

## **Jurij Marinko, BSc: WHO KNOWS WHAT IS BEST FOR CHILDREN**

### **Abstract**

The paper starts with the definition of the child, briefly describes historical view on decision making about issues that affect children's rights and discusses the question by highlighting the influence of parents and state as the most influential factors. The paper contains a short description of children's rights in Slovenia, presents some suggestions for further development of children's rights and critically expresses the author's position to the question of what is best for children.

Key words: children's rights, educating parents

### **Definition of children and historical viewpoint on children's rights**

According to the Convention on the Rights of the Child "a child is every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier« (Convention on the Rights of the Child, 1989). Also relevant researchers (Thomas, Wells, Kellett, 2009) use the word child for small children, teenagers and young adults. I will use the word children in the same meaning as the Convention although I think that there are differences in the maturity of different age groups and that young children are much more vulnerable and need more help than teenagers and young adults.

Historically children were supposed to be the property of their parents and there was no discussion about their rights. It was only in the 19<sup>th</sup> century when children's rights have become an important question and started to advance at least in the policies of some more developed countries. Thomas (2009, 8) claims that British New Labour government had put children in the centre of public attention although Sweden and Finland are more children-centred. However, there are also many other countries whose policies do not care about children at all or proclaim children's rights only on the paper (Kellett, 2009). By all means children are nowadays supposed to be in trust of their parents but not their property (Thomas, 2009).

### **The state and its influence on children' rights**

The state has become an important factor of influence on children's rights especially because of the compulsory education and health surveillance. Taking into account the relationship of states towards families Kamerman and Kahn (1978) divided countries in those that have explicit and comprehensive family policies, those that accept the existence of family policy and those that have implicit and reluctant family policies. Thirty years ago UK and USA were included in the last group, nowadays they are supposed to be in the first or in the second (Thomas, 9). Regarding the boundary between the authority of the parents and the power of the state Fox Harding (1991) differentiated the laissez-faire position (family life should not be disturbed), state paternalism (state has the duty to interfere when children are neglected), the parents' rights perspective (the state should support the families) and the children's rights perspective (children should decide themselves for is best for them). Fox Harding thought that in Britain the dominant positions were parental rights and state paternalism but Thomas claims that there is no dominant view and that there are contradictions in most of the positions taken.

Thomas discusses three areas of policies by which UK government promised to improve the children's rights: by prioritising their education, halving children's poverty till 2010 and to be tough on the causes of crime. UK and a number of other governments tried to emphasize the right of education by compulsory primary education, by the national curriculum, standard assessment tests etc. Some countries like Sweden and Finland put much more stress on the child-centred education while this concept often meets scorn in Britain. Reduction or even abolishment of the child poverty has never become real because of the economic crisis, increasing unemployment and wealth of the richest groups in the society (although it is a question if decreasing social inequalities would really improve the educational achievements of those who are not so rich). Thomas lists also a number of acts and committees that were established to reduce crime and antisocial behaviour but a recent research (Solomon and Garside, 2008) shows that the state policies regarding the crime have also not been successful (Thomas, 17).

### **Contemporary standpoints to children's decision-making on issues that affect their lives**

Several relevant authors prove that children can make decisions on issues that affect their lives although their parents, schools and the state have an important influence on children's decision-making.

Thomas claims that children show the capacity to decide about politics (Thomas, 2009, 18) but they can be easily persuaded by politicians and by adults.

Karen Wells gives a number of examples how politics performed brainwashing of children as political actors. Wells (2009, 27) describes how children and young people got involved in politics to follow the political aims in China and Cuba, speaks about child soldiers in Africa (2009, 29) and Iran (2009, 30) etc. Wells quotes Keddie (30-31) that children were pushed in war by their parents' political conviction and not actually by the state so this was not an intergenerational problem. Also the school can have the role to push children in politics (33), e.g. the young moral guardians.

In developed countries children are no more used to participate in the war but the press in UK still report on how easily can children be persuaded that something is useful and right: 'Children as young as eight have been recruited by councils to "snoop" on their neighbours and report petty offences such as littering' (Beckford et al., 2008). One in six councils contacted by the Telegraph said they had signed up teams of 'environment volunteers' who are being encouraged to photograph or video neighbours guilty of dog fouling, littering or 'bin crimes'. Such participation of children in politics is of course less dangerous than their participation in war but it shows that children can easily be influenced and that they can quickly be convinced that someone's ideas and beliefs are correct.

On the other side, Mary Kellett shows theoretical and empirical examples that children's participation is possible. She differentiates if children are listened to, supported in expressing their views (45-46), involved in decision – making, share power and responsibility for decisions. Kellett mentions the main political frameworks in UK that tried to increase the children's rights: 1989 Children Act, 2002 Every Child Matters, later Children's Fund, Participation works (48), Hear of Rights. Kellett is aware that such policies may be on paper only.

She also discusses if children are at all interested in participation (52). She mentions that young people in Australia find it as a kind of prestige to participate. She also gives example of marginalised young people who were interested in participation. However, Kellett admits that participation is not valued by all children.

Sinclair (2004, 106) claims that in the last years people have started to think that children should be more included in making decisions about what effects them. This belief manifested in a number of participation activities involving children and young people. Participation can be understood both in a rather passive meaning as being listened to, or consulted or in the sense of enabling children to influence and bring about change (Sinclair, 2004, 111).

