

## Children's Rights in the Canadian Context

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In recent years, the issue of children's rights has become a focal point of concern and controversy. Contesting the selective imagery of the North American child as indulged and protected by a liberal and affluent society, many have uncovered the darker side of childhood dependency as a vulnerable and manipulable status. The crux of the children's rights issue has been one of explicating the destructive dimensions of age-ascribed dependency, while attempting to formulate the bases for the child's rights to self-determination. Concern has thus not been restricted to the child's need for recourse to civil rights, in cases where dependency has not been reciprocated with attention and care, but has extended as well to the exploration of the life-stage of childhood as potentially rich in unseen talents and misunderstood competencies (e.g., Friedenberg, 1959; Goodman, 1960).

Television documentaries, journal articles, and a variety of monographs have all concluded that children are socially oppressed, economically exploited, and legally deprived. Why, then, should another paper focus on the subject of children's rights in Canada?

The rationale is primarily the need for systematic examination and analysis of the precise nature of childhood in Canada. Although there has been general recognition of the unequal status of Canadian children, the exact dimensions of this inequality have not been defined and specific ways of more justly integrating children into our society have not been effectively suggested.

Important theoretical and practical aspects need to be delineated if the abstract call to rights is to gain real and realizable content. Two of these are examined in this paper:

1. Though we do not ignore the economic, familial, and ideological position of children and youth, we focus on educational and legal positions. The subordinate status of the Canadian child has not yet been sufficiently explored in the institutional settings of the school and the court. It is clearly in these institutions that the protective needs of childhood are formally espoused, and yet in actuality are violated. These spheres consist of institutional networks consciously created within living memory to provide links between the family and state and corporate command posts. They make explicit claims to embody rational policy, formulated in the best interests of youth, and hence are most open to challenge on those grounds. They are not as sacred and beyond re-evaluation as economic, ideological, and familial matters. Yet, as this paper makes evident, our legal and educational treatment of children is peculiar to a certain economic order.

2. In the context of locating concretely the legitimate bases for children's rights is our concern that study and reform be responsive to the particular features of Canadian society. Too frequently, American legal decisions, policy changes, and research findings have been non-reflectively assumed to bear direct relevance to the Canadian experience. In this regard, we draw attention to the fact that, unlike the United States, Canada does not have a deeply entrenched civil liberties tradition. Canada's founding legislation is not based on the individualistic premises of "life, liberty, and the pursuit of happiness," but rather on the conservative principles of "peace, order, and good government." Moreover, Canada has not experienced government by diverse political parties whose alternating leadership provides a force of dynamic change within which wrongs can be righted (Porter, 1965). Our federal government has always been dominated by brokerage parties of the centre that characteristically do not aid oppressed minority groups unable to mobilize support on their own behalf.

With respect to children's rights, development is partly hindered by the fact that, without a legal basis for demanding civil liberties, Canadian advocates cannot rely on general human rights arguments. Rather, it is necessary to document the Canadian need for change in the way in which we treat children before legislative and attitudinal changes can be realistically anticipated. Although some of our arguments draw upon evidence from the United States, their inclusion is intended to stimulate similar reflection in Canada rather than to imply immediate analogy. Thus, our aim is to provide a foundation upon which responses to the need for Canadian children's rights can be successfully constructed.

### **The Historical and Contemporary Status of Children**

Children, particularly since the 19th century, have been seen as a likely source of social disorder, and much judicial and educational legislation has been enacted in the hope of limiting the potential chaos youth can cause. The fear that children will disrupt important societal activity is largely a product of a changed economic world in which children's traditional contribution is no longer needed or is relegated to less vital areas. In medieval society, for example, children were generally included in the adult world when they reached age seven (Ariès, 1962). They performed important productive activities such as spinning cloth, doing farm chores, and working as servants. They were valued and respected for the part they played in the overall financial well-being of the household, which included servants, apprentices, and distant cousins as well as immediate relatives. After age seven, the Church recognized children as responsible adults, the law held them potentially accountable for their actions, and they were treated with the characteristic severity of traditional peasant society. In a political world where few had many rights, they were not noticeably inferior. The upper-class few who went to schools were seen as apprentice clergy, clerks, or rulers, and experienced a surprisingly unstructured, non-age-graded, often student-governed education that would be the envy of many present day reformers.

