

**Barbara Smolińska-Theiss**

The Maria Grzegorzewska University in Warsaw

ORCID 0000-0003-3475-6765

DOI: <https://doi.org/10.35464/1642-672X.PS.2020.2.02>

## **Thirtieth anniversary of the *Convention on the Rights of the Child* – the educational heritage of Janusz Korczak**

**ABSTRACT:** Thirty years have passed since the United Nations adopted the *Convention on the Rights of the Child* – initiated by Poland. In the legal sense, the party states undertook to protect the social, economic, socio-cultural and political rights of children. In the socio-educational sense, the Convention has become a message to the adult world, calling for the protection of children's rights to development and child citizenship. It was based on the pedagogical ideas of Janusz Korczak, an explorer, researcher and children's rights advocate. It is not clear to what extent Korczak's ideas legitimized the creation of the Convention on the Rights of the Child, and to what extent the Convention rediscovered Korczak's pedagogy and showed Korczak as a pioneer of children's rights in the world. Today, after 30 years, the Convention on the Rights of the Child and Korczak's heritage are perceived in unquestionable synergy.

**KEYWORDS:** Convention on the Rights of the Child, pedagogy of Janusz Korczak, children's rights, children's citizenship, children's participation.

### **Convention on the Rights of the Child – a couple of preliminary remarks**

*The Convention on the Rights of the Child* is a fundamental international legal instrument obliging states, societies and peoples to protect children and create the best possible conditions for their development. It has been 30 years since the Convention was adopted. It has become the culmination

of the activities of many circles and organizations forming an international social movement for the protection of the victimized, orphaned, poor and exploited child. The overriding goal was to liberate children, which meant the elimination of economic, racial and religious barriers to their development. Today, in this process, we see a consistent effort to give citizenship to children. As early as 1913 the First International Childcare Congress in Brussels had a similar message.

In 1920 the International Save the Children Union was founded. It made an attempt to integrate, coordinate and target existing efforts to help and protect the child. It was co-founded by: the International Red Cross (Geneva), the Children's Help Committee (Bern), Children's Rescue Fund (London). In 1923 the Union announces the Declaration of the Rights of the Child. This document, adopted in 1924 by the League of Nations, went down in history as the Geneva Declaration. This momentous act stated, among other things: "...men and women of all nations, recognizing that mankind owes to the Child the best that it has to give, declare and accept it as their duty that, beyond and above all considerations of race, nationality or creed." This »best«, that is, a special, unconditional and full care for the child, was to give the child »the means requisite for its normal development, both materially and spiritually«. The Declaration identifies children in need of special care and assistance: hungry, sick, underdeveloped, socially maladjusted, orphaned and abandoned children. It was also said that during a disaster, a child (e.g. war, flood, fire) should be helped first. And that it should be prepared to earn a living and protected from exploitation" (Lepalczyk, 1988, p. 256; see also: Balcerek, 1986).

The Geneva Declaration contains a formal record of the wishes, aspirations and efforts of many people. Efforts aiming at the big task: "to see a man in a child." History quickly exposed such naive mythical thinking. Not only did the child not change the world, but it became its victim. Children have experienced poverty during the European economic crisis of the 1930s. Children became victims of World War II. The death sentence was passed on Jewish children in particular. "Destroy the children and you will destroy the nation" was the slogan of Hitler's Germany that meant the death of hundreds of thousands of Jewish children (the figures for child war losses are estimated – there are no exact numbers in Germany, Poland, Israel). In Poland, there were over 2 million children under the age of 18 among the fatal victims of the war. More than 200,000 children were stolen and taken to Germany for Germanisation, 710,000 were sent to forced labor (Theiss, 2015, pp. 25–40). Not only Polish children suffered, but also the children of Stalingrad,

the children of besieged London. Add to that the suffering of Asian children, African children.

After the tragedy of the Second World War, humanity began to build the foundations of a universal social order anew. First of all, it was to be a world without violence and war. A world based on the idea of peace, freedom and justice. An indispensable condition for this project was: “recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family”. These arrangements were adopted and enshrined in the Universal Declaration of Human Rights, adopted by the United Nations on 10 XII 1948.

