John F. Godfrey

The Rights of Children in Education

> I don't think the kinds of difficulties we call adolescent are peculiar to adolescents. The tragedy is that we have no social mechanism for recognizing the people who act out infantile drives and adolescent conflicts — and fly to Iceland to do it.
>
> Edgar Z. Freidenberg[1]

From Edgar's earliest book, *The Vanishing Adolescent*, published in 1959, to his latest, *Deference to Authority*, his life and writings have been dominated by two concerns: an understanding and respect for the necessary autonomy of young people, and a passionate commitment to the individual liberty of us all. His influence on Canadian life predates his arrival here in 1970: his work on education contributed to the changing climate of opinion in the 1960s concerning the way in which we ran our schools. This subsequent defense of individual liberty found its ultimate echo in the Canadian Charter of Rights and Freedoms.

But Edgar has also understood that the Canadian taste for peace, order, and good government is not entirely negative in its consequences. At the end of *Deference to Authority* he wrote:

> The ubiquitous Government of Canada does not merely restrict, it also establishes order, which is the fundamental precondition of freedom. You are not free to walk about the city if you have reason to fear being mugged or shot. You are not free to do much in your later years if you are continually dogged by threat of catastrophic illness. In these important respects Canadians enjoy far more freedom than Americans.

In the United States, the freedom of the individual has been primary, even at the risk of greater social disorder and inequity. In Canada, the freedom of the individual is seen ultimately to depend on the strength and stability of our political, legal, and social institutions. From this comes our celebrated concern for peace, order, and good government.

One of the earliest and most obvious manifestations of the Canadian conviction that it was through the state that men and women could

best achieve their freedom was the establishment of the public school system. In Ontario Egerton Ryerson believed that the establishment of a universal and compulsory public school system would lead to the improvement both of the individual and of society at large. As a result, Canadians since the nineteenth century have generally assumed that the interests of young people would be best protected through compulsory schooling.

But in the 1960s and 1970s we began to rethink this fundamental premise. Specifically, we have begun to ask ourselves whether in our rush to social improvement, we have not, perhaps, overlooked the true interests, and, more important, the true rights of those we seek to educate. This debate has led to a series of inter-related questions: how best are the rights of people, and, more specifically, young people to be protected? What is the role of the state? Where do schools, teachers, and parents fit in? Can young people know and define their own rights? These are themes which, in one way or another, Edgar has thought long and hard about.

What follows is a personal view of these questions and one, I know, which Edgar will not entirely share. He might properly characterize it as mainline traditional Scotch-Canadian with a redeeming touch of liberalism toward the end. Only, of course, he wouldn't put it that way, he'd put it much better (and he probably will!).

The notion that children have rights, legal rights which cannot be abrogated by parents or other adults goes back to the middle of the last century when laws protecting children working in factories were first enacted (though rarely enforced) in Great Britain. Later laws decreeing compulsory school attendance also limited the rights of parents to do as they wished with their children, (though it hardly left the child with much choice about how he or she spent his or her time during school hours!). And here we have the first paradox about children's rights in education: over the years the child has acquired the "right" to be educated, but not the right to refuse education. As Egerton Ryerson would have understood it, the state, through its school system has a moral tutelage over children, and it was through the educational process that the individual would eventually best be able to understand and defend his or her rights. In other words, short-term loss for long-term enjoyment of rights.

In the 20th Century, the concept of children having legal rights separate and distinct from those of adults was further extended. In 1924, the League of Nations adopted a five-point Declaration of the Rights of the Child. In 1959, the United Nations General Assembly passed a ten-point Declaration of the Rights of the Child. The child was entitled from birth to a name and a nationality, to the benefits of

social security, to protection from all forms of neglect, cruelty, and exploitation. The child, under Principle 6, had the right to "love and affection." "He shall, wherever possible, grow up in the care and under the responsibility of his parents, and in any case in an atmosphere of affection and of moral and material security."

The most interesting part of the Declaration is Principle 7, which deals with the child's right to education:

> The child is entitled to receive education, which shall be free and compulsory, at least in the elementary stages. He shall be given an education which will promote his general culture, and enable him on a basis of equal opportunity to develop his abilities, his individual judgment, and his sense of moral and social responsibility, and to become a useful member of society.
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> The best interests of the child shall be the guiding principle of those responsible for his education and guidance; that responsibility lies in the first place with his parents.

