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## The right of a child to its rights

**ABSTRACT:** In this article I answer the question whether a child has the right to its rights. I take into consideration contemporary knowledge of cultural, pedagogical and legal anthropology. A child is the subject of changes within itself as well as of social, cultural and educational changes. However, because of relationships with adults, these changes take different forms. I propose four models of research on these relations: adultist, 'pedocentrically toxic', isonomic and exclusive.

**KEYWORDS:** Human rights, children's rights, violence, toxic relationships, pedocentrism, exclusion, children's republic, autosocialization.

When seeking an answer to the question of whether a child has the right to his or her rights, I will take into account the contemporary knowledge of cultural, pedagogical and legal anthropology. A child is an entity, but also a subjects within itself and changes of social, cultural and educational nature. Although the International Convention on the Rights of the Child has closed the desirable stage of political will of the ratifying states, the opening of the formal safeguard for children's rights itself has not changed too much in their world. In order to ensure that children can use the rights recognized and assigned to them "...certain basic conditions must be met: the individual must have rights, the individual must be informed of his or her rights, the individual must be able to exercise his or her rights, if necessary, the individual must be able to exercise his or her rights, and there must be a community interested in standing up for the individual's rights" (Verhellen 2006, pp. 187–188).

We are naively convinced that it is enough for the authorities to ratify the law, so that it automatically existed in practice, Four of these five conditions, as described by Eugeen Verhellen (Director of the Belgian Centre for the Rights of the Child), are not met in countries that recognize the above Convention and even implement some of its norms into acts that correspond to various spheres of child life. Sociological-educational research and international reports are one of the indicators of this (Cf. Jarosz 1998; Matyjas 2012; Polska dla Dzieci 2003; Prawa Dziecka. Dokumenty ONZ 2015; Szanować 2013). None of these conditions will arise unless there is a cultural, mental change in societies that have even enshrined certain children's rights in the Constitution, various laws and codes. It is not enough to appoint an Ombudsman for Children. We must constantly return to the ideologies or doctrines present in our countries, whose presence in the public space is not known to everyone, and they shape the attitudes of children and adults towards the rights and the right to exercise them, both by children and adults.

People "...use political ideas and concepts whenever they express their opinions or talk about their beliefs" (Heywood 2007, p. 15). There is no scientifically objective standard of truth according to which it could be judged, since each of them embodies a certain, partially different system of values, the way in which they are understood, the context of their existence, and these exclude their strictly scientific legitimacy. Ideology understood as a regime of truth is always connected with power. This is how Heywood writes about it: "Nobody is able to »prove« that one theory of justice is better than another. Just as competing concepts of human nature cannot be surgically tested to show once and for all that human beings have principles, have the right to freedom or are selfish by their nature or, naturally social" (Heywood 2007, p. 28) One cannot be an impartial, objective researcher, an observer of ideology, because for each of us they become a source of the meaning of life, awakening in them sympathy or satisfaction with their social validity. Someone who is convinced of the metaphysical superiority, advantage or truth of their preferred idea, ideology or educational doctrine is deeply "...convinced about it, the one who strongly believes can only find arguments in support of their faith, but cannot look at their faith with platonic curiosity" (Pieter 1937, p. 150).

I will place the answer to the title issue in contemporary pedagogical thought and psychology of interpersonal relations. Polish pedagogy has great traditions and achievements here, as evidenced by the 3rd International Congress on the Rights of the Child and the 7th International Korczak Conference in Warsaw in 2017. A treatise by the Japanese philosopher, Ichir Kishi-

mi, who in a fascinatingly written dialog with his student, Fumitake Koga emphasizes that "...all problems are interpersonal problems" (), and "man becomes an individual only in social contexts" (Kishimi, Koga 2017, p. 46) has just appeared on the Polish publishing market. If we want to live in a world of mutual respect between people or, as St. John Paul II called it – in the *civilization of love*, not the *civilization of death* (John Paul II, 2005), and Erich Fromm also gave them the name of a world of *biofilias* or *necrophilia* (Fromm 1994), we have to start with ourselves. It is not possible to change a world full of violence, including violence against children, if we are afraid of this world. "The paradox is that the changes are happening anyway – we can only decide whether to get carried away or write our own scenario" (Kurdwanowska 2017, cover wing). Transposing these perspectives into concern for the rights of the child not only to have rights, i. e. life in the Fromm's modus HAVE, but also to the possible enforcement of these rights, and so the modusa TO BE (Fromm 1989), we must "...stop worrying about what people will say. Free from barriers, we will finally be able to spread out our wings" (Kurdwanowska 2017).

