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The power of innocence

Social politics for children between separation and participation

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Abstract

The attempt to observe and improve children's conditions of life differs from other tasks and intentions of social policy in a crucial way. Firstly and obviously, the intervention into privacy is particularly intrusive, and secondly, there is a specific perspective towards children that tends to be adopted in such endeavours. In my lecture I will deal basically with this perspective, exposing the history, logic, and institutional consequences of what may be called a "*separative view*" – or what also, when used as a political tool, can be called the "*power of innocence*". Such a perspective or assumption of moral power may well foster the political agenda when it comes to children's social problems, lending weight and legitimacy to social and political measures. But the *generational order* underlying both the perceived problems and their intended solutions will be rigid, and the variety of arrangements of private life which remain possible under this regime will be considerably reduced. A crucial factor is that children's *agency* will be largely ignored. This, at least, has been the repeated reproach of the new sociology of childhood towards social policy-makers and their view of children's needs and childhood(s). It has also been the reproach of many critical analyses that see social reformers and experts as "policing childhood" and "normalizing families".

Concepts like participation and citizenship might offer a reconciliation of the approaches underlying these two positions, which differ also in their time horizon, the one focusing more strongly on childhood as a future promise and the other quite strictly on childhood as a phase of life in its own right. The key role of such concepts in developing practical childhood policies will, therefore, be discussed. - The lecture is a quintessence of my studies, on the expertization of childhood, public discourse and political decision-making.

Keywords: professionalisation, separative view, expertisation, power of innocence, naturalisation

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The power of innocence
Social politics for children between separation and participation

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»On ne connaît point l’enfance: sur les fausses idées qu'on en a, plus on va, plus on s'égare. Les plus sages s'attachent à ce qu'il importe aux hommes de savoir, sans considérer ce que les enfants sont en état d'apprendre. Ils cherchent toujours l'homme dans l'enfant, sans penser à ce qu'il est avant que d'être homme. « (*Jean-Jacques Rousseau (1961[1762]), Émile ou De l'éducation. Paris : Garnier, p.6*)

[“*We know nothing of childhood, and with our mistaken notions the further we advance the further we go astray. The wisest writers devote themselves to what a man ought to know without asking what a child is capable of learning. They are always looking for the man in the child without considering what he is before he becomes a man.*”]

Introduction

Rousseau’s statement is not an insight into something like *children’s true nature*; rather it allows insight into the very true *nature of professionalization*. This is what this paper is about: the particularities and pitfalls of a professionalized, systematized interest in children. This is an analysis from the point of view of a childhood sociologist which necessarily means from a critical stance. This is not to deny that there was true compassion for abandoned, neglected and poor children and there were honest motives to help which led to children’s living conditions becoming safer. Rather, my critical stance is taken with the intention of contributing to the continual transformation of professional approaches and policies with respect to the lives of children in contemporary times. I will do this firstly by discussing the professions and sciences of

childhood and their knowledge (part I), then critically examining systematic interventions in children's lives (part II) and political debates on children (part III), and finally look out for real living children and their voices (part IV).

I – The separative view

While Rousseau's statement is not an insight into the *first phase of human life*, it is an insight into the *first phase* of what may be called a *professional market project* (Larsons 1977). The intention of such a professional project is to achieve public recognition, and even recognition in law, for the specialized knowledge of a new professional group or person. Others – professionals and especially laymen – can then be excluded from important decisions and actions concerning the issue as only the new experts have the legitimation to deal with the problem. Experts have a different view on the issue – and the more marked the difference, the more promising is the start of the professional project. “*Je ne vois point comme les autres hommes ...*” – *I do not see things like other men*” – adds Rousseau (1961[1762] : 6). This is exactly what an expert claims. While Rousseau claims this here very personally and only for himself and his unique way to see things, we also know that this proved to be the birth of pedagogy as a scientific discipline. Although Rousseau's *Emile* was a fulminant success, especially among well educated women, the claim to expertise in the case of children may have been at stake to some extent for quite a while. It was common to take children simply as human beings – somewhat smaller, less reasonable and less competent and therefore also somewhat less valuable than adults, but for the rest just human beings. And if it occasionally happened that they were misunderstood then their cries of protest probably followed no less in earlier times than they would today: many writers in medieval times mentioned how astonishing were such loud voices in these weak little bodies. This remarkable physiological matter of fact may well have fostered the early attempts to understand what children really wanted. Whatever the motivation, at least well educated people changed their view on children considerably under the influence of new experts.

