

A Minor Revolution

How Prioritizing Kids Benefits Us All

By Adam Benforado

Crown

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Instructor's Guide for *A Minor Revolution* © Adam Benforado

ABOUT THE BOOK

Advances in psychology, neuroscience, sociology, and public health have provided us with an ability unparalleled in human history to understand and protect children. But we have not seized the moment. This is a moral problem, but it's also an economic and social one: by failing our children today, we doom ourselves in the years ahead. The root cause of nearly every major challenge we face—from crime to poor health to poverty—can be found in our mistreatment of children. But in that sobering truth is also the key to changing our fate as a nation. We must reform our world—our institutions, our laws, our business practices, our parenting—to put children first.

ABOUT THE AUTHOR

Adam Benforado is a professor of law at Drexel University. A graduate of Yale College and Harvard Law School, he served as a federal appellate law clerk and an attorney at Jenner & Block. He is the author of the award-winning *New York Times* bestseller *Unfair: The New Science of Criminal Injustice* and numerous scholarly articles and popular essays. Benforado lives in Philadelphia with his wife and their two children.

Instructor's Guide

"A powerful new way to look at American society."
—Heather McGhee, author of *The Sum of Us*

HOW PRIORITIZING KIDS

BENEFITS US ALL

A MINOR REVOLUTION

ADAM BENFORADO

New York Times bestselling author of *Unfair*

"Revolutionary and accessible . . . a powerful new way to look at American society through the lens of our children."

—Heather McGhee, *New York Times* bestselling author of *The Sum of Us*

"A major revelation . . . an agenda-setting book . . . that offers a startling look at the present and a hopeful path for the future."

— Daniel H. Pink, #1 *New York Times* bestselling author of *The Power of Regret*

A NOTE FROM THE AUTHOR

This guide is intended for undergraduate and graduate educators interested in using *A Minor Revolution* in their courses. I've designed it to both minimize prep work and provide flexibility, so that professors can tailor the provided materials to their particular needs.

USING THE BOOK AS A MAIN TEXT

One option is to use the book as a main text in an undergraduate or law school course focused on children's rights. That's my approach with my two-credit law school course "The Rights of Children." I recommend moving through the material chronologically, assigning one chapter each week (along with additional readings, if desired). Although a lecture format is possible, I have found that a discussion-based seminar works best.

I suggest using the provided set of questions found in Part I of the guide for each chapter as a starting point for your teaching notes. As many of these questions have multiple parts and can easily be expanded further based on students' initial responses, there should be enough here to fill an entire class discussion of each chapter. Some professors may also wish to use one or more of the questions for a written reading response before, during, or after class. However, I've also included a separate set of writing prompts in Part II. I've tried to craft questions that can engage students who have only skimmed the relevant chapter (or skipped it entirely!), so some adopters may wish to add questions geared toward reviewing factual information or assessing reading comprehension (e.g., What are the benefits of paid parental leave?). In Part III, I include ideas for service and activism projects, which I use in a class period focused on getting students to take real world actions to support children's rights. In Part IV, I offer a sample syllabus for a 15-week, two-credit course, so that a professor has the basic building blocks for a ready-made class with plenty of room to tweak things to suit their own scholarly preferences and pedagogical aims. I've offered some ideas for additional readings beyond *A Minor Revolution* for each week, which can easily be eliminated or replaced based on professor preferences.

In terms of assessment, in my course, the main component is a final research paper. Although I provide sample ideas and chat individually with students about different options, I allow them to select whatever children's rights topic they are most interested in. I then have a member of our library staff offer a short presentation on how to conduct interdisciplinary research related to children's rights. During the same class period (scheduled early in the term), we also discuss the components of a compelling piece of writing and talk about strategies for organizing a successful law review-style article. Later, students submit an outline and an abstract of their paper. The final two weeks are set up as workshop days where students present their research and conclusions to the whole class and we work as a team to help each student work through questions and challenges they face in completing their project. One of the advantages of structuring the course this way is that it allows for introducing a much broader set of topics. In addition to the paper, I also ask students to do a handful of other minor asynchronous exercises, including a short personal essay reflecting on a moment from their childhood when they felt their rights were not respected. Finally, I assess students on classroom participation. In the past, I've assigned two students to be our formal guides for each week of the class, and I think that can work well, although I've relaxed my approach more recently.

A NOTE FROM THE AUTHOR (CONTINUED)

USING THE BOOK AS A COMPONENT OF AN EXISTING COURSE

Another option is to adopt the book as part of a broader semester course. For law professors, the text can work well as a component in a range of different classes including (but not limited to):

- **Children and the Law** (using the book to amplify the child-centered perspective in a course that tends to place more emphasis on parents, families, and the state)
- **Civil Rights** (using the book to highlight traditional topics, like racial discrimination and the right to vote, while also pushing students to consider the more novel context of the rights of children)
- **Education Law** (using the book as an avenue to discuss major law and policy issues in the course, including school funding, curricular control, homeschooling, parental rights, school discipline, religious freedom, freedom of speech, racial discrimination, and educational debt, among others)
- **Family Law** (using the book as a critical supplement to the traditional adult/parental rights perspective embodied in many family law casebooks and challenging students to rethink standard practices and assumptions related to children, parents, and families)
- **Human Rights** (using the book to introduce the U.N. Convention on the Rights of the Child and to encourage discussion of how human rights can be advanced in the United States outside of international law frameworks)
- **Juvenile Justice Law** (using the book to provide broader context to the plight of children created by the criminal justice system)
- **Law and Social Movements** (using the book as a case study in how the law relates to the allocation of rights to individuals and groups and to the dynamics of change movements)

For undergraduate professors, *A Minor Revolution* can help enrich a variety of classes including (but not limited to):

- **Sociology courses** (focused on families, social stratification, social change, and other topics)
- **Political Science courses** (focused on social policy, human rights, and other topics)
- **Criminal Justice courses** (focused on juvenile justice)
- **Legal Studies courses** (focused on family law, education law, ethics, human rights, poverty, and other topics)
- **Education courses** (focused on parents, families and communities, health and safety, and other topics)
- **Social Work courses** (focused on social environment, child and family welfare, and other topics)

If you want to assign the entire book for a single class period, I'd recommend either using the shorter General Discussion Guide or skimming through the questions below and selecting two or three from each chapter. While some professors may prefer to allow students to take the discussion in whatever direction they see fit, I

A NOTE FROM THE AUTHOR
(CONTINUED)

find that, since there are so many topics in the book, it is helpful to take a more structured approach, again, moving chronologically through the text.

