of April 2020: https://elpais.com/elpais/2020/04/01/mamas_papas/1585721038_511623.html

⁸ See the article published in the press, “Un brazalete azul para sensibilizar a los chivatos de los balcones” [A blue bracelet to sensitize the sneaks on the balconies], *La Vanguardia*, on the 29th of March 2020: <https://www.lavanguardia.com/vida/20200329/48134126119/panuelo-azul-autistas-chivatos-balcones.html>

was only medical and adult centered. That is, the perspective revolved around adults and physical health, letting child psychologists, educator, and social workers out of the equation, just to mention some professionals related to children's rights, which led to jeopardizing children's well-being (Álvarez 2020).

This does not only imply treating children until that moment as a small-scale version of adults or defective adults (Gheaus 2015b), but it also implies the neglect of their specific basic needs. Likewise, it denotes a lack of awareness of the risks that children were exposed to, due to the lockdown situation itself, especially in the cases of dysfunctional, aggressive, negligent households, which connects to the right to health both physical and psychological. Likewise, this case is an example on how social, physical, and psychological vulnerability end up being intertwined.

Also, in terms of physical and mental health, the lack of awareness on children's conditions has put children in a special risky situation. As it is well-known, most of child sexual abuse happens at home and is intrafamily abuse (Cantón and Cortés 1997). Almost 60% of it happens at the child's home, being the perpetrator a family member (ANAR 2020). The age bias led to silencing children's abuse. Locked at home with your abuser while you are a child reduces your chances of avoiding the abuse and finding help. Unsurprisingly, violence against children has increased at a global scale (ANAR 2020; UNICEF 2020; UN WOMEN 2020). In other words, if a) it is known that sexual abuse against children happens mainly at home, b) during the lockdown children are locked with their families and c) no other measure is given to avoid the risk, then it is obvious that the concern on putting children at a risky situation was not the main worry, or, in a nutshell, that adults' needs have been prioritized compared to children's needs, which is the definition of the age bias.

In relation to social exclusion and poverty, which clearly affects children well-being and well-becoming (Schweiger and Graf 2015), it is true that the minimum universal income was approved⁹. However, this affected the aid for every child to avoid duplicities. Again, this shows a perspective focused on adults' behavior, instead of a will to protect children's needs and rights.

⁹ See <http://www.seg-social.es/wps/portal/wss/internet/Trabajadores/PrestacionesPensionesTrabajadores/65850d68-8d06-4645-bde7-05374ee42ac7>

Child poverty depends on the caregiver's poverty, and due precisely to this dependency between caregivers and children, the age bias led to a situation where the invisibilization of children is perpetuated. It is well reported how children in poor and low-income households are four times more likely to experience physical abuse, twice as likely to be abandoned, and more likely to suffer self-harm, delinquency, isolation, drug uses and negative social relationships (Ayton, Rasool and Cottrell 2003; Najman *et al.* 2010). Thus, ignoring this due to a lack of attention towards children's needs can only lead to the perpetuation of injustices against children. In a context such as the pandemic, where the health crisis is leading to a social crisis, the social vulnerability turns out to be twofold: the age bias against childhood and the social exclusion. This also shows how the economic and social vulnerability becomes mental and physical vulnerability. Likewise, all this entails that adults tend to ignore the fact that children suffer adverse experiences, including violence, much more frequently than what adults tend to believe (Samartín 2008).

Second, in relation to the right to education, the shift to online classes as the main solution denotes again an adult-centered perspective and some sort of blindness to children's current environments and agency. It somehow implies the belief that what work for adults, work for children. However, the world of children is much more complex than often seen (Cabrera 2020; Cifuentes-Faura 2020; Espinosa 2020). This measure does not take into consideration the fact that some households lack the tools and technology to access online schooling, as well as it assumes that caregivers are prepared enough and have the time and skills for adopting the teacher's role. As a result, children living in households suffering economic hardship or households where there were only a computer and the caregiver needed it to work online have seen their right to education jeopardized, showing again how children's needs are often invisible and not the priority. As the report by the Vasque Country University well synthesizes, "due to their cognitive maturation and coping capacity, children and adolescents are a population with greater vulnerability. All the anomalies derived from the pandemic can affect them in a particular way, and more directly family stress and changes in schooling, with regard to their training and socialization" (Balluerka 2020, 129).

Third, in relation to the right to information, the activation of the age bias has been twofold in the mass media, even beyond the fact that mass media were always addressing adults, which could also be questionable. On the one hand, regarding how children are represented in the mass media, children are labeled as a burden to parents. On the other hand, regarding what specific information has been given during the pandemic; they were categorized as the main path of transmission for COVID-19. Both ways perpetuate a negative collective imaginary on childhood.

In relation to the first idea, it exemplifies how a conception of childhood is manifested in the collective imaginary in an explicit way. Labeling the presence of a child at her residency as a burden for the adults in charge denotes not only an adult-centered perspective, but also it is a symptom of a somewhat negative conception of childhood. If that were not the case, the lack of economic resources or the labor market conditions that prevent the adults from enjoying their time with the child and fulfill the duties parental would have been classified and highlighted as the cause of that burden, instead of children.¹⁰

In relation to the second idea, regarding what specific information has been given about them, it is noteworthy how, especially at the beginning of the pandemic, children were described as the main path of transmission. Surprisingly, the focus was neither on how the child abuse rates were increasing or could increase, nor a concern on how the right to education could be somehow truncated by the new situation. This leads again to a scenario where children are ignored as a group of population and their specific problems are neglected in favor of the adult's perspective.

