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Special Educationalists and 'The Child's Welfare' (Aspects of Domestic Violence Against Children)

Domestic violence, particularly against children, means that they experience suffering and negative emotions as a result of the actions of a parent (or parents) who is an important person for the child and who the child is emotionally and financially dependent on. Children are aware of their helplessness, powerless and dependence. The characteristic aspect of this phenomenon is that suffering usually comes from the person closest to the child, who the child loves and trusts.

Child abuse is closely related to the issue of so called 'the child's welfare'. The term 'the child's welfare' is commonly used but it does not mean it is understood and perceived in the same way. Parents, teachers and institutions (for example courts, Committee of Child's Rights Protection) alike emphasize and prove that their actions aim at the child's welfare. However, in practice 'the child's welfare' leads to conflicts between school and parents, or parents and the court etc., which proves that 'the child's welfare' can be perceived in various ways. Especially as the definition of 'welfare' is not universal but rather individual in case of an individual's expectations and needs. Thus, 'social welfare' became substitute or, if needed, superior to an individual's welfare. Especially as sometimes referring to higher values is so strong that it refers to universal or common welfare. It appears that an individual's welfare does not have to be identical and equal to general welfare. On the contrary, these two types of welfare are often in contradiction. Why is the child subject to specific or even imaginary 'welfare' now that the child is a human being following the same nature laws and psychology ? In the light of legal regulations the child is to some extent 'incapacitated'. He/she gets as much freedom as parents, school, or some institutions, including courts , boarding school and educational centres, decide to give. Even today a lot of people and institutions act according to the rule 'children and fish are speechless'.

'Welfare' is generally understood as a positive value, an object and aim of human actions; it is wanting good luck and health, which is useful and valuable. 'Welfare is also understood as gentleness, niceness, satisfying the needs of others. Generally, it is all acceptable means and values needed for the correct and successful human development, so it is also benefit, interest, profit, property. Welfare is an ideal (E. Sobol 2005)

An interesting question is how 'the child's welfare' is related to 'the human welfare'. Welfare is an ethical and moral concept. It is worth analyzing how young people, who look for knowledge and shape their views of the world, understand 'welfare'. 'Philosophical Dictionary for young people' (H. Delf J.Georg-Lauer Ch. Hackenesch M.lemcke 1996) defines welfare/good as a basic concept meaning human actions which follow the rules of ethics. Decisions made by an individual are effects of exploratory tension and the oscilation of views between good and evil. Welfare as an overriding and neutral value towards all actions and learning is closest to perfection. An exceptional dignity situates welfare/good next to truth, unity, living, beauty. Welfare by Plato is

connected with cognition and knowledge, as 'all that have learned good, pursue it, want to capture it and have it for their own'. Sokrates claimed that 'welfare' is the basis of all cognition, but cannot be cognized. Aristotle claimed it is impossible to understand the multiplicity of the meanings of welfare/good. He located 'welfare' in the 'whole knowledge' and made it a leading concept of ethics. He stated that 'welfare is what everybody aims at'. He also built the pyramid of welfares, on top of which he located 'welfare and what is the best' as something everyone aims at due to the superior value it represents. Kant understood welfare as a 'thinking subject'. The unconditionality of welfare results from will and from this comes its formal and common importance, which, in turn, gives it the power to make law (order) (H. Delf J. Georg-Lauer Ch. Hackenesch M. Lemcke 1996)

However, unconditionality of welfare still is disputable, just like unconditionality of mother's love discussed in the next part of this paper. The very term 'unconditionality' brings a lot of problems. 'Unconditional' means irrevocable, final, regardless of any conditions, not limited by any conditions, complete, ultimate. (E. Sobol 2005) (A. Sikorska-Michalak O. Wojniłko (red.) 1998). As it was said earlier, decisions made by an individual are effects of exploratory tension and the oscillation of views between good and evil. Welfare as an overriding and neutral value towards all actions and learning is closest to perfection. Also, the article discussed impossibility of understanding the multiplicity of the meanings of welfare/good and Aristotle's concept which placed welfare in the whole knowledge as a leading concept of ethics. Welfare is what everyone aims at. Thus, welfare made by humans seems to be 'a golden means' and compromising solution, but not a value which can be reached. Therefore, unconditionality of welfare (e.g. in parents and teachers' actions, in courts' decisions) does not exist.