You can also assign the book over two or three classes, or you can select a small number of chapters most relevant to your course and forgo the rest. As a general matter, if you want to teach just three chapters, I'd recommend the Introduction, Chapter 5, and Chapter 8, as I've found these to be particularly productive for spurring discussion and they cover some of the most important themes in the book.

PART I:
DISCUSSION QUESTIONS

INTRODUCTION

1. In the Introduction, Benforado provides powerful evidence of our lack of progress in bettering the lives of children over the last century, but can you think of areas where we have made major unexpected advances? What accounts for these successes, and are there any lessons we can learn that might allow us to gain traction in areas where we've bogged down?
2. Is this a "good" era to be a kid? If you could choose, would you rather be born today or in the year you were actually born? What factors seem most important in making your decision?
3. The United States is the only United Nations member state not to ratify the Convention on the Rights of the Child. What do you think it would take to get America to join the rest of the world? What do you believe is more likely: ratifying the Convention or adding a "parental rights" amendment to the United States Constitution?
4. In the book, Benforado identifies six core rights that all children possess: (1) the right to attachment, (2) the right to investment, (3) the right to community, (4) the right to be a kid, (5) the right to be heard, and (6) the right to start fresh. Which do you think is most important, and which do you think is least important?
5. Benforado acknowledges that while he believes that these six rights are vital, "they aren't the only ones that matter" and that he "hope[s] the book will prompt you to consider your own list." What additional children's rights do you think society should prioritize?
6. When it comes to children's rights, how much should we defer to the conflicting beliefs and practices of particular cultures (e.g., by limiting the rights we recognize or by allowing for exceptions)? For instance, should we declare that all children, regardless of gender, have a right to education even if that conflicts with a core religious practice of a particular group? Are you concerned that the rights we identify as "universal" might simply reflect our own cultural commitments?
7. In the opening pages, Benforado argues, "What children are due is not sufficiency—nor even equality—it is prioritizing. When genuine conflicts arise, the default should be to privilege their rights over the rights of others." After reading the book, do you agree?

PART I:
DISCUSSION QUESTIONS
 (CONTINUED)

8. Thinking back on your own childhood, what are the most vivid memories you have of moments when your rights were not respected? Has your perspective changed on those incidents over time? How do you think matters might have been handled differently to honor your rights?
9. Benforado suggests that parents' tireless efforts to ensure the success, health, and happiness of their children is admirable but misdirected: "In general, when it comes to helping children reach their potential, it is our broad societal policies, not our individual choices, that matter most. . . . [W]e need to stop sweating the minutia and channel our efforts to the big questions." Do you agree? What would it take to get parents to change their focus? Is it even possible?
10. At the end of the Introduction, Benforado explains that what he is "calling for is not upheaval—some risky social, political, and cultural disordering. It's the opposite. It is the status quo that is dangerous." But is that right, or should this book be titled *A Major Revolution*?
11. Who do you think most needs to read this book? Parents? Non-parents? Young people? Adults? Liberals? Conservatives? People who work with children? People who don't work with children? Politicians?
12. What were the most powerful forces or events in shaping your early life? What changes in your childhood environment do you think would have mattered the most?

1. THE FIRST YEARS: THE RIGHT TO ATTACHMENT

1. Who took care of you when you were an infant and young child? What factors determined that? How do you think things would have been different if you'd had a different caregiver (e.g., your father, rather than your mother, had stayed home with you or you had gone to daycare rather than been taken care of by your grandmother)?
2. How has the conflict between taking care of kids and meeting work responsibilities played out in your life? Do you think it's possible to "have it all": be a great parent and excel in your career?
3. Would you be willing to work two more years at the end of your career if you were able to take off the equivalent of two years from work when your kids were young?
4. Why do you think the United States is such an outlier among wealthy countries when it comes to not providing guaranteed paid time off to care for infants and sick kids?
5. Do you feel that fathers and mothers should be treated equally when it comes to childcare leave policies?
6. How much paid childcare leave should Americans get? And should people who choose not to have children also receive some sort of leave?
7. We know that a lot of people don't actually take the childcare leave they are given. How might we change that?

PART I:
DISCUSSION QUESTIONS
 (CONTINUED)

8. In Chapter 1, Benforado provides a stark portrait of the negative impact of parental incarceration on children. What do you think of his proposal to eliminate incarceration for most parents who have committed crimes (where the parents do not present an ongoing threat to society, including their kids)?
9. Should we view the children of the incarcerated as “victims” of crime and provide them with the same benefits that all other crime victims are entitled to?
10. In light of the problems with the child welfare system, do you support abolishing the system entirely? If so, what would you replace it with? If not, what reforms do you think make the most sense?
11. Given the misaligned incentives that Benforado describes in Chapter 1, do you think we should ban for-profit agencies in the foster system?
12. In Chapter 1, Benforado argues that part of ensuring a right to attachment is “help[ing] people who don’t want kids to avoid becoming parents.” And he advocates both for providing universal access to free, safe, reversible, long-acting contraception and for combating a culture that pushes people into having kids when that’s not what they actually want. Do you agree with this analysis?
13. Did you or do you feel pressure to have kids? What do you think would happen to society if there were no pressure at all? Do you think we should encourage people to have children? If you are considering having a child in the future, what are the most important factors in your decision-making?
14. At the end of Chapter 1, Benforado concludes that “labeling, excluding, and punishing ‘illegitimate’ bonds has only hurt children—and society. . . . [And that] we need to get out of the business of policing family relationships and get into the business of supporting them.” Do you think that the government has any role to play in defining what a family is and privileging certain types of relationships over others?