Furthermore, it is well known how children build their identity mirroring the image that adults give them back (Lemma 2009). If the world of children is hardly recognized and the social image is this negative, it seems sensible to state that potential long-term consequences of these

¹⁰ The titles of these two articles are a good example: "Mothers who work online are the ones suffering the most of stress", *El País*, published on the 6th of May 2020: https://elpais.com/elpais/2020/05/06/mamas_papas/1588747482_017346.html, or "Homework as unbearable for families", *El Mundo*, *Sapos y princesas*, <https://saposyprincesas.elmundo.es/consejos/educacion-en-casa/deberes-y-lecciones-desde-casa-en-tiempos-de-confinamiento/>. In both articles the focus is placed on the adult.

normalized comments, when internalized at an early age, can have an impact on children's self-esteem, as well as can trigger feelings of culpability, especially in those households dealing with a traumatic grief due to the pandemic, or with frustration and fear due to a harsh economic situation. The data is clear in this respect, showing how 89% of children had behavioral or emotional disorders as a result of confinement in Spain (Orgilés *et al.* 2020; see also Sandín *et al.* 2020; Monge and Suárez 2020; Gorrotxategi *et al.* 2020; Erades and Morales 2020). However, the age bias has a role in the difficulty of recognizing, from the adult perspective, the relevance of accumulative and subtle trauma. Micro, accumulative, and subtle instances of trauma are to some extent harmless from the point of view of an adult. From the child's perspective, it is experienced as a chronic "attack" from which it is especially difficult to defend oneself. In this sense, it acquires a normative burden, and it may shape and jeopardize the child's future health.

As a result, the age bias, key for children's social vulnerability, has been materialized in the lack of importance granted to the children's specific needs and rights, silencing so the childhood experience. In fact, we are facing a public health problem, a silent epidemic that demands to give the voice back to the child as an ethical imperative.

As Gopnik states:

"We used to think that babies and young children were irrational, egocentric, and amoral. Their thinking and experience were concrete, immediate, and limited. In fact, psychologists and neuroscientists have discovered that babies not only learn more, but imagine more, care more, and experience more than we would ever have thought possible. In some ways, young children are actually smarter, more imaginative, more caring and even more conscious than adults are (2009, 5).

Conclusion: Some suggestion on how to take children's rights seriously

So far, I have shown how the age bias does have direct consequences for the materialization of justice towards children or, in other terms, children's rights. I have also shown how the age bias is crucial for children's social powerlessness and how the pandemic has worsened children's

social vulnerability affecting, in turn, their political, physical, and psychological vulnerability.

It is true that, given the pandemic context, both adults and children's rights were affected. However, as Gheaus states, "some things that are good for both children and adults may be too scarce to be available, or equally available, to all members of the society and there may be reasons of justice to give priority to children when we distribute them" (2015a, 38), which may not be fully possible if the age bias still operates in modern societies.

If the age bias is combined with a reactive system, instead of a preventive one, and a lack of awareness of the key role of mental health, then reaching a minimum sufficient threshold of well-being for children in terms of public health and social justice becomes impossible.

At this point, I would like to conclude by suggesting some potential paths to deactivate the age bias and take children's rights as a priority.

First, I suggest, contrary to reactive views, the implementation of preventive measures as a matter of justice to avoid the perpetuation of invisible injustices towards children. Prevention may be an appropriate answer for both, the public health problems and the socially built age bias. Instead of reacting to child abuse, social exclusion and mental health problems once they are already crystallized, resources may be allocated to preventive services within the primary mental health system. This would entail the sensitization of professionals in healthcare and education, as well as it could be a first step in parental skill development for parents dealing with challenging situations. Caregivers are the main agents of justice for children. Therefore, they should receive parenting and emotional education to develop their own skills, to know how to manage stress, how to read children's behavior and understand their needs. Otherwise, we would be letting the realization of children's rights be a question of luck to some extent instead of a matter of justice. A preventive system could also be successful in detecting and eradicating some forms of social injustice that suffer from invisibility and, as a result, could neutralize the adult-centered bias.

Rights not only guarantee respect for autonomy, but also have the function of protecting and guaranteeing that other capacities can be exercised. So, a preventive approach may help eradicate recalcitrant social and health problems. In the realization of children's right, timing is a key

factor as childhood is a decisive phase of life. In this sense, a preventive approach could avoid a terrible result, namely, a whole generation whose rights to properly develop are deeply damaged.

Second, but related to the previous suggestion, in order to give a real voice to this segment of population, the adult world should stop idealizing childhood and start listening to children (Moral-Espín and Larkins 2020). This means not only the responsibility of letting them express and articulate their views and needs. It also means that, in order to be heard, someone has to be willing to listen to and take into consideration the other subject as a proper interlocutor. The integration of children's voice in the public sphere is key in terms of children's rights because, as Gordon states, "voice is bound up in their confidence and feelings of self-worth and is key to their future as citizens who will take their place in a democratic society" (2009, xix).

Therefore, I hope that the critical analysis of the role of the age bias in relation to children's rights could contribute to find appropriate guidelines to improve society levels of justice, health, and well-being towards children.

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