The commercial and industrial revolutions of the 1700s and 1800s brought widespread changes. Working-class children joined their parents in the great immigrations from country farms to city factories; sharing in their new monetary independence and industrial drudgery. The expanding middle class continued to use the apprenticeship system, but increasingly sought professional positions for its sons, which could be secured only through "higher" educa-

tion. The English "public" school created the status of adolescence by acting as an *in loco parentis* holding ground of character development and discipline.

In the middle 1800s, this new status was diffused to and imposed upon all youth. Increased mechanization and fear on the part of adult unions of losing jobs coincided with humanitarian motives in the 1833 and 1847 British Factory Acts restricting child labor. By 1860, there was a declining percentage of children in schools or factories, and these "street arabs" threatened the burghers into imposing compulsory education in the Acts of 1870, 1876, and 1880 (Musgrove, 1964, pp.76-77). Schooling became the prerequisite to all economic positions in a dynamic that continues to unfold today.

These economic factors were linked with more humanitarian ones originating in the enlightenment and the spread of political liberalism and democracy. The former presaged modern social science, with its emphasis on the importance of environment in shaping children. The latter required the development of minimal skills of reading and writing to produce a citizenry deserving of the extended franchise. Such movements toward liberation, however, were always carefully tempered in actual practice: school curricula were carefully engineered to reproduce the existing class order (Johnson, 1976). The potential of the enlightenment may thus be seen as thwarted by the political and economic powers, although natural rights arguments still rely on intellectual justifications developed at that time.

This pattern of imperial Britain was imposed on the colonies in North America. Compulsory education was instituted in Ontario, for instance, in 1880, and enforcing legislation passed in 1891. The utility of youth on the rural farming frontier gave way to factory labor. Urbanization and population concentration, the necessity of assimilating immigrants, and the push for moral anti-child labor reform combined to support the advent of schooling. Social workers in settlement houses, YMCAs, and the Boy Scouts joined in the campaign to uplift and control youth in city streets, and continue to do so now. Thus, the tension and mutual distrust between children and educational systems that are now accepted as characteristic of our society developed from the attempt to re-assign children to a status of secondary importance in schools after the basis of their equal status had been undercut by a changed economic structure. The rights of children were traditionally founded on their valued labor contribution and, as this was undermined by the onset of industrial capitalism and the separation of place of work from the home, these rights were consequently dissipated. While older workers gained new political rights, children were left behind.

Contemporary law still requires children and adolescents to attend school until they are 16 years of age. Within educational institutions, they are defined as students, and are subjugated to the administrative authority of teachers and principals (Levin & Sylvester, 1972). Although their civil rights in these settings have been somewhat expanded recently (e.g., in dress code decisions - Goldstein, 1970), they are still subject to relatively arbitrary rules and hindered by the expense and time-consuming nature of any attempted rectification through the courts. Nonetheless, Gallup reports public sentiment as feeling that school discipline is too lax (Gallup Poll, 1974). Since job opportunities are increasingly tied to years and stream of educational experience, subjection to mystifying invalid testing (see Mackay, in this volume) is an assault on liberty, and social pressures to remain in school persist far beyond the legal minimum age of leaving.

Contemporary inequities in the treatment of young people (especially

students) have been identified by critics of the school system and highlighted by the establishment of educational alternatives (e.g., free schools) and proposals to revamp entire government systems (e.g., the Hall-Dennis report - Ontario Department of Education, 1968). As the enthusiasm for these efforts has worn thin with their co-option by conservatives, however, critics have come to see the educational system as only one part of the institutional network oppressing children.