2. EARLY CHILDHOOD: THE RIGHT TO INVESTMENT

1. Chapter 2 opens with a question: “When did you first notice the gap between rich and poor?” How did you think of your own circumstances growing up? Were you aware of ways in which your family’s economic situation was holding you back or lifting you up?
2. Do you believe in the American dream?
3. In Chapter 2, Harold talks about the stark differences between his new wealthy private school and the poor public schools he had attended previously. What stood out to you in his descriptions? Do you think that we can achieve equality of opportunity while maintaining these two separate systems of primary education?
4. Given the evidence in Chapter 2, should elite colleges stop recruiting athletes for sports like squash, fencing, sailing, and lacrosse, which are disproportionately played by the wealthy? Should they end legacy admissions that favor the children of alumni?

PART I:
DISCUSSION QUESTIONS
 (CONTINUED)

5. In Chapter 2, Benforado suggests that “diamond-in-the-rough” programs at elite schools “have often functioned as a means to maintain the status quo that privileges the wealthy, not to dismantle it.” He writes, “What a scholarship to an elite school . . . does is lift that one kid over the wall that was created to protect the upper class; it doesn’t remove the wall. What it removes is the impetus to get rid of the wall—and all the systemic problems that hold back poor children.” What do you think of his assessment?
6. In Chapter 2, Benforado provides evidence on the value of mentoring in raising the trajectory of young people’s lives. Did you have important mentors in your childhood? Do you think they made a difference in how your life played out? What facets of their support mattered the most?
7. What do you think about the idea of shifting the societal conception of inheritance from passing money to *your* children to investing in the next generation—*all* kids? Do you believe that our system of maintaining hereditary wealth has been good for America?
8. In Chapter 2, one of Benforado’s central ideas is “to shift societal resources forward in the life span.” As he argues, “If you wait until bad outcomes occur in adulthood, you are going to pay far more—with respect to law enforcement, courts, prisons, jobs programs, hospitals, and drug treatment—and you are going to miss out on the big upside of investing early: years of increased productivity, stronger families and communities, and a healthier, happier citizenry.” Were you persuaded by the evidence he provides? Do you think such a change in policy is possible without extending more formal political power to youth; that is, will existing voters—who tend to be disproportionately older—always end up voting in a way that leads to government spending skewed toward the end of life?
9. Do you think it is moral to privilege your own children’s futures over the futures of other people’s children? If so, why?
10. What do you think is the minimum acceptable standard for an American public school? What do you consider to be fundamental (e.g., Must every elementary school have a library? How about music and art education? Air conditioning? Field trips?)? Do you think we can leave it up to states and localities, or do you support a “federal guarantee to free public education with top-quality facilities, a strong research-based curriculum, highly qualified engaged teachers, and small classroom sizes,” as Benforado proposes?
11. After reading the chapter, do you think it would be better to encourage the ultrawealthy to engage in more child-centric philanthropy or to increase wealth and estate taxes?

3. LATE CHILDHOOD: THE RIGHT TO COMMUNITY

1. How much control should parents have over their children’s access to medical care? Do you support respecting a child’s autonomy in cases where the child is seeking medical care recommended by their doctor but opposed by their parents? What about where the child wants to *forgo* care recommended by their doctor and their parents?

PART I:
DISCUSSION QUESTIONS
(CONTINUED)

2. How much authority should parents have over what their children learn in school? Do you agree that “[t]he education of our children should not be dictated by what parents believe—or want—to be true about the world, but by what is actually true”?
3. Should parents be notified what books their children check out from the library?
4. How much power should parents have over their children’s social lives? Should they be able to bar their children from interacting with their grandparents or friends?
5. Do you think recognizing and prioritizing children’s rights will make things better or worse for parents?
6. Do you think a 10-year-old is a “full person” or is a person not “whole” until they “grow up”?
7. Do you remember any instances from your childhood where your parents treated you as if you were their property? If so, was that ownership mentality reflected in actions they took toward you or things that they said? How did this treatment make you feel?
8. Do you think children “belong” to their parents? What do you think most American parents believe?
9. Do you think children should have a right to privacy? If so, at what age and in what ways?
10. What do you think about a parent forcing their child to practice the piano or eat vegetables?
11. Can you think of examples of the “parental ownership model” in broader society? Do you think it is a problem?
12. Do you agree that “[w]hen parental rights are invoked in this country today, it is often centered on keeping the community out, to bar people, ideas, and scientific progress”? Can you think of any recent examples?
13. How much of a say do you suppose children should have in who they live with following a separation or divorce?
14. Should a child have a right to religious freedom and, if so, at what age? To make this more concrete, if an 11-year-old doesn’t want to attend church should that expressed desire be respected? What if the same child doesn’t want to go to school?
15. Do you agree that every child should have a right to know who their birth parents are? If so, do you think that right should exist for children of any age or are you in favor of extending the right once a person reaches a certain age (e.g., 18)?
16. Do you support greater regulation of homeschooling? Why or why not?

PART I:
DISCUSSION QUESTIONS
 (CONTINUED)

17. Do you agree with Benforado's conclusion that "[f]or the most part, we are all helicopter parents because that is what our culture demands"? What do you think of the idea of more robust community support and caregiving as a means of reducing helicoptering?
18. Do you believe you have a responsibility to ensure the welfare of other people's children? If so, what does that responsibility entail, and do you feel the same responsibility toward children in your country and children living in other countries?

