



Children Rights as Social Institution

A view on the semantic of childhood

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This presentation

Discusses children's right as a social institution using Charles Taylor's concept of **separation**

The theoretical argument is applied to an analysis of legislation and policies of Early Years Education and Care in England, Ireland and Italy (2005-2015)

Taylor: separation, separability and human value

Hierarchical Society:

human value is ranked according to the proximity to the owner of the land or the rights on the natural resources. Proximity defines ranks of **honour**

Trade Society:

human value is based on **dignity**, which is taken to be both the possession of, and what it is owed to, each and every person regardless of the conditions of their birth. Opposed to honour which is based on membership, dignity requires **separability** of individuals from categories of persons.

However, in trade society, the function of human value as a structural form does not disappear.

The universal attribute of dignity is coupled with the principle of 'level of development' to distribute human value

The possession of human dignity depends on the level of development. For Taylor, the indicator of development is the **separation** from others, in form of self-governance and independence from their claims, wishes and command



According to Taylor, the main function of the combination of development and dignity is to detect a shared quality among aristocracy and trading bourgeoisie who would otherwise be separated by degrees of honour

However, it also creates ranks of human value between generations (although temporary and balanced by the social form of love)

A photograph of a group of children sitting together, possibly in a classroom or play area. They are wearing colorful clothing, including a red and white striped shirt and a pink and white striped shirt. The image is slightly blurred and serves as a background for the text.

The impact of the coupling of dignity and development on the discursive construction of childhood (**positon**, van Langenhove and Harré, 1999) is exemplified by European scientific theories, for instance:

Freud's theory of taboos, putting at the foundation of human society the self-regulation and self-control of the separated individual. **Childhood** (of humanity) is marked by lack of separation from the world



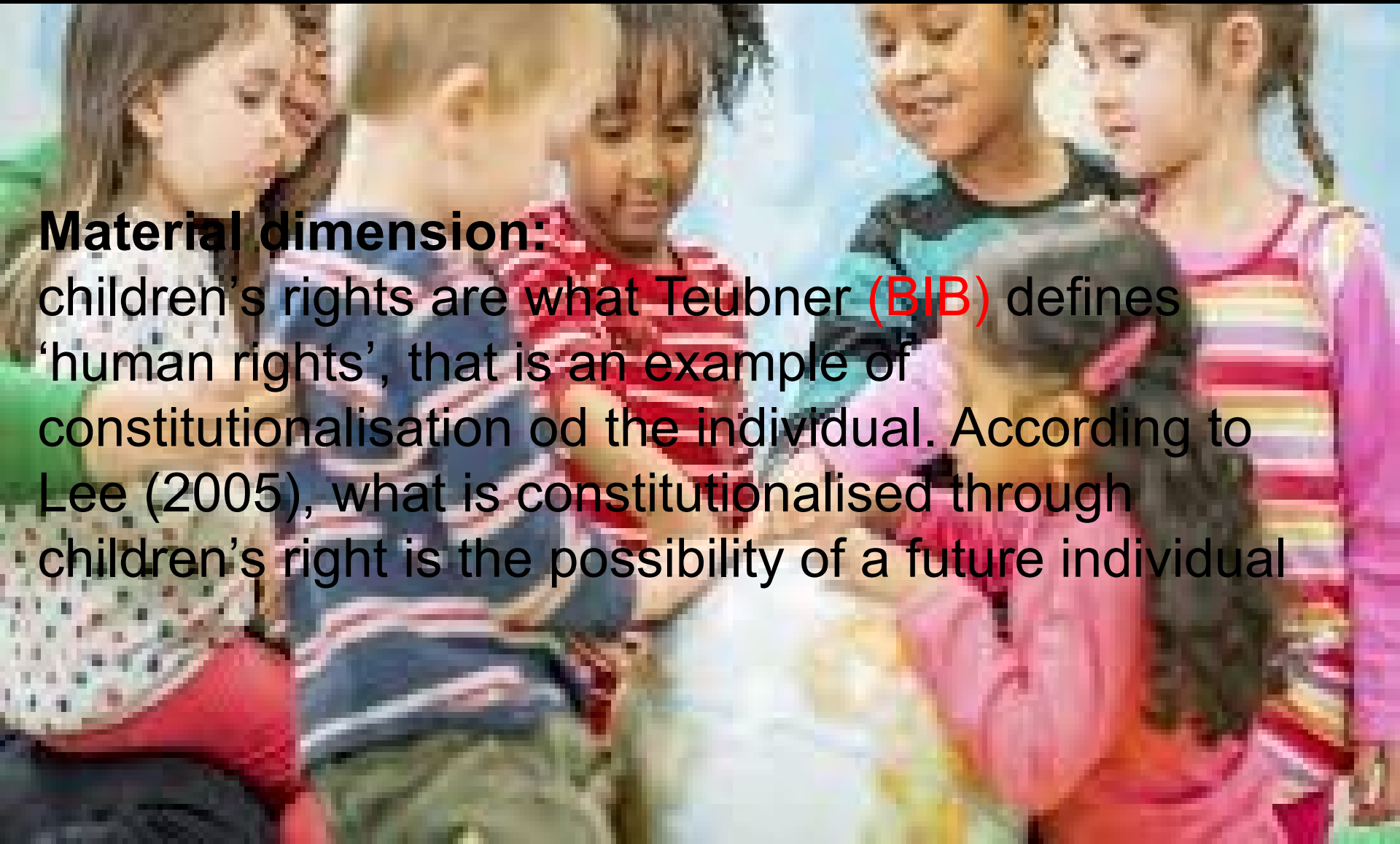
Piaget (**BIB**): young children are 'egocentric' in the sense that they are not aware of a difference between themselves and the rest of the world.