Although the law deals with children's issues, it does not define 'the child's welfare' (it only deals with the issue contexts), but always refers to it. The term 'the child's welfare', understood by intuition, means a set of conditions which is supposed to secure the child's correct physical and intellectual development. Some lawyers see 'the child's welfare' as a value coming from various factors affecting the child's correct physical, emotional and intellectual development. This value cannot be identified with the child's 'natural' qualities. (W. Brejnak 1993).

Stojanowska defines 'the child's welfare' in the light of family code. It means a set of material and non-material values needed to secure the child's correct physical and spiritual development and to prepare the child to work according to his/her abilities. These values are determined by various factors the structure of which depends on the content of an applied legal norm and the child's specific current situations, presuming the convergence of 'the child's welfare' with social interest. (W. Stojanowska 1979). It appears that 'the child's welfare' is not an unconditioned value but a conditioned one, dependent on various factors, including social interest, which does not seem to be moral or explicitly beneficiary for the child's development and future.

'The child's welfare' is a relative concept. (W. Poznaniak 2007). It depends on various factors, including age, gender, environment, individual needs, the level of emotional and intellectual development. However, there are fundamental, unconditioned and universal aspects of the child's welfare. The basic and indisputable criterion of the child's welfare is providing the child with a sense of security. It is also essential to secure an optimal emotional, developmental, informative, social and instrumental support. Another crucial factor is providing the child with emotional balance and conditions for harmonic development. Good material and living conditions facilitate the child's development but their role seems minor in comparison to the ones mentioned.

One should bear in mind that the child develops in many areas: mental, physical, intellectual, social etc. The child's welfare needs an adult supporting the child's development who is able to understand the need for versatile actions and to face numerous challenges. Here, an ability to support the child in satisfying his/her own needs, interests and to promote potential developmental possibilities is of great importance.

The child's welfare means that the child needs to be loved. Dividing love into maternal (unconditioned) love and fatherly (conditioned) love (W. Poznaniak 2007) appears to be biased, feminist and overused. A woman's biological conditioning, a close relation between a fetus and mother's body, a newborn's dependence on mother's milk do not equal to an absolute, perfect and unconditioned love. Contemporary problems of abortion, abandoning newborns, neglecting them and treating them as objects to get some profits or even to revenge on the child's father definitely contradict an illusion of unconditioned mother's love. This myth can be highly harmful when evaluating the child's real situation, particularly in the context of fight over child's care. The fact that many fathers devote themselves to getting permission to contact their children and many other examples prove their love is also unconditioned.

Another mistake is to identify the roles of a spouse and a parent. The prism of being good and loving does not have to refer to the both roles. Conflicts between adult partners cannot disqualify one of the partners as a parent, caretaker, loving and dedicated to the child.

The issue of the child's welfare also includes the problem of frequency, time and place of contacts between the child and the parent who does not live with him/her.

The welfare of a child as a human being requires a wide range of analysis. The starting point for this analysis should be the concept of welfare/good. The term has a broad meaning. In a very general context it means everything perceived by humans as positive and is an object of wishes and aspirations. When using the term welfare/good some common elements are seen as positive and they enable to define and separate categories. However, the existence of common elements is not so obvious as it seems. Therefore, when the term welfare/good is used it is given a more specific meaning. There have been many attempts to classify and divide goods logically. Usually they are divided into material and spiritual or individual and collective ones.