It was particularly during the nineteenth century that groups of experts on childhood emerged and firmly established the special disciplines of childhood science: paediatrics, pedagogy and, somewhat later, developmental psychology. They all based their claim for expertise on children's *difference*. Children and childhood were different:

fundamentally different from adulthood and fundamentally different from the way they had been seen before. Prior to this, and until the end of the eighteenth century, even medical doctors had not conceived of children as something very special; for them the difference between adults and children had been more or less a simple matter of gradation. They treated their little patients in accordance with the rule “the smaller, the less”. Therefore, children were treated with less emetic, fewer leeches etc. to ensure they were given smaller dosages of the same treatments that would be used with adults. But, in the new expert vision of childhood, not just a little less or a little more of something made up the difference between adults and children. The difference became fundamental – experts did not look for the man in the child, they looked for *the difference from man* just as Rousseau had postulated it (“Ils cherchent toujours l’homme dans l’enfant, sans penser à ce qu’il est avant que d’être homme”). The new sciences of childhood put the strangeness of children into a scientific language, and in the course of this both increased this sense of strangeness and made it unquestionable, which led to it needing to be treated – above all with a systematic education derived precisely from the advice of experts. Central elements of such education in the nineteenth century included, for example, special diets for children (not spicy, not warm or cold, but lukewarm: children’s sensuality should not be fuelled and there was panic about premature sexuality), special gymnastics, cold showers, special clothes, special literature, special apparatuses to improve and correct their bodies and postures, and – very importantly – the prohibition and prevention of vagrancy and gambling in the streets together with an insistence on strict maternal supervision (Wiesbauer 1982; Schütze 1991; Hardyment 1983; Donzelot 1979; Badinter 1981). At the end of the century waged work was proscribed and in its place was a requirement to attend regular schooling (although it took some time to pass and enforce the laws) (Hendricks 1997; de Coninck-Smith 1997). From the point of view of children this program was probably not unambiguously attractive as they gained protection but at the price of a loss of freedom and independence.

This is what I call a separative view: to insist on children’s otherness, to put the difference into a scientific language, to increase it therewith, to explain it as a natural and therefore not an individual but a universal difference, and to explain it as a nature which has to be overcome step by step according to natural laws of development. No less than the distance between animal and man, or the difference between the madman

and the sick man versus the adult man, made up the difference between the child and the adult, except that the child – unlike the animal or madman – could still become a human being through the process of planned education. Such was, for instance, the notion of children put forward by Herbart, the famous early nineteenth century German pedagogue. And for Charles Darwin, who published observations of his own child, children recapitulated in their development the evolution of mankind, developing from the amoebae to the fish and amphibian stage while they were still embryos, born then as little mammals able to progress to upright walking, remaining little savages until the age of six and finally achieving the stage of civilization as adults. Darwin termed this the ‘biogenetic law’ and by coining this made children into beings from a distant world, and growing up into a very long journey to mankind. Occasionally, we find such images of children’s otherness still today such as in the rhetoric of educational advice books, even though the medical and biological base of this argument was falsified a long time ago. The comparisons of human embryos for instance to amoebae, fishes and amphibians are based solely on superficial similarities which evaporate on closer inspection - when properly analyzed a human embryo, even in the very early stages of development, cannot be mistaken for that of any other animal (Bühler-Niederberger 1998).

Over the decades developmental psychology became more elaborated and ceased depicting drastic visions of nonhuman beings. It described, and still describes, the otherness of children meticulously in many dimensions such as motor behaviour, language behaviour, and social behaviour. In addition, it defines time schedules for the steps of development in these different dimensions, and calculates mean values and standard deviations (Bühler-Niederberger 1998). But, as elaborated and scientific this endeavour ever became it remained a separative view, insisting mainly on children’s difference from adults, and watching carefully the timely, speedy surmounting of such difference. The separative view is both the peculiarity and the pitfall of an expert approach. Additional steps of separation were even added in the shape of the separation of normal versus unduly slow development. Time schedules and timely norms of development were based on the calculation of normal distributions and so logically, and by definition, deviations from the norm could be charted with reference to computations of one standard deviation and beyond. The fine-meshed web of norms can be spun tighter at any time, for example when there is a new group of experts on the horizon, specialists whose knowledge concerns a new category of disability or pathology. I

found such tightening of norms in a study of the history and diagnostic reality of categories of children's deviancy from the 1950s onwards. In this time, a whole range of categories of deviancy were newly implemented – learning disabilities, dyslexia, hyperkinesis, minimal cerebral dysfunction, attention deficit disorder, language development disorder etc. New categories inevitably follow, replacing the old ones (that become empirically falsified) or adding just a new facet (Bühler-Niederberger 2005, 2006). Finally – and this is the last step of the process of separation - there are so many dimensions, so many norms to measure up to, that now children, *all* children, have to be looked at with a logic of suspicion, as something might be wrong, untimely, off track, or, if nothing is clearly visible, there might be a *hidden* disorder which could be even worse. This is what I call the pathologisation of the whole group. In my study of the recent history of categories of deviancy I found elementary school teachers were systematically instructed in such logic and adopted this new vision of childhood in dealings with their pupils.