Individual development is the ability to create a distinction between self and the world. Separation between self and the world is the goal of child's development as a condition to access to reason.



As scientific theories, Children's rights are a case study for the analysis of the **position** of childhood in society using Taylor's concept of separation.

Children's right are a social institution (Mattheis, **BIB**) based on, and constructing, a semantic of childhood in the material, social and temporal dimensions



Material dimension:
children's rights are what Teubner (BIB) defines
'human rights', that is an example of
constitutionalisation of the individual. According to
Lee (2005), what is constitutionalised through
children's right is the possibility of a future individual

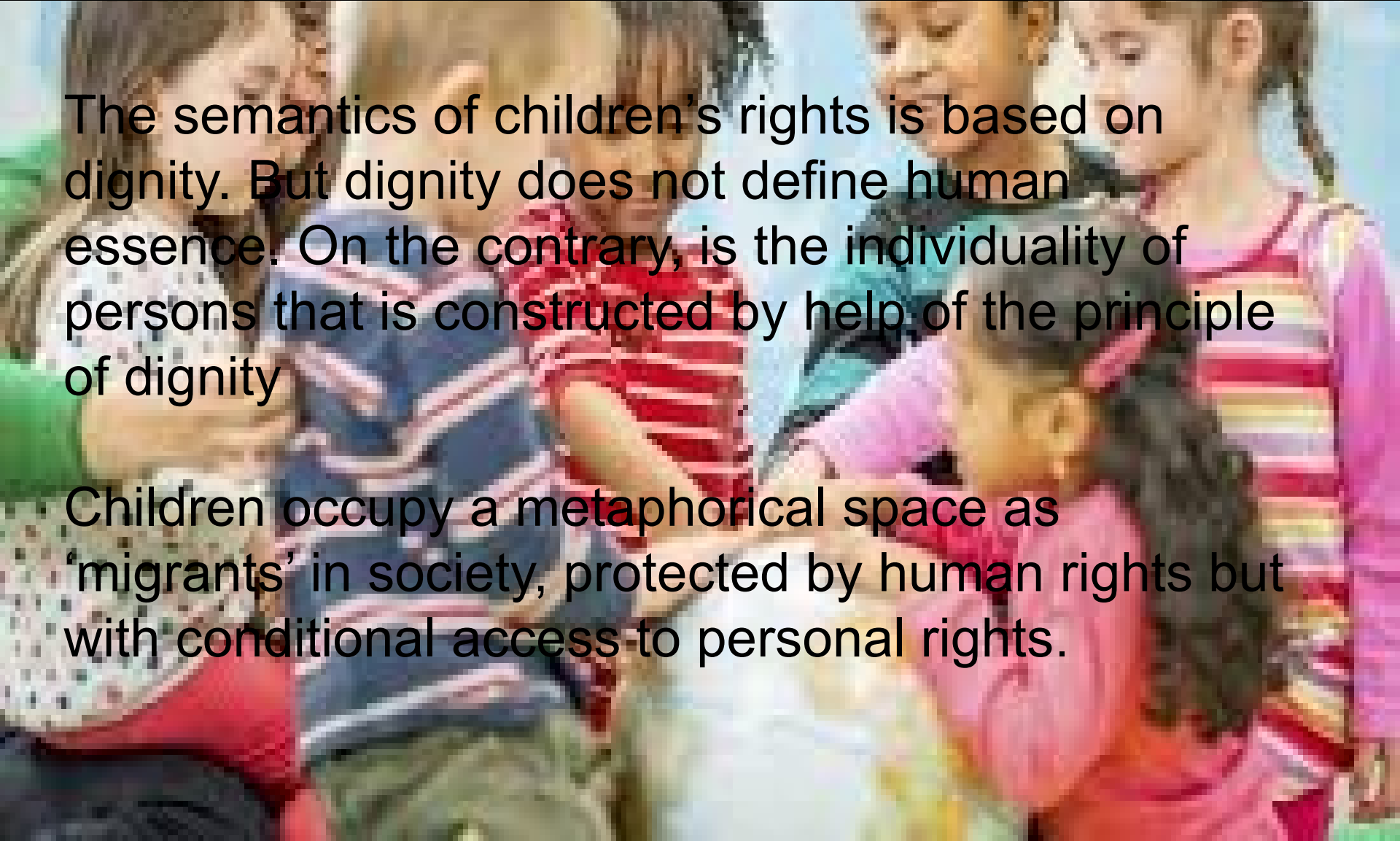
Material dimension:

Children's right preserve the possibility of separation of the future individual by securing the separability of the present child.

However, separability is partial and temporary, and does not concern separation. On the contrary, separability can legitimate the possessive love of those who extend a claim on children, just as it rules against possessive exploitation.

