

# Shaping methodology to explore language use in discourse on child and youth rights

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## Abstract

Contemporary society draws consistent attention to the protection of the rights of minors and youth as they form the human capital of the future. The above rights implementation takes place through verbal discourse. Thus, language means are crucial for solutions to and consequences of the discussion on minors' and youth's rights. Therefore, verbal-speech instruments use within the respective discourse require specific studies. However, these verbal instruments are not on the agenda of modern language studies so far. Even the methodology to conduct the respective analysis has not been discussed or drafted yet. The above confirms the relevance and novelty of the proposed research angle that bears theoretical and methodological nature. The paper's goal is to design methodology for language analysis within discourse on child and youth rights. This goal requires the analysis of research trends in the field, the search for philosophical grounds of the announced methodology, the identification of its constituent components, and the consideration of proposed methodology prospects. The findings make it possible to specify key research objects, materials, stages, methods, and approaches that are relevant for studies of language in the discourse on child and youth rights. The results confirm that the methodology to study language use in discourse on child rights should stand on the integrated paradigm and multidimensional analysis. The development of the mentioned methodology allows conducting further applied analysis of the phenomenon under study and laying grounds for applied research on efficient language use in the discussion on child rights.

**Key words:** critical discourse analysis, discourse on children and youth rights, communicative responsibility for language use

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## Introduction

The contemporary world holds a common understanding of the fact that today, “human rights are claimed by Northern and Southern countries alike, and by governments as much as by private stakeholders and NGOs” (Blouin-Genest, Doran, & Paquerot, 2019).

Meanwhile, the latest developments introduce the angle of exploring the role of discourse analysis in the studies of human rights breaches within global context and local specifics (Nygren, 2019). Scholars underline that “the language in which we express human rights does matter” (Carozza, 2017).

Moreover, the international community advocates for centrality of a child rights approach in global policies aimed at sustainable development (UNICEF 2016, Kjørholt, 2019).

Special attention is paid to future generations: the rights of children and youth. Their rights, the scope, content, and degree of the implementation of their rights vary in the context of modern globalization. However, these processes are not always reflected in the documents of international organizations and national governments on children's rights theme.

Meanwhile, experts note that the provisions of international documents on the mentioned topics are often declarative, formal, and not instrumental-functional in nature (Adami, 2018; Coronel, 2019). The reasons for this situation stem from the

strategies and tactics in the use of linguistic means by drafters of documents. The above topics have not been subject to language studies so far. Thus, the research of language means that are used by international organizations in the discourse on child and youth rights seems to be timely.

However, verbal instruments for the above discourse are not on the language studies agenda. Even the methodology to conduct the respective analysis has not been discussed yet.

The above confirms *the novelty* of the proposed angle that refers to the design of methodology to study language means for discourse on child rights.

*The present research goal* is to shape research methodology for prospective studies of language use in the discourse on child and youth rights.

*The subject* of the study refers to the theoretical knowledge and current practices in academic research on discursive practices on child rights.

*The research object* comprises the identification and essence of major constituent components that are critical for the methodology to study language patterns use in various socio-legal contexts.

*The current importance of the research topic* is rooted in a number of dimensions:

- *in the societal dimension*: by the importance of adequate protection of the rights of children and youth in changing contexts of the globalizing world at the international and national levels;
- *in the research dimension*: by lack of knowledge in both the theoretical and methodological areas with regard to implementing language studies and providing linguistic support for institutional discourse on the rights of children and youth;
- *in the applied dimension*: by the lack of groundwork methodology to draft practical recommendations for developing language use skills of the staff that bears responsibility for verbalization of concepts and provisions on the process, scope, content, degree of implementation of youth rights while drafting relevant documents within international and national organizations.

*The present research argues for the following statements*:

*First*, the design of methodology to explore the use of language in discourse on child rights needs philosophical background as it allows for synergy of human beings within social, legal, discursive performances and representations.

*Second*, the philosophical background for the mentioned research angle should consider the phenomenon of the communicative responsibility of the person, community, and the state for thoughts, norms, rules that are verbalized in the legal discourse in particular contexts of communication.

*Third*, the methodology for the research requires an integrated paradigm and multidimensional analysis in terms of research materials, methods, stages, and approaches.