II Children as objects of concern

Religious, voluntary and state organisations have a long history of intervening in children's lives. This has led to a systematisation of interest in children which dates back to the seventeenth and eighteenth centuries. But, the interest in them is – largely or even primarily – an interest in the future of the society, and the intervention in children's lives is, therefore, either investment in children as human capital or a disciplining of children to guarantee future social order. Paradoxically, the systematisation of interest has resulted in concerns which often fail to incorporate specific, real living children. While they are objects of constant worry, they are not seriously taken to be persons with individual needs. In their book about social policy for children Prout and Hallett argue: "...historically social policy has not thought of children as persons with a voice. Rather they have been seen as objects of concern. Contemporary societies are perhaps more ambiguous on this point, with different visions on childhood coming into play, sometimes overlapping and sometimes conflicting with each other" (2003: 1).

The calculations which guide these interventions are often expressed quite openly – and in this bluntness there is astonishingly little difference between historical attempts to

shape childhood and very recent ones. I begin with a quite famous example of such an attempt: the educative work of the Christian Brothers in the seventeenth and eighteenth centuries. The Christian Brothers invented a meticulous order of teaching: the movements and speech of the pupils were directed by signals akin to military exercises. This allowed permanent and comprehensive monitoring and registering of minor deviancies. Michel Foucault (1975) refers repeatedly to the inventions of the Christian Brothers to illustrate the techniques of discipline in the classical age that constructed what he called ‘the disciplinary individual’. The Christian Brothers’ inventions were pervasive and not limited to mere schooling – pupils were also surveyed in the streets by other pupils entrusted with such control. Above all, parents were enrolled in the endeavour that education now had to be. Parents were admonished not to listen to any complaints of their children as they were taken to be too tender-hearted, and Jean-Baptiste de La Salle, one of the prominent leaders of this reform movement, complained that parents were in love with their children in a foolish way.¹ If parents remained reluctant the charity commissions of the parish were informed in order to cut the provision of alms in such cases. All together, this was a comprehensive occupation of the child with the intention of ending the old childhood with its “légèreté”, “libertinage”, and “vagabondage” about which de La Salle complained in his writings. Between a quarter and a half of all the boys in French towns attended these schools which were also to be found in Italy, Belgium and Germany. This education was not primarily established for children’s happiness or to develop their best capacities, but as a decisive striving for an orderly, efficient society. Factories would be filled with hard-working and faithful apprentices and vice and idleness, which were seen to be poisoning the whole society, would be eradicated if the children of the common people were educated in the new way.² Such were the arguments used by the advocates of the reform movement to gain the support and patronage of the authorities. This is the vision of an orderly society composed of useful individuals. Intervention programs in children’s lives increased at the turn to the twentieth century and in the first decades of twentieth century when States passed a veritable flood of laws, and private and public measures, to intervene in private lives (Peukert 1986; Mahood 1995).

¹ J.-B. de La Salle, *Conduite des écoles chrétiennes divisée en deux parties*. Avignon 1720, S, 681 ; quot. from Julia 1998 : 92.

² Such was the argumentation of Charles Demia in 1666 while applying for the support of the authorities for the Christian Schools (Julia 1998:15).

I identify four characteristics of such organized concern and interest in children which remain more or less constant over the centuries:

- a) a belief that childhood has to be faultless or as faultless as possible, without even the slightest deviancy and if possible also without any temptation or occasion for deviancy as any deviation from a long and protected childhood is assumed to have inevitably negative consequences;
- b) an implicit or explicit theory of “criminal career” which declares that little misdeeds if not radically combated will result in severe crimes being committed in later life (Bühler-Niederberger 2005a, de Coninck-Smith 1997, Hendrick 1997, Mahood 1995, Maynes 1985);
- c) a focus on the children of poor people as the favourite target group of interventions which implicates a refusal of common people’s way of living and especially their patterns of private life, as a consequence it does not reduce social inequalities but creates additional ones;
- d) an attempt to create an orderly society in which useful individuals are taken to be the royal road to social order.

