

# Homeless Children and Children's Rights: The Starting Line in the Human Race

by Chris Goddard

**T**he new-born child arrives in the world with an awesome array of capacities and reflexes. They can suck, cough, cry, squirm, turn their heads and grip objects (Segal and Segal, 1985). As Somerville points out, however, what we have to remember is that all children are born 'prematurely', in that their character and personality are yet to be fully formed (1982 : 242).

It was Wilhelm Reich, I believe, who clearly portrayed the shock of being born. After 40 weeks or thereabouts of security, the newborn arrives in a world that is far less warm and far more threatening than the womb. The baby is picked up by the legs, slapped briskly and removed from his or her mother. Reich argued that the world was destined to remain in a mess while new residents are greeted in such a fashion. For some children, even in wealthy countries like Australia, those first few minutes set the scene for much of their future lives.

The place of children in Australian society and how we treat them has been the subject of much debate in recent months. Two subjects in particular have been subject to special scrutiny: homeless children, and children's rights. The plight of homeless children received widespread attention when the Human Rights and Equal Opportunity Commission (1989) published the results of an inquiry, *Our Homeless Children*. Although accurate data on such a problem is, by definition, almost impossible to obtain, the fact that the problem of homeless children existed on such a scale was a surprise to many members of the public, and received extensive media coverage.

A number of major concerns were raised by the inquiry, too many to



comprehensively report on here. For those who work in the child welfare field the report confirmed much that had been gleaned through practice wisdom over the years. The reported 'substantial link' (1989 : 91) between child abuse and eventual homelessness (and the widespread existence of child abuse in all its forms) will have come as no surprise to most workers.

Damning evidence is presented in the report (see, for example, pp. 109-117) that admission to the care of the state is, for many children at least, tantamount to placing them on the path to homelessness. Evidence was presented to the Inquiry that made the point dramatically: in some months, half or more of the homeless children presenting at one service were, or had been Community Service clients (1989 : 110) According to *Our Homeless Children*, this is nothing less than:

...a serious indictment of the willingness and capacity of those [state welfare and health] authorities to properly discharge their legal and social responsibilities.

(1989 : 117)

*Our Homeless Children* represents a significant achievement in bringing to public notice a major social problem in Australia and the need for reform to ensure that State authorities fulfil their duties. As Brian Burdekin has

explained, in order to protect homeless children and create effective programs to assist them, we need to ensure that the full range of children's rights is respected (1989 : 30). This leads to another significant achievement, this time from an international perspective: the unanimous agreement by the United Nations to adopt a **Convention on the Rights of the Child**.

The concept of children's rights, it is generally believed, dates back to the 'Geneva Declaration' of 1924, a five-point text proposed by the then 'Save the Children Fund International Union', taken over by the League of Nations, and later forming the basis for the **Declaration on the Rights of the Child**, adopted by the United Nations in 1958 (HREOC/UNICEF Briefing Kit, 1989).

Whereas *Our Homeless Children* provoked concern and demands for action, the UN Convention on the Rights of the Child has stimulated a surprising amount of concern of a different nature and considerable opposition. The most frequently articulated argument against the convention has focused on anxieties that parents' rights will be diminished by its adoption.

Debates about homeless children and children's rights are not new. This was brought home to me recently when I was given a biography of Janusz Korczak, *The King of Children* (Lifton, 1988). Korczak deserves to be better known in Australia. Born Henryk Goldsmit in 1878, to a Jewish family in Warsaw, he assumed the name Janusz Korczak when he entered a literary competition while he supported himself through his medical training by writing. He was to keep, and be known by this name for the rest of his life. Korczak trained as a paediatrician and devoted his life to

children, attempting to ensure that residential care for children was improved, and that the transition from life in care to life in the community was easier.

Lifton's biography of Korczak only slowly captivated me. At first I found the language somehow stilted, understated. Only later did I realise that what I found to be disconcerting at first was later to prove to be the strength of the book. Korczak worked every day of his life for and with children: as a radio broadcaster, doctor, teacher, child development theorist, novelist and director of children's homes. He spent his life with children (and was later to die with them) and, long before the 'Geneva Declaration', saw the need for children's rights.

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In 1912, Korczak gave up his medical practice to become director of a children's home in Warsaw. He continued his writing and his ideas about children are still so stimulating today. Korczak's imagery is rich when he describes children. He compares children to a 'parchment' covered with hieroglyphics, much of which will be indecipherable to parents (Lifton, 1988 : 80). In his work *The Child's Right to Respect*, he proposed that:

The child must be seen as a foreigner who does not understand the language of the street plan, who is ignorant of the laws and customs. Occasionally he likes to go sightseeing on his own; and when up against some difficulty, asks for information and advice. Wanted – a guide to answer questions politely.

(quoted in Lifton, 1988 : 193)

In his position as Director of the Jewish orphanage, Korczak was determined to nurture the whole child. He decided that he would attempt to put his ideas into practice and create a 'children's republic', a community that would allow children to run their own parliament, court and news paper:

The underlying philosophy of the children's republic was: children are not the people of tomorrow, but people today. They are entitled to be taken seriously. They have a right to be treated by adults with tenderness and respect, as equals, not as masters and slaves. They should be allowed to grow into whoever they were meant to be: the 'unknown person' inside each of them is the hope for the future.

