
Analysis of the Right to Participation of Children

Chirugu Gianina

Ovidius University of Constanta, Romania



ABSTRACT: The purpose of the paper is to present the rights to participation of children and how these rights are implemented and respected. This paper is original through the research theme, which is of great relevance, this being demonstrated by the statistical data and the projects started at national level to promote the rights to participation of children. The objectives of this paper are as follows: Presentation of the main rights of children, analysis of international and national legislation on children's participation rights, analysis of how this right of children is respected by the institutions of the world and those of our country, analysis of the implementation and observance of the right to participation of the child in the local community. The results of the research came to the following conclusions: the right to participate allows children to have a say in their lives. They give children the opportunity to express their opinions, discuss issues they consider important, and seek and receive information relevant to them.

KEYWORDS: children, rights, participation, social work, education

I. INTRODUCTION

The participation of children in decisions affecting their lives is a fundamental right guaranteed by Article 12 of the UN Convention on the Rights of the Child and Article 24 of Law 272/2004 [1]. This right means that all children have the right to express their views on all matters affecting them, within the family, at the local Community level, at school, and even at the national political level.

Adults should consider and give due importance to the views of children, in accordance with their age and maturity. Another way for children to exercise their participation rights is to engage in Community life.

Children can be active members of the Community. Thus, children have the right to actively engage in society and participate in decisions that may directly affect them. They have the right to oppose the violation of their rights and may try to do something to enforce them. In legal terms, participation is not a single right, but a sum of several rights: The acceptance of the child's opinion and its consideration, the right to be informed of the consequences that his opinion may have, the right to freedom of expression, the right to freedom of thought, of conscience and religion, the right to free association and the right to peaceful assembly, consideration of the child's ever-developing capacities as a basis for the way parents guide and guide them.

The Romanian legislation recognizes the right of the child to participate in decisions concerning him, establishing, through various normative acts, the minimum age from which consultation or consent of the child on these decisions is mandatory, as well as the ages from which the child can make decisions about certain aspects of his life himself.

The right to be heard gives the child the opportunity to request and receive any relevant information, to be consulted, to express his opinion and to be informed of the consequences that his opinion may have, if it is respected, and the consequences of any decision that concerns him.

Children have the right to participate, but not the obligation to do so. They are not obliged to express their opinions if they do not want or are not interested in doing so. Children should also not be subjected to any pressure, constraint or influence that could prevent them from freely expressing their opinions or lead to their manipulation. Adults must provide the appropriate framework to facilitate the free exercise of this right.

II. PARTICIPATION OF CHILDREN BETWEEN THEORY AND PRACTICE

Because in some families the opinions, skills and interests of children are not taken into account, they are unable to develop their qualities. Sometimes children are forced by their parents to choose a particular study profile. Some parents disagree with

Analysis of the Right to Participation of Children

the way children spend their free time, their chosen hobby, or circles on frequented interests. Parents often forbid the child to participate in certain activities because: They do not see their usefulness for the development and future of their child, these activities violate the child's usual day regimen or are not traditionally common for girls or boys. There are cases where parents intimidate their children or do not provide them with the necessary equipment [2].

Children are often influenced by adults to adopt certain styles of clothing, music, etc. in families, many children are not able to choose which roles and tasks related to the household to assume. As a rule, these decisions are made by adults, father or mother, without consulting children. There are cases where older brothers force their children to perform the tasks that have come to them. Most children whose parents are absent from home because they work abroad have to do all the work in the home and household. Thus, they do not have free time to participate in various activities.

Children believe that optional hours would be useful for their development if they fit their needs and interests. However, the optional classes in many schools are chosen by teachers without consulting students and their parents. In some cases, parents decide which objects to study students in their optional classes without consulting their children. There are also situations where teachers resort to lies to persuade students to opt for one discipline or another. For example, the teacher promised that they would make mathematics fun if they chose mathematics as an optional hour, but in reality these lessons are no different from those according to the curriculum in the respective discipline. In many schools students are required to attend optional classes and there are common situations in which they are noted within them. There are also cases where only students who have high grades in a discipline are required to attend the optional time in the same discipline, being threatened by teachers that only in this way will they be able to maintain their good results to the point.