What is intriguing about this right to education, written in 1959, is the extent to which it runs contrary to many subsequent educational theories. Imagine what Ivan Illich would make of the idea that education should be compulsory. Imagine what the critics of I.Q. tests would do with the term "general culture." In short, by some contemporary standards, this Declaration of the Rights of the Child is something of a reactionary document.

For the truth is that in the twenty-seven years which have intervened since the passage of the United Nations Declaration, our theories of the rights of the child in education have been seriously questioned. In the first place, there is far from universal agreement that formal, compulsory education is a good thing. Nor is there any widely accepted definition amongst educators of what constitutes a "general culture." The only subject, for example, which all prospective university students must study in Nova Scotia's Grade XII is English: all the rest is optional, individualized not general, culture.

The last quarter century has been marked by the continual undermining of the legitimacy of institutions, such as schools, and the collapse of general culture in the traditional, classical sense. Everything is relative, a question of individual taste: in this scheme of things, punk rock is as legitimate and worthwhile culturally as the music of Mozart.

A final element of confusion is that we are no longer sure what a "child" is. At what age does childhood begin and end? At what age are children in the position to decide for themselves what they eat, or wear, or learn? The United Nations Declaration takes the old-fashioned view

that children need to be protected, that they are weak, that they are not always capable of knowing their best interests, that if they were left alone, they would be exploited, that compulsory schooling is necessary to give children the tools to defend themselves in a tough world, possibly even against their parents who might prefer them working to support the family interest. But in reaction to this traditional view of children, an increasing number of educational theorists began in the 1960s and 1970s to see children not only as far more creative, autonomous and reasonable beings than before, but beings with rights which they themselves would define and determine. Accordingly, a new phenomenon of the times has been the Children's Rights Movement which sprang up in the United States. An extreme example was the Ann Arbor Liberation Movement, a group of young people who saw themselves as repressed as blacks, women, gays, or inhabitants of the Third World.

> The goal of our organization is to unfold a whole new dimension of human liberation. There are seventy million human beings in the United States under the age of eighteen — that's one-third of its population. Fifty million of these people are imprisoned in public school. But very few young people have actually been organized. On the Left, adult chauvinism still permeates. Too few radicals relate to adult chauvinism as an important aspect of human oppression. At present we are our only hope. Through hard work, and joy, we plan to educate and mobilize our people. Our ultimate goal is to join forces with all the people in the world in order to transform the earth.[2]

So we have a problem with the term "The Rights of the Child in Education." On the one hand, the old idea, expressed in the United Nations Declaration, is that children should be educated for their own good, that they would be educated in a "general culture": which was to be defined, presumably, by adult teachers, since they already shared in the culture and knew what it was. The final judge of what was best for the child in education was the parent. Although it was unclear what the rights of teachers are in relation to the rights of parents, it is evident that the student has no right to opt out of education or to determine what he or she shall be taught.

On the other hand, in the last twenty-five years, an entirely new concept of children's rights has emerged. Children are to be treated as adults, with the legal right to manage, for example, their own financial affairs or their own sex lives. In education, the implications of this new definition of rights are clear: the children must have the right to choose the form and content of their education. They must have the freedom to escape the "prison" of compulsory school in order to choose alternatives. In this scheme of things, both parents and teachers are firmly

told to keep their hands off; they have no more authority over a child in education than they would over another adult.

For those of us who are involved in education as teachers, administrators, or students, this contradiction between the old-style and new-style rights of the child leaves us in a very muddled state indeed. Who is in charge here? The student? The parent? The teacher? All of the above? None of the above?

To start unravelling the problem, we must return to a basic question: what is a "child?" Are children different from adults? Do children have some special moral status which makes them better, or more creative, or more "natural," to use the cant word, than grubby corrupt old adults?

It is probable that the rise of the myth of the "innocent child" can be directly correlated with the decline of the notion of original sin in western thought. We have the eighteenth century and the Enlightenment myth of the Noble Savage, the writings of Jean Jacques Rousseau on education, the Romantic Movement, and Victorian sentimentality to thank for this peculiar idea that children are distinguished from adults by virtue of their moral superiority, their innocence.