The origins of the juvenile justice system lie in the same movement as the educational changes (Houston, 1972; Platt, 1969). For those children who did not conform in the regular schools, additional measures were developed that extended the scope of prohibitions specified in adult criminal legislation and school acts. The poor were identified as being particularly crime-prone by professional social pathologists, who attempted to emulate the success of positivistic natural science in predicting social disease. "Predelinquent" children of unfit parents thus became eligible for state intervention as much as did those who had already committed a crime.

The passing in 1908 of the Canadian Juvenile Delinquents Act legally entrenched the inferior status of the young. Leon (in this volume) demonstrates how the child-savers won the day in the battle with police over the spoils. A new social problem was firmly identified, and new institutions were established in dealing with youth.

Juveniles are still denied the franchise (political power) and are subjected to special closed courts and provisions in different laws, and their everyday behavior is significantly constrained. For example, it is prohibited for anyone under 18 to drink alcoholic beverages, and for anyone under 16 to smoke tobacco, drive a car, or engage in sexual intercourse. Compulsory education and curfew laws (though the latter are rarely enforced, they are publicly supported - see Gallup Poll, 1975) can determine a juvenile's physical location for about 12 to 14 hours of each weekday. Youths are prohibited access to certain books and movies. Vague "incurability" clauses and prosecution of solvent-sniffing by some judges are other offences specially limited to juveniles.

"The present Juvenile Delinquents Act of Canada defines as a delinquent any child who violates any provision of the Criminal Code, or any federal or provincial statute, or any by-law or ordinance of any municipality; a child 'who is guilty of sexual immorality or any similar vice' (a condition that, according to Freud, would include all normal children); and a child 'liable by reason of any other act to be committed to an industrial school or juvenile reformatory under the provisions of any dominion or provincial statute' (and that includes a great many children, even those accused of petty crimes)." (Grygier, 1965, p.31)

Juveniles clearly retain a second-class status under our laws.

Juvenile courts lack elementary safeguards of due process. Judges have access to confidential information on defendants before they are convicted, hardly a situation guaranteed to uphold the "innocent until proven guilty" principle. Information that may be relevant to the defence is held by the crown prosecutors and denied to the child's lawyer (when the child has one) (Bad day, 1975). The courts are not public and hence not under the safeguard of public scrutiny (Juvenile court, 1975). In becoming an administrative welfare problem, children lost their civil rights to self-defence.

Given that they thus have far more laws to break and are more easily convicted in such courts, it is not surprising that young people are predominant in criminal statistics. At least 15% of the juvenile offences are for status crimes, actions for which only juveniles are liable. In addition, in the last decade in Ontario 40% to 50% of incarcerated juveniles were placed in training schools under "needy children" clauses and not for any criminal offence (see Weiler, in this volume, on effects of the recent revocation of such clauses in Ontario). Similar treatment of both neglected and delinquent youth in the same institution has been justified by the argument that delinquency-prone conditions can be identified and treated. While it is unclear whether such children get positive help, they certainly get confined in inadequately funded programs.

The most successfully replicated explanation of delinquency - control theory - predicts that individuals who lack conventional commitments (e.g., jobs), constraining attachments (e.g., families), and socially approved beliefs are most likely to commit crimes. Ironically, adolescent status inherently places its incumbents in such a position and hence seems to encourage delinquency. Even if juveniles were subject only to adult law in adult courts, their dependent social situation would be more likely to encourage criminal activities. While self-report studies verify that almost all adolescents commit some offences, working-class adolescents are much more likely than middle-class ones to appear in court (by a ratio of roughly 5:1 rather than the 1:1-1/2 ratio for self-report offences). Theft is a prototypical crime: some 80% of the specifically identified violations of the criminal code are property offences, with the rate being three times higher for juveniles than for adults (Statistics Canada, 1969). Of all thieves successfully prosecuted, about 40% are juvenile, and the modal age is 15 to 17 years. A growing body of research argues that a significant proportion of such adolescent crime is committed by young persons "precociously" claiming adult status (Buff, 1971; Centre for New Schools, 1974; West, 1975). The connection to propertylessness is obvious.