The Declaration was to protect and ensure the realization of other human rights. Including the rights of the child. The Declaration states clearly: “Motherhood and childhood are entitled to special care and assistance.” This provision, as well as other arrangements, imposed a moral and political obligation on states to respect and develop these rights in everyday practice. With the rights of the child, it was still a long wait.

The first step towards fully defining the rights of the child was the Declaration of the Rights of the Child, adopted by the General Assembly of the United Nations on 20 XI 1959. Discussions on this document revealed many differences and controversies, which arose on the political and cultural background. Capitalist and socialist concepts of human rights were at odds.

The Declaration consisted of ten principles which, while developing the scope of the rights of the child, extended the rights of the child by virtue of general human rights. The broadest of them, Principle 1, said that the rights of the child contained in the Declaration apply to “Every child, without any exception whatsoever, shall be entitled to these rights, without distinction or discrimination on account of race, color, sex, language, religion, political or other opinion.”

The Declaration of the Rights of the Child was not legally binding. It expressed a certain willingness of states in the area of children’s rights. It did not impose an obligation to implement the adopted arrangements. It also did not provide the tools to control how the arrangements were respected and observed. Thus, almost from the moment the Declaration was established, work began on a new project that would extend and guarantee the fundamental rights of the child.

### **Polish initiative concerning the *Convention on the Rights of the Child***

The year 1979 was declared the International Year of the Child by the UN. It fell on the 20th anniversary of the General Declaration of the Rights of the Child. But a year earlier (1978), Poland had already presented a draft

Convention on the Rights of the Child to the UN Commission on Human Rights. The next step was then taken to develop the final, full set of children's rights, already referred to as the Convention in the draft.

Reaching an agreement was difficult. The process of maturing new findings was born out of serious disputes and discussions. Each country could make new proposals and objections. If there was still agreement on the general ideals and values proclaimed by the UN (peace between people, freedom, tolerance, fraternity), then the work was complicated by the detailed arrangements. There was a constant friction between capitalist and socialist concepts of human rights. Today, it is hard not to notice that the interest of the child was then losing to political interests. But you can and should look at it differently. A group of democratic countries, headed by the USA, tried to prevent the rights of the child from becoming a transmission belt of the system of value, headed by communist Russia. The two political systems were still at cold war.

However, the Convention on the Rights of the Child has found an important ally. It was the growing social resistance, the collapse of totalitarian power, the emerging hope for social and political changes, the avalanche of events in 1989. From February 6, 1989 to April 5, 1989, the so-called Round Table Talks took place in Warsaw. Representatives of the authorities and the political opposition sit down for joint talks. Partially free elections lead to the formation of the first non-communist government in the history of post-war Poland on August 24, 1989. It is headed by Tadeusz Mazowiecki. A little later, on November 9, 1989 in Berlin, a crowd of inhabitants from the east and west side of the city charge at the Berlin Wall; the symbol of the division of the world and the division of Germany is demolished. Just a few days later, on November 17, more than 100,000 inhabitants of Prague gathered in Wenceslas Square – the so-called Velvet Revolution begins, leading to the collapse of communist rule in the Czech Republic. Thus, initiated in Poland by “Solidarity”, the socio-political movement of the bloodless revolution changes Europe and brings hopes for democracy.

The same autumn, on November 20, 1989, in New York, the UN General Assembly adopted the Convention on the Rights of the Child, which was brought about following Poland's initiative. This brought an end to 11 years of work full of political tensions and conflicts. The Convention has become the “world constitution of the rights of the child”. It has gained a universal nature. To date, it has been signed by more than 190 UN member states. The child and its specific developmental characteristics are at the heart of the Convention. This document articulates the rights ascribed to the child, including personal rights and freedoms, social rights, cultural rights and political rights.

The Convention seeks to improve the fate of children around the world. It defines inalienable standards of life, care and upbringing. The appropriate level is to be ensured by the joint efforts of States that are Parties to the Convention. The direction and tasks set out by the Convention are taken up by specialized initiatives, such as: World Summit for Children (New York 1990), First and Second Congress against Commercial Sexual Exploitation of Children (1996, 2001).