In most schools there are no opportunities and methods for consulting the child's opinion on the educational process and the conduct of extracurricular activities. Most adults do not know about the child's right to opinion or misunderstand it. Often student participation is viewed as a game, and as a result their involvement is only simulated. Many teachers confuse the expression of students' opinion with lack of education ("impudence"), especially when children have different views from those of adults. In most schools, teachers selectively respect this right, listening and taking into account only the opinions of certain students, whom they prefer because they have high grades and exemplary behavior, come from "good families", have more material resources or are related to teachers.

In many cases, even if teachers consult students, this process is false because adults do not take into account the opinions expressed. Students in small classes are not given any opportunity to express their opinion. Students do not have opportunities (discussions, questionnaires, anonymous ticket speakers, etc.) to freely express their opinion on working and evaluation methods applied during classes or teachers' communication style. In some schools only young specialists apply interactive methods, attractive to students, in the evaluation of activities. As a rule, students do not have the opportunity to participate in the selection of topics addressed in the course of the teaching class. The teachers develop their activity plan for the hour decided in August, without making a preliminary analysis of the students' interests and needs. During the school year, they do not change this plan. In the rare situations where teachers ask students what theme they would like to address in class, they do not take into account the children's ideas, motivating that they do not have the necessary information and materials.

There are frequent cases where teachers do not allow students to express their views if they are different from those of teachers. In order to impose their own opinions, teachers threaten children with punishments or resort to lower grades of discipline and behavior, apply verbal and physical violence.

The opinions of the children regarding the educational process, extracurricular activities, the content of the school regulations, and the activity of the self-governing bodies (senate / School council) are consulted extremely rarely. Most adults do not understand the essence of the right to participate, as a result, the involvement of children is formal. And in many families, the opinions, skills and interests of children are not taken into account, so they cannot develop their qualities.

In most schools extracurricular activities – interest circles, evenings, holidays, contests, Olympics – are planned and organized without consulting children [3]. There are no opportunities for students to express their views on how these activities were conducted. As a result, child participation is often formal and forced, with teachers threatening students with low grades in discipline or behavior. Interest circles in most schools do not encompass the interests and skills of children. The content of the circles is determined according to the skills and preferences of the teachers and because in the communities there are no adults ready to coordinate the activities requested by the children. At the same time, not all student interests are approved by teachers ("the break-dance circle does not correspond to the school values"). As a rule, children's initiative to organize extracurricular activities themselves is not supported by adults [4].

Children's access to interest-based circles is reduced in several schools due to limited places, but also due to the desire of adult coordinators to work with children who have a high level of skills development that the circle's activity entails. In most schools, student participation in various competitions and Olympics is selective. As a rule, priority is given to children preferred by

Analysis of the Right to Participation of Children

teachers – students with high marks on objects and good behavior. There are cases where the circles do not work systematically and their displayed schedule is not respected. Often only the regional or regional stages of some circles and competitions are performed.

In most schools, the information provided to students about evenings, contests and other extracurricular activities organized in the school is incomplete: Their objectives, conditions of deployment, advantages that participants can obtain, criteria for participation, contact details of organizers, etc. in many cases, students are not informed in advance about the content and conduct of activities and are unable to prepare for them. Participation in competitions and Olympics is often not anticipated by proper training of children.

In many cases, children cannot learn from participating in certain competitions, because their organizers only announce their results and provide no explanation of the participants' performance. There have also been cases where the results of the Olympics have not even been made public in the school.

The scenarios of the activities are made up of adults, who direct the whole process of who will play an active role, who will be a spectator, what will everyone say and do, who and how to dress or make up. Sometimes the scenarios of the activities are repeated from previous years and/or do not correspond to the age of the students.

Teachers encourage the involvement of some and the same children, who like them or who already have experience with such activities [5]. The fact that these students already have a training facilitates the work of the teachers and makes them feel confident that the children will manage ("that they will not embarrass the class or school"). In many cases, the participation of children in competitions is formal, because from the start one knows who will take the first place. Usually, the criteria for determining winners are not known to the participants or they are not respected. In the process of preparing for participation in an activity, children are often forbidden to associate with peers at their will or to call on the help of other adults. Children from poor families, modestly dressed or inexperienced at such events are often mocked by adults or colleagues when engaging in activities. If they don't take top places in competitions, teachers won't let them get involved any other time. In some communities, non-governmental organizations promote the participation and expression of opinion of children in seminars, summer schools, opportunities to volunteer and access various sources of information.