Although this discussion has focussed on schools and legal systems, the repercussions of deprived status plague children and youth in other sectors of our society, particularly the economy. In 1971, children and youth comprised almost half of the Canadian population: some 10.4 million of 21.5 million Canadians were under 24 years of age (Committee on Youth, 1971). The post-war baby boom somewhat exaggerated the predominance of youth in the population. This boom was responsible for much of our economic growth, as it constituted a market opportunity for the provision of new physical facilities (homes, schools, recreation centres), jobs for caretakers (teachers, youth workers, and professors), and general consumer demand, especially in the new teenage market. It also created pressure on schools and courts, and particularly on the job market.

Private industry has simply been unable to absorb this increase in the labor supply. Of the increase in the American laboring population from 1951 to 1966, teachers and students (above age 18, considered as job holders) account for 45% of the new jobs, defence for a further 21%, and private industry for only the remaining 33% (Rowntree & Rowntree, 1968). Although the Canadian defence industry is negligible, the relation between education and the labor force is doubtlessly similar here. Whereas the overall 1970 Canadian unemployment rates for males and females were 6.6% and 4.5% respectively, for 14- to 19-year-olds they were 15% and 11.4%; and for 20- to 24-year-olds they were 10.55% and 5.1%. Youth has continued to be unemployed at two to three times the national average, and constitutes about 45% of the total

unemployed (Committee on Youth, 1971; Employment, 1975). In light of these figures, the much criticized Local Initiatives Program and Opportunities for Youth program can be seen as attempts to meet a potentially disastrous national emergency rather than as precursors of a new era of civil participation and social service. Education was forced to "take up the slack" and become the country's largest industry by 1970, consuming 8% of the GNP, occupying 6.5 million students and teachers, and consuming 20% of the total government spending, over \$6 billion.

Young persons remain severely handicapped economically. Labor laws effectively prohibit employment of juveniles; in terms of training, experience, and seniority, the young stand at a disadvantage to other workers. As a result, when they are employed their pay is differentially lower. They consequently must rely to an unusual extent upon alternative sources of income (e.g., parents, welfare, or crime). To the extent that work roles are the primary source of personal identity in our society, juveniles who are denied jobs can be expected to experience identity crises and adolescent "angst," and to look elsewhere (e.g., in various "youth cultures") to create worth-while selves (Hughes, 1958, pp.42-43).

"Adolescent behavior that adults call irresponsible simply reflects the failure of society to provide any responsible position for them." (Friedenberg, 1966, p.46)

The free market economy justifies itself by arguing that the market responds to consumer demand and hence satisfies the wants of the general population (Meyer, 1973, pp.38-39). Only the consumers can know what they most want in "maximizing [their] utilities." They vote with their dollars to encourage efficiency and production in those sectors of the economy which provide for their needs, thus attracting capital to those areas. This argument assumes that each person has the money to articulate individual needs and wants into consumer demands. For the vast majority of the population such money comes only from employment. Any group, therefore, restricted in employment or institutionally held to a low income is handicapped in articulating its consumer demand on the market. Children and youth (as well as the old, unemployed, single mothers, etc.) are systematically unsatisfied and oppressed by the market system in conjunction with the law. (This is to ignore the gross facts of capital accumulation, and the gross distortion of free market demand by tariffs, corporate wealth, and advertising, which affect the entire population.) Labor market problems of our economy are thus fought on the backs of the young (and the very old).

### **Proposed Changes**

There have been many attempts to implement children's rights within the schools over the last decade. Such innovations as open primary schools, child-centred education, open-choice high school credit systems, alternative high schools within the system, and parent-student-teacher councils have been implemented. Yet the grading system remains as firmly entrenched as ever; every child is expected to develop the same skills in the same areas examined on standardized tests that are developed expressly to discriminate among children (MacKay, in this volume). The ranking system is fully blown into streaming or tracking, and specifically job-oriented community colleges, whereby working-class and immigrant children (D'Oyley, in this volume) are

channelled into curriculum divisions preparatory to working-class jobs, and middle-class ones are slotted to become managers and technicians. This is all justified by the "IQ ideology": in such a meritocracy as ours, social position and the goods that go with it are merited by the amount of testable intelligence one has.