4. EARLY ADOLESCENCE: THE RIGHT TO BE A KID

1. Do you favor prosecuting some children as adults? If so, under what circumstances and on what grounds? If not, would you be in favor of raising the minimum age for the adult criminal justice system to 25?
2. At the beginning of Chapter 4, Benforado asks, "When is a child an adult?" What is your answer? Did it change after finishing the book?
3. Consider some of the age minimums we use for participating in certain activities or receiving certain rights. Do you think we've generally set them at the correct points? For example, do you agree with the drinking age, the driving age, or the age to purchase a firearm?
4. Is it fair to lump all children together and deny them some rights on the grounds of incapacity, even if some individual children actually do possess the capacity that is used as grounds for exclusion? Should we get rid of age minimums and focus entirely on individual assessments? Should we use skills or knowledge tests?
5. Do you think it would be better to forgo strict age minimums in favor of gradually extending rights over a period of time? For example, we could allow young people to first have access to alcohol subject to certain limitations: only limited purchases (e.g., one alcoholic beverage at a restaurant or bar), only in the presence of a parent or guardian, only in situations where the young person was not driving, or only for low alcohol content beverages.
6. For killing Anjo Price when he was 15 years old, Ghani was given a life sentence without parole. If you were tasked with deciding the fate of a similar teenager today, how would you respond?
7. Do you remember any moments in your childhood when someone mistook your age in a way that seemed unfair or otherwise harmful? What would you say to that person today?
8. In Chapter 4, Benforado provides evidence of how black children are often viewed as older and more mature than they actually are, resulting in harsher treatment at school and in the criminal justice system. Can you think of examples from your own life or the recent news cycle that support that research? What do you think society can do to better to protect black children?

PART I:
DISCUSSION QUESTIONS
(CONTINUED)

9. In Chapter 4, Benforado argues that “we end up protecting [kids] from the wrong things—swear words, country mud, library books—while leaving them exposed to significant dangers: pollution, guns, bullying.” Do you agree with that assessment? What would you add to the list of *overhyped* dangers? What would you add to the list of *overlooked* dangers?
10. What risk to you were your parents most worried about growing up? How much of a threat do you think it actually was?
11. How much of a problem was bullying at your junior high school and high school? Do you think the adults in your life were aware of the abuse? What, if anything, do you think could have been done to reduce it?
12. In Chapter 4, Benforado talks about bullying culture, pointing out that many adults “accept bullying as a necessary part of getting the most out of young people: football players, dancers, pianists, mathletes, beauty contestants.” Did you face this type of bullying by adults growing up? What effect did it have on you?
13. At the end of Chapter 4, Benforado discusses 11-year-old Andre who is allowed to travel around downtown Philadelphia every day on his own. What was your reaction to this story? Do you think you would have been capable of navigating the city alone when you were 11? Do you support giving kids this level of autonomy or does it seem dangerous?
14. In Chapter 4, Benforado argues that, when it comes to sex, we are failing to properly educate and protect children. What do you think sex education at school should entail? What role should parents have? Do you think internet pornography should be more regulated?
15. In what ways do you think children are different from adults? Did the evidence in the chapter support your observations and impressions?
16. Are you the same person you were when you were a young teenager? Why or why not? Would it be fair to judge you for a mistake you made when you were a teen?
17. In Chapter 4, Benforado describes research showing that “adolescents are significantly more attentive to their peers than adults are.” Can you remember any moments in high school where peer influence led you to make a bad decision? Can you remember any moments where peer influence helped keep you from harm?

5. LATE ADOLESCENCE: THE RIGHT TO BE HEARD

1. At what age do you think a person should be allowed to vote for president?
2. If we allowed all adolescents to vote, do you think they would just vote like their parents? Do you think they would turn out for elections?
3. Do you think high school students should be allowed to serve on criminal juries? Why or why not? If yes, would you restrict high schoolers to serving on juries of their fellow teens or would you permit them to serve on any criminal jury?

PART I:
DISCUSSION QUESTIONS
 (CONTINUED)

4. How do you think government policy would be different if people younger than 18 were permitted to vote and run for office?
5. Are you in favor of allowing students to serve as full voting members on school boards? Do you think students should have a say on what they learn in school?
6. In Chapter 5, Benforado questions the notion that teens “possess less personal knowledge about the major issues facing our nation.” On what important topics do you think an average 15-year-old might have more experience and perspective than an average 85-year-old?
7. Should young people be permitted to sue the government for a failure to act on climate change?
8. Are government leaders too old? Chapter 5 mentions that former attorney general Eric Holder recently proposed “adding a minimum age requirement of fifty” for federal judges. Do you think that is a good idea?
9. How much ability should public high schools have to censor student journalists? Should schools be able to ban certain plays from being performed or bar certain topics from valedictorian speeches?
10. Do you support banning corporal punishment of kids in school? Do you support banning spanking by parents and guardians? Why or why not?
11. Do you think a student, like Wylie, who engages in a silent protest at school should be free from *all* disciplinary consequences? If yes, what do you think if the protest is not silent and occurs over multiple days or weeks? For you, does it depend on what the student is protesting?
12. How much power should children have in decision-making at home? Should they get to weigh in on what’s for dinner, where to go on vacation, and whether to add another member to the family?

6. ON THE CUSP OF ADULTHOOD: THE RIGHT TO START FRESH

1. Do you believe that the military recruitment strategies used to target young people, discussed in Chapter 6, are ethical?
2. Do you agree with the idea that “the young should fight and the old should lead”?
3. In Chapter 6, Benforado explores the problems with a system of higher education that requires many students to take on high debt loads prior to getting their first job. Would you be in favor of reforms that make college free for all students? If so, how would you pay for it?
4. Did educational debt influence your decisions about college? If so, in what ways?
5. When you were a kid, what did you want to be when you “grew up”? Did you realize your dream (or, alternatively, are you still on the path to that dream)? If not, why not?

