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Note No. 9 Research Briefing - Governing Young Citizens: Discourses of Childhood in Irish Social Policy

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1. What is the study's background?

This study was the subject of a PhD thesis (2007) by Karen Smith of the School of Applied Social Science, University College, Dublin, with funding from the Office of the Minister for Children and Youth Affairs (now the Department of Children and Youth Affairs) under the National Children's Research Scholarship Programme.*

2. What is the study's purpose?

The purpose of this study was to examine the manner in which childhood has been represented and regulated through social policy in Ireland from a Foucauldian perspective of governmentality. The specific objectives were:

- to identify the constructions of childhood, deployed in Irish social policy discourse, that have rendered children knowable and governable;
- to explore the links between constructions of childhood and the child-rearing norms that govern children and parents in Ireland;
- to examine the continuities and discontinuities over time in constructions of childhood and child-rearing norms, and the way in which these are intertwined with shifting power/knowledge relations.

This briefing note summarises the method of research, key findings and conclusions of the study. The full report is available from the Library, University College, Dublin.

3. How was the study undertaken?

Informed by a theoretical framework drawn from the literature on governmentality as well as the sociology of childhood, the study employed documentary methods, with parliamentary debates being the main source of data. Since the aims of the study relate to the government of children and families, the main focus of analysis were historical and contemporary debates relating to those areas of policy concerned with the enforcement of child-rearing norms, i.e. child welfare and protection, youth justice and compulsory education.

In relation to *child protection* and *youth justice*, the relevant historical debates relate to the Children Act, 1908 and subsequent amendments to that Act in 1929, 1941 and 1957, while the relevant debates with regard to *compulsory education* relate to the School Attendance Act, 1926, an amendment to that Act in 1936, a proposed amendment in 1942 and an amendment in 1967. Debates were also examined relating to the contemporary *legislative framework* for the Child Care Act, 1991 and an amendment to that Act in 2007; the Education Welfare Act, 2000; and the Children Act, 2001 and amendments to that Act in 2006.

Where relevant, the analysis of debates was grounded in examination of the official reports that preceded the introduction of legislation. The most important reports drawn upon throughout the study were the 1936 *Report of the Commission of the Inquiry into the Reformatory and Industrial School System* (the Cussen Report); the 1970 *Reformatory and Industrial Schools System Report* (the Kennedy

* The views expressed in this report are those of the author and not necessarily those of the Department of Children and Youth Affairs.

Report); and the 1981 *Final Report of the Task Force on Child Care Services*, including the minority *Supplementary Report* to the Task Force Report (1981). The study also draws on the *Report of the Commission on the Sick and Destitute Poor* (1927); the *Report of the Committee on the Criminal Law Amendment Acts (1880-1885) and Juvenile Prostitution* (1931) (the Carrigan Report); the *Report of the Interdepartmental Committee on the Raising of the School Leaving Age* (1936); the *First Report of the Select Committee on Crime: Juvenile Crime – Its Causes and Its Remedies* (1992); and the *Report of the Departmental Working Group on Truancy and Early School Leaving* (1994).

In addition, the text of the National Children's Strategy 2000-2010, *Our Children – Their Lives*, represents an important focus of the research. Of particular interest is the discourse of the young citizen and the manner in which it is reflected in contemporary child policy. One of the most significant initiatives that has developed out of the National Children's Strategy has been the establishment of the Office of the Ombudsman for Children under the Ombudsman for Children Act, 2002. Debates around this piece of legislation are also included in the study.

4. What are the key findings?

The main findings of the study can be examined in relation to three time periods: the post-Independence period, the period from the 1960s–1990s, and the period from the early 1990s to the present.