As the representatives of social sciences and humanities point out in their research, mutual relations between adults and children from the above perspective are not derived from the moral evolution of adults, but they are the result of the improved law against crossing certain borders towards children. However, while human rights are the main problem of any constitution, the issue of children's rights is pushed to subordinate matters, which even do not require such a solution. It is no wonder that non-governmental movements and associations for the rights of children are becoming increasingly active in order to ensure that their dignity and free space for personal development are respected. We can speak here of the birth of the fifth generation in the evolution of human rights, if we adopt, following historians, in the following order:

- the first was a generation of political and civil rights in the form of the US Bill of Rights (1776) and the French Declaration des trits de l' home et du citoyen (1789);
- the second was a generation of economic, social and cultural rights – within the framework of the Weimar Republic Constitution or the Austrian Constitution of 1920;
- the third was a generation of peace, disarmament and environmental rights under: the Atlantic Charter of 1941, the Charter of the United Nations of 1945, the Universal Declaration of Human Rights of 1948, the International Covenant on Civil and Political Rights and Economic, Social and Cultural Rights of 1966;

- the fourth is the generation of human rights aimed at protecting tribal, racial, national, religious or cultural minorities;
- the fifth one is the generation of children's rights, initially aimed at protecting them (Geneva Declaration on the Rights of the Child adopted by U. I. S. E. in 1923, Declaration on the Rights of the Child adopted by the UN General Assembly on 20.11.1959 or International Convention on the Rights of the Child of 1989) and the anti- and post-pedagogical movement striving since the 1970s to radically equate all rights of adults with children's rights (Balcerek 1988; Geremek 1991; Szkudlarek, Śliwerski 1991).

### **Rights of the child as a derivative of natural rights**

Does the right not appear between individuals because someone pursues their hidden goal at the expense of another person by using advantage, power towards him or her and gaining individual benefit? It is necessary to take into account the potential and real relationships between adults and children, in the light of which both of them communicate their own expectations and ideas about another one, try to legitimize them and undertake their own relevant activity, thus influencing the diversity of interaction between each side. However, we do not live to meet the expectations of someone else, although children are treated this way by adults, as obliged to meet expectations, behind which the goal of upbringing lies. "Parents who are afflicted by the relationship with their children often believe that children are their whole lives. Such a parent treats the child's tasks as his or her own and will not be able to think of anything else but a child. Before he realizes it, he will lose his self-esteem. However, no matter to what extent someone takes over the burden of young person's tasks, they are still an independent entity. The children do not grow up to become people who their parents consider them to be [...] and do not follow their footsteps" (Kishimi, Koga 2017, p. 109).

If it is said that human rights (including the rights of the child) result from its nature, it means that they are derived from, what is called a natural law, an unwritten law, standing above the law established by a human. For this reason, they are inviolable and non-transferable. That is why the idea of natural human rights, to which some affirmators of children's rights refer only partly, has emerged from the experience of many societies, stating that their laws can be inhuman, toxic and children are their helpless victims. The questions of morality in interpersonal relations can be resolved by referring to the natural law, to universal laws (secular people) or to divine laws (the believers).

In their light, people have a legal duty of doing goods towards others. “The natural law has been given to a man, and he himself, in human way, which means reasonably, can read this law (*ius*). Mediation of lawyers is not needed here to read and understand the goodness, because human life and the legal order are older than all forms of organized social life” (Krapiec 2004, p. 195).

This basis of the adult’s duty to read an injunction of doing good to children at dealing with them is referred to by both those defending the right of parents to use violence against children (“I beat my child for his or her good”) and those advocating the legal subjectivity of children (“I do not use violence against a child for his or her good”). In the light of natural law “... at no point in his existence a man is an object and as such is not a property of anyone. He is neither mother’s nor both parents’ property, when he is young. And he is not owned by society or the state – when he is an adult. He is his own property and the property of God. A unique, unpriced person, possessing within himself and in his Creator a source of his own dignity. No one, until his death, can admit or deny him humanity at the moment when he was biologically present” (Musiał, SJ 1990, p. 1). Thus, if the society of adult people in a significant manner violates these rights (limits or negates them), it sustains the constant conflict between children and adults, destroying in the children their dignity, subjectivity, and reproducing evil by itself. “Man exists in the legal system, understood as an interpersonal relationship characterized by the duty to act or to cease acting for the good of a man (Krapiec 2004, p. 195).