The truth is, of course, that we are all miserable sinners, children and adults alike, and all in need of improvement. As an eminent theologian, Eugene Fairweather, has noted, "the child is a spiritual model, not because he is an achiever, but because he is a receiver . . . the child knows how to accept, how to trust, and how to be joyful."[3] This is vastly different from saying that if we only left children alone, their natural goodness would produce a superior society. Nature is not inherently "good," and neither are human beings.

Plainly, a further part of the difficulty comes from the blurred borders between infancy, childhood, youth, and adulthood. Even Shakespeare wisely did not attach specific numbers to his Seven Ages of Man. Observing the entering class of freshmen and women at the University of King's College, I am struck by the ambiguities and artificialities of such categories as youth and adult. One moment they look and behave like children, the next they have the maturity and the expectations of adults. One thing is certain, however, when they graduate three or four years later, they do so as adults: the transformation is complete.

Does this mean, then, that the transition to adulthood is a natural biological phenomenon which occurs coincidentally with leaving high school at the age of 17 or 18? That before 17, young people should be educated according to the United Nations Declaration and after 17 according to the Ann Arbor Liberation Movement?

Or rather, is it possible that children would behave like adults at almost any age, providing they were treated like adults, and that university happens to be the first voluntary educational experience that comes along? If high schools were run like universities, would students learn anything?

How are we to answer this question? One place to begin is by examining closely what happens to high-school students when they enter university. To be frank, the experience can often be initially disastrous for all concerned. I speak of this matter with a certain world-weariness, because I have lived in a residential college for the past fifteen years, and every September brings a ghastly sense of *déjà-vu* as I sit back and watch the freshmen rediscover the pleasures and perils of freedom. Coming from the regimented life of high schools to the freedom of universities where students are given a great deal of free time to organize their own studying, many young people auto-destruct.

First-year students are not bad people, they simply cannot handle freedom easily. Some of them drink too much, watch too much television, stop going to classes, sleep in, and fail their year. It is a dreadful waste of money and time.

Eventually, young people sort themselves out, but I have often pondered the question: could this messy business be avoided somehow? Could we introduce people to freedom earlier with less pain and trauma? How do we make young people *responsible* for their own education and their own behaviour. How can we produce some agreement amongst students, teachers, and parents about the goals of education so that we stop talking about the rights of students, as if the school system were essentially adversarial and we had to function under the Trade Union Act?

It might, perhaps, be useful to cast our minds back to the early Nineteenth Century and one of the most successful educational enterprises that Canada has ever produced: the Pictou Academy, in Pictou, Nova Scotia.

The chief reason the Academy succeeded was that there was a consensus among the principal educational players — parents, teachers, students, and church — about the goals of schooling. Thomas MacCulloch, the Academy's founder, had definite ideas about education, and those ideas were shared by the community. The students, as members of the community, as members of the Presbyterian Church, as sharers in a common Scottish heritage, simply became responsible participants in the community by going to school. Note well that students were not considered second-class citizens, they had no youth sub-culture, they were not allowed to be irresponsible or time-

wasters any more than an adult member of the community. In short, children were treated like adults.

What has gone wrong since the early days of the Pictou Academy? One of the answers is quite simple: first we invented childhood, then we invented adolescence, as Philippe Ariès, the French social historian pointed out in *Centuries of Childhood.*

Ariès says that childhood was "invented" in the seventeenth century, with the rise of the school and the family, as institutions which removed children from adult life and made a category out of them. As I have suggested, it is the eighteenth and nineteenth centuries which really see the rise of the myth of the child as a special being. All those Victorian novels and poems about darling little children had their effect, and children came to be seen as vulnerable, incapable creatures, which needed to be smothered in mounds of sticky family love. As Oscar Wilde said about Dickens: "A man would have to have a heart of stone not to laugh at the death of Little Nell." Children also became a leisure activity for adults, a piece of personal property for adults, like a doll, to be dressed up, fondled, and played with in the nursery.

The twentieth century simply made the separateness of childhood more scientific, with the rise of child psychology and Dr. Spock. In addition, the concept of adolescence was foisted upon us, and youth became a category and, more important, a market for teen products from designer jeans to brat-pack movies.

We have spent the last 150 years telling young people they are different, incompetent, and irresponsible. Then we are surprised when the kids live up to our low expectations of them and do not wish to play our adult games when we say they should. If you treat the average person as a moron long enough you will make an idiot out of anyone.