The chairman of the Polish delegation, Adam Łopatka, professor of law, high party officer, member of the Central Committee of the PUPP, representative of the United Nations Commission on Human Rights, a politically controversial figure, but one who provided valuable input in the matters of the Convention on the Rights of the Child, used pedagogical arguments to present the draft Convention to the UN. He recalled the figure of Janusz Korczak as one of the first to stand up for the rights of a child. Such a statement appears in many Polish publications and it is difficult to question it today. Waltraut Kerber-Ganse spoke with a great deal of distance about this, as she examined the documentation of the UN commission preparing the Convention on the Rights of the Child. The author underlined the undisputed fact that the Convention was a Polish initiative (Kerber-Ganse, 2009; see also Liebel, 2013).

As Kerber-Ganse has shown, the Commission, which was to work on the new Convention, met under the auspices of the UN for the first time in 1981. The Commission met once a year at a weekly meeting. Later, it was two meetings a year. Additional contacts between members of the group were also made possible by UNICEF. The meetings of the Commission showed the diversity of positions, aspirations, solutions. They revealed how difficult it is to build a consensus in an international group representing a multitude of cultures, religions, policies. A big problem, according to W. Kerber-Ganse, was to determine the legal age of the child and the limit of childhood, e.g. Islamic states reported the age of 12–15 years as childhood limits, Angola – 14. The claims made by African countries concerning children's obligation to provide for their parents were also difficult to negotiate, while other controversies were aroused by proposals for provisions on children's rights to religion, to life without violence. Persons with different legal status participated in the work of the Commission. These were representatives of states, governments and numerous NGOs active in the international forum, e.g. Defense for Children International, International Catholic Child Bureau, Rädde Barnen International. The voice of women's organizations defending children's rights was loud and clear.

The Polish side had a big problem with that. As Kerber-Ganse writes, the Poles found it difficult to find a place for themselves surrounded by institutions representing a civic society. The big problem was the question of who is to be a signatory of the Convention, whether it was the states, governments, societies or NGOs. With great difficulty, slowly and with a clear will to avoid the neo-colonialist aspirations of European countries towards representatives of Asia and Africa, a consensus, an agreement, a construction in which the Party States committed themselves to respect the rights of the child and to build a better life and a better future for them, was being built.

Kerber-Ganse's opinion on Korczak's place in the discussion on the Convention on the Rights of the Child is different than before. The author quoted above states explicitly and unequivocally that in various speeches made by Adam Łopatka, both in the forum adopting the Convention and in earlier meetings, he did not mention Korczak. The name of Janusz Korczak appeared postfactum, in the UN documentation submitted in 2007 entitled *Legislative History of the Convention on the Rights of the Child*, which states that the Polish government, by initiating work on the Convention on the Rights of the Child, would like to popularize Janusz Korczak's pedagogical concepts around the world. On this basis, Kerber-Ganse makes the controversial thesis that it was not Korczak's ideas that legitimized the Convention on the Rights of the Child, but the Convention rediscovered Korczak's pedagogy and showed Korczak as a pioneer of children's rights in the world (Kerber-Ganse, 2009, p. 51).

### **Janusz Korczak, explorer, pioneer, child advocate**

Not only Polish pedagogues know this famous quote from Korczak. I call for *Magna Charta Libertatis*, I call for the rights of the child. Korczak adds: either we find common ground now or never. This is not a loose proposition, it is a dictate and a social task to which Korczak devoted his whole life and which he left behind for us all. Korczak mentioned three rights at first: a child's right to death, a child's right to the present day, a child's right to be what it is. Ten years later Korczak put the child's right to respect to the forefront, he would not repeat the right to death so clearly (Korczak, 2002, p. 54).

What do these rights mean, how to read them? It is difficult to look at them without ambiguity from the perspective of a legal norm, positive right. Korczak presents it as a social-philosophical or pedagogical norm which relates to practice and is established in practice. The rights of the child must be discovered in the child, learned and understood from the perspective of the

child's world, child's experience and action. The rights of the child must be learned from the child, together with the child and through the child – this is the task Korczak has for adults.

Korczak finds the source of children's rights in is natural law, connected with the dignity and value of the child. In another sense, it is the Law of Nature inscribed in the child's development. What does it mean to discover the "rights of the child in the child"? This discovery can be understood in two dimensions. In a broad, ontological sense, it is the discovery of the highest value in the child, given to it by the Creator, Nature, all ancestors, civilization. In this sense, a child carries not only the genetic code inherited from its father and mother, but the entire world heritage. Some will say that this is Ernst Haeckl's biogenetic law, for others it may be the sacralization of a child. The child does not belong only to parents, it belongs to the generation that has passed away and will come, it belongs to the world, to history, to culture. In this sense, it is the firstfruit of life, a bridge between what comes into the world and what goes away. Through the child, the world moves on and is reborn. The child carries a great, mystical quantifier of time and meaning in life. The child is the father of the man.