### **Typical attitudes of adults towards children and their rights**

Therefore, let us try to describe the attitudes of adults towards children due to the above moral imperative. The Swiss pedagogue Hans Saner proposed a typology of mutual interaction between adults and children due to the way they engage different expectations, ideas about the child and their own activity towards “their pupils”, thus influencing the difference of relations (Saner 1988). The author considers that the terms “adults” and “children” enter into three types of relationships between them: subordination, equivalence or autonomy. He does not see that there is also a fourth dimension, which in the world of global revolutions, wars, migration and local conflicts leads to the exclusion of both adults and children in their mutual relations with each other. Let us therefore look at these four perspectives from the point of view of whether, and if so to what extent, children are entitled to their rights there. I therefore distinguish four types of relationships in this extended typology:

- 1) ‘adultistic’ one, where a child is a “being not yet adult”. It is important to recognize the state of the child – “not yet”;
- 2) “pedocentrally toxic” in which a child is a “being more than an adult” (“more than”). This applies to the syndrome of a “small tyrant”. In this approach, however, there is also a positive variant of socialized pedocentrism, which takes place in the so-called children’s republics, youth communities and communes.
- 3) isonomical, symmetric, in which the relationships are constructed on the principles of “being by a child the same person as an adult”. Children are sovereign entities like adults, but in a different dimension and scope.
- 4) exclusive, escapist – mutual exclusion and at the same time life in solitude or escape from life in society or life in general.

Children are not completely free from relations with adults, and there is therefore the situation where they would have a right only to rights entitled to them is not possible. Even in children’s republics, they become employers for adults and benefit from their services, assistance or support. It would only be possible in exceptional circumstances if a child – like Robinson Crusoe – would live alone on the island creating and enforcing the law only for himself to live in harmony with... nature and thus also with himself. We must reject this perspective, being aware of the potential for it to occur in exceptional circumstances, such as a plane crash in a mountain or on the sea that only a child will survive.

#### **A model of relationship based on what a child is “not yet”**

In the light of the still dominant in the world traditional, conservative, “adultistic” (post-figurative) relationship between adults and children, being a child means not only “being not yet adult” or “being a person other than an adult”, but also depriving him/her – allegedly for his or her sake – of the right their own rights, to exercise them. Therefore, the key question is how the child is guaranteed their rights in this interaction? The answer is simple – during the period of first socialization, this can only happen thanks to the good will of the parents or legal guardians of the child, and during the period of institutional socialization and upbringing this duty falls on adults-teachers, pedagogues, therapists, priests, instructors. etc. as their professional duties are related to the moral responsibility for the child. In this relation the child’s ability to self-determination is denied because it conceals the eternal tradition of dominion over man, colonization of his existence. Behind the addiction of children to the generosity of their educators and their good or bad will hides

– probably unconscious by the majority – contempt, disrespect, disrespect and mistrust for children, which is justified by the sense of duty and responsibility towards them. This model of relation is characterized by the fact that they are only adults:

Table 1. Four models of adult-child-adult relationships

		Children	
		I have the right	I don't have the right
Adults	I have the right	<p>ISONOMIA Co-figurative culture dialog mutuality partnership Internal steering, gyroscopic personality</p>	<p>ADULTISM Toxic relationships between adults and children Post-figurative culture NOT yet entity; submission, docility usefulness of a child for an adult. Getting rid of one's own "self". external steering, radar personality.</p>
	I don't have the right	<p>NEGATIVE PAIDOCRACY Pre-figurative culture submission of adults to a child, a child – "small tyrant", NOT an object; Omission, abandonment of intentional interactions. The adult should be useful for the child. Getting rid of one's own "self".</p>	<p>EXCLUSION, SOLITUDE, ESCAPISM replacement care re-socialization mutual hostility, alienation, neither children nor adults do not have rights to each other. POSITIVE PAIDOCRACY</p>

Source: own study.

- are truly socialized as well as mentally, spiritually and physically mature;
- are a priori legitimized educators, and the children are their pupils;
- adults define the cultural framework of the child's first educational environment, i.e. the family, and also decide on rights, working time and school order;
- guide the socialization process from the very beginning and limit the child's further chances of life by negative selection at a very early stage. They have an indirect impact on the lives of students as well as the later adults. They know what it means to be an adult.
- form and change a child's being, they believe that they have the right to "make a man of a child". They are raising them.

The state of "not yet..." or "more than..." is a proof that the child has not yet reached the forms of maturity to be human, that he or she is not yet adult, that he or she is not yet wise, cultural, independent and cannot partic-

ipate in the social process of work, and that therefore he or she cannot yet co-decide on social matters, nor about his or her own. It is a state of stigma, the position of an incomplete person (non-person) and therefore excluded from the "common world" of those who are entitled to full-being in the world. In this approach, there is a priori assumption that the pedagogue is always, somehow a priori, an entity in relation to the student, and this is the subject of his influence. This results in the exercise by adults of their right to decide on the fate of their students and to offer them only right solutions and their justifications, interpretations leading to the adiaphorization effect, "...that is the setting up of certain types of activities or certain objects to which they are guided, as morally neutral and not subject to moral evaluation" (Bauman 1995, p. 46). Therefore, this process consists in excluding certain human species (in this case adults) from the collection of moral entities, and thus separating from adult acts and moral assessments. What is forbidden for some is allowed for others.