## **Literature Review**

The analysis of academic sources aims to identify major research trends in the discourse on human rights, in general, and minors' rights in particular.

There is a long-standing interdisciplinary tradition to consider the interdependence and interconnection of Law, language, and power (Chambliss & Seidman 1971; Kamalova, Zakirova, 2017; Geng, 2017; Conley, O'barr, Riner, 2019).

Consequently, there is a growing perception of the need for 'literacy turn' in human rights and human rights education (Roux, 2019).

Scholars point out that discourse on human rights should avoid generalizations and needs contextualizing and structuring within place-space-time (ibid). Further, interdisciplinary research argues that those ethical, legal, and political approaches to

consider the discourse on human rights would differ and result in specific, not common findings (Gilabert, 2019).

Due to increasing globalization and migration multidisciplinary perspectives of research on language and culture within international/regional law come to light (Sarcevic, 2016; Korkmaz, Güneyli, 2017).

Moreover, the theme of human rights becomes one of the most critical in international discourse, including language rights issues (Leung, 2018).

Research from various fields acknowledges language as a factor in human participation and exclusion (Bamgbose, 2019) as one of key determinants for social integration (Clark, Vissandjée, 2019). These topics form a part of discourse on human rights.

Furthermore, researchers have produced a lot of empirical evidence that many critics of current regimes used the ideas and language of human rights to promote their ideas of social justice and equality (Ife, 2016).

Moreover, some scholars explicitly argue for interdisciplinary research (Chow, 2018), underline the importance to create a common language against gender-neutral views of abuse (Borges, 2017).

Current research findings confirm the challenges to a social justice discourse in the rhetoric of international organizations and domestic, despite the alleged centrality of the above discourse in official policies at both international and national levels.

The latest research findings confirm the challenges to multilingual discourse on youth and minors' rights protection in the rhetoric of international institutions, despite the alleged centrality of the protection discourse agenda in official policies. This concerns issues of realistic utopia of human dignity concept in administrative-legal settings (Habermas, 2018a), linguistically expressed discrimination or underestimation of human rights regarding various target audiences, including gender identity and gender expression (Kirkup, 2018), minority communities (Enarsson, Lindgren, 2019; Malloy, 2019) and ageing population (Phelan, 2018) rights representation, the issues of childcare (Camilletti, Banati, Cook, 2018).

The above situation explains why Academia puts on the research agenda the investigation of such concepts as a child and youth rights-conscious concepts and argues that it is timely to explore their operation within the following dimensions:

- discourse practice (Barros, 2018; Gasper, 2005),
- philosophy of language for human rights (Boersema, 2018)
- the essence of reference and referring, “Use” and “Truth- Conditions” theories, implicative relations (Lycan, 2018).

However, it should be mentioned that the above works either strive to summarize the theoretical discussion on the topic under study or consider some concrete cases and do not move up to systemic investigation of heterogeneous language units whose power either contribute to fostering or leads to underestimating the discourse on human rights.

The major trends that are fixed in the relevant literature on the issues of discourse on child rights help us to find a common background for interdisciplinary methodology for research on language use (that in a broad sense is subject to philosophy of language) and discourse on human rights (that in a broad sense is subject to philosophical anthropology).

## **Research Methodology**

The present study bears theoretical and methodological nature. Therefore, the present section describes the study process and its techniques that were used in line with the goal to identify and specify the essence of the methodology under study in terms of tasks, stages, methods, and statements.

Scholars underline that the design of methodology means theoretical analysis of particular methods that can/should be applied to a specific field of study.

The methodology also identifies specific research subjects and objects, explores approaches, considers stages and research techniques (Howell, 2013).

Researchers view studies on methodology as a way to integrate theory, clarify practice data, and generate new theoretical development (Yardley, Brosnan, Richardson, 2013).

Therefore, the present research follows the academic tradition under which the goal of shaping a methodology for specific research means a search for theoretical underpinning and selection of data, tools, and practices among existing research data that can be applied to a specific subject under study (Kumar, 2019).

**Research materials** integrated academic data, international documents within the communication on child rights. These materials were examined from the angle of their reference to the relevance/analysis of the language means that are part of verbal discourse under study.

**Research stages** included the following activities:

First, the paper explores relevant literature to map the current trends of research in the area under study.