This is the narrative of Korczak – the philosopher of the child and childhood. The child is a person, it has an inalienable dignity, it can be destroyed, befouled, but the child cannot be deprived of that dignity. It belongs to every human being and is legally confirmed. Korczak discovers and enhances the value of the child. The child is not an asset for future life, the child does is not a trainee adult. It is important here and now, not later, sometime, in a while. The discovery of a child focuses on the question of who the child is. When answering this question, Korczak reaches for axiology, philosophy, religion and culture. A child is a human being, there are no children, there are people – Korczak argues. This Korczak slogan/axiom was clearly heard during the Year of Janusz Korczak, established by the Parliament in 2012. (Smolińska-Theiss, ed., 2013).

Secondly, the rights of the child can be discovered in the nature of the child, says Korczak the doctor, the pediatrician, but also the writer-artist. Korczak is fascinated by the power of this nature growing from two connected cells. He describes the combined hardship of Nature and the hardship of the child-person itself. It shows the effort of a child's heart, the effort of blood circulation, growing bones, the effort of sucking, the effort of the first steps, astonishment with one's own hand and leg (this is how the child's identity is built), the effort of getting to know the world, struggling with the increasing space of life. In the essay titled *Bobo*, describing the development of a baby,

Korczak says that no artist is capable of rendering the beauty of a child's developing body. There is no such painting in any museum, but you can discover it in your own child (Korczak, 1996, pp. 53–75). With Korczak, discovering a child is an open question. It is a never-ending process. The adult discovers the child in the process of development, but they also discover themselves, ask questions about the value, meaning and importance of their parenthood, their life. This discovery of the rights of the child is done at the level of philosophy and axiology. Without this, it would be difficult to understand what is most important in Korczak, i.e., learning about the rights of the child, which Korczak also understands as the regularity of children's development and life.

For Korczak the child is competent, it is an expert on its own life. It is smart in its childish way. It is what it is at a particular time and place. Korczak writes: "The child is already a resident, a citizen and a human, not is to become, but already is. The child has a past and a future. Memories and souvenirs. Childhood years are real life, not a forerunner" (Korczak, 2008, p. 204).

This quote contains a synthesis of Korczak's pedagogy. The child has a right to its childhood world. This right is neither discovered nor known. It is given to the child in the perspective of socio-political changes, in the perspective of contemporary pedagogy. It emphasizes children's citizenship, draws attention to the place of children and the voice of children in matters concerning them. Children's citizenship, according to Thomas H. Marshall's position, means the right granted by adults to children and formulated in various legal acts and documents and confirmed in practice (Marshall, 2010). The term "child citizenship" has a very broad scope. First of all, it talks about the democratic need to introduce the child, in full rights with adults, into society. Secondly, it points to society's responsibilities towards children, including in particular unconditional protection and support for the development of children and young people. Thirdly, the term shows the need to establish guarantees to ensure that the child's rights are exercised. Since then, the rights of the child have become a civilizational norm, they define "what should be" and their realization becomes a measure of the level of humanitarian care and attitude towards the child. This important and clear idea is gaining institutional and legal framework.

The Convention on the Rights of the Child is an interpretation of the law and a platform for socio-educational activities. It focusses on the work of the Children's Ombudsman, the Korczak movement and other allies involved in children's affairs. One would like the voice of a child at home, at school, in the local environment to sound clear. This is referred to in the Convention



on the Rights of the Child, which acts as a legal and social obligation of the Party States, as well as of the various social actors. However, it is one thing to decree the rights of the child, and another to implement them.

The Year of Janusz Korczak announced in 2012 by the Parliament of the Republic of Poland was an initiative aimed at learning, analyzing and promoting Korczak's ideas of children's rights. It was accompanied by numerous social and educational initiatives organized in Poland and abroad by various state and local government entities, social organizations, and above all by schools. A particularly significant event was the III International Congress on the Rights of the Child, which took place on 13–16 IX 2017 in Warsaw. Korczak's ideas resounded clearly in the celebrations of successive anniversaries of the Convention on the Rights of the Child.