The basic attribute of the child's identity is some "lack", which is discovered in various ways, distinguishing the child from the adult and making the child simply a child. "The »lack« extracts the given entity from the unclassified end-of-march collection because it determines the identity and thus the life-giving difference. The »lack« raises the one it touched to the rank of a being. What distinguishes children's »lack« in the current repertoire of human »lacks« is the incomplete expression of possible future »lacks«. A child can be Everything and Everybody in the future, so now he or she is Nobody. An identity built around the »lack« restores life because it gives identity, but the difference itself understood as a »lack« kills" (Jacyno, Szulżycka 1999, p. 22) The entire catalogue of human rights is hidden from the child with the exception of the right to life. It is a passive being, although exercising rights, but not entirely. Nor is it an individual who would have active personal rights. It is believed that a child cannot be attributed full self-agency for his or her actions, and thus be held liable for failure or rewarded for not (only) their merits.

The child's activity does not contribute to enlarging the condition of culture, but rather puts them on the position of the one who only uses it and participates passively in it. Even when we talk about children's culture, we have in mind the one that adults create for children. The child experiences at every step what he or she is not yet allowed to, or what he or she is not yet able to. Negative selection determines his or her path of life and development. The things they cannot do are more important than the things they can do. This negation defines and confirms the basic opinions of adults. Class or layered



society is created according to age. However, the exclusion of children from co-deciding in society is not a new social phenomenon. The child does not have the same rights as adults, neither at home, at school nor in society. All their duties stem from care for them. Although the child is entitled to these obligations, he or she cannot complain if they are not fulfilled. At school they experience negative selection, and within their family they are threatened with exile for disobedience.

The world is almost schizophrenic, because it is the young people who are adored, but it is more like compensating for the state of a kind of enslavement than a form of showing respect for it. Some would like to be older, but not too old; others would like to be young provided that they do not have to live like children or young people. The traits of youthfulness, such as sport, fitness and ad hoc fortuitousness with the intention to do something from the beginning are recognized and chosen. It is in this model that education as “not yet” is based on a clear model of significant authority. The teacher, already because of his age, is – in the light of this model – an authority that is also a form of exercising power. That is precisely the problem that one cannot have authority over someone, but one can be an authority to someone thanks to recognition, respect.

When adults perceive children as an object of education, they no longer regard them as a natural reality, but perceive it as difficult to overcome difficulties or disturbances. They think, plan and act above the children's heads and are surprised that they become more and more strange to them, that they close themselves or react unfriendly or hostile to their methods, which were motivated by love or care for children. The pedagogue's mind is then guided by a dual structure of thinking, one of which allows to experience reality, while the other is a kind of “ideology of upbringing”, symptom of extreme wishful thinking and pedagogical authority, which cannot be corrected in practice as long as it refers to this false idea or theory.

Critical pedagogues, however, demystify the such understood process of socialization in the “common world”, as a kind of lie, fooling a child by adding into mutual relations the “hidden program” of adultistic influence. “»Fooling« means »integrating« the world, i.e. implementing cognitive structures and writing into the body's techniques faith in the »common world« in such a way that no form of differentiation is not and does not pose a threat to any form of commonality” (Jacyno, Szulżycka 1999, p. 69). In this light, Bringing up is a result of the parents' high ambitions, mostly from the middle and high classes, who treat their pupils as if they were competitors in the race for success. They create a world in which a car-transporter of people becomes the second

home for the children transported from one classes to another, so that their future CV could make the best impression.

The child dignity is very easily to be violated despite the fact that the Convention or law prohibits this. Indeed, when an educator humiliates a child, isolates them, beats them, harasses them, the perpetrators explain that the dignity of the child has not been violated because it was intended to serve the child's good. Adults are so reluctant to speak about the dignity of a child, because they confuse human dignity with the dignity which must be earned. On the other hand, however, human dignity belongs to every human being, regardless of their achievements or the "unworthy" conditions they like to live in. Therefore, if the law prohibits methods that violate the dignity of a child, it aims at protection of children against parents who are not worthy of this role. In terms of human dignity, all people are equal. Since, in the light of the Polish Constitution, every child has the inherent and inalienable dignity of a man, and these are the source of their freedom, human and civil rights, it should not be violated, and the public authorities are obligated to respect and protect it.

There is a question on the Polish Ombudsman for Children portal: "Why are we discussing the rights of children?" – and the Ombudsman responds as follows: "Because of the fact that a human being, before and after birth (called a child) is not able to function independently, it was decided that until a certain point in their life they have to remain under the care of adults" (the Rights of Children 2017). In other words, a child has rights, but without the right to use them directly. They are entitled to them, but they cannot decide about themselves, because adults know better than a child what is good for them. The child's right are somehow suspended and postponed until self-determination at the age of 18. Their right to have rights is transferred to parents or adult guardians. In such an approach, educators either refer to the strategy of being victorious over the child by mastering their needs, aspirations, expectations and possibilities, or they adopt the position of toxic parents or the one submissive to children, who at the expense of their enslavement regain their right to self-determination.