PART I:
DISCUSSION QUESTIONS
 (CONTINUED)

6. Was your choice of a major in college or a career impacted by gender stereotypes? If yes, in what ways and from what sources? If yes, how old were you when you first encountered the idea that there are “male jobs” and “female jobs”? What reforms would you support to address these stereotypes? Would you support bans on advertising that promotes gender stereotypes to children?
7. At what moment in your life did you “feel” most free? In what ways were you still constrained?
8. Should we force workers in certain industries to retire at a certain age in order to provide opportunities to young workers just starting out? Do you support seniority rules, like last-in, first-out during downsizing? Why or why not?
9. In Chapter 6, Benforado paints a dire portrait of the geographic immobility of many young people on the cusp of adulthood. Have you faced similar constraints, and how do you think they have influenced your life? What changes would you support to increase mobility?
10. In Chapter 6, Benforado discusses the long-term effects of housing discrimination and racial segregation. What was the racial makeup of the neighborhood where you grew up? Was that something you noticed as a kid? How do you think that influenced your life and the lives of the other children who lived there?
11. Do you think state borders help young people or harm them? In what ways?
12. In Chapter 6, Benforado writes, “By failing to ensure that young people are able to start life without debt, do what they want, and live where they desire, we imperil their transition to adulthood, our collective prospects, and our national identity. But these aren’t the only axes of freedom that matter.” Can you think of “other areas in which we impose our preferences upon our children and grandchildren as they cross the threshold into adulthood”?
13. At the end of Chapter 6, Benforado writes, “We ought to care more about the interests of the living than the interests of the dead. We ought to privilege the autonomy of the generations to come over the autonomy of those departed.” Do you agree? How much should a person be able to control their property after they die?
14. Do we have a duty to take care of the environment for our children?
15. Is it ever okay for a society to spend money on something in the present and send the bill to the next generation? If so, under what circumstances?

7. THE INVISIBLE KID: WHAT HOLDS US BACK

1. Benforado begins Chapter 7 with a story of a bicyclist nearly wiping out his young daughter as an illustration of how children are often “invisible when they are right before us.” Have you noticed examples of this lack of attention in your own life?
2. What details stood out in the section on lead contamination in water? Do you agree with Benforado’s conclusion that “[t]his is not a story about people setting out to harm children. This is a story about not focusing on them”?

PART I:
DISCUSSION QUESTIONS
 (CONTINUED)

3. In Chapter 7, Benforado suggests that formal structures and processes can provide us with false reassurance when it comes to ensuring children's health and safety: "In numerous contexts, rather than ask people to protect children, we ask them to follow procedures that purport to protect children but often come up short." Did you find his examples—e.g., the adversarial legal system, *Miranda* warnings, EPA regulations, and asylum practices—convincing? Can you think of others? Do you agree that "[a] system focused on blind adherence to procedure rather than the substantive welfare of children will never adequately ensure children's welfare"?
4. In Chapter 7, Benforado rejects the "zero-sum frame—the idea that making children better off means making everyone else worse off" and the related idea that by focusing on the mistreatment of children, we minimize "the mistreatment of other groups who have faced subjugation." But, in reading the book, did you ever find yourself reacting negatively or defensively based on your own group identity? Why do you think you responded this way?
5. In a matter involving harmed children, do you think wise, objective decision-making requires putting aside one's emotions? Do you think it is a "cheap-trick" to bring up kids in a policy debate about, say, gun regulations or immigration?
6. In Chapter 7, Benforado argues that "[k]ids are canaries in our coal mines. The things that harm kids also tend to harm adults, but kids are more sensitive to the bad effects." Can you think of examples where making kids our primary focus would encourage us to "intervene earlier and more completely" with "major benefits for everyone"?
7. The topic of race comes up in many of the chapters. As you look back over the book, do you see a consistent pattern when it comes to the disparate treatment of black children? What reforms do you think would make the biggest difference in addressing racial inequalities? Do you favor broad solutions or targeted ones aimed specifically at policing, the child welfare system, socioeconomic mobility, housing discrimination, and the like?
8. To overcome inertia and outright resistance to advancing children's rights, do you support the creation of a broad movement focused on all children, or do you think it is best to focus on the interests of particular groups of children: girls, trans kids, Native American youth, autistic children, etc.?
9. Do you think it would be wise for the United States to have a Children First political party? Why or why not?
10. As Benforado acknowledges, he had to make hard choices in leaving out many important topics related to children's rights. Do any come to mind that you think deserve greater exposure and discussion?

8. STOP AND GIVE A THOUGHT: WHAT CHANGE LOOKS LIKE

1. At the beginning of Chapter 8, Benforado challenges the reader to consider their field of expertise and imagine what it would look like if it "were rebuilt to prioritize children's well-being." What would your field look like if it were redesigned to put kids first?

PART I:
DISCUSSION QUESTIONS
(CONTINUED)

2. In arguing for reforming the criminal justice system to prioritize children, Benforado offers a vision of the future in which “we will keep our communities safe by investing in preschools, top-quality healthcare, excellent public housing, mentoring, and other social services for young people.” Do you think such a shift away from approaching crime “on the back end”—with police, prosecutors, and prisons—is possible? What do you think would help facilitate the transition toward prevention?
3. What do you think of Benforado’s idea to replace “originalism—asking what reasonable people living in the 18th century would have thought the text [of the Constitution] meant” with asking “what the words ought to mean in light of the best interests of children”?
4. Do you think we should add a “Children’s Bill of Rights” to the Constitution? If so, what provisions would you include?
5. Do you think that corporations present the greatest threat to children today? If not, what do you think presents a greater danger? How about in the future?
6. Were you surprised by the story of the Fisher-Price Rock ‘n Play Sleeper? What facts stood out? What lessons can we draw from the tragedy?
7. Would you support changing what we tell corporations to do, from making as much profit as possible for shareholders to prioritizing the welfare of children? Do you think that protecting children would harm the long-term profitability of businesses or enhance them?
8. In Chapter 8, Benforado asks, “What if we required a child-impact assessment each time [the government] considered a proposed regulation, law, or zoning change?” Do you think that would be effective in ensuring children’s welfare?
9. At the end of Chapter 8, Benforado advocates for the creation of a single, independent agency focused on the “whole child” that would “centralize the bulk of child-centered government activity.” Do you agree that would be more effective at ensuring the well-being of children than the current siloed approach, where different agencies each handle discrete issues that impact children? What are your concerns with creating such an agency?
10. In setting policy, is it defensible to discount the interests of future generations? Put differently, do you think it is moral to choose to better our own lives in the present if that means those who come after us will lead worse lives?
11. Do we inherit the world from our ancestors or borrow it from our children?
12. Is it a good idea to bring children into conversations about their rights? Should children read this book or would that lead to bad consequences?
13. What was your favorite story in the book? Why did it resonate with you?
14. How did the book leave you feeling: angry, hopeful, apathetic, inspired, etc.?
15. Has the book changed your opinion on any topic?
16. After finishing the book, do you feel motivated to make any changes in your life, your local community, or the broader world? If so, what steps do you plan to take?
17. If you could ask Benforado one question, what would it be?