At the end of 2019, the Polish origin of the Convention and the rights of the child in Poland were mentioned by the President of the Republic of Poland during the 74th Session of the UN General Assembly. Conferences on the occasion of the 30th anniversary of the Convention were held at the Cardinal Stefan Wyszyński University in Warsaw, the University of Silesia in Katowice, the Maria Grzegorzewska University in Warsaw. The jubilee celebrations were joined by field Committees for the Protection of Children's Rights, foundations, e.g. "Dajemy Dzieciom Siłę", numerous local governments, non-governmental organizations, schools, educational and care institutions. A significant contribution to the anniversary celebrations was made by the research conducted by UNICEF Poland on respect for children's rights in Poland and the sense of happiness among small Poles. This otherwise very interesting report differs from the latest OECD report (OECD/EDU/educating-21st-century-children-emotional-wellbeing-in-the-digital-ag). The 30th anniversary of the Convention was also the occasion and the motto of the meeting of the international Korczak's committee at the University of Tel Aviv, which took place on 26–28 November 2019 under the motto "The educational heritage of Janusz Korczak".

### **Korczak's legacy in the present day**

Korczak's legacy can be read and interpreted in various ways. The common feature of works of great masters is that we keep coming back to them, we read them again and again. We discover new content, new relationships. We use different analytical structures. In one perspective, we examine them contextually, holistically, we discover trends, directions, we seek generalizations. In another perspective, our attention is focused on particular

statements, details. We read Korczak's thoughts almost like a pedagogical bible. Each of these perspectives, both the vertical – reaching deep; and the broad – horizontal – reveals new images. It is a constant intellectual adventure, as well as a lesson and a message for the present. The interest in Korczak's legacy is growing. Various Korczak's works are multiplying. There are more and more schools named after him and artistic works connected with Korczak are created. There is a growing number of various Korczak and Korczakological publications.

All these important analyses, hundreds of publications about Korczak, make up a huge, colorful picture showing the wealth, uniqueness or pedagogical charisma of the Old Doctor. We will keep discovering it, finding forgotten letters in different collections. Here is the latest example of such possibilities, recently found in the collection of the Jagiellonian Library – Korczak's letter to an unknown person, most probably a correspondent of the "Mały Przegląd", published here for the first time:

3/5/37

Dear Correspondent.

Sorry to refuse when the letter was carefully written and the request is so innocent.

Unfortunately, for me, it's a crucial issue. It doesn't matter who wrote it, what they look like, whether it's a he or she, whether they're old or young, what nose and eyes and ears they have. What's important is what they write, and then only for those who find resonance with their words.

Excuse me if that's weird.

Korczak (Jagiellonian Library, Manuscripts Department)

But when one follows Korczak's legacy, one can see more and more clearly that alongside unfathomable, detailed questions about the phenomenon of Korczak, there are questions not only about the legacy, but also about the reception of Korczak's legacy. Why is Korczak such a pedagogical phenomenon today? How do we read Korczak's ideas today, what issues do we put in the foreground?

We talk about Korczak the pedagogue in the perspective of childhood, in the perspective of children's rights, we see his achievements, we inscribe Korczak's thoughts into the questions about the child, about the orphanage and the school of life. This school, about which Korczak spoke (and it was a Russian school with a Prussian drill) and this school of life, which we are building, or we would like to build today in different countries of the world. We all draw on Korczak's heritage and each of us finds something specific,

important for ourselves and something universal that unites us all in the international space. Following many of Korczak's researchers we keep repeating the same fundamental question why we do it. What is so universal about Korczak's legacy? What is so great about Korczak and what is our demand for his educational mastery.

Korczak did not discover the stages of a child's cognitive development, as Jean Piaget did, nor did he build a theory of children's moral development, as Lawrence Kohlberg did, which we look at with appreciation but also with due distance. And yet Korczak did more! He went beyond the boundaries time and space in his life and pedagogical activity. He left us a lesson. He showed us not only the school of life, but also introduced us to his school of life, to his biography. He preserved this biography, left not only a record of his actions, but also revealed his narration of life and about life.