(Lifton, 1988 : 62)

This was one of the foundations of Korczak's philosophy and practice. It is impossible, according to this view, to love a child unless you see him or her as an entirely separate person who has the 'inalienable right' to grow into the person he or she was meant to be (Lifton, 1988 : 79). The need to respect the child was a constant theme. Korczak was later to visit Palestine; Kibbutzniks said that Korczak left them with five commandments:

Love the child, not just your own. Observe the child. Do not pressure the child. Be honest with yourself in order to be honest with the child. Know yourself so that you do not take advantage of a defenceless child.

(Lifton, 1988 : 203)

Korczak, as others have done, used fiction to add power to his arguments. His first novel, *Children of the Street*, was published in 1901 and grew out of his anger at the waste and degradation of human life in the slums of Warsaw. He described children driven to stealing and lying by abject poverty, children who could only be saved if they were educated when they were young enough.

Perhaps his best-known novel is *King Matt the First* (Korczak, 1986). This is the story of a child who becomes king on the death of his father and who attempts to create utopia with just laws for children as well as

adults. The story is a delight and reflects Korczak's desire that children and adults should live together in happiness. As Bruno Bettelheim describes in his introduction to the tale, the book:

...demonstrates how a child again and again will trust adults, only to be disappointed by them... this story renders a true picture of how, in the child, seriousness and naive wisdom in understanding the world... are at all times inextricably interwoven with the need for play, for friendship with adults and peers, for a life of the imagination and paramount, a life of freedom, dignity and responsibility.

(Bettelheim, 1986 : vii)

*King Matt the First* presents, in fictional form, many of the issues that Korczak felt to be important. In the children's parliament, one of the reforms proposed is a ban on adults kissing children – as the child says, if adults are so keen on the 'mushy stuff' they should confine themselves to kissing each other because children hate it (Korczak, 1986 : 250).

Korczak's own world, and that of the children in his real-life orphanage, was to end more disastrously than King Matt's (King Matt was exiled to a desert island). The Nazis occupied Warsaw, rounded up the Jews and confined them to the walled ghetto. Korczak struggled to feed and protect his charges in the hell that was created. Between 1940 and 1944, when the liquidation proper began, at least 100,000 of the half a million Jews crowded into the ghetto died of disease and hunger. Even in the middle of this nightmare, Korczak valiantly attempted to keep in focus the dream of his 'children's empire' (Kulawiec, 1979), where children largely governed themselves.

Korczak's friends and colleagues, including former residents of the children's homes, tried to rescue him from his inevitable fate. They made concrete plans for his escape and attempted to persuade him to leave the ghetto while he could. He refused to desert the children and, when the time came, led them to the railway station and to Treblinka where he died with them in the gas chambers. It is almost impossible to read the last

pages of Lifton's biography of Korczak, and his final walk with the children from the home to the train, without crying.

According to Lifton, writing of her visit to Treblinka, where a million men, women and children died, the death camp has been made into a vast garden of stones:

The seventeen thousand rocks stood at attention like ghostly sentinels in that ghostly garden as we reached our destination, the one rock that bore a personal name: JANUSZ KORCZAK (HENRYK GOLDSMIT) AND THE CHILDREN. (Lifton, 1988 : 353)

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Many of Korczak's concerns are as relevant to us today as they were 70 years ago in Poland. He believed that the period of infancy was vital to development. He was concerned about how children could make the transition from children's homes to the wider world. He believed that if children had rights and were granted respect, the world would be a more hospitable place for children and adults alike.

While it is depressing to think that, nearly a century after Korczak first wrote of children's rights, many still see the issue as children's rights or

parents' rights, rather than the duties of every one of us to children, it is important to heed the lessons of reform from Korczak's life and fiction:

"My dear Matt," said the sad king, "I have to say that your reforms are interesting and important. You've made a brave beginning ... but remember: reforms are paid for with hard work, tears and blood".

(Korczak, 1986 : 230)

In a report entitled *Winning the Human Race* (1988), the Independent Commission on International Humanitarian Issues could have had Janusz Korczak in mind when they wrote the following:

Restoring to street children the attention of which they have been deprived requires great skill, understanding and patience. The pioneers in the field have been visionaries passionately committed to uplifting the downtrodden and able to break through surly distrust. They are the antithesis, in every way, of the cautious bureaucrat.

(1988 : 95)

Korczak was prepared to expose his visions to the intense scrutiny of practice. To be sure, some of his answers may appear, decades later, somewhat incongruous to the reader. Most, however, do not. The questions he raised were the right ones and it may be that, by paying attention to children's rights, we will at least be on the starting line and in the right race.

In planning services for homeless children and discussing children's rights we could do worse than think of Korczak. In *King Matt the First*, it is true that the children's reforms were shaky because the children were naive. The reforms finally collapsed, however, because they were betrayed by adults, and the children's vision of the world, and the children themselves, sadly never developed to their full potential because of this deception.

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