There are also:

hedonic goods – which include pleasures of all kinds

vital goods – life, health

cultural, civilisation goods

cognitive goods

ethical goods

aesthetic goods

economic goods

instrumental goods – which are means used to achieve a goal

knowledge – which is a value itself

The above divisions are widely criticized. For example knowledge – it can be good in itself but it can also be instrumental good used to achieve other goods. Philosophers and ethics still dispute whether good can be defined, whether it is an objective or subjective category, whether it is a relative to reality and circumstances

value or an absolute one. As I mentioned before, searching the meaning and sense of good is of great importance in ethical discussions. Ethicists usually treat good/welfare as a moral category, as human actions aiming at realization of what is good in a broad sense. Therefore, moral good is the basic concept for all ethical systems. All inquiries usually lead to the need for defining 'the highest good' ("summum bonum") perceived as the good on the top of the hierarchic order of moral goods (or as an only good which is the goal itself and in relation to which all the other goods are instrumental).

There are a few understandings of 'the highest good':

pleasure - hedonism

happiness of an individual or community – eudemonism, utilitarianism

virtue

personal perfection - perfectionism

living in accordance with tendencies of biological development – evolutionary ethics

When talking about the concept of good/welfare one needs to think about its individual and social aspects. Thus, there is a common division into individual and collective (social) goods. Plato talked about 'common advantage' as the main goal of the state and its citizens. Saint Augustine propagated the formula of 'peace and ordered harmony'. According to the essential concept, which considers good as a state of social perfection, good is deeply rooted in the normative ideal of general and common natural welfare which includes the vision of a perfect society. . It comes down to the concept of an ideal social state which has both moral and material values. Thus, the concept of good/welfare is often associated with prosperity as an economic state satisfying living and cultural needs on a high level. In this case income (e.g. the value of national gross product) is a widely used index. Here the concept of 'the state prosperity' seems to be important. The concept presumes the interference of state authorities into economic and social relations in order to provide a good care system (including national health service, pension system, unemployment benefits). Reaching common prosperity also aims at relieving existing social antagonisms.

Good is the antonym of evil, just like health is good as opposed to illness identified with evil. Good health belongs to principal human goods.

When discussing children's needs Jacek Santorski (J. santorski 1993) lists the following rights:

the right to exist

the right to autonomy

the right to the freedom of aspiration

the right to love and sexuality

'Emphasizing with the child's needs' is an essential or even key issue. The needs can vary and result from a current situation (e.g. treating a cut) as well as from permanent and natural requirements (e.g. security, providing food). Generally, it is identified with the concept of 'looking after the child well' or 'proper childcare'. It requires a lot of flexibility and readiness from a parent or a caretaker to act properly. Actions must be preceded with a proper thinking, perception of the child's true needs and an ability to satisfy them.(J. Santorski 1993)

The concept of 'the child's welfare' is closely connected with respecting rights and in social communities it should be guarded by jurisdiction.

Children's principle rights include:

- the right to live without violence or humiliation - beating, shaking, humiliating, tormenting, being cruel is unacceptable
- the right to the freedom of thought, religion, conscience - it also means possibility to express own opinions freely
- the right to identity - which includes knowing about origin and biological parents
- the right to learn – it introduces the rule:" you have the right to learn as long as you have abilities to do it"
- the right to information - access to sources of knowledge, including access to own rights
- the right to privacy – it guarantees the right to have own possessions and to keep secrecy of correspondence
- the right to live and develop – it is an ultimate ban to take anybody life; it obliges adults to provide children with the right conditions for their development.
- the right to be brought up in a family – the child cannot be taken from his/her family without a cause and if one parent does not live with the child, the child has the right to meet the parent
- the right to speak - children can freely express their opinions
- the right to associate – it gives the right to belong to some organizations; when children are 16 they have the right to decide themselves whether they want to belong to an organization or not.

In this aspect, the child's welfare means following their rights and it obliges adults (particularly parents and caretakers) to respect the right and to inform children on their possibilities. In some cases courts must force adults to comply with children's rights. Thus, the issue of welfare is connected with justice, law, legal knowledge and with providing conditions for the child's best development. Plato was very close to this concept as he linked good with truth and beauty. Respecting children's rights is a condition needed for a current harmonic development but it also affects their life in the future as adults.