Today, when we experience the so-called third paradigm shift towards language and the narrative in social sciences, Korczak's legacy seems even more interesting and important. It is recorded in many of Korczak's texts, but most of all in his extraordinary opus magnum, a diary, the so-called Ghetto Diary. Here is an excerpt from the Diary:

July 18, 1942. That day Korczak worked long. He wrote after midnight:

*And probably for the first time in my life, I said to myself, "I have the mind of a researcher, not an inventor. – To conduct research in order to know? – No. – To conduct research to get to the point? Again, no. – To conduct research in order to ask more and more questions, I guess. – I pose questions addressed at people (infants, old people) facts, events of fate (Korczak, 2012, p. 117).*

These words were written by Korczak 17 days before his death, when he was sitting in inhuman conditions, fighting hunger and disease. He wrote while reflecting on the fate of the world and on his biography.

The diary is a unique document in Korczak's work. This is an opus crowning Korczak's life, expressing his greatness and wisdom. It contains the deepest reflections on life, on death, on good and evil. This is a specific philosophical treatise with a hint of the Jewish kaballa. It can be treated as an opus magnum and as a school of life which Korczak graduated from and which he built for us, or actually one that he left for us.

In Polish culture and literature, a diary is a special form of expression. A diary has two meanings. On the one hand, a diary is like a journal. It is a record of usually everyday events, sometimes exceptional. It is a document that stops time and records what is happening in a certain place – seen

from the author's individual perspective. The diary shows the world through a personalized lens, in which individual sense and things of meaning to the author come to the fore. Such an authorial view of the world and author-specific narration are the most important attributes of diaries. They arouse interest among researchers and writers. This is reflected in social sciences as well as in literary research on the renaissance of diarism (peasants' diaries, intelligentsia diaries, teachers' diaries, etc.). A diary is characterized by the fact that it is suspended in the present, it describes this present, but the time vector can be turned in different directions. A diary, which is supposed to be a document of a certain time, usually turns to the past. But it may also turn to the future.

In the second perspective, a diary is a dedication, it is a special record addressed to a particular person or persons. It usually contains wishes, plans, expectations aimed at the future. In this case, the addressee is put in the foreground. The author of the diary sends a special message to them. They inform, recommend, advise. They act as a mentor, a friend, a teacher. This is the nature of Korczak's diary, which he wrote at the end of his life – from May to August 4, 1942 – *about myself, about this small and important person* (Korczak, 2012, Diary p. 17).

On July 18, 1942 Korczak said about himself: I have the mind of a researcher, not an inventor, I am a researcher of the child, not its discoverer. It is a very clear and specific diagnosis, a kind of discovery, or maybe a synthesis of his own life path. In the *Diary*, Korczak suspends, almost overlooks the inhuman everyday life of the ghetto, and focuses on the search for meaning and meaninglessness of evil and good in the history of nations and people. Above all, he interprets or reinterprets his life. He returns to his childhood, to his youth, he describes his experiences from Krochmalna, from the colony in Gocławek. He evokes the characters of children, their illnesses, weaknesses, misdeeds. In this ghetto life story, deep reflections on the German soul are mixed with descriptions of children's diarrhea. Korczak weaves an autobiographical story, very loosely juxtaposing, prioritizing various events, facts, values. It is not a reconstruction of life at all.

The *Diary* is a special document in Korczak's legacy. For many researchers, for Jacek Leociak (Leociak 2012 pp. 281–300) this is a special testimony of the Holocaust. Such reading of the Diary is not subject to any discussion. But apart from this historical frame of the murder of the Jewish people, Korczak's *Diary* has many interpretative layers. For the representatives of social sciences, it is an expressive document that fits into contemporary trends in biographical research. It shows what educators call learning from

one's own and others' biographies. It is a trend that has been developed for many years in German, Scandinavian and Polish pedagogy. It refers to this (previously mentioned) third shift, breakthrough or stage in social research, where language and the narrative come to the fore. Korczak's *Diary* is an autobiographical narrative.

The autobiographical narration shows not only the attitude to various facts, events, but as Krystyna Ablewicz says, it also reveals the depth of the constantly formed individual world of sense and meaning of personal logos (Ablewicz, 2003, p. 199). Through this specific narrative, unique language of dialogue and reflection on the world, Korczak reveals many images (literary, socio-political, cultural and other), including the image of child and childhood pedagogy. These scenes, contrary to what Korczak says in the quoted fragment from the Diary, we perceive today as a discovery. We attribute to Korczak the discovery of the child as a person, articulating the rights of the child. (although apart from Korczak, many times others mentioned this – see Stefania Sempołowska (Sempołowska, 1960, pp. 317–319), Helena Radlińska (Radlińska, 1961, pp. 84–88). Korczak's discovery of the rights of the child is not some special form of enlightenment, a brilliant thought that appears suddenly.