The teacher/pupil ratio has remained constant. Funds that could have been used to fundamentally alter this condition of education have instead been used to buy expensive hardware from the education technology industries (Martell, 1974). Thus, any chance of altering the teacher-pupil distance from one demanding authority-submission to one of honest encounter is precluded (Ryan & Greenfield, 1975). School-community councils remain firmly subordinated to central educational bureaucracies and ministries, as much by their own role-definition as by overt coercion (Eastabrook, in this volume).

Administrative discretion still remains unclarified and unsystematized within schools (Manley-Casimir, in this volume). Magsino (in this volume) demonstrates in great detail how the legislative support for students' rights is weak. And compulsory attendance remains.

Both the Ontario and federal governments have recently taken steps to modify legislation governing delinquency and training schools. Legal aid has brought duty counsel lawyers to juvenile courts, so that due process is informally more encouraged. However, such progress remains based on casual agreements between individual judges and lawyers, rather than being grounded in statutes. Duty counsel lawyers often see themselves as representing the community, the parents, or the court, at least as much as the child. They tend to interact regularly with other court officials, and hence are subject to informal pressures to be more cooperative with them than they are informally beholden to their "clients." It remains unclear, of course, whether the lawyer's client is the paying state, the legally responsible parents, or the child (Platt, 1969).

Ontario has revoked Section 8 of the Training Schools Act, which allowed dependent children to be incarcerated "if no suitable community facility were available" (Weiler, in this volume). Child welfare organizations, which would be held responsible for providing alternative services to such children, succeeded in delaying the implementation of this legislation for over a year, seeking adequate government financing for the new programs. Children continued to suffer while these two squabbling "parents" bartered as to whom would be stuck with "support payments." The very organizations which claim to have the best interests of the child at heart were ironically revealed to be much more concerned with their own budgets, aggrandizements, boundaries, and relationships. Weiler makes clear that the revocation of Section 8 still allows dependency cases to be incarcerated under a formerly seldom-used clause in the federal Juvenile Delinquents Act.

The federal government has announced its intention to replace the Juvenile Delinquents Act with the Young Offenders Act. Insofar as all status offences (e.g., truancy and sexual immorality) would be eliminated, the law is progressive; maximum three-year sentences would replace the present indefinite terms. The raising of the age of juveniles from 16 to 18 would protect this group from any harshness to which adults are subjected, but the group would also lose any rights that it had as adults. The oppressed age group would thus be expanded. Children below 14 would lose all vestiges of responsible personhood in being deprived of the opportunity for a court trial. They would be relegated to the administration of the same types of welfare bureaucracies that have so obviously failed to uplift the old, the native peoples, and the poor. It is hard to avoid

considering the pressing organizational advantages of the new legislation: with the baby boom generation now almost grown up, the revocation of Section 8, and the increased use of group homes, the training schools will become even emptier and hence available for new older customers, since the adult reformatories are jammed. Under the guise of state humanitarianism, the administered population will be redistributed so that staff and facilities will be least disrupted.

The continued lack of evidence of successful reformation gives firm support to Conly's (in this volume) call for abolition.

Youth is faring no better in the economy. When they appeared most rebellious and most likely to become politically organized, they were co-opted into the Company of Young Canadians, Opportunities for Youth, and Local Initiatives Programs. All of these were thinly disguised welfare measures, subject to administrative control and approval, and of short-term duration. None were allowed to become serious economic enterprises by using funds for capital expenses - it is hardly surprising that a government supported by business would brand such activities as unfair competition. When the government needed obvious spending cuts to propagandize its war on inflation, youth was among the victims as these programs were cut.