PART II: WRITING PROMPTS

Many of the discussion questions in Part I can serve as writing prompts, but the following have been specifically chosen for this purpose:

1. Is a child a “full person”? Why or why not? What are the implications of your answer when it comes to children’s rights?
2. Should a 12-year-old be permitted to vote? Why or why not?
3. Should a parent have the power to prevent a teenager from getting medical care recommended by a doctor?
4. What do you think would happen if an elected board of high school students was in charge of the curriculum? What do you think they would change? What do you think they would retain?
5. Should we make all college education free? Why or why not?
6. Recall a mistake you made as a child. Why did you make it? Should we forgive all mistakes that people make when they are children?
7. Should we privilege the welfare of American children over the welfare of children living in other countries? Why or why not?
8. What do you think the biggest threat to young people is today? How would you address it?
9. Describe a moment from your childhood when you felt your rights were trampled on or ignored.
10. What was the biggest challenge you faced as a child? What might adults have done better to protect you or otherwise help you navigate it?
11. What do you think is the most important right in the book?
12. What limits (if any) should be placed on parental discipline? Should a parent be allowed to take away a child’s property, spank or ground a child, or bar a child from using the internet or phone?
13. What do you think every high school in America should have?
14. Do you think school dress codes are a good or bad idea for children?
15. If technology companies prioritized the interests of children, how would social media be different?
16. In the decades ahead, do you think things are likely to get better for children or worse? Put differently, do you think the average American child born in 2050 will have a better or worse life than one born in 2000?

PART III: ACTIVITIES

1. Write a letter urging action on a children's rights issue directed to your local school board, to the mayor or town council, to members of Congress, to a company, or to the president.
2. Put together a two-minute video on a children's rights topic to post on social media.
3. Organize a petition advocating for child-first reform.
4. Organize a peaceful protest or other event to raise awareness about a children's rights issue.
5. Write an op-ed on a children's rights issue for your local newspaper.
6. Organize a community discussion group about a topic from the book (e.g., lowering the voting age).
7. Volunteer to help kids in your community as a mentor, coach, tutor, or counselor.
8. Raise money to donate to a nonprofit child advocacy organization.
9. Attend a school board or city council meeting on a topic impacting children and share your opinion, if permitted.
10. Develop a plan to address one children's rights issue in your community (e.g., ensuring that all kids have enough to eat during periods of the year when school isn't in session).
11. Interview someone in a different generation about their feelings on children's rights. Do they think they were treated fairly as a kid? How do they see children today? What was the best part of their childhood? What did their parents get right in raising them and what did their parents get wrong? What rights do they support for kids today? What rights are they skeptical of?
12. Set up a group to read and discuss one or more other children's rights books.
13. Join an existing children's rights campaign.
14. Develop a month of social media posts around a children's rights topic and create a calendar to share the content.

PART IV: SAMPLE SYLLABUS

I have included a syllabus template below for a 15-week, two-credit seminar course based around *A Minor Revolution* and you can download a Word version by visiting www.adambenforado.com/a-minor-revolution. You are free to use and modify it however you see fit. I have highlighted elements in yellow that you will want to tailor to your preferences, most notably supplemental readings. While you could assign all of the additional material, it is likely too much work for most courses, and you may want to swap in other articles that relate to particular subtopics of interest.

The Rights of Children

_____, 2 credit hours _____ from _____ in Room _____
[INSERT COURSE NUMBER] [INSERT DAY] [INSERT TIME] [INSERT]

Professor Information

- Professor Name: _____
- E-mail: _____
- Phone: _____
- Office Hours: _____

Course Materials

Course Website: _____
[INSERT]

Readings:

- Adam Benforado, *A Minor Revolution: Why Prioritizing Children Benefits Us All*
- All other readings will be provided to students electronically (most readings can also be accessed with the below hyperlinks).

Course Goals and Objectives

This interdisciplinary course is focused on looking critically at our treatment of children and reimagining children's rights. Over the semester, we will engage a wide range of issues in criminal law, education law, tax law, environmental law, and family law, among other areas. Each week we will take up one or more bold ideas for discussion: What if children were allowed to vote? What if we changed our conception of inheritance? What if we stopped incarcerating the primary caregivers of young children? Throughout the term, students will work on a research paper on a topic of their choosing.

The main objectives for students in the class are to:

1. Gain competence in reading legally-relevant interdisciplinary materials.
2. Develop interdisciplinary research skills (e.g., learn to find resources at the intersection of law and social science).
3. Refine ability to identify, critique, and produce quality writing.
4. Gain a familiarity with some of the most pressing topics related to children's rights.
5. Develop broadly applicable skills for legal analysis (e.g., the ability to identify weak reasoning, spot ambiguities, and flip arguments).
6. Plan and prepare a "law review-style" article on a children's rights topic.
7. Develop interpersonal communication skills relevant to legal professional environments (e.g., the ability to engage in intelligent, vigorous, and respectful debate with peers).
8. Develop personal ethics related to children's rights issues.
9. Develop knowledge, perspective, and skills related to advancing change in the area of children's rights.

Grading

Graded Assignments and Learning Activities

Your final grade in this course will be based on the components and percentages identified below:

Final paper (75 percent). As the major component of this seminar, students will complete a substantial research paper (fulfilling the upper-level legal writing requirement for graduation). In class, we will discuss some potential areas for research in the area of children's rights, and I will circulate a list of sample projects, but students are free to come up with their own topics. Students will be asked to select a topic by week four of the course.

Class participation (10 percent). This is a small seminar and it is critical to the success of the class that you come fully prepared. I do not expect you to always understand or agree with the assigned materials, but I do expect you to engage actively in the group discussion. For the most part, my role in this course is not to lecture or engage in Socratic dialogue (although I may occasionally do both); I will act as a moderator and advisor in our debates. Particularly, as we will be discussing controversial topics, it is vital that you act professionally and remain respectful of others in the class.