Korczak's discovery is a process, it is slow and arduous work. It is first and foremost working with a child and over a child. Planned, consistent. Korczak dreamt, as he himself says, of writing a great *synthesis about the child*. He clearly wrote he dreamt not of discovery, but of a synthesis of research. This dream for Korczak was like a biographical plan, like the road he had set himself and which he consistently followed. It manifests itself as an expressive educational project. Researchers of educational biographies point out that they are self-reflection, on oneself, on one's own experiences and on the world. They can be oriented towards adaptation goals, i.e. duplication of schemes, transgression (crossing borders) or towards transcendence (Wąsiński, 2011, p. 37).

Korczak, as in the *Teacher's Prayer*, does not follow the easiest path, but the most beautiful one. He chooses to learn, to address questions to people, facts, events. Korczak asks, examines, checks, experiments, provokes. Today we would say he has been studying all his life. He goes far into the future in this learning. Korczak learns according to what modern learning theories would tell us. In accordance with the principles of didactic and social constructivism.

Constructivism for some countries is a played-out position that has shown its advantages and disadvantages in practice. For others, just like Poland, it is an attempt to demolish not only the almost ossified behavioral model of teaching, but also the school subordinated to ideological functions.

The essence of constructivism is an open minded research and reflection on one's own learning. Such a reflection that allows Korczak to manage his life, develop and change. Jack Mezirov calls this a transformative learning from his own and someone else's biography (Perkowska-Klejman 2018, p. 29). Korczak learns from his biography, from the biographies of great philosophers and pedagogues. He is like a self-controlled student in his school of life. He addresses questions to facts, fates, uses his researcher's mind. Not only does he learn the secrets of child development, but at the same time he tries to get to know, understand himself, and manage his own learning process. This is a unique, forward-looking feature of Korczak and the great capital of his biography. However, this is not enough to be among the most prominent figures of the 20th century, arousing interest and admiration. Korczak found himself in this group not only because he was a tragic victim of the Holocaust.

Korczak left a special testament to his life and his time. It is the combination of language, biographical narration and reflection on the world and on oneself that makes Korczak the master of the researcher's mind, master of the pen and master of the struggle with everyday life. Korczak's legacy is a narrative of life. It perfectly matches the linguistic breakthrough in social sciences. It is not just about getting to know the essence of the child, childhood, justice or history. Korczak's actions are part of the discourse of knowledge built biographically. Korczak learns the child, Korczak learns from the child, Korczak learns how to learn and how to change and improve himself according to his own values and plans.

So what makes this person so important to us today that we repeatedly reach back to Korczak's work, read it anew, study Korczak's thoughts, recall quotations. There are many theses and arguments in the literature to date that justify the timelessness and topicality of Korczak's heritage. Many authors have been repeating and keeps repeating at various times that Korczak is forward-thinking. Korczak formulated children's rights, articulated them and gave them a special pedagogical character. Thanks to Korczak, the legal interpretation of the Convention on the Rights of the Child was combined with pedagogical reflection, with ethical imperative, with a universal and almost everyday narrative about the lives of children and adults. Both the Convention on the Rights of the Child and Korczak's pedagogy have become educational, social, legal and political challenges and tasks for the world today.

\*

Today – 30 years after the adoption of the Convention on the Rights of the Child – it is possible to have long debates about the spirit and letter of this momentous document signed by almost all countries of the world. Various sources can be cited, social and legal arguments can be made. The question remains open whether and to what extent Korczak's spirit has impacted the work that led to the creation and adoption of the Convention; or vice versa, was it the Convention on the Rights of the Child adopted in 1989 that rediscovered, revived Korczak's spirit?