With respect to the first two assumptions, we can say that their empirical validation is much weaker than is commonly believed and only a partial one. While we have for instance data confirming the influence of poverty and some aversive family conditions on school success we also know, at least for Germany, that this influence becomes somewhat weaker in later school career (Geissler 2006) and as one of the PISA (the international program to measure student achievement) researchers recently declared in an interview: “It is one thing to measure e.g. a certain mathematical competence of fifteen year old students – by the way a competence about which the didactics of mathematics are not unanimous – but it is a completely different thing to prove that this has anything to do with success in later life”³ and this he declared was still a research question to be dealt with. However, the assumptions about faultless childhoods tend to be self-fulfilling prophecies, especially inside the pedagogical system. In addition, they take children to be passive in the face of bad circumstances and ignore children’s skills to settle things, to learn in spite and maybe sometimes *because* of difficulties (Davis/Hill 2006; Hill et al. 2006). We know that quite a lot of famous and successful people tend to point to difficulties and hardship they encountered in the early years of

³ Rainer Lehmann in “Was wird aus den Kindern?”. DIE ZEIT, 18. Januar 2007.

their life when explaining their mental toughness and ability to stay focused and get the job done. A recent example is the American political newcomer Barack Obama who had a chaotic childhood without father, a youth with drug abuse – and there is also the commonsensical notion that one has to sow one’s wild oats, i.e. to have been young and foolish in order to be calmer and reasonable thereafter.

If we look at recent programs we may easily recognize similarities and the above mentioned four characteristics in particular, in spite of good intentions. To give examples of recently implemented programs I refer to the UK. “Truancy Watch” is an action launched in England in 1993, in the wake of the murder of James Bulger. Shops display “truant-free zone” stickers and staff are trained to challenge suspects and fill in confidential forms for education welfare officers. Buses carried posters asking “Are you sure your child is in school?” (Jenks1998). Such action is based on a theory of a criminal career and exposes practically every child who is in the wrong place at the wrong time to suspicion. The same logic of the theory of a criminal career and a growing moral panic can be found in the Crime and Disorder Act of 1998 and the Youth Justice and Criminal Evidence Act of 1999 in the UK (Goldson/Muncie 2006; Muncie 2002). “Sure Start”⁴ is a program of the Department for Education and Skills with the declared aim to increase educational and care provision for pre-school children for the best possible development of the children and to support parents both as parents and in aspirations towards employment. “Sure Start” concentrates its effort in disadvantaged areas. However, one of the effects is also a massive increase in the monitoring of poor children. The UK Children Act 2004⁵ which aims at the improvement of children’s life merges education and welfare services and provides the basis for a central electronic database on which all encounters between children and those professionals should be recorded. All in all these programs and legislation represent a serious concern for endangered children, but also anxiety about dangerous children; they provide a mixture of care, monitoring, and outright stigmatizing. In the “Respect_Agenda” and the “Respect Action Plan” of 2006 such measures of family and child welfare are integrated into a larger plan of a new and more efficient ordering of society and above all into a clearly social-utilitarian vision of society (Schütter 2006).

⁴ <http://www.surestart.gov.uk/aboutsurestart/>

⁵ <http://www.dfes.gov.uk/publications/childrenactreport/>

III Glorification and innocence

Various notions of children are common: the little savage, the useful child etc. But, if children are mentioned in political debates which gain wide public attention, the image of the “needy child” is by far the most promising. The child who is needy, helpless, weak and completely incapable of defending his or her own position and rights represents society’s highest values and most sacred goods. In this complete weakness the child stands for a strong power: the power of innocence. Such power is used on both sides of the argument: to accuse a political opponent or, sometimes, a socially marginal group, and to establish a moral victory for one's own position. And it proves over and over to be a strong claim although it is rarely a power assumed by children themselves. Indeed on the contrary the power of innocence mostly empowers already powerful people.