Exercises and informal presentation (15 percent). During the term, we will do several minor asynchronous exercises that you will submit on the course website. I will not be assigning letter grades for this work, but acceptable completion of each exercise will be recorded. It is, thus, in your strong interests to ensure that you do each exercise—an 8/8 is far more advantageous to your final grade than a 5/8. During the last two workshop weeks of the course, students will also provide brief (5- to 10-minute) presentations of their research and findings to the class.

Attendance

You should attend every class, unless you are sick or faced with an emergency. If special circumstances arise, let me know. As a general matter, in accordance with ABA standards, a student may not be absent for more than 20 percent of the regularly scheduled class sessions in any course. Any student who fails to comply with the law school attendance policies in a given course may be withdrawn from the course with no credit awarded.

Course Calendar and Term Schedule

Course Calendar and Assignment Schedule

• Week 1

◦ What are the Rights of Children?

- *EXERCISE 1: On the course website, please submit your answers to the background questionnaire.*

▪ Readings

- *A Minor Revolution*, Introduction
- United Nations Convention on the Rights of the Child, www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx

• Week 2

◦ The Right to Attachment

▪ Readings

- *A Minor Revolution*, 1. The First Years: The Right to Attachment
- Amy B. Cyphert, "Prisoners of Fate: The Challenges of Creating Change for Children of Incarcerated Parents," 77 *Maryland Law Review* 385 (2018), [hdigitalcommons.law.umaryland.edu/cgi/viewcontent.cgi?referer=https://www.google.com/&httpsredir=1&article=3785&context=mlr](https://digitalcommons.law.umaryland.edu/cgi/viewcontent.cgi?referer=https://www.google.com/&httpsredir=1&article=3785&context=mlr)
- Kathleen Romig and Kathleen Bryant, "A National Paid Leave Program Would Help Workers, Families," Center on Budget and Policy Priorities, April 27, 2021, www.cbpp.org/sites/default/files/4-27-21bud.pdf
- Caitlin Dickerson, "We Need to Take Away Children," *The Atlantic*, August 7, 2022, www.theatlantic.com/magazine/archive/2022/09/trump-administration-family-separation-policy-immigration/670604/?utm_source=apple_news
- Lara Bazelon, "I've Picked My Job Over My Kids," *New York Times*, June 29, 2019, www.nytimes.com/2019/06/29/opinion/sunday/ive-picked-my-job-over-my-kids.html

• Week 3

◦ The Right to Investment

▪ Readings

- *A Minor Revolution*, 2. Early Childhood: The Right to Investment
- Jorge Luis García, James J. Heckman, and Victor Ronda, "Boosting Intergenerational Mobility: The Lasting Effects of Early Childhood Education on Skills and Social Mobility," heckmanequation.org/www/assets/2021/11/F_Heckman_Perry-2021_OnePager_092321.pdf
 - You may also wish to consult this underlying research paper: James J. Heckman and Ganesh Karapukula, "Intergenerational Externalities of the Perry Preschool Project," *NBER Working Paper Series*, May 2019, www.nber.org/system/files/working_papers/w25889/w25889.pdf

- Alex Bell et al., “Who Becomes an Inventor in America? The Importance of Exposure to Innovation,” *NBER Working Paper* No. 24062 (2018), www.equality-of-opportunity.org/assets/documents/inventors_paper.pdf
- Emily Badger et al., “Extensive Data Shows Punishing Reach of Racism for Black Boys,” *New York Times*, March 19, 2018, nyti.ms/2GGpFZw
- Claire Cain Miller et al., “Vast New Study Shows a Key to Reducing Poverty: More Friendships Between Rich and Poor,” *New York Times*, August 1, 2022, www.nytimes.com/interactive/2022/08/01/upshot/rich-poor-friendships.html
 - You may also wish to consult this underlying research paper: Raj Chetty et al., Social Capital I: Measurement and Associations with Economic Mobility, 608 *Nature* 108 (2022), www.nature.com/articles/s41586-022-04996-4

- Week 4

- Research and Writing Day

- *EXERCISE 2: On the Blackboard site, please submit your answers to the questions about good writing.*
 - *EXERCISE 3: On the Blackboard site, please submit your paper topic.*
 - Readings
 - Truman Capote, *In Cold Blood* (1965), 3–5.
 - Jill Lepore, “Is Education a Fundamental Right?” *The New Yorker*, September 3, 2018, www.newyorker.com/magazine/2018/09/10/is-education-a-fundamental-right
 - Richard Delgado, “How to Write a Law Review Article,” 20 *University of San Francisco Law Review* 445 (1986), www.law.uh.edu/faculty/mburke/Classes/Envtl_Land_Use_Fall_2003/How_to_Write_a_Law_Review_Article_Delgado.pdf
 - Eugene Volokh, “Writing the Student Article,” 48 *Journal of Legal Education* 247 (1998), www.heinonline.org/HOL/Page?handle=hein.journals/jled48&div=27&collection=journals&set_as_cursor=0&men_tab=srchresults
 - Shari Motro, “The Three-Act Argument: How to Write a Law Article That Reads Like a Good Story,” 64 *Journal of Legal Education* 707 (2015), scholarship.richmond.edu/cgi/viewcontent.cgi?article=2092&context=law-faculty-publications

- Week 5

- The Right to Community

- *EXERCISE 4: On the Blackboard site, please submit your completed short personal essay.*
 - Readings
 - *A Minor Revolution*, 3. Late Childhood: The Right to Community
 - Mary Ann Mason, *From Father's Property to Children's Rights: The History of Child Custody in the United States* (1994): 1–47 (Chapter 1).