Structures for self-leadership and consultation of children's opinions – senate/council/school Parliament – exist in some schools. In most cases, however, children who are not part of them do not know about their existence or do not know what their role is in school, how they function and what procedures are necessary to become their members. Most of the time, the choice of class leaders or school board members is not transparent and is made without the participation of students. These choices are sometimes simulated, with the final decision belonging to the master. Sometimes the role of class leader is fulfilled by the same student over several years, even if he does not want to assume this responsibility [6].

In many schools, the work of self-governing bodies is directed and manipulated by teachers. Members of self-governing bodies in schools often do not know their mission and responsibilities. Adults also develop the activity plan of the school council / senate, sometimes including in it tasks of the teacher or representatives of the school administration (records of students who have absences, students with high or low grades, communication about "bad" students in meetings with parents, etc.). Often this structure is formal and does not really work, convening in irregular meetings at the request of teachers.

Many adults in local schools and non-governmental organizations do not understand the essence of voluntary participation and condition the activity of children in self-governing bodies through high success, exemplary behavior.

In many schools, children who are part of these structures have many privileges: Their absences or delays in classes are not taken into account, they have opportunities to communicate informally with teachers, or they are not punished for certain violations. In other cases, class leaders are held responsible for the entire class, dealing with the organization of the serials, collecting the money needed to procure office supplies for theses and exams, or being reprimanded for violations made by other students. Many teachers use the threat of excluding students from the school's self-governing bodies as a method of discipline or persuasion.

Children in many schools are not informed about the existence of the school regulations or do not know what its provisions are. In some schools, the Regulation is drawn up with the participation of self-governing bodies. In most cases, students do not have access to the school regulations, which are in the chancellery, a room where only teachers can enter. In no school where the members of the working Group on the monitoring of children's Rights are studying, the content of the school rules has not been consulted with the students. These regulations are old, and the rules are formulated in vague, general terms that are not understandable to all children, from first to twelfth grade. In some cases, teachers say that the regulations were made up by students several years ago.

Analysis of the Right to Participation of Children

As a rule, at the level of classes the obligations of the students are established by the teachers, without being consulted with the children. Teachers often refer to penalties for violating students' obligations and self-Regulation in general, but none of them mention penalties for violating children's rights.

Schools and communities lack financial resources to support initiatives of children and to carry out activities to promote their participation. Collected money for activities with children. Most of the time, teachers say that the money is intended and spent for performing repair work in schools. sometimes, representatives of local public authorities promise to allocate resources for organizing activities planned by school councils or local children's councils, but subsequently, they do not grant this money, motivating by the fact that all resources were spent on the repair of the school or the cafeteria. Even if there is such a possibility, there are cases where neither the school nor the culture house offers the children the festivities hall to organize rehearsals during the preparation of an event.

III. DESIGN OF RESEARCH

This research follows the way in which children's participation rights in the local Community are promoted, implemented and respected.

The objectives of the research are: methods and processes for promoting children's participation rights, the ways of implementing the rights of participation of children, respect for children's rights of participation.

It was formulated as a general hypothesis: "In local communities, children know their rights to participate, and these rights are respected by family, school and local authorities.

In this research we used a set of working tools methods and techniques such as questionnaire, interview and comparative study.

The operationalization of the concepts was carried out through a questionnaire that will measure the degree of information of children on the rights to participation and the degree of respect for the rights to participation of children according to age and social environment.

We chose the questionnaire as a working tool because it provides opinions, that is, an image of the object being researched – the right to participate of children

For the construction of the questionnaire, several steps were taken. first, for the collection of data, we conducted ten interviews, five were applied among children from ordinary families and families The other five in a placement center on a sample of ten children aged 12-16 years. as a working tool we used two interview guides that have ten questions each with free answer.

I chose the interview because it is a verbal investigation process to collect information about the knowledge and respect of the rights to participate.

Based on the information collected on the field, we formulated the assumptions, variables and formulated the items for the questionnaire. The respective questionnaire was pre-tested on a sample of twenty subjects, and after pre-testing five questions were modified. The final questionnaire reached fifteen closed questions with coded answer variants.

The target population of this research is represented by children of both sexes from the Roman municipality, aged between 12 and 16 years the accessible population was represented by students from the Romanian schools. The sample is composed of 50 child subjects and was randomly chosen from two roachy schools.

For starters, we conducted the documentation and took information on the legislation in the field and the analysis of other studies that have as their object the right to participate of children. Then we made two interview guides and the three case studies. Then we tested the questionnaire and brought it to form the final we applied to the chosen sample.