In an empirical study I analyzed political debates concerning children during the 1990s in Germany and reconstructed the decision making processes (Bühler-Niederberger 2003, 2005a,b). At this time child poverty became a political issue and it was the opposition parties, especially the Social Democrats and the Green Party, who attacked the (literally) "cold tactics" and "bitter social injustice" promoted by the government of the day, the coalition of Christian Democrats and Free Democrats.⁶ The attack was based on a mixture of wrongly interpreted child poverty statistics and a rhetoric of social risk and panics. Social Democrats and the Greens repeatedly accused the government of leaving one-third of children to grow up on social welfare, although the correct interpretation of welfare statistics was that every third person living on social welfare was a child under 18, while the percentage of children growing up on social welfare was still clearly smaller than ten percent at this time. Figures were also cited for homeless children. A Green Party Member of Parliament spoke of “... more than a half a million children living in the streets in Germany ...” while the 10. Report of Children and Youth published at the same time concluded that it was impossible to mention a figure, as “homeless children” was a mere catchword for an actually multifaceted reality of bad housing condition, runaways etc. that was not in fact identified at all.⁷ As

⁶ *Spiegel* 10.1.94 "Wenn ich Kanzler bin."

⁷ „10. Kinder- und Jugendbericht“. Bundesministerium für Familie, Senioren, Frauen und Jugend, Bonn, 1998.

the public discussion went on almost any figure was mentioned for poor children, and shortly before the Federal election of 1994 – when the debate reached its peak – in one and the same session of Parliament, the first speaker of the opposition, Joschka Fischer, spoke of 100 000 children living on social welfare and Renate Schmidt (who became Federal Minister for Family Affairs some years later) spoke of 1.4 million children living on social welfare, a figure fourteen times higher than that cited by Fischer and closer to reality, but which was still not of the order of one third of all children (which would have meant 5 million children living on welfare).⁸ Neither the exaggerated estimates of the politicians nor the completely wrong figures were ever contradicted. On the contrary, the figures became extremely important and ultimately irrefutable within a public circle of reference in which politicians cited the media and the media the politicians. It is no exaggeration to say that this was not a rational basis on which to develop political programmes. But, the accusation of the government in face of the child as a touchstone of morality became a story of political success. Media followed the opposition's line of argument, reporting (with pictures) on poor families' everyday lives, concluding that "the foundations of our future are crumbling", and "a time bomb is ticking".⁹ Churches and welfare associations also supported the opposition campaign, conferring on it the force of their own moral authority.

If all this were mere political rhetoric and power play it would not deserve that much attention. But, the notion of the needy child and the power of innocence that is implicated clearly influence political decisions as well. The concept of the needy child results in – what I call – a *naturalization* of politics. This means that decisions and institutions are legitimated as naturally right because – and only because – they are adapted to the needs of children. These needs are perceived as an expression of "the child's nature" and therefore as universal and unchanging. In 1997 the German Bundestag changed the law concerning custody after divorce with a new Children's Act (*Kindschaftsrecht*). In a debate which lasted about two years the child's fundamental need was defined in explicitly biological terms: a child needed both its natural parents.

⁸ Deutscher Bundestag, 12th legislative period, 242nd session, 7.9.94; Renate Schmidt, SPD; Parlamentsprotokolle, p. 21467.

⁹ *Focus* 3.1.94 "Familienpolitik: Eltern zahlen immer drauf"; *Die Zeit* 7.1.94 "Gefährdete Art - das 'Jahr der Familie' ist angebrochen"; *Die Zeit* 18.2.94 "Teures Thema"; *Die Zeit* 4.3.94 "Die Last mit dem Nachwuchs"; *Westdeutsche Zeitung* 2.8.94 "Mehr als zwei Kinder gelten als Armutsrisiko"; *Spiegel* 17.10.94 "Bitterkeit und Wut"; *Spiegel* 31.10.94 "Notorisch verdrängt", quotations from eight readers' letters.

"Parents remain parents. Always", said the Federal Minister of Family Affairs, Claudia Nolte. And it seems paradoxical that she gave as a reason for this apodictic assessment that "[...] what is most important, is the perspective of the child".¹⁰ This was the almost unanimous opinion of Members of Parliament and of experts in the consultation process (most of them lawyers and judges). This universalist definition of children's needs was transformed by politicians into the political decision of the new Children's Act, whose centre-piece was joint custody after a divorce. Consensus was widespread and the politicians congratulated themselves on having performed good political work.