Second, the essence of the philosophy background for the research in the above area is analyzed and specified. This is done due to the following reasons: the topic of human rights has long been subject to philosophical anthropology, and language use, issues of language units' reference to reality, and their impact on speech acts have long been subject to the philosophy of language.

Third, an attempt to shape the methodology for studies of language use in the discourse on child rights is put into practice. This stage includes the identification of the research subject and objects, materials and methods, stages for empirical studies, and relevant approaches.

In conclusion, the prospects of the proposed methodology use in applied research are considered.

### ***The research methods***

The theoretical and methodological studies form the core of qualitative research (Collins, Stockton, 2018). Therefore, the present paper sticks to the above tradition.

The present paper follows the theoretical-methodological study traditions that aim to analyse, systematise and summarise already existing desk and field phenomena, as well as to interpret and integrate in a new way the theoretical material that has been mentioned previously within the interdisciplinary knowledge of the language in the functional-thematic contexts that relate to the topic under study (Flick, 2018).

Accordingly, the present study vests the leading role onto the methods of analysis and synthesis, comparison, functional analysis, and the interpretation of facts that introduce relationships among potential research objects, select proper methods and approaches from the form the current language studies legacy. The selection of the above methods aims to explain why they are considered relevant for the methodology under development.

## **Results and Discussion**

The research resulted in a number of findings.

First, the concept of communicative responsibility is justified as a philosophical background for interdisciplinary research on language use (that in a broad sense is subject to the philosophy of language) and discourse on human rights (that in a broad sense is subject to philosophical anthropology).

Second, the constituent components of the methodology to study language use within the discourse on child and minors' rights are specified.

### **4.1. Communicative Responsibility as Philosophy Background for Methodology to Study Language Use in Discourse on Human Rights**

For centuries human rights have been the subject of philosophical anthropology, which systematically interprets human existence, its nature and essence, through the integration of data from various sciences, including biology, psychology, sociology, religion, etc.

At the same time, even Aristotle (350 BCE) paid attention to the social essence of Man's rights.

Later, representative of the Dutch school H.de Groot (1625), proposed the concept of human rights based on their communicative nature. Man, as the Dutch thinker believed, is inherent in communication phenomenon, for which he is endowed with the gift of language and speech as the ability to act in accordance with the conventions of society.

In the 21st century, philosophers emphasize that the state, society, individuals are involved in the processes of lawmaking and law enforcement that are materialized in the course of communication (Kapitsin, 2003; Polyakov, 2004). The above can take place as such due to language and speech as anthropological constants of human existence that include a legal aspect, as well.

The above-mentioned communicative environment serves not just for the exchange of information, but also for the verbal interaction of individuals, institutions, and the state. This interaction integrates the language tools for the materialization of law in the course of communication as a process and the discourse, as its product (Horunzy, 2001).

At the same time, scientists also emphasize that language and speech as universal constants of human existence in society provide a person with the ability to understand the knowledge addressed to him/her, process it, and create new knowledge.

The above stages are essentially determined by the context of the situation, circumstances, which also determine the legal relationship between the state, society, and personality (Ricoeur, 1998).

The result of these processes is discourse as a text work in relation to a specific legal context (rulemaking, law-enforcement, and law enforcement, academic, public).

In view of the above, the foundations of the communicative responsibility of the individual, society, and state are formed within the philosophy school. This thought was systematically developed both in Russian (FM Dostoevsky, P. Florensky, N. A. Berdyaev, S. L. Frank, M. M. Bakhtin) and Western tradition (Apel, 1980; Habermas, 2015)

Philosophers consider the responsibility of an individual and society for communicatively expressed interpersonal relations as the realization of their ability to define norms and forms of social behavior in a language form. (Markov, 2001), as the fulfillment of verbally expressed regulatory requirements that society considers as values of the legal consciousness of society (Habermas 2018b).

Taking into account the statements of the authors mentioned above, this paper views communicative responsibility as the choice that the subject makes in the process of communication in relation to verbal means for generating discourse, correlating and coordinating meanings, actions, and language means of expressing them in accordance with accepted in society or community social, moral and legal norms. Therefore, the study of the discourse on human rights requires the study of the communicative process and discursive products aimed at the definition of the legal norms of society.