#### **Pedocentric, quasi autonomous model of relationships between children and adults**

In pedagogical literature, this type of relationship between adults and children is defined as the self-education or self-socialization of a child at the side of an educator, for whom he or she is perceived as "more than...". Saner erroneously includes in this approach the issue of a child's sovereign self-

socialization as their being next to adults, without any possible interference in their development. He does not study the real variants and social impacts of the child's inversion attitude towards adults, but the submissive attitude of adults towards the child as a small tyrant (Prekop 1993). These are also parents taking on the role of a juvenile child, which results in the reversal of relationships where the child becomes the parent of his or her own parent (Forward 1992, p. 22–23). The abandonment of adultistic attitudes of adults has its social origins and consequences. In this model, children are the authorities in their own affairs. They are no longer perceived as passive recipients of social and pedagogical influences, but as entities creating these processes thanks to their own activity.

However, psychoanalytic studies, including Jirina Prekop's studies, show that this type of relationship can be toxic. Children become toxic rulers of parents, taking control over their immediate surroundings. "Any challenge to the authorities is perceived as a threat. These affective experiences remain in a very strong relationship, as the sense of security was compensated for by the authorities. Only by taking control of the environment does the child feel safe. Any opposite experience, that is adaptation to the will of others, means the loss of security, which is tantamount to an existential threat. The willingness to rule the child is not a result of lawlessness, but a result of self-preservation instinct" (Prekop, p. 142–143). "Small tyrants" make an immature child out of the parent, disrupting his or her emotional and sentimental sphere.

Parents who are submissive towards their child act under the influence of deep discontent with their own lives. Sometimes they have a disrupted identity and self-esteem, and at the same time they are under the influence of a strong fear of being rejected by their own child. "Not only are they unable to meet the needs of their children, but they also reverse the order of generations and require their children to be their parents and to help and assist them. In this way, inadequate parents rob their children from childhood, making them addicts at an adult age, too easily attached to those who oppress or use them. They do not know how to keep an adequate distance towards them, which is necessary for protection – because they did not know emotional bonds of a different kind" (Forward, p. 22–23).

### **Upbringing maintaining balance between adult and child**

The isonomical relationship between adults and children eliminates the focus on the differences between these people and targets mutual relations to what is common to them, namely that adults and children are people. Regardless of the developmental differences between them, they are, after all,

equal to each other, because they are people. After all, what we call maturity is not a gift of a certain age of life, but acquired behaviors that are revealed differently in all phases of our lives. In this approach the relationship between children and adults is considered and treated as ensuring respect for their equal dignity, which means openness and respect for differences between them and for their otherness. A child, just like an adult, is here the carrier and teacher of freedom and knows its value from the moment he or she was born. One only has to be able to discover this personal, sovereign structure of the being already on the day of his birth (F. Leboyer 1986) and to enable him to “be himself”, to be a decisive entity in the sphere of both individual and social life.

The isonomy model is oriented towards the free development of a child's personality, perceived as “the potential of hope”. The educator resigns from the influence of authorities or institutions that force obedience and conformism on the child in order to shape bilateral interaction with the child, in the course of which both respect, recognize and trust each other. Cooperation between them is the result of symmetrical relations, mutual dialog, partnership and a sense of ensuring security. The beginning of new interactions of a socio-legal isonomy character lies in each of us, in our depths. All we have to do is to open to them. In the light of philosophical anthropology, children can enter into co-figurative relationships with others, including adults as ontologically equal persons (*inter pares*) regardless of their age of life and developmental age. Being a child means “being the same person as an adult”, where “equality”, isonomy also has a psychosocial and axiological dimension. “Janusz Korczak once said »there are no children, there are people«. That is the truth. “The child is also a man but still small...” After all, every adult has once been also a child. Thus, like every adult, a child owns certain rights and freedoms. They are called human rights” (Rights of the child, the work quoted). On the side of adults the reign, one-sided domination ends, on the side of a child – being a man begins. For Abraham Maslow, this simple model of taoist objectivity has its pedigree to the phenomenology of selfless love and admiration for the Being of others (love type – B) (A.H.). Maslow 1990, p. 28). Each meeting of an adult and a child becomes at the same time a dialog with oneself for both of them.

In interpersonal contacts people give up on striving to compete with each other, overcome oneself through constant proving one's power: “my mine is better than yours”, “I am more right than you are” etc. (Schoenebeck 1986, p. 22 et seq.). There are no winners and no defeated. The humanistic psychology is followed by the confrontation of knowledge about man with the depth of

his nature, and thus there is a respect for the preverbal and subverbal, mythical, archaic, symbolic, poetic and aesthetic aspects of the nature of each person. The model of getting to know the reality and transcendence of human existence does not ignore experimental knowledge, but prefers the knowledge acquired by love, the so-called taoist knowledge. This is an approach that is still incredibly difficult to accept and – in a voluntary sense – to take appropriate action. In the German pedagogy we talk about “Kinderzentriertepädagogik”, i.e. a pedagogy focused on the child, and in Poland we talk about positive pedocentrism (Śliwerski 2007). In this perspective, adults are aware of the ontological equivalence with children, so that their pupils do not have to be warned about it with a sense of shame or embarrassment. This perspective affects the process of the child becoming aware of their own rights, discovery of their own humanity, dignity and enforcement of respect for them by others – adults as well as peers.