The new law granted more rights to fathers, almost eliminated those of children and to some degree restricted those of mothers. It was intended to settle a highly modern situation, where a choice between the individual rights of men and women – and indeed also of children! – was at stake. In this acutely difficult situation recourse to a concept of universal and natural need in children made possible a decision that prevented the recognition and acceptance of conflict from the very beginning. Additionally, the notion of the needy child provided proof of the moral qualities of the adults who responded to the child's needs. It presented politicians as quintessential human beings who strive to do only what is humanly right and sensible. The decisions made by such politicians are incontestable. Anyone who attacks them does so in the face of the natural needs of children, and thus in the face of both reason and morality. It would be a lonely battle. It was in this tenor that a commission member, speaking in the final session (which is usually devoted to mutual cross-party back-slapping) said, "I think that with this law we haven't changed anyone. But if we have managed to dry a few tears, that'll do."¹¹

According to the notion of the needy child contradictory political discussions concerning children are, therefore, superfluous and even morally questionable. In interviews with the members of the Children's Commission of the German Bundestag I found this view articulated by almost any one of them. A Christian Democratic politician put it like this, "One could say that in the sphere of child policy there should be no room for different opinions ..." – and as a matter of fact, the Children's Commission has a structure that is unique in parliamentary terms. This Commission, in

¹⁰ German *Bundestag*, 13th legislative period, 3.7. 97, Claudia Nolte, Federal Minister of Family Affairs (CDU/ CSU), pp.17360

¹¹ German *Bundestag*, 13th legislative period, 3.7. 97, M. von Renesse (SPD), pp.17349.

contrast to usual parliamentary procedures, is not constituted on the basis of party strength, but consists of one member from each parliamentary party. Moreover, Commission resolutions are not put to the vote, but require the consent of all members – so actually there *is* no room for different opinions. Political calculation was nevertheless an important factor both in the foundation of the Children's Commission and in its institutionalization of this unique consensus principle. It was the opposition parties that had pushed the foundation in the first place because it promised them a political arena with high public appeal, which they were intent on exploiting without the risk of being outvoted by the governing party within the Commission. This was quite openly admitted in the interviews I conducted. Thus the Social Democratic founder of the Commission described its establishment as an opportunity "[...] to create modern political working structures".¹² Asked about the consensus principle, he listed the following tactical considerations: he and his Green colleague had come to the conclusion that, as representatives of the opposition, they would never have a chance to put through anything if they accepted the usual voting principle of proportional parliamentary representation. They would then only be able to fulfill what the governing coalition wanted. "So we decided at a very early stage to go for the consensus principle and above all the one-seat system, i.e. only one representative from each parliamentary party [...] and, thirdly, the rotating chairmanship [...]."¹³ However, his arguments in the media and the Bundestag had been different, in the following way: "[...] we argued, [...] it is precisely because we are concerned with children, who don't want to be organized according to rules either, maybe we could for once set a parliamentary example and create structures that are *quite different* [...]."¹⁴ – The naturalization of politics offers the chance that even very strategic solutions may be declared to be not political but to be naturally good, fitting the child's own nature.

The power of innocence may also result in personal profit – as members of the Children's Commission frankly admitted during the interviews:

¹² He had seen the chance "[...] to intensify opposition activity by engaging more intensively in certain fields, especially in niches – for at that time this still was a niche – and at the same time to arouse public attention. And this proved to be the case."

¹³ SPD member of the Children's Commission, 12th legislative period; interview.

¹⁴ Social Democratic member of the Children's Commission, 12th legislative period; interview.

- “As far as policies relating to children are concerned, actually I don't know anyone who has an ambivalent attitude toward this topic. It's a topic that appeals to people, and in this respect I can only advise anyone entertaining the idea of going into politics and wondering what topic to choose ..., 'Start with this one'!”
- "Many opportunities to make one's name and to present oneself arise from the level of public interest in topics relating to children”; and the politician added that he didn't believe his commitment to the Commission would damage his career and concluded the interview: “Well, now you have had a really honest reply”
- Another member of the Children's Commission stated that people's willingness to become active in the Commission was due to motives that were “[...] certainly on the one hand sincere though ... one cannot fail to recognize – though this is something I only found out later – that it has a great effect on public relations and, of course, every member of parliament is keen on that [...].”

It is this exceptional power to justify decisions that exclude all protest, indeed to justify them on the grounds of exceptional political profit, which transforms the concept of the needy child into a formula of political debate that is as effective as it is dubious.

IV Absence of concrete children and disqualification of their voice

Who defines what children need? Susan Pedersen summarizes this saliently in her analysis of the history of welfare states: “Children, like Marx's peasants, could not represent themselves and had to be represented, and their well-being was shamelessly linked to efforts to increase the population, stabilize the labour force, restore paternal authority, or emancipate wives” (1993:425-426). But children's needs are not only defined by such obvious social utilitarian or particularistic interests. As I have argued in my paper they also become defined by politicians who found herein a promising and simple strategic device to solve problems that otherwise might prove difficult to settle – and they become defined by professionals that base their expertise on children's otherness. It is mainly due to this expert influence that children's needs are taken to be universal and not individual as in the case of an adult person. Consequently, children remain excluded in some very basic aspects from the process that characterizes today societies: individualization.