- Jason Wilson, "Letting Them Die: Parents Refuse Medical Help for Children in the Name of Christ," *Guardian* (April 15, 2016), www.theguardian.com/us-news/2016/apr/13/followers-of-christ-idaho-religious-sect-child-mortality-refusing-medical-help
- Troxel v. Granville, 530 U.S. 57 (2000).
- Week 6
 - The Right to Be a Kid
 - Readings
 - *A Minor Revolution*, 4. Early Adolescence: The Right to Be a Kid
 - Rebecca Epstein, Jamilia J. Blake, and Thalia González, *Girlhood Interrupted: The Erasure of Black Girls' Childhood*, Georgetown Law Center on Poverty and Inequality (2017), genderjusticeandopportunity.georgetown.edu/wp-content/uploads/2020/06/girlhood-interrupted.pdf
 - Phillip Atiba Goff et al., "The Essence of Innocence: Consequences of Dehumanizing Black Children," 106 *Journal of Personality & Social Psychology* (2014), www.apa.org/pubs/journals/releases/psp-a0035663.pdf
 - Roper v. Simmons, 543 U.S. 551 (2005) (Majority opinion).
- Week 7
 - The Right to Be Heard
 - Readings
 - *A Minor Revolution*, 5. Late Adolescence: The Right to Be Heard
 - Maya King and Jonathan Weisman, "Young Voters Are Fed Up With Their (Much) Older Leaders," *New York Times*, July 14, 2022, www.nytimes.com/2022/07/14/us/politics/youth-voters-midterms-polling.html
- Week 8
 - Child Rights Activism Day
 - EXERCISE 5: On the Blackboard site, please submit your op-ed, letter, or video.
- Week 9
 - SPRING BREAK! NO MEETING! ENJOY LIFE!
- Week 10
 - The Right to Start Fresh
 - Readings
 - *A Minor Revolution*, 6. On the Cusp of Adulthood: The Right to Start Fresh
 - David Schleicher, "Stuck! The Law and Economics of Residential Stability," 127 *Yale Law Journal* (2017), www.yalelawjournal.org/article/stuck-the-law-and-economics-of-residential-stagnation
 - Susan Dynarski, "Why I Changed My Mind on Student Debt Forgiveness," *New York Times*, August 20, 2022, www.nytimes.com/2022/08/30/opinion/student-loan-debt-relief-biden.html

- Week 11

- What Holds Us Back

- Readings

- *A Minor Revolution*, 7. The Invisible Kid: What Holds Us Back
 - “Lead Exposure in Children: Prevention, Detection, and Management,” 116 *Pediatrics* (2005), pediatrics.aappublications.org/content/116/4/1036.full
 - David Enrich, “How Abbott Kept Sick Babies from Becoming a Scandal,” *New York Times*, September 6, 2022, www.nytimes.com/2022/09/06/business/abbott-baby-formula-lawsuits-jones-day.html
 - Michelle Boorstein and Gary Gately, “More than 300 Accused Priests Listed in Pennsylvania Report on Catholic Church Sex Abuse,” *Washington Post*, August 14, 2018, www.washingtonpost.com/news/acts-of-faith/wp/2018/08/14/pennsylvania-grand-jury-report-on-sex-abuse-in-catholic-church-will-list-hundreds-of-accused-predator-priests/
 - You may also want to look through the underlying report: Office of Attorney General Commonwealth of Pennsylvania, *Report I of the 40th Statewide Investigating Grand Jury*, July 27, 2018, www.attorneygeneral.gov/wp-content/uploads/2018/08/A-Report-of-the-Fortieth-Statewide-Investigating-Grand-Jury_Cleland-Redactions-8-12-08_Redacted.pdf

- Week 12

- What Change Looks Like: Reshaping the State

- *EXERCISE 6: On the Blackboard site, please submit your outline.*
 - Readings

- *A Minor Revolution*, 8. Stop and Give a Thought: What Change Looks Like
 - Elizabeth Barnert et al., “Reimagining Children’s Rights in the US,” *JAMA Pediatrics*, October 24, 2022, jamanetwork.com/journals/jamapediatrics/article-abstract/2797600
 - William MacAskill, “The Case for Longtermism,” *New York Times*, August 5, 2022, www.nytimes.com/2022/08/05/opinion/the-case-for-longtermism.html

- Week 13

- What Change Looks Like: Reshaping Business Entities

- Readings

- Helen Clark et al., *A Future for the World’s Children? A WHO-UNICEF-Lancet Commission*, 395 *The Lancet* 605-58 (2020), www.thelancet.com/action/showPdf?pii=S0140-6736%2819%2932540-1
 - *Depictions, Perceptions, and Harm: A Report on Gender Stereotypes in Advertising*, U.K. Advertising Standards Authority (2017), www.asa.org.uk/asset/2DF6E028-9C47-4944-850D00DAC5ECB45B.C3A4D948-B739-4AE4-9F17CA2110264347/
 - Yuval Levin, “It Was a Mistake to Let Kids onto Social Media Sites. Here’s What to Do Now,” *New York Times*, August 5, 2022, www.nytimes.com/2022/08/05/opinion/social-media-parents-children.html

- Week 14
 - Presentations/Workshops
 - *EXERCISE 7: On the Blackboard site, please submit your abstract.*
- Week 15
 - Presentations/Workshops

Course Change Policy

The professor reserves the right to change the course at their discretion. Changes will be announced.

Professionalism

All communications with your classmates and professors should be done in a professional manner.

Academic Policies

Academic Integrity, Plagiarism, and Cheating Policy:

Please refer to your program's Student Handbook for the applicable academic integrity policy, including policies on plagiarism, cheating, and other matters.

For online content of online, hybrid, or live courses, you may not show, distribute, or share any of the files or student-generated content used in the course, including posts, text, audio, or video files, to or with anyone not enrolled in the course, including the general public (so you may not copy any part of the course to social networking sites or to YouTube, for example).

Copyright and Fair Use:

You are individually and solely responsible for violations of copyright and fair use laws. The university will neither protect nor defend you for violations, which could subject you to federal and state civil penalties and criminal liability or disciplinary action.

Students with Disabilities Statement

Students with disabilities requesting *classroom accommodations and services* need to present a current accommodation verification letter (AVL) to their instructors. Individual professors do not have the discretion to accommodate disabilities absent an AVL letter from DR. The university does not grant retroactive accommodations.