Swedish psychologist Margaretha Brodén published a book in 1992 under the title: *Perhaps we have been mistaken – perhaps children are competent*, which is also referred to by the Danish family therapist Jesper Jull who, based on many years of practical experience, published in 1999 his work entitled *A competent child* (Juul 1999). He states there that, as adults, we make a significant mistake if in the relationship with children we do not consider them as complete human beings since the day of birth (richtige Menschen). We got used to seeing and treating them as potentially non-socialized semi-persons, who must first be subjected to mass impact and manipulation by adults. Only when they reach a certain age will they acquire the right to equal respect for their humanity. Even if upbringing was given a humanistic dimension on a scale ranging from “free upbringing” to “anti-authoritarian upbringing”, however, no one has questioned the primitive premise, which is the starting point for them.

It also allows to notice that children are able to provide adult with feedback that will enable them to regain their already lost competences and can help them to get rid of patterns of behavior that are ineffective or unacceptable. This new type of relationship generates much more than just a contribution to the democratization of dialog between children and adults. Everyone can thus find their own way, though not for everyone it will be equally good or will be something similar to “anything goes”. The central principle here is that everyone should create the same criteria for themselves and everyone else which will allow to assess behavior and its consequences. “Today, we know much better that children are competent within the following scope:

- they are able to determine the content and limits of their integrity,<sup>1</sup>
- they are social beings since birth,
- they work together competently if adults present the same form of behavior, regardless of whether it is constructive or destructive to their lives,
- provide their parents with verbal and non-verbal feedback, which is also a competent tip on the emotional and existential problems of their own parents” (Juil, p. 63).

This “new type of interaction” is expressed in the formula: “Beziehung statt Erziehung” (mutual interactions instead of upbringing) or “Freundschaft mit Kindern” (friendship with children), treating children’s right to their own rights as a case of adults. They should not want something for children, but for themselves. In this case, adults are willing and able to interact with themselves and others in full respect for themselves, equality and friendship (Schönebeck 1984, p. 17) The child has the same rights as an adult, which is actually not easy to bear for the latter, since they were socialized and brought up in the atmosphere of objectification. In the light of this psychological anthropology, a child/adult is a personal being that already in the womb of the mother, i.e. in the prenatal phase, has a specific power in relation to themselves which is self-possession and self-determination (Kornas-Biela 2009).

In the isonomical model of relationship, an authority it is not a one-sided domination of someone over someone else who should respect the latter for this reason, but it is an exchange relationship between persons who can be (become) an authority for themselves – an adult for a child by virtue of their knowledge and what they know better and possess, but also a child for adults thanks to the greater ability to learn, flexibility and spontaneity, which Margaret Mead described as a co-figurative culture (Mead 1978). In such relationships:

- there is no need to give instructions, but to persuade during dialog;
- there is no need to rely on age-dependent power, but there is a need for genuine solidarity between each entity as a “power” in reaching a common understanding, a consensus;

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<sup>1</sup> This is consistent with Kazimierz Jankowski’s view, who points to the principles facilitating coexistence between adults and children in the development aspect on the example of the territory, i.e. a certain psychological, internal or physical, external space belonging to each individual. It means that a child has the possibility to decide and take responsibility for everything that happens within its internal territory (its own body, psyche, thoughts, views, feelings, attitudes) and external (e.g. clothes, physical space, part of the dwelling, etc.). More in: Jankowski 1980.

- there is no negative selection because of what we are not yet able to do, but the development of strengths and dispositions is supported;
- we do not focus on the child's addiction to us or relegation of a child by an adult or adult by a child, but on the possibility of creating an open community for everyone.

Upbringing is neither prohibitive, nor permissive, nor authoritarian, nor without authority, but communicative in recognizing the strengths of each person. It is a solidarity-based environment in which both sides raise each other and raise themselves. It is a bilateral partnership of equal people (*inter pares*). Giving love and respect to children by parents or other educators opens adults to a new, universal dimension of humanism, making them more susceptible to love for others. The ability to live in *isonomy*, peace, mutual tolerance and observance of common rules on a daily basis is not something obvious. Therefore, the chance to rediscover the values of balance and peace between people, an opportunity for all children and adults, not only those professionally engaged in taking care of children, are still invisible and often overlooked mutual relations between them.