Only because the needs of children are assumed to be given by universal nature the then Federal Minister of Family Affairs, Claudia Nolte, could declare in the debates concerning joint custody that "Parents remain parents. Always" – and even present this apodictic statement to be the "perspective of the child" which was to be taken as most important, as she said.¹⁵ The perspective of the child is, therefore, not a view that must be articulated by a majority of children or even a considerable minority of children. Another member of parliament said it clearly: "... a child needs parents, not *just* a father or *just* a mother. I find myself in agreement with educationalists and psychologists."¹⁶ The perspective of the child is articulated by professionals who speak in the name of the child and in the *best interest* of the child; and politicians and media are their public and somewhat simplified echo.

But, perhaps my analysis criticises views and decisions that belong to the past and things have changed now as participation, citizenship, and social rights became prominent issues in social policy during the 1990s and early years of the new millennium. School councils, youth forums, youth councils, and children's parliaments have been established almost worldwide and intend to give children the opportunity to express their views. The frequency with which words like "participation" and "children's rights" are used is impressive. Occasionally, however, this seems to be more a sort of citizenship education than real factual power – as children are virtually excluded from all important institutions that might enable them to have influence on public decisions: for example they have little or no access to media and they are not members of powerful lobbies.

It might be more important and more realistic to enhance their influence as far as their own conditions of life and their privacy are concerned. Two lines of development can be identified. On the one hand, a growing number of parents seem to involve children to a considerable degree when it comes to decisions concerning the child as well as concerning the whole family. We may summarize the character of such a change under the catchword "from command household to negotiation household" (Du Bois-

¹⁵ German *Bundestag*, 13th legislative period, 3.7. 97, Claudia Nolte, Federal Minister of Family Affairs (CDU/ CSU), pp.17360

¹⁶ German *Bundestag*, 13th legislative period, 3.7. 97, Hildebrecht Braun (FDP), pp. 17359.

Reymond et al. 1993; Ecarius 2002; Schneewind/Ruppert 1995). In the same way the representative youth surveys in Germany, which have been regularly repeated since the 1960s, show that conflicts between parents and their children are diminishing and that parents are seen in a more and more favourable way by their youngsters. In the representative survey by Shell in 2002 almost 70 percent of the young people stated that they would bring their children up in more or less the same way as they were brought up by their parents and nearly 90 percent said that they get along with their parents well. Children between 10 and 18 cite their mothers as the most important female model in their life, while the father is only mentioned in second position as male model, after a famous sports personality.¹⁷ As far as we have insight into this development it seems to be a real advance in children's participation.

On the other hand, when it comes to serious conflicts in families children seem to be as much excluded from decisions and their voices as much ignored as ever before, perhaps even more than they were some years ago as the tendency to define their needs with reference to biology seems to get even stronger, making individual solutions more and more impossible. Let me conclude my communication with three examples. The first study, which I take to be highly interesting and alarming, concerns children's participation in family law proceedings in Sweden in cases of children whose father is violent to their mother. The study is still in progress, the authors are Maria Eriksson and Elisabet Nässman. Since 1996 Swedish law requires that investigators in legal conflicts concerning child custody, contact or residence, seek information about the child's view and give information about this to the court. Nevertheless, in 2002 in 49 percent of the cases where there were some indications of a history of violence (in most cases from the father against the mother) joint custody was ordered. And it was even ordered in 38 percent of the cases where the father had been previously convicted for a crime against the mother. The explanation for such astonishing decisions might be that violence is an affair which concerns only the mother and father and is not linked to the well-being of the child. This assumption, however, proves to be wrong: in most cases children are aware of the violence and sometimes take a clear stance against joint custody. A quote

¹⁷ Deutsche Shell (ed.), *Jugend 2002. Zwischen pragmatischem Idealismus und robustem Materialismus* (Frankfurt: S.Fischer, 2002). Zinnecker et. al, *Null Zoff und Voll Busy*, op. cit, p. 53.

from an interview with one child, a ten year old boy, reveals what may be called a disqualification of the child's voice.