Mayall (2006, 16) points out that the governments have seen greater respect for children's rights but that they have not taken into account the idea that children are contributors to society and that they are citizens with rights who contribute to the maintenance of the social order.

In my opinion children should be allowed to make both positive and negative decisions which influence their lives because both enable learning. However the parents, the state and the schools should control their decision-making.

### **Slovenia and children's rights**

Slovenia accepted the UN Convention on Children's rights on 2<sup>nd</sup> September 1990. European Convention on the Exercise of the Children's Rights was published in the Official Gazette of the Republic of Slovenia on 22 October 1999. Slovenia has no special other laws or political frameworks like Britain. Some problems on children's rights have been dealt with by the Ombudsman and from time to time in the newspapers.

One of the Slovenian journals (Otroci brez osnovnega zdravstvenega zavarovanja - Children without the basic health insurance, 2012) published an article that draws attention to violation of children's rights in Slovenia. Slovenia is still without laws that forbid physical punishment of children. The same article also speaks about the poverty of children who have no access to basic health insurance, education and healthy food in case their parents are unemployed. Besides, the article also discusses the trade with girls in Slovenia and small percent of the Roma children who finish the elementary school.

This is a sign that Slovenia cannot be placed among countries that have explicit and comprehensive family policies or those that accept the existence of family policy. If we try to classify Slovenia according to Fox Harding's list, Slovenian politics have the so called laissez-faire position while Slovenian Church defends the parents' rights perspective (the state should support the families). Anyway it is difficult to say that many people support the children's right perspective or are of the opinion that children should decide about issues that affect them by themselves.

Slovenian government emphasizes children's education (compulsory elementary education) but has never promised to reduce the children's poverty and there are no actions taken against the causes of crime. Slovenia is still far away from student-centred education and both parents and teachers are surprised if somebody tries to introduce elements of such education because they are convinced that this spoils children.

## **Suggestions for future development of children's decision-making**

Priscilla Alderson suggests that the future thinking about children's rights should be about the quality of communication among adults and children, and arguments that all rights are limited especially when limiting the selfish individualism and in promoting the needs, values and rights in the relationship between the child and the social world (Alderson, 2008).

Howe and Covell claim that children's rights of participation should be realized according to their age and maturity. It is a myth that childhood is a period when one can be happy and free from rights and responsibilities. Children should be educated that they do not have to live in desperate circumstances like poverty, abuse, neglect or exploitation. They should learn about their rights but also about their responsibilities. Children's rights education will enable to get acquainted with knowledge, values and behaviours that will develop human rights as a whole (Howe, Covell, 2005).

I quite agree with the above authors. My opinion is that people underrate abilities of children and do not expect enough of them. Children have both rights and responsibilities and these must be taken into account from the earliest period of their lives.

## **Educating parents about education of their children**

There have been some trials to educate parents regarding their education of children however more in the prevention of serious physical injuries than in other points of view. E. g. some researchers wanted to know if a comprehensive parent education program could reduce the number of injuries caused to infants by shaking. The study showed that the education of parents significantly decreased the number of abusive head injuries (by 47 %).

Will says that parents should be involved in children's individualized education plan. She suggests parent advisory boards to assist schools in determining ways to more effectively involve parents in their children's education. A school-parent programme should educate parents how to develop an atmosphere that would encourage parent-child conversations, reading, reduce television viewing etc. (Will, 1986).

According to my opinion children spend their most vulnerable period and learn the most important things from their parents. However, the parents rarely know much about children's education. They learned old patterns of education from their parents and they repeat the same mistakes. The situation might be even worse with modern parents who do not learn any patterns at all. Historically, children lived in big families and had their responsibilities regarding the education. Older children had to look after younger ones and all children were expected to work. Modern families in developed countries have just one or two children. The children have the responsibility to learn in school but no duties towards other family members. In many developed countries children are taught to achieve high scores and be competitive but they do not learn about values and development of good relationships towards other people.

Therefore it is necessary that the state which can develop children's rights, help to educate children, help families, supports also education of parents and offer them knowledge about how to teach children about their rights and responsibilities, and especially encourage parents to give their children the right values.

## Conclusion

The paper has shown how important are the roles and influence of parents and state governments for children's rights. I tried to highlight the question by quoting some relevant authors and discussing the situation in Britain and in Slovenia. Parents, the state and the schools can easily influence children's decision-making therefore it is very important that they have proper values regarding children's rights and that especially parents should acquire education about how to educate their children.

I think that parents, the state and children themselves should make an integrated approach to decisions that affect children's lives. Children should accept their own decisions on what affects their lives and they have to learn how to do it. The parents and the state should enable this decision-making in a controlled atmosphere. The state is important because it can offer the proper education not only to the children but also to the parents. It is important that children are aware of their rights and that they are not afraid to think and speak about their rights. They should share their ideas about what is right and wrong, and, what is in my opinion most important, they should all get more education about children's rights. It is strange that children and young people in the elementary and secondary school acquire a lot of knowledge on e.g. mathematics, foreign languages, poetry etc. but hardly anybody teaches them how to contribute to the relationships in the family. It is also most necessary to educate parents how to bring up children, and how to provide a happy and healthy family. Educated parents who would be aware of what is right and wrong in the education of children could make children more responsible, develop their self-esteem and self-confidence, enhance democracy, increase their sensitivity to the needs of others, make them more social, and help them to create positive relationships among people.

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