This type of approach to interpersonal relations requires equality of all people and groups of people as well as tolerance between them, but not the one which includes the desire for dominance, enslavement and exploitation. (Böhm, Braunmühl 1994) The child is a member of the community (family, school, community, religion) and brings added value to it according to his or her strength and abilities. With such a contribution, they automatically become a partner of an adult. They can negotiate with them in almost all matters, assuming full reciprocity and openness. This is a true school of social coexistence and cooperation (Jankowski, p. 106–107). Perhaps the civilization of love, peace between people is not a state that can be fully achieved, as we are convinced by the most peaceful attitude of a man who has to live in a hostile environment. There are human habits, features that make it impossible for a peace to occur, even block it, but there are many features which, when not recognized, make people unable to enter the path of peace. Thus, the idea of “equality” can be treated as a certain relationship between theory and practice, between thinking and acting. It is not only a real space in which the child moves, but also a symbolic and cultural space, i.e. existing in the minds of adults filled with feelings, thoughts and imaginations concerning children.

In a biographical study of people at the age of 15–28, Ekkehard von Braunmühl tested whether they were satisfied with the fact that they had been treated by parents since their birth as persons who are fully equal to them.

It turned out that they are all satisfied with this and at the same time convinced that it is not only a good and proper parental attitude, but also a justified premise for mutual relations between generations. They do not imagine that they could be treated objectively, as this would violate human dignity. In case of becoming parents, they also want to live with their children on an equality terms. They do not want to compare themselves with other children, but they are convinced that their childhood was happier and more beautiful than many other children and they had very good relationship with their parents (Böhm, Braunmühl 1994).

It is not true what adultists try to persuade the society that children are left here to themselves. Maria Montessori already addressed the adult with a child's message "Allow me to do it myself" (Montessori 2014), while Stanisław Ruciński convinced the educators with the following message from an adult to a child: "...come and try to walk next to me, but try to walk alone and don't follow me. Let the fact that I am walking next to you be only your security, because I want you to feel that you are not alone, that you will not be dependent only on yourself when you don't know what is happening in you; when you get confused in perception of your situation and sense of the values that call you. You can ask me to help you see more clearly, understand more deeply. Don't ask me what you have to do, or what you should value, but you can always ask if I don't see illusions, falsehoods or mere reactivity in what you want to do, in your sense of value. I will only tell you what I see, what I understand. And sometimes I will also turn to you with the same question" (Ruciński 1988, p. 191–192).

### **The relation of escapism, exclusion**

It is one of those social relations between adults and their child, in which there may be a "wall of silence", indifference, insensitivity, distance, loneliness or mutual hostility between them. In such an environment, children and adults do not have rights to each other (a parent deprived of parental rights) or lose them by law. Some people do not want to exercise these rights, e.g. abandonment of a child, placing them under care of others, etc., or are excluded by the child as their parents, educators or guardians. This type of relationship occurs when children remain social or natural orphans, lose their bond with them as a result of the breakdown of parental relationships, wars, catastrophes, emigration or abandonment, and they have chosen to function in an anti-social, criminal, sectarian world, etc. or parents are totally or partially deprived of their parental rights, or children abandon their world while escaping from it and from themselves.



As a result of social inadequacy and entry of a child into criminal path, or as a result of severe trauma or depression in extreme situations, they sometimes reach for the most drastic form of escape from an adult, i. e. suicide or escape to an environment where they will find recognition and support, e.g. criminal group, sect. Perhaps it was this pedagogical thinking that creates raising children and young people according to the goals set up from above and in line with educational ambitions that led to a permanent conflict of generations, the only escape from which is to break the relations by one of the parties (Braunmühl 1988, p. 9; Griese 2001).

The above situations may occur as a result of pseudo-education, which may result in deeply malformed authoritarian personalities, having a dichotomous, objectified structure, subjecting themselves to the laws of artificially evoked emotions (Filek 1984; Gurycka 1990; Miller 1999; Tarnowski 1993). This negative upbringing becomes directly harmful and unhealthy for children, blocking their maturity, but also the development of adults themselves and destructively influencing the interactions between them. This creates a vicious circle. As Theodor Adorno wrote – “I do not think that appealing to the eternal values which only causes that those who are inclined to commit such crimes only shrug their shoulder can help; nor do I suppose that it may prove useful here to explain the positive characteristics of persecuted minorities. One should search for the source in persecutors, not victims, murdered under the most poor pretexts. It is necessary to turn to the subject, as I called it once when talking about this case. We need to know the mechanisms that make people capable of such actions, we need to show them these mechanisms and by awakening the public awareness of these mechanisms try to prevent people from becoming such again” (Adorno 1978, p. 353–366).