Bill: When they came here the first time,[and] should talk to me and they said that it was me, that I should feel safe and that it should all be about me (pause) and not about him (pause) and then they came several times and said, but he [has] said that he wants to see you and he has the right to see you because he is your daddy, he is your biological daddy, but then I told them that you said that it was I who should feel safe and I do not feel safe because I do not want to see him at home. Okay. But you can try a little. Then I said No. Then they said okay, we will come another time. [They] came another time, said he wants to see you and he has the right to see you. Then they started [...] they came so many times, so I said that okay, I can see him but I do not want to. [...] ... the first time after I had met him I started to feel sick, started to have stomach ache [...], I vomited, but they came again because they did not care about how I felt [*No*] No, if I felt good, if I felt sick, I should go there anyway. Even if I felt sick I should go there anyway. I could have stomach ache, I could feel sick, I could [...] it could be anything, but they said you should go there anyway.¹⁸

To mention a second example: a study of Audrey Mullender et al. in the UK asked how children understand and experience domestic violence. Fourteen hundred children were interviewed with a questionnaire and a further 45 children took part in intensive in-depth interviews. Two findings are key: children found considerable help from other children, they got support within their peer group, and girls especially sensed understanding from friends; in most cases the children also said that their mothers had helped a lot, although mothers were the main victims of physical attacks. The second finding concerns the support from agencies and the criminal justice system. Children felt that they were ignored by police officers who generally did not talk to them, even when they were the ones who had dialled 999, and in contacts with social workers, court welfare officers, doctors, child psychologists, and teachers children did not sense understanding. "I used to not know what to say. I used to think I was saying the wrong thing" reported a fifteen year old boy.¹⁹

¹⁸ M. Eriksson, E. Näsmann, 2006, Participation in family law proceeding for children whose father is violent to their mother. Paper presented to 16th World Congress of Sociology, 23.-29.7.2006 Durban

¹⁹ A. Mullender et. al. 2003, „Could have helped but they didn't“– the formal and informal support systems experienced by children living with domestic violence, pp. 150

The last example is from Germany. It is from a PhD Thesis recently completed by Joachim Kotthaus at Wuppertal University. It is based on questionnaires answered by 130 officers of social welfare (mostly social workers and social pedagogues) in North-Rhine-Westphalia. The focus was on decision making processes in cases of foster care placement. If it comes to such decisions being made, there have been previous experiences of considerable domestic violence for almost every child. But social workers evidently avoid or neglect the contact with the child, especially if the child is young. The answers to the question “How much contact do you have with the following people while making such a decision”, showed that the social worker had contact mostly with the mother or both parents (row 3 and 5), and that contact is rare with children younger than fourteen (row 1).

Table: Frequency of contact – social welfare officers, children, and other persons

contact person	item	no contact				very high contact	n=	mean value
target child (till 14 years)	4.1	1 (0,78%)	8 (6,20%)	42 (32,56%)	60 (46,51%)	18 (13,95%)	129	2,67
target adolescent (14 and older)	4.2	1 (0,77%)	1 (0,77%)	16 (12,31%)	58 (44,62%)	54 (41,54%)	130	3,25
mother	4.3	0 (0,00%)	3 (2,31%)	14 (10,77%)	59 (45,38%)	54 (41,54%)	130	4,26
father	4.4	0 (0,00%)	13 (10,00%)	40 (30,77%)	55 (42,31%)	22 (16,92%)	130	2,66
both parents	4.5	2 (1,54%)	9 (6,92%)	54 (41,54%)	42 (32,31%)	23 (17,69%)	130	3,58
other adults (e.g. social workers etc.)	4.6	0 (0,00%)	4 (3,10%)	38 (29,46%)	70 (54,26%)	17 (13,18%)	29	2,78

(J. Kotthaus, 2006: Kindeswohl und Kindeswille in der Jugendhilfe. Zur Beteiligung von Kindern an Entscheidungen in den erzieherischen Hilfen, p.168)

Conclusions

To summarize: there is a long tradition of organized interest in children, there are many professions, many agencies, many politicians and much public attention, and many advocates for what are defined to be children's interest – but in spite of all this, and sometimes because of it, children's voices are weak when their individual needs become defined and should be respected.

The professionalized and systematized interest in children has its pitfalls and three of them have been identified in this paper: the separative view as a basis and a product of professional claims for expertise, the overly concern for social order guiding intervention programs, and the political instrumentalization of children's power of innocence. All of them are based on children's 'otherness', on their fundamental and natural difference which is thereby constructed, taken to be a matter for granted and institutionally and scientifically reinforced. A reflexive professionalization and development of institutions and programs has, therefore, to focus the likeness and interconnectedness between age groups while being aware of the differences within the age group, according to gender, social and cultural origin, but first and foremost according to individual needs and their articulation and realization. It is this quality to which any social policies in contemporary societies have to come up to, irrespective of the social group they concern.

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