4.1 Post-Independence Ireland

During this period (c. 1920s–1960s), Irish children were represented as 'national assets' and entered the calculations of Government as the 'raw materials' upon which a 'truly Gaelic State' could be built. On the other hand, in the context of a conservative society with a rigid code of behaviour and a relatively young population, there was a heavy emphasis on the necessity for strict regulation of children and the importance of discipline:

- Children were viewed as *moral subjects*, rather than psychological subjects, construed in relation to an ideal self premised on conformity rather than individuality, reflecting a social order with a strong emphasis on external controls.
- Children were viewed in terms of malleability and potential; the idea of children as the future was very important.
- Legislative reforms, particularly relating to compulsory education, redefined children from 'parental possession' to 'national assets'.
- There was a strong emphasis on potential conflicts of interest between children and 'ordinary' parents. However, this did not represent a challenge to unequal generational relations since the interests of children were viewed as coinciding with those of the wider community.
- In line with the emphasis on external control/discipline, children were not seen as innately innocent; instead, childish virtue depended on external effort.
- There was a strong emphasis on moral/spiritual (as opposed to emotional/psychological) well-being as the basis for child-rearing norms – 'care and control'.
- Lack of parental control was regarded as the main determinant of youthful deviance, although alternative discourses (in the minority) highlighted social or psychological factors.
- Deviance was regarded in gendered terms: boys were at risk of criminality, but there was much greater concern about young girls and the risk of sexual deviance. Recognition of the vulnerability of young girls was not grounded in any attempt to examine gender relations.
- While there was some recognition of the need to support families, much greater emphasis was placed on the need to regulate ordinary families to ensure conformity with child-rearing norms.
- The presumed moral/spiritual superiority of the religious legitimised institutional care for children.
- A particularly strong version of parental autonomy went hand-in-hand with the apparently contradictory phenomenon of extremely high levels of State intervention in families. Where parents could not fulfil their responsibilities – which were to the wider community as much as to their children – they were relieved of them.
- The divide between public and private shifted as State powers to intervene in the family were strengthened by legislation, legitimised by a 'parental deficiency' discourse and subsequently were restricted by the Courts post-1937 as parental Constitutional rights were deployed as a bulwark against overweening State intervention.

4.2 1960s–1990s

From the 1960s onwards, there was a noticeable shift apparent in Irish social policy discourse towards a view of children as *psychological subjects* with emotional needs. This is associated with a greater emphasis on supporting families and the growing importance of scientific knowledge and expertise. The emphasis on supporting families was weakened to an extent by a growing concern with children's safety as the issues of physical and sexual abuse came to the fore in the 1980s:

- A growing emphasis on individuality is evident during this period.
- A more positive view of childhood is apparent: children were regarded as innocent and the idea of the malleable child remains important.
- Child-rearing norms were grounded in psychological/emotional welfare – 'love and care'.
- The focus of attention within policy discourse was the 'deprived' child, regarded in terms of emotional deprivation and in need of specialised care.
- Despite the move towards a 'treatment' discourse, there was a strong reluctance to move away from a punitive approach to offending youth.
- Recognition of the importance of family care for children underlined the need for family support services. Within this discourse, the interests of the wider community, children and parents were seen to coincide; consequently, there was a lack of attention to unequal generational relations within this discourse. Meeting children's needs was seen as having positive outcomes for society; conversely, children whose needs were not met represented a future burden to society.
- With the emergence of a 'children at risk' discourse came greater emphasis on conflict between the interests of children and parents. Most parents/families, however, were regarded as safe, abusers were seen as pathological; the 'cycle of abuse' discourse suggests that abusers may have been victims in the past and conversely that some victims may grow up to be abusers. Given the construction of abuse in pathological terms, the 'children at risk' discourse was compatible with a strong version of family privacy. The emphasis was on 'protecting children' and there was little emphasis on unequal generational/gender relations within this discourse.
- In the wake of the United Nations Convention on the Rights of the Child (1989), the idea of children's rights was evident in child protection legislation (Child Care Act, 1991), but balanced by a strong emphasis on parental rights – there was no 'right to protection' for children and the parental right to chastise was not explicitly removed from Irish law.

4.3 1990s to present

From the 1990s onwards, a growing emphasis on children's rights is evident and there have been significant policy developments in this respect, in particular the development of the National Children's Strategy (2000) and the establishment of the Office of the Ombudsman for Children. At the heart of the National Children's Strategy is the idea of the *'young citizen'*, a relatively novel subject position for children in Ireland. This positive construction of young people co-exists with conceptions of childhood in terms of risk – the risks faced by young people in a period of rapid change and the risks posed by the young population:

- The idea of children as young citizens/participants becomes firmly established in policy discourse, bringing an emphasis on children's competence and agency.
- Children can be viewed as 'partners' in the socialisation process – a relatively new mode of governing children.
- In a time of flux, the path to maturity is regarded as increasingly complex and fraught with dangers; this is associated with increased responsibility for children in managing their own risks.
- In debates on compulsory education and youth justice, there is increased concern with children 'out of place'. As in the post-Independence period, children could be viewed as containers for concerns around social change.
- There is a loss of innocence for children with the removal of the idea of *doli incapax* from Irish law; particularly in discourse on youth justice, there is a strong emphasis on children's responsibilities.
- Recognition of increased demands on parents brings an emphasis on the need for increased supports, but also for increased sanctions for uncooperative parents, in the spheres of education and youth justice ('carrots and sticks').

5. What are the conclusions?

The study reached the following overall conclusions:

1. **The novelty of the present.** There have been noticeable shifts over time in the discursive construction of childhood in Irish policy discourse. However, it is important to note that there is significant overlap in conceptions of childhood deployed and that multiple competing and complementary discourses will co-exist at any given time.
   - » There has been a transformation over time from a view of children as moral/spiritual subjects to psychological subjects, reflecting changing forms of knowledge and expertise and bringing shifts in child-rearing norms.
   - » The concept of innocence, traditionally associated with childhood, varies in accordance with changing constructions of childhood. Within the form of moral/spiritual discourse deployed in post-Independence Ireland, childhood innocence was acquired, reflecting the importance of external forms of control; with the ascendancy of psychological discourses from the 1960s was a stronger emphasis on the innately innocent child, reflecting internal forms of control. Whether conceptualised as innate or acquired, childhood innocence underpins hierarchical child–adult relations. More recently as scientific knowledge places greater emphasis on children's competencies, the idea of the innocent child has been challenged by the idea of the knowing, competent child. However, this does not *necessarily* lead to a transformation in child–adult relations.
   - » The idea of the young citizen is linked to growing recognition in Ireland of children's competencies and capacities. But the salutary lesson from the governmentality literature is that this comes with increased responsibility for self-government. The idea of government is a mode of exercising power that draws on the individual's capacity to self-regulate – a form of internal control. Traditionally, children have not been regarded as capable of self-government; however, in recent years increased emphasis on children's competence and agency has to an extent positioned children as 'governable subjects' who are capable of assuming some of the burdens of socialisation in accordance with predetermined ideas of the ideal adult-subject. Symbolically and practically, the removal of the presumption of childhood innocence from Irish criminal law reflects the growing emphasis on children's responsibility.

2. **Continuity over time.** Along with innocence, the defining concept of childhood in Western thought since the early modern period has been malleability. This serves to increase the potential of childhood, but also renders children uniquely vulnerable. Characterised as 'unformed', they are much more influenced by their environments for good or for ill.
   - » The idea of childhood malleability positions childhood as the future or children as investment. In the post-Independence period, children were viewed as the 'foundations' of a Gaelic State, as the future drivers of economic and especially cultural revival. In more recent years, the economic imperative has come to the fore – children are the future workers, skilled enough to adapt to the ever-changing economic circumstances.
   - » The emphasis on children as the future places huge importance on the socialisation process, putting heavy responsibilities on parents and weighing particularly heavily on those with low incomes.
   - » Children regarded as inadequately socialised are perceived as a future threat or burden to society. These children have been typically viewed in terms of cost-containment rather than investment. There is a high degree of continuity over time in the manner in which expenditure on vulnerable children is framed primarily in terms of limiting future welfare expenditure or prison costs, rather than as a way of fulfilling the State's obligations to such children.
   - » There is a high degree of continuity over time in the view of children's difficulties as a consequence of parental rather than societal failure. This discourse of parental determinism serves to obscure and maintain inequalities of power, resources and opportunities on the basis of socio-economic status.

6. What are the benefits of the study?

The benefits of this study arise from the use of a governmentality perspective in the analysis of social policy relating to children. The Foucauldian concept of governmentality offers a perspective on policy that highlights questions of power and the relationship between power and subjectivity. There has been very little research in Ireland on social policy as a mode of *governing* childhood in the Foucauldian sense. As one of the first studies on child policy carried out in Ireland from a governmentality perspective, the aim of this research was to provide an overview of the government of childhood in Ireland over the course of the last century, which will hopefully serve as a foundation for future studies.

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