There is a simple solution: let's abolish childhood and adolescence (I mean the categories, not the people who inhabit them). Here I find myself in unexpected agreement with the Ann Arbor Liberation Movement: let us treat young people as adults. One of the most offensive characteristics of contemporary North American life is the artificial segregation of the ages and the insipid sub-cultures which result. We expect old people to go off and live by themselves, with the result that we create ghettoes for the dying without any interaction with the rest of society. In similar fashion, we expect young people to hang around with their own age group, to live their own lives, to have their own parties, television programmes, clothes and music. Was there ever a sillier notion than that of a "youth culture?" There is either a culture or there isn't. Period.

I alluded to the "educational players" at the time of the Pictou Academy. Let's bring the story up to date. Having turned children into

a category, a class, we now have class warfare. In this war, there are four combatants: parents, teachers, the child, and the peer group. There are also shifting alliances. The age alliance pits teachers and parents against student and peer group. The point is clear: we no longer have a consensus about education because (a) we have created two classes, adults and children; (b) the adults, parents and teachers, are not in agreement on goals; (c) the child and his peer group, isolated by modern social conventions from adults and the real world, live in a sleazy fantasy land dominated by the lowest common denominator and manipulated by television and cynical merchandisers. And we institutionalize this warfare, these divisions, this lack of responsibility in our school system. In the words of the late Paul Goodman, "the only justification for high schools is as therapeutic half-way houses for the deranged."

How do we get out of this mess? In the first place, the grown-ups have got to get their act together. Dr. Spock makes several useful observations in an article he wrote entitled "Some Things I've Learned" (and about time, too!):

> To feel confident about how to bring up your child, you've got to know what you stand for, what you want for your family and community and for your nation. If you know what you're in the world for and what the world needs, how you raise your child will fall into place. If you haven't any idea of what you're in the world for or what people should be striving for in America at the present time, then it's terribly hard to put into perspective what you should do with your children.
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> Don't be ashamed of your spiritual side. Man is a spiritual being, and if he doesn't have a spiritual side of one kind or another, he's miserable. I think many of our contemporaries, especially the most highly educated and most sophisticated, are the ones who most sadly lack anything to believe in. This produces something like depression, or at least apathy, in these people. That would be all right if nothing needed to be done in the world, if all of human life were going along smoothly and people were enjoying the fruits of technological advance, but that isn't the case. We've got the means to make a heaven on earth, and yet there are more hungry children in the world now than ever before.
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> Parents are quite hesitant about telling their children what they believe, because they wonder whether it's old-fashioned and out of date to do so. They're also afraid that if they're too firm they'll make their children hate them, or their children won't love them as much as they would like them to. Parents have been assailed by these doubts in a society that to a considerable degree has lost its bearings except in purely materialistic terms.[4]

What Dr. Spock is talking about is not so much a return to the specific kind of values and ideals which characterized the early days of Pictou, as the possibility of reasonable people attempting to articulate

shared values in education. Part of the problem, the gap between teachers and parents, will be solved if the two can sit down together to agree on the fundamentals of education. I think there would be a surprising coincidence of views. But such a process would mean that we gave education a high community priority, that we read and thought and worried and talked about education. Education is too important to be left to the professionals, the teachers. I think the United Nations Declaration is right: parents are ultimately responsible for their children's education, but they have to exercise that responsibility actively, seriously, and continuously, not simply charging in from time to time like wounded bull elephants because somebody says there are dirty books in the schools.

Well, if the adults can get together (and that is a mighty tall "if"), how do we get the kids on board? We could start by telling them to stop behaving like children. We should also stop treating children like children, or, perhaps more accurately, like pets, to be stroked, fed, put out on a leash, and sent to obedience school. (Come to think of it, perhaps it's time to stop treating pets like pets, but that's another story.) I think adults and children should be around each other on a more equal footing, that they should eat together, talk together, and walk together. I think children should talk about real things with adults, whether the subject is religion, or politics, or ideas. I also think, paradoxically, that we should encourage children to spend some time by themselves, away from adults and other children to read, to think, to observe, to dream.

