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Perceptions on the rights of the child: a study in the primary education in Portugal

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Abstract