

# The Child As a Person in His Own Right

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CHILDREN ARE PRESUMED BY LAW TO BE INCOMPLETE BEINGS DURING the whole period of their immaturity. Their utter inability to fulfill their own basic needs, or even to maintain life without extraneous help, justifies their being automatically assigned by birth

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This article will form part of a forthcoming book entitled *Beyond the Best Interest of the Child*, planned with Joseph Goldstein and Albert J. Solnit as co-authors. Since this book is meant to reach a wider and for the most part a nonanalytic audience, much is stated here that will be familiar to analytic readers.

The material used in this essay stems from the author's experiences gained during work in the Hampstead Child-Therapy Clinic, which is at present supported by the Field Foundation, Inc., New York; the Foundation for Research in Psychoanalysis, Beverly Hills, Calif.; the Freud Centenary Fund, London; the Anna Freud Foundation, New York; the National Institute for Mental Health, Bethesda, Maryland; the Grant Foundation, New York; the New-Land Foundation, Inc., New York; and a number of private supporters.

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certificate to their biological parents or, where this natural relationship fails to function, by later Court proceedings to parent substitutes. Responsibility for the child, for his survival, for his physical and mental growth, for his eventual adaptation to community standards thus passes from the jurisdiction of the State to that of the designated adults to whom the child, in his turn, is responsible for his behavior, his misdemeanors, etc.

This state of affairs on the legal side is matched on the psychological side by a number of tenets, some of old standing, some new, such as the following:

- that a child's mental reliance on the adult world is as long-lived as his physical dependency;
- that each child's development proceeds in response to the environmental influences to which he is exposed;
- that his emotional, intellectual, and moral capacities unfold, not in a void, but within his human relationships;
- that his social reactions are determined by them;
- that conflicts arise in the child in the first instance with the parental demands and prohibitions before they are internalized and may provide the base for later pathology.

There are, by now, many pediatricians, nurses, health visitors, social workers, probation officers, nursery school workers, school teachers, and child therapists who agree with these findings and conclude from them that no child should be approached, assessed, treated, nursed, taught, corrected, etc., without the parental influences being taken into account, and that without knowledge of their impact neither the child's developmental successes and failures nor his adjustments and maladjustments will be seen in their true light.

However, valuable as these insights are if placed within the general context of psychoanalytic child psychology, if used as guides on their own they are misleading and highlight one side of child development while they obscure another. Some workers within the services for children have learned the lesson of environmental influence too well and consequently err by viewing the child as a mere adjunct to the adult world, as a passive recipient of parental impact. They tend to ignore that children interact with the latter

on the strength of their individual innate givens, and that it is this interaction, not mere response, which accounts for the countless variations in resulting characters and personalities as well as for the marked differences between siblings in spite of their growing up in the same family, etc. To see children too one-sidedly as mirroring their backgrounds blinds the observer to the vital characteristics of their own specific nature on which their own specific developmental needs are based.

There are a number of respects, such as the following, in which the mental makeup of children differs from that of the parent generation:

Unlike adults, whose psychic functioning proceeds on more or less fixed lines, children *change* constantly: from one state of growth to another; with regard to their understanding of events, their tolerance for frustration, their demands on motherly or fatherly care for stimulation, support, guidance, and restraint, or, according to the degree in which their personalities mature, for increasing freedom from control and for independence. Since, due to these changes, none of their needs remains stable, what serves their developmental interests on one level may be detrimental to progression on another.

Unlike adults, who measure the passing of *time* by clock and calendar, children have their own built-in time sense, based on the urgency of their instinctual and emotional needs. This results in their marked intolerance for postponement of gratification or for frustration, a heightened sensitivity to the length of separations, a shortening of the periods for remaining attached to absent parent figures, etc.