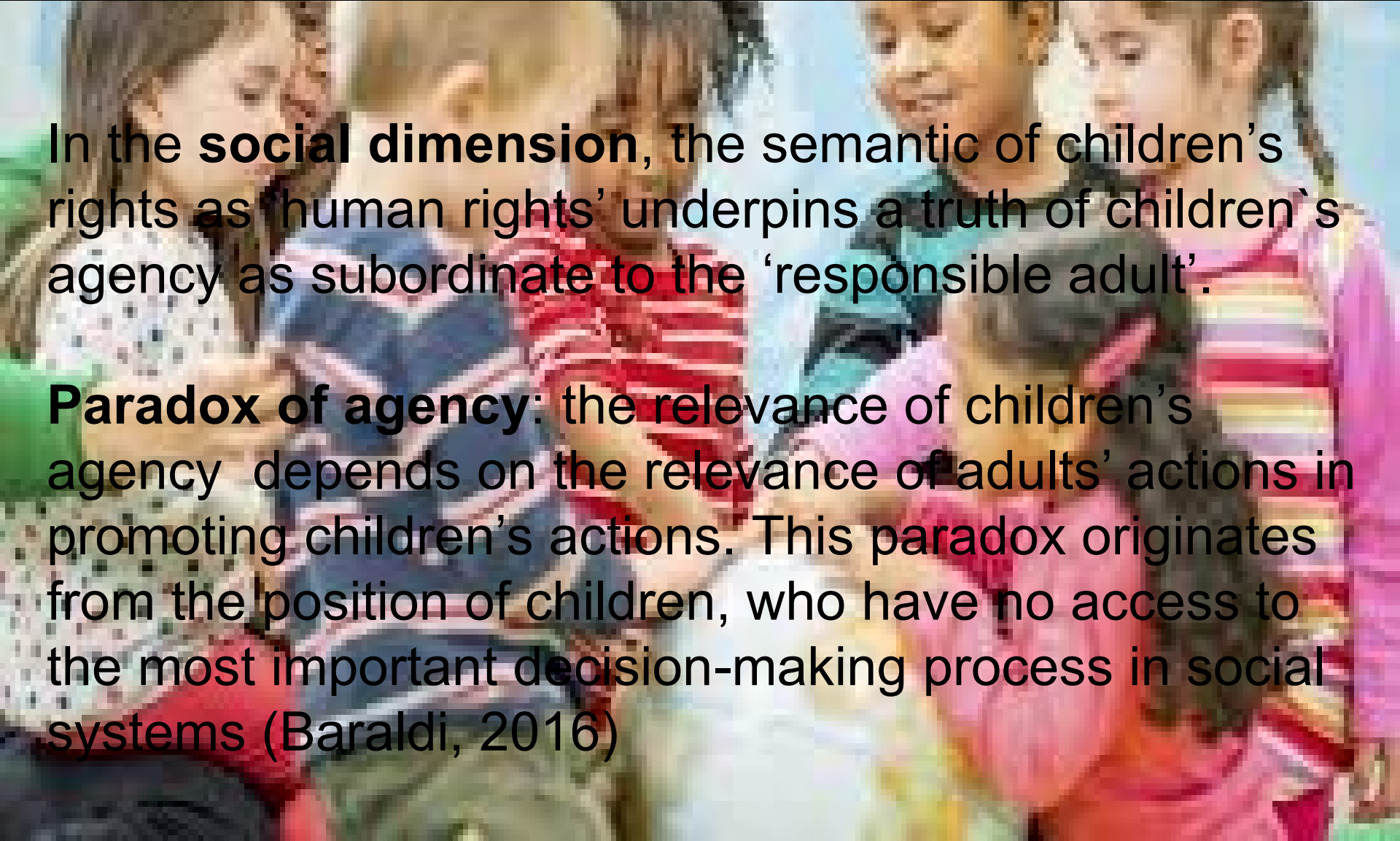


The ancillary position of separability to future separation determines the ambivalence in legislation and policies between ‘human rights’, concerning the preservation of the individual, and ‘personal rights’, concerning inclusion in all social domains



The semantics of children's rights is based on dignity. But dignity does not define human essence. On the contrary, is the individuality of persons that is constructed by help of the principle of dignity

Children occupy a metaphorical space as 'migrants' in society, protected by human rights but with conditional access to personal rights.



In the **social dimension**, the semantic of children's rights as 'human rights' underpins a truth of children's agency as subordinate to the 'responsible adult'.

Paradox of agency: the relevance of children's agency depends on the relevance of adults' actions in promoting children's actions. This paradox originates from the position of children, who have no access to the most important decision-making process in social systems (Baraldi, 2016)



Protection and dependency are key to the **temporal dimension**. Children's safeguarding and well-being posits adult's protection of children separability in opposition to of children's separation in the present

As recognised by Deleuze and Guattari (**BIB**), many enlightened practices deny dignity to certain groups, who are understood to lack the reasoning powers that would separate them from the natural world







Thank you!

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