For the collection of data for this research we have produced two different interview guides that we applied on two different samples. The first guide was applied to children from ordinary families, the second guide was applied in a placement center and we selected five children without family as sample. We had free discussions with all subjects and gathered information about their knowledge of the right to participate and how the subjects felt respected or not the right to participate in everyday life.

This research aimed to study how children's participation rights in the local Community are promoted, implemented and respected. By doing a general analysis of the results and analyzing the assumptions, we noticed that 80% of the respondents heard about the rights to participation of children, the main source of information about the rights to participation being the Internet, then from their colleagues. More than half of the study participants often feel that they are not heard when they express their opinion. The general conclusion of this study is that this research confirmed the general hypothesis.

The conducted research has a number of methodological limits that have influenced the validity of the obtained results and will be presented below. First, it should be noted that a small number of subjects were used, which makes the results not representative of the population from which the sample was extracted.

Analysis of the Right to Participation of Children

As for the use of the interview, interview guides were built specifically for this research and it was pre-tested on a small number of subjects, which is why its validity is not very good, so there may be errors in the collection of field data.

Sometimes the wording of the items is not very clear on the questionnaire, which is why the subjects may not have understood exactly what each item refers to.

Another source of error for this research may be the way the data was collected, with most subjects initially refusing to participate in the research, this can lead to the completion of random questionnaires without carefully reading the items and especially without understanding them

Prerequisites for future research

The research presented aims to modestly surprise some aspects regarding the implementation and respect of children's rights to participation in the local Community. This research is useful for the realization of future projects aimed at the participation of children. In the future, interesting research can be carried out on the participation of children in various research activities and the permanent evaluation of the training needs of children and professionals working with children and the adaptation of the training modules to the specific of the target group. Publicizing successful practices to create a mailarg commitment of authorities and communities to children's initiatives and mobilizing children and adults from other communities. Dissemination of information material on young people's rights, stipulated by international and national acts, in particular, material on opportunities for children to participate in decision-making and influence them.

Among the personal contributions we can list the achievement of a sociological research aimed at capturing the aspects regarding the implementation and observance of the rights to participation of children in the local Community, the realization of interview guides, questionnaire, comparative study and application of interviews, questionnaire and the centralization of the results.

V. CONCLUSIONS

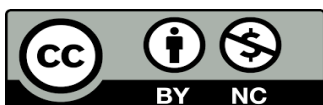
The right to participate allows children to have a say in their lives. They give children the opportunity to express their opinions, discuss issues they consider important, and seek and receive information relevant to them. In some cases, Romanian law explicitly allows children to have a say after a certain age. For example, children can choose their own religion at the age of 16, but their religion cannot be changed without their consent even before the age of 14

The rights of participation of the child are, however, limited in the sense that in order to exercise them, children must be able to form their own opinions. However, it should not be understood that participation rights do not apply to young children. On the contrary, the latter also have participatory needs and capacities. Under Romanian law, the child over 10 years of age must be heard in all legal and administrative procedures concerning him or her (for example, the child over 10 years of age for whom the adoption procedure has been opened must consent to adoption). Children of younger age may also be heard, and if the competent authority deems it appropriate, the views of the child shall be taken into account according to the age and degree of maturity of the child.

In short, the older the child gets, the more participatory needs he will have, and the more able he will be to form his own opinions. Therefore, participatory rights are becoming extremely important in children.

REFERENCES

- 1) Balahur, D, 2001 the protection of the rights of the child as a principle of social work, C.H. Beck, București.
- 2) Lansdown, G. 1995 Taking Part: Children's Participation in Decision-Making. IPPR: London.
- 3) Adams, E. and Ingham, S. 1998 Changing Places: Children's Participation in Environmental Planning. The Children's Society, London.
- 4) O'Kane, C. and Sen, I. 2001 In Search of Fair Play: Street and Working Children Speak about Their Rights. Butterflies and Mosaic: India.
- 5) Milner, P. and Carolin, B. eds. 1999 Time to listen to children. Routledge, London.
- 6) Alderson, P. 1995 Listening to Children: Children, Ethics and Social Research, Barnardos, Essex.



There is an Open Access article, distributed under the term of the Creative Commons Attribution–Non Commercial 4.0 International (CC BY-NC 4.0) (<https://creativecommons.org/licenses/by-nc/4.0/>), which permits remixing, adapting and building upon the work for non-commercial use, provided the original work is properly cited.