The child's welfare includes satisfying their reasonable needs. It shapes children's ability to live in a society, to respect others and it guarantees their harmonic emotional and intellectual development.

Mutual relations between mothers and daughters are another interesting issue. Walters defines a daughter as 'just a woman' – passive, obedient, pretty, respecting and unconditionally loving her family, not very intelligent, but first of all as a future wife and mother. (B. Budrowska 1997) (S. D. Walters 1992) Not until adolescence does a girl experience an intensive training of abilities which should help her to reach attractiveness among the opposite sex. (D. Piankowska 2005)

All these mechanisms are supposed to lead to the realization of the three stereotypes of Love, Marriage, and Maternity. (B. Budrowska 1997) J.Arcana claims that the roles of mothers and daughters are effects of internalization of the traditional female roles of scarifying – in case of mothers – and obedience -in case of daughters. (J. Arcana 1979) (B. Budrowska 1997)

Polish research by Joanna Ostrouch shows that only the fact of becoming a mother allows women to look at their own mothers and their role as daughters more deeply. Therefore, most adult daughters are distant, more tolerant and understanding to their mothers, Seven out of eight women have not got positive experience of their 'daughterhood'. It confirms the facts described by J. Arcana on the basis of her research into American women,

and it proves that the relations between mothers and daughters are difficult and complex in various cultural spheres. (J. Arcana 1979) (J. Ostrouch 2007)

Additionally, it is emphasized that parents coexistence full of mutual resentment and accusations affects the contacts between mothers and daughters and makes them difficult. Daughters from those families feel disappointed with their private lives when they become mothers themselves and they try to protect their own daughters from unpleasant experiences. The women interviewed declared that towards their own children they wanted to change what they had experienced as daughters or they wanted to complete the relations with their children with what they had wanted most. (J. Ostrouch 2007)

According to the psychologist Ewa Wojdyłło, the child's welfare is to love him/her reasonably.(E. Wojdyłło 2007) Moderation and consideration should be determinants of good and positive love.

The child's welfare can be understood in various ways and there is not one universal determinant of it. The concept of welfare/good itself brings a lot of doubts and even more problems accompany the issue of what is good for a human (including a child).

References:

1. Arcana J. "Our Mothers Daughters" Berkeley 1979
2. Brejnak W. „Dobro dziecka „ w „Encyklopedia pedagogiczna” Pomykało W (red.) Fundacja Innowacja warszawa1993
3. Budrowska B. "Matki i córki " w Brach - Czaima (red) "Od kobiety do mężczyzny i z powrotem. Rozważania o płci w kulturze." Białystok 1997
4. Delf H. Georg- Lauer J. hackenesch Ch. Lemcke M. „leksykon filozoficzny dla młodzieży „, wiedza Powszechna Warszawa 1996
5. Ostrouch J. "(Nie)moc córek i (prze)moc matek" Niebieska Linia 4/51/2007 str 26 - 28.
6. Pankowska D. "Wychowanie a role płciowe" Gdańsk 2005
7. Poznaniak W. „Dobro dziecka” w „Psychologia kliniczna”t.2 Sęk Helena (red.) PWN Warszawa 2007
8. Santorski J." Jak żyć żeby nie zwariować" Wyd. Jacek Santorski & CO Warszawa 1993
9. Sikorska –Michalak A. Wojniłko O. (red.) Słownik współczesnego języka polskiego Przegląd Reader's Digest Warszawa 1998
10. Sobol E. Słownik języka polskiego PWN Warszawa 2005
11. Stojanowska W. „Rozwód a dobro dziecka” Warszawa 1979
12. Walters S.D. "Lives Together, Worlds Apart:Mothers andDaughters in Popular Culture" Oxford 1992
13. Wojdyłło E. " Dziecko kochać ale z sensem" PRZEKRÓJ 12/3222 z 22 III 2007 str. 38 - 40