The scandalous rates of continuing youth unemployment have forced revision of the Job Corps: "Canada Works" and "Young Canada Works" have stricter discipline and control.

Simultaneous changes in welfare distribution have tightened the noose to prevent young unemployed persons from being supported if living at home. The often heard charge that the battle against inflation is being fought on the backs of the workers is, given the predominance of youth among the unemployed, more accurately depicted as a strangulation of our young.

The Ontario government has increased postsecondary tuition fees as well, without any promise of proportionate increases in grants, cutting back in the one alternative to jobs it previously supported.

### **The Special Character of Children's Rights Advocacy**

How is it that children's rights remain in dispute, with only pyrrhic victories? Children, it seems, are among the less promising groups to organize. One of the most obvious and most important characteristics of children is the temporary nature of their status. With respect to rights, this characteristic partly explains the failure of children to organize themselves. Members of youth leadership groups change constantly and, by definition, become part of the exploitive adult world. Similarly, children, conscious of their ephemeral situation, tend to identify less with their peers than with older age groups. Their ambition is to escape from childhood rather than to deal with it.

Of course, even if children did develop a critical consciousness, they are further disadvantaged by their physical size. Children are early confronted with defeat through the threat or use of force, regardless of the logic or reasonableness of their desires. For example, the accepted practice of spanking children establishes parent-child, adult-youth relationships that are based on the underpinnings of "might is right." Children cannot control their own activity except when this activity meets with parental acceptance. If children deserve certain rights that infringe on adult hegemony, only special provision will prevent the classic strong-weak tyranny.

Definition of children's rights is by itself inadequate to guarantee protection since children are severely disadvantaged by inadequate knowledge of the

ways in which society functions. Information about recourse to judicial authority, for example, is largely inaccessible to children and it is unlikely that an abused child would know where to find protection. How children can be better prepared to stand for themselves is perhaps the central question that emerges from discussion of the need for children's rights.

Unlike other members of oppressed groups, children cannot easily find solace away from control by the adult world. Members of minority groups can seek refuge in community groups and often can share burdens and find comfort in family settings. Children, however, are supervised in all aspects of their lives and they are not assured of support and encouragement even in their own dwellings. In fact, their legal and educational oppression may be only extensions of mistreatment at home.

The issue is further complicated by the generally good intentions of children's caretakers (parents, teachers, training school attendants, etc.) who are given nigh impossible tasks and then blamed for any failures. The law requires juveniles, their families, and teachers to maintain ongoing association in frequently pressure-cooker intimacy. In addition to economic dependence on parents, minors require parental permission for contracts (e.g., marriage, purchases, club memberships). The family and teachers are thus delegated the responsibility of controlling juvenile behavior in ways that they may find personally disagreeable or abhorrent. Standing guard over the oppressed is a nasty and thankless task in the best of circumstances. For many parents (especially working-class ones) and many teachers and staff (isolated in understaffed, inadequately equipped schools), it is an impossible one. With custody functions delegated to parents and teachers, the responsibility for creating the conditions that may engender ensuing rebellions is avoided by the schools, the state, and the corporations, who maintain their hegemony by such bureaucratically fostered division of people amongst themselves. The mystification becomes complete when the truants, the delinquents, and the unemployed assume blame for their situation and actions, believing their troubles result from their own stupidity, emotional disturbance, and shiftlessness.

Youth are further pressed to serve our society in peculiar ways. They are used as an ideological vanguard to test ideas and add some dynamism to the existing order. Although most youth are as conservative as their parents, the few rebels serve as scapegoats upon which sexual fantasies and dreams that the "golden age has passed" (Jahoda & Warren, 1965) and decadent fears can be projected. The girls are seen as precocious and the boys as shiftless and undisciplined (Musgrove, 1964, pp.102ff).