The latest developments confirm that philosophical angle of research in language and law agrees on interrelation of law, language, and power (Conley, O'barr, Riner, 2019). Scholars view a communicative responsibility in legal discourse as a phenomenon that directs the thinking and speaking of legal actors and thereby provides them access to legal reality (Witteveen, van Klink, 1999).

Further, researchers explore expressive and communicative functions of law, especially with regard to moral issues (Van Der Burg, 2001), try to balance communicative rationalities in law, morality, and politics (Teubner, 1995), focus on possible frameworks for discursive actions and practices of law (Tessuto, Bhatia, Engberg, 2019). Scholars express the hope that thoughtful and reasonable choice of language can contribute to making human rights work in the 21st century (Sikkink, 2019).

The above data makes it possible to relate the phenomenon of communicative responsibility within the discourse on child rights to the specifics of particular language patterns use in the discourse on child rights.

Such a view of the essence of this phenomenon makes it logically possible to put on the agenda the question about those language means that different stakeholders consider relevant in the course of their discussion on child and youth rights. The reply to this question implies particular research which needs a relevant methodology.

Therefore, the next step of the present study is to consider the constituent components of the respective methodology.

#### **4.2. Shaping Methodology to explore Use of Language in Discourse on Child Rights**

The previous sections make it obvious that the subject *of the study* refers to international discursive practices on child rights, and the *research object* comprises specifics of methodology to study language patterns use in various socio-legal contexts.

Therefore, the *basic research materials* will include various documents of international organizations that deal with child rights.

It should be mentioned that the respective texts (as products of discourse on child rights) are sure to differ in terms of contexts, specific topics, aims, audiences, and drafters, as well (Becker, Roux, 2019).

The analysis of relevant literature and philosophy background confirms that the methodology for research needs to be designed within the framework of *anthropological paradigm*: human rights and duties, values, and perceptions are to be in focus.

Due to the latter, the *research materials* should also include empirical evidence of the target audience's perceptions of the language phenomena under study.

Regarding *the methods*, it is obvious that the research will combine desk and field studies, integrate theoretical analysis of relevant literature, researchers' empirical analysis, and involvement of external participants who represent target audiences of discourse on child rights.

Furthermore, the design of adequate research methodology requires a combination of qualitative and quantitative methods, as contemporary tradition mentions (Bazeley, 2018).

The analysis of the basic research material (documents) initially can rest on the *case study method* with regard to diverse discourse practices of international organizations on the subject matter under study.

This method seems reasonable as the research practice and tradition confirm that a case study design is relevant when we need to answer "how" and "why" questions; when there is no opportunity to manipulate the behavior of the actors, when it is important to identify contextual conditions that are uncertain at the very start of scientific investigation (Yin, 2003).

The case study of language use in the documents under study results in preliminary identification of language means and patterns in the discourse on child rights in relation to particular legal contexts.

The data helps to identify possible codes and contexts for the further content analysis of a large number of different texts.

The *content analysis* of the above documents is timely. Researchers underline that quantitative data and its analysis can add to the qualitative findings, specify, explain, and foster overall picture through integration of qualitative and quantitative data and mixed research methods (Creswell, 2003).

The content analysis data will be next subject to cluster analysis that will be used to obtain quantitative characteristics and contribute to specification and diversification of dominant topics, key concepts of communicative situations, and typology of discursive practices and patterns in the field under study.

*Data instrumental processing* can be carried out using SPSS, ATLAS, voyant tools, Sketch Engine, and other digital technologies of text processing and discourse analysis.

However, the study needs to go beyond technology use and researchers' personal assumptions and conclusions. It needs verification and concretization.

This can be reached in the course of interaction with "*external*" participants to the *empirical study* who represent target audiences for discourse on child rights (, including policymakers, legislators, lawyers, linguists, translators, legal practitioners, educators, social workers, parents, and the youth multicultural environment, as well).

*The surveys*, as the next research method, will be conducted to focus on the above audiences' perceptions regarding language use in discourse on child rights.