Unlike adults, whose reasonable mind is able to see occurrences in their true perspective, young children experience events in an *egocentric* manner, i.e., as happening solely with reference to their own persons. Thus, they may experience the mere move from one house or location to another as a grievous loss, imposed on them; the birth of a sibling, as an act of parental hostility; emotional pre-occupation or illness of a parent, as rejection; death of a parent, as intentional abandonment, etc.

Unlike adults, who are able to deal with the vagaries of life via ego functions such as reason and intellect, immature children are

governed in much of their functioning by the primitive parts of their minds, i.e., the *irrational id*. Consequently, they respond to any threat to their emotional security with fantastic anxieties, denial or distortion of reality, reversal or displacement of feelings, i.e., with reactions which are no help for coping but put them at the mercy of events.

Unlike adults, who are capable of maintaining positive emotional ties with a number of different individuals, unrelated or even hostile to each other, children are constitutionally unable to do so. They will freely love more than one adult only if the individuals in question feel positively to one another. Failing this, they become prey to severe and crippling *loyalty conflicts*.

Unlike adults, children have no psychological conception of relationship by blood-tie, whereas in the adult the fact of having engendered, borne, or given birth to a child produces an understandable sense of proprietorship and possessiveness, which underlies the frequent reconsiderations of consent to adoption, the claiming of offsprings after initial abandonment, etc. These considerations carry no weight with the children who are emotionally unaware of the events leading to their births. What registers in their minds are the day-to-day interchanges with the adults who take care of them and who, on the strength of these, become the parent figures to whom they are attached.

It is due to these differences between the adult and the childish mind that children, more often than not, do not react according to expectation. As the discrepancies described are not common knowledge, decisions about a child's custody or placement may proceed wholly on the basis of adult reasoning, regardless of what this means in terms of the child's own emotional language.

Thus, it is not only with regard to *timing* that Courts and welfare agencies are out of step with the children's own requirements. Following an order for *placement*, a young child may be removed from a known environment to an unknown one, with the adults oblivious of the hazards this implies for the child's still shaky sense of orientation. Following *adoption*, the inevitable change of name, which seems merely incidental to the adults, may have repercussions on the child's sense of identity, which is insecure at best. *Returned* to a biological parent after having been fostered, the child may face the traumatic task, not appreciated by the adults, of

transferring emotional allegiance from a familiar and trusted adult to an unfamiliar stranger. Following *divorce*, with custody assigned to one parent, children are expected to concur peacefully with the Court's decision, disregarding the fact that they are the prey of their own distorting and unsettling interpretations of the break-up; that they blame the mother for removing the father because of his alleged cruel, male demands on her; that boys fear the same fate awaiting them unless they inhibit their masculinity; that they blame whichever parent they live with and punish him or her by being disobedient; or that they blame themselves for the defection of the absent parent and become dejected and withdrawn. Following *visiting rights* allotted to the absent parent, the child is expected to relate positively to him, regardless of the fact that relations to a parent do not thrive naturally if restricted to prescribed days and hours and, even if they should do so, are interfered with by the child's conflict of loyalty between warring partners. When a child's residence is being divided evenly between the *two parents*, it may not be realized that this prevents both adults from exerting normal parental influence.

What is fair to the adults, their standards and their interests in all these instances, may be far from being in the best interests of the children concerned, or even the least detrimental alternative for them.

What emerges from the foregoing is that children are not adults in miniature but beings per se, different from their elders in their mental nature, their functioning, their evaluation of events, and their reactions to them. It follows from this that children, far from sharing the adults' concerns, are frequently put in direct conflict with them: their needs may contrast with those of their biological parents, their foster parents, or the social agencies concerned with them. For this reason, their rights cannot be represented adequately by the advocates of either the adult claimant or the adult defendant. They need party status in any Court proceeding concerned with their fate, i.e., to be represented, independently of the adults, as persons in their own right.

It goes without saying that their own advocates need to be knowledgeable about the specific characteristics which govern any child's specific needs for more or less unhampered growth and development.

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