To summarize, one of the most salient characteristics of juvenile status in education, law, and the economy is "denied adulthood." As with blacks, this institutionalized, often legalized, oppression is mystifyingly justified by claims to be in the interests of the oppressed. Children are deemed to be of a fundamentally different nature than citizens (e.g., immature, dependent, ignorant, frivolous). Social and educational science has developed professorships, research programs, bodies of literature, and graduate programs around the unquestioned assumption of such social beliefs. Developmental psychology, learning theory, delinquency research, adolescent counselling, etc., all function "scientifically" to legitimize the status of children by presupposing them to be fundamentally different, incomplete, irrational, etc., and then documenting their peculiarities. And, in our society, they often *are* such; but we fail to recognize the self-fulfilling vicious-circle nature of this oppression until we learn that children of other societies and times act much as adults do

when they are allowed and expected to. In our society, it is illegal for a person under 16 to act maturely, i.e., as an adult. An elementary glance at the status of children is thus enough to identify them as a legally and socially oppressed group (see Kelly, 1969).

Our legal structure creates a special group of second-class persons, called children, who are denied citizenship rights and responsibilities (Ariès, 1962). Unlike some oppressed adult groups, their structural position within society is so weak as to require advocacy mainly by allies.

### **Why Children's Rights?**

This discussion has asked that youth and children be given citizenship rights within society. It consists fundamentally of requests for liberal reforms to release the young from oppression. It relies on humanitarian appeals for the establishment of civil liberties that would apply to all, regardless of age. Given their inherent weaknesses discussed above, it is especially imperative that children have rights institutionalized in the law. They should not simply be delegated to various social agencies who claim to act "in the best interests of the child."

But there are further reasons that push beyond liberal reforms for extending such rights to children. Endowing children with rights would require that we develop their and our ability to become self-aware, to analyze, and to choose. Mel Hurtig's surveys and the Symons report on Canadian studies in our universities indicate the horrendous depths of our ignorance of ourselves. As a result, for example, we have slavishly copied French, English, and American educational ideas in adopting classical colleges, private schools, and mass education, without questioning the relevance of these educational forms to our culture and economy (Lockheart, 1975). We are only now seriously engaging in debate on how to organize a multicultural society of two historically predominant "founding peoples" that must incorporate the cultural richness of other groups (which now compose roughly a third of us, and as much as half of some school jurisdictions - see D'Oyley, in this volume). The ecological crisis and our unique position on the northern half of a continent rich in finite resources that are required for our continued survival must surely impress upon us the need for our children to learn rapidly how to become respectful stewards of our inheritance.

This expansion of the discussion of children's rights from the demands for liberal democratically inspired citizenship claims has incorporated the issue within the wider structural dilemmas of our time. This implies that children's rights cannot be dealt with as a separate entity, divorced from the endemic problems of Canadian society. Thoroughgoing changes in schools, juvenile justice systems, and economic opportunities cannot be effected without changes in our political and economic leadership and institutions. The refusal to ground the discussion of children's rights within such a context can result only in the piecemeal reforms of the past decade, which have been subject to widespread co-optation within the present system.

Children's rights will not be achieved in isolation from the liberation of other sectors of society. The analysis implies the fundamental need for unity among all movements, in particular with the most successful and powerful movement of this century, that of working people, especially since training school inmates and school failures are largely working class. Only in such alliance can just socialization of the young be achieved. Reciprocally, without children's liberation, the young of all oppressed groups will continue to be

dominated by the existing hegemony. Alternatively, re-education of our children holds the promise of re-establishing human life as not absolutely reducible to economic exchange value.

To do these things, of course, requires renewal of our best and most progressive political traditions. We have inherited from Britain not only the liberal democratic traditions present in the United States, but also a collectivist tradition of Tory rule, corporate exploitation, and our own socialist movements. Our more recent and incomplete industrialization has left us with recently fresh memories of rural community. Our children need to learn skills required for participation in a thoroughgoing democratic community, where the public control all aspects of their lives, not merely the formally democratic ones (Heap, 1974; Porter, 1965). The rightful recognition of people's knowledge should lead not only to a demystification of our educationally supported intellectual hierarchies, but also to a just society. Our children deserve no less.

#### Note

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