Within the above-mentioned methods of analysis, *the empirical investigation passes through a number of stages* that are identified in line with the constituent sub-objects of the research:

- identification and comparative study of key concepts on the rights of children and youth in the discourse of various international organizations;
- identification and comparison of the existing frame models of the above concepts in the process of their verbalization in the discourse of various international organizations;
- analysis and comparison of language means (lexical, grammatical, stylistic), which are used to verbalize concepts of a discourse of international organizations on the rights of children and youth;
- study of the socio-linguistic and cultural parameters of the discourse on human rights; these parameters should be taken into account in international activities with the aim of effective interaction between the participants of the process (all stakeholders);
- identification of the reasons for the complexity of the interpretation of texts aimed at the realization of the rights of children and young people in the field of education, culture and other social spheres;
- verification of the obtained data in terms of the above topic perception by various target audiences that might be engaged in production and perception of the discourse under study (policymakers, legislators, lawyers, linguists, translators, legal practitioners, educators, social workers, parents).

The investigation of the above research sub-objects and the respective analysis steps contribute to understanding the essence and core features of language units that verbalize the communicative responsibility of the actors within the communicative environment on child rights.

Moreover, the mentioned research sub-objects and steps help to measure the degree of their use intensiveness in the discourse on child rights.

Bearing in mind everything mentioned in the section, it is possible to summarise *key approaches* for the investigation under study.

The interdisciplinary approach is necessary due to the need to integrate data from linguistics, theory, and practice of communication, jurisprudence, pedagogy, sociology.

The ground theory approach seems to be efficient as there is no empirical data on the topic under study.

A comparative approach is crucial to identify features of creation and perception, language representation and interpretation of key topics in the framework of this study.

A cognitive approach is necessary for the analysis of speech production on the topics under study, based on the characteristics of mentality, the analysis of concepts and frames, mental schemes and tactics of speech behavior in the studied area.

A descriptive approach is useful for identifying and explaining discursive practices on the subject under study; the study of language means that are used by the subjects of communication on the problems of extremism.

An inductive approach is timely due to the objective importance of compiling information from various sources.

A critical approach to discourse study is relevant for identifying linguistic markers of negative facts and promising discursive practices on the topic under study.

The above data introduced those constituent components that shape the methodology to explore the specifics of language use by different stakeholders in different functional contexts of discourse on child and youth rights.

## **Conclusions**

The study confirmed that the design of methodology to explore the use of language in discourse on child rights requires philosophy groundwork as it reveals human being interdisciplinary representation and integrates Man's social, legal, communicative activities.

Further, the investigation revealed that the philosophical background for the methodology understudy should take into account the phenomenon of the communicative responsibility of the person, community, and the state for thoughts, norms, rules that are verbalized in the legal discourse in particular contexts of communication.

Next, the analysis confirmed that the methodology to study language use in discourse on child rights should be comprehensive, i.e. stand on the integrated paradigm and multidimensional analysis. The analysis allowed the authors to provide a systemic description of the methodology, including the identification of the research subject and heterogeneous nature of its object (sub-objects), specification of different research materials and participants with regard to various research stages, systemic justification the proposed paradigm framework, study methods, and approaches.

The proposed methodology lays grounds for interdisciplinary analysis of the relevant documents that can reveal which language means, which percentage of relevant means in the document scope, in what ways are used to ascertain / protect / promote the rights of children and youth. Such studies have not been systematically conducted yet to date. The respective studies can raise diverse actors and target audiences' awareness of the importance of communicative responsibility for language means selection and use in the discourse on human rights.

The research that would stand on the designed methodology can highlight general trends and specifics of the discourse on children and youth rights in various international organizations. This will make it possible to identify promising and negative practices in terms of language means that are used for conceptualizing key provisions and concepts in the discourse under study. Therefore, the proposed methodology helps identify language tools that contribute to improving international

institutional communicative responsibility for the discussion on the rights of children and youth.

The developed research algorithm can be used in further interdisciplinary research of discourse, in the development of applied educational programs for the staff of international organizations, to develop guidelines on the language used within administrative and legal sources to promote the protection of the child rights of in international and national contexts.

The drafted methodology allows researchers to carry out an integrated analysis of the discourse on the child and youth rights within the activities of international organizations with the view to develop a number of recommendations:

- on the improvement of language support for the legal and regulatory framework, legislative and law enforcement practice of international organizations;
- on language training for specialists who engage in the protection of children's rights;
- on language tools for raising public awareness and community involvement in the societal agenda on the rights of children and young people.

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