It is hard not to notice, however, that after Ellen Key's *The Century of the Child*, it is the Convention on the Rights of the Child and Korczak's legacy that is becoming an international sign of modern childhood based on rights and child citizenship. This is repeated by high representatives of international agencies (UNICEF, UNESCO, UN, European Council), academic bodies and Korczak associations of many countries are working on it. The international Korczak association, the international Korczak movement, is growing in strength. Various groups of experts, advocates, ombudsmen and activists, focusing on the protection of children from developmental risks, childcare in various difficult situations, are calling for children's rights and compliance with the Convention more and more often. Thirty years after the adoption of the Convention on the Rights of the Child, the slogan of child citizenship and child participation still rings on.

## References

- Biblioteka Jagiellońska, Dział Rękopisów, sygn.: Przyb. 1/46. List Korczaka do NN, 1937.
- Ablewicz K., (2003), *Teoretyczne i metodologiczne podstawy pedagogiki antropologicznej. Studium sytuacji wychowawczej*, Wydawnictwo Uniwersytetu Jagiellońskiego, Kraków.
- Balcerek M., (1986), *Prawa dziecka*, Państwowe Wydawnictwo Naukowe, Warszawa.
- Kerber-Ganse W., (2009), *Die Menschenrechte des Kindes. Die UN Kinderrechtskonvention und die Pädagogik von Janusz Korczak. Versuch einer Perspektivenverschränkung*, Verlag Barbara Budrich, Opladen & Farmington Hills.
- Korczak J., (1996), *Bobo*, [in:] tegoż, *Dzieła*, t. 6, Wydawnictwo Latona, Warszawa.
- Korczak J., (2002), *Jak kochać dziecko. Prawo dziecka do szacunku*, Wydawnictwo Akademickie „Żak”, Warszawa.
- Korczak J., (2008), *Wstęp* [do książki Marii Rogowskiej-Falskiej *Zakład Wychowawczy „Nasz Dom”*], [in:] tegoż, *Dzieła*, t. 14/1, Wydawnictwo Latona, Warszawa.
- Korczak J., (2012), *Pamiętnik i inne pisma z getta*, posłowie J. Leociak, Wydawnictwo W.A.P., Warszawa.

- Leociak J., (2012), *Posłowie*, [w:] J. Korczak, *Pamiętnik i inne pisma z getta*, Wydawnictwo W.A.P., Warszawa.
- Lepalczyk I. (red.) (1988), *Źródła do pedagogiki opiekuńczej*, t. 1, PWN, Warszawa.
- Liebel M. (Hrgs.) (2013), *Janusz Korczak – Pionier der Kinderrechte. Ein international es Symposium*, LIT Verlag, Berlin.
- Marshall T.H., (2010), *Obywatelstwo i klasa społeczna (z komentarzem A. Manterysa)*, „Zoon Politicon”, 1, s. 135–156.
- Perkowska-Klejman A., (2018), *Transformatywne uczenie się dorosłych w świetle teorii Jacka Mezirova*, „Edukacja Dorosłych”, 1, s. 29–43.
- Radlińska H., (1961), *Obywatelstwo i przywileje dziecka*, [in:] tejże, *Pedagogika społeczna* (ss. 84–88), wstęp R. Wroczyński, A. Kamiński, oprac. W. Wyrobkowa-Delawska, Wrocław–Ossolineum, Warszawa.
- Sempołowska S., (1960), *Pisma pedagogiczne i oświatowe*, PIW, Warszawa.
- Smolińska-Theiss B. (red.) (2013), *Rok Janusza Korczaka 2012. Nie ma dzieci – są ludzie. The Year of Janusz Korczak 2012. There are no children, there are people*, Wydawnictwo Biura Rzecznika Praw Dziecka, Warszawa.
- Theiss W., (2015), *Dzieci – ofiary wojny (1939–1945): szkic do zbiorowego portretu*, [in:] *Doświadczenie dzieciństwa i młodości w Polsce (1918–1989)*, (red.) A. Kołakowski, Wydawnictwo Adam Marszałek, Toruń, s. 25–40.
- Wąsiński A. (2011), *Autokreacja w perspektywie narracji i biograficzności*, [in:] *Uczenie się z (własnej) biografii*, (red.) E. Dubas, W. Świtalski, Wydawnictwo Uniwersytetu Łódzkiego, Łódź, s. 29–42.

## Internet sources

<https://de.slideshare.net/OECDDEDU/educating-21st-century-children-emotional-wellbeing-in-the-digital-ag> (data pobrania: 5.05.2020)