Paul Goodman puts it very well:

> But the youth subculture is an obstacle to growing up; the young are right to cling to it, for it is theirs; but there is no excuse for adults to pander to it. In the best cases, free high schools are convenient administrative gimmicks to get around the compulsory-education law—and officials do well to encourage them and save on the expense of truant officers. For the young, they provide a safe home base to return to when they are anxious or in need of medical or legal aid.
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> Philosophically, the right relationship among children, adolescents, and adults — groups that are so unlike and yet like and that make up one community — should be a pluralism; in some areas they should leave one another severely alone; in other areas they need, use, and enjoy one another, can make demands, and have obligations. The really interesting facts of life have to do with the opportunities, dangers, and limits of how grown-ups and children can get something from one another. Yet it is rare that this *prima facie* and commonsense point of view is taken by our present liberators and school reformers.
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> When A.S. Neill says that his pupils don't know his religion, drug attitudes, or politics, I am simply baffled. He can't be taking his religion

very seriously. If the young don't hear opinions about such things from a knowledgeable and trusted adult, from whom should they hear them? I too don't believe in "teaching" children unless they reach out and ask; it is folly to moralize or to try to coerce them into "learning" something. But why should children be protected from *my* reality? My religion, art, animality, and politics are my reality. I once had an argument in print with John Holt about Neill's proposition that at Summerhill rock and roll is equivalent to Bach, Beethoven, and Debussy. But it is *not* equivalent. More *happens* in two bars of the great music than in two minutes of the rock band, and this can be shown objectively — as John well knows, for he is a cellist and a fanatical discophile. There is potentially more musical experience in better music, and my behaviour will say this. Naturally, kids listen to what they like without lectures from me — unless, as sometimes happens, a kid bugs me with *his* nonsense about his music, and then I may take him by the scruff of the neck and make him listen to *my* music, plus an analysis of it.[5]

Goodman has a useful metaphor for the relationship between teachers and students, that of master and apprentice, an image which expresses both a certain inequality of experience and a moral equality of autonomous participants. What binds a master and his apprentice is not an authoritarian power nexus, or the relation of jailer to prisoner, or asylum keeper to lunatic, nor is it simpering sentimentality, but a mutual appreciation and respect for something *outside* both of them: a craft, a skill, a knowledge, a culture worth acquiring. *That* is why people should be in school: not because they have to be there according to the law, but because there is something passionately interesting to do there, something for which people should be lining up outside the building to get in.

As Goodman says, in the master-apprentice relationship what matters "is certainly not the freedom and rights of the young, nor the theory of the young, but the often harsh discipline of the craft and the objective nature of things. It is these that give identity and dignity and, finally, freedom."[6]

In the final analysis teachers, parents, and students *all* have rights, and they are interdependent. If we took children seriously at an earlier age and treated them as apprentices rather than pets, then the awkwardness of the transition from childhood to adulthood would be greatly reduced. If we do not want to have young people growing up confused, we should stop being so confused ourselves about what we believe. Young people need a moral apprenticeship too.

I think Paul Goodman's notion of pluralism is exactly right, and his shall be the final word:

So there are areas of mutual need, demand, giving. On the other hand, in many areas of experience it is best if children, adolescents, and adults

have little to do with each other at all. There are entirely too many schoolteachers around who are eager to teach everything, including freedom and democracy and interpersonal relations. . . .

A sign of the confusion of modern times is that we all pay too much attention to children, either depriving them of rights and freedoms or trying to give them rights and freedoms. This includes books of mine. I would suggest as a program for the coming decade, that the best thing we adults could do for children and adolescents would be to renovate our own institutions and give the young a livable world to grow up in.[7]

NOTES

1. Edgar Z. Friedenberg, "Quote of the Day," *The Globe and Mail*, 5 November 1986, A1.
2. Youth Liberation of Ann Arbor, "Youth Liberation Programs," in *The Children's Rights Movement*, eds. Beatrice Gross and Ronald Gross (Garden City, N.Y.: Doubleday, 1977), 130.
3. Eugene Fairweather, "Theology and Childhood," *Canadian Churchman*, June 1979, 5.
4. Benjamin Spock, "Thoughts on Raising Children in a Difficult Time," in *The Children's Rights Movement*, 144.
5. Paul Goodman, "Children's Rights," in *The Children's Rights Movement*, 272-273.
6. *Ibid.*, 145-146.
7. *Ibid.*, 147.