However, there is a positive aspect of such relations, although it is niche. History has already proved that children can create themselves a community with autonomous self-education system. Within its framework, they create an environment of their lives that eliminates the domination of adults over them. In a children’s republic, it does not matter that children know less, are able to do less and are less experienced than adults, but the fact that they experience, learn and try to act independently while living in a peer community. They live more intensively, and the fact that they cannot do something or do not know something is an opportunity for them to force themselves to do something new. Compared to the world of adults, children are instinctively programmed to discover the world around them. The education here is understood as the path from natural to reflective dissidence, which children prefer to try on their own and should organize themselves. They distance them-

selves from adults, making use, however, of their experiences or knowledge. In the remaining, commonly occurring situations, it is they who take over the rule of law in the family environment, depriving adults of their rights towards them or the civil rights of their own parents-adult carers.

There are also communities where adults do not raise children, but the children raise the children. This is the case, for example, in families with many children, where a kind of sub-community is created, functioning on the family model, but in a milder form. In such a family, older siblings raise the younger siblings. A reduction in the pressure of formal authority, the right to object or the practice of advice and assistance occurs here. In the Children's republic, criminal acts are rare, there are hardly any people with mental ill health and no suicides. Children need adults as helpers: teachers, financial advisors, employees, etc. adults just do not have voting rights there. Therefore, it is a model opposite to the adultic as well as the toxic pedocentric model. Some children are able to exist on the basis of very strong protest, with resistance to the existing society of adults. They become then the active entities of their own developmental changes and are competent actors in their everyday life, since it is they who decide about the environment of their own lives.

## Conclusion

Three of the above relationships: adultistic, pedocentric and exclusive, result in negative, toxic experiences of every party during everyday life. Social toxicity can be found here in broadly understood violence, contempt for another person and the destruction of humanistic values associated with dehumanization. It is a type of relationship that harms at least one party (particularly people of pre-working or post-working age, children, elderly people, disabled or sick), when the "stronger" entity violates natural and social rights, and thus also the personal dignity of the human being. This type of relationship is characterized by a specific type of disease, pathology, because it disseminates and implements negative attitudes or behaviors, causing at least one type of harm to the enslaved persons – moral, social, physical or mental. Due to its properties, harmful influence on people causes unfavorable effects on their development or desired state of cooperation.

The mutual relations between adults and children are based on a certain game of emotions, norms, physical and material (economic) strength or intellect, so they result in winners or defeated (Gordon 1991). It is a type of relationship based on antagonistic rivalry between adults and children or children and adults. An adult benefits here at the expense of a child or a child at

the expense of an adult. When we look at how adults function in the world, we can very easily conclude that they should be just as much as children subjected to the processes of enculturation and civilization. People are very different, everyone has their own ideas, passions, habits, which are quite obvious to them, but for others they seem impossible. It is therefore important that, with this diversity, they agree at least on one point, namely that they want to live in friendship with each other, that they accept that not everyone is the same. They should respect each other's differences, be tolerant for each other, live and allow others to live. Therefore, if people are beings who have certain rights from birth, they must be binding to everyone. Human rights are not a privilege because of race, gender or age. They should provide everyone with opportunities for free development within the opportunities ensured by them. "We believe that we have to raise, but this is contrary to equality, because upbringing creates unequal rights for the educator and the child. The educator is simply allowed to do more. Upbringing is a pretext for denying rights. If we want equality, we must reject upbringing. As a result, children will become – out of guided and enslaved victims – people who will seek and find their own way" (Ostermeyer 1977, p. 184).

There is still a long way for humanity to give children, as human beings, the right to their rights. It does not have to be finished with a success, if the goal is not understood and accepted by everyone. It is partly, because it has been proved by the teachers of reforms and new upbringing, but also here scandalous abuses of the code and values occurred, such as in the Odenwaldschule in Germany (Śliwerski 2010). We must therefore be vigilant and open to every signal of children's iniquity and lawlessness, especially where this should not happen at all because of the assumed functions of the environment, institutions or social roles. Perhaps we will go beyond the sociopedagogical point of view of the child in relations with adults and look at them as if they were someone who is in each of us. Poets make us sensitive to this, so that we could see that, regardless of age, the subject of every interaction is a man (Das Menschenkind). This "childish" attitude of course has a long tradition in poetry, from the Bible through Baroque to poems of rev. Jan Twardowski, presenting us the world that begins at the beginning and lasts until the end of our life. Let us also discover during these sessions the value of subjective childhood and at the same time of the child in itself, so that no child except for us can be undermined any more by adults. Korczak, as one of the few educators in the world, was able to restore the reliability in the practice of educational relations between adults and children; providing real conditions for equality, the enforcement of rights of dialog coexistence and authentic self-

governance (Korczak 1984). If I did not believe in the possibility of building a civilization of love in intergenerational relations: adults-children, in order to avoid the constantly set and reproduced trap of depriving the youngest generation of the right to its rights, I would not take up this subject, and the Congress on the Rights of the Child would not be attended by several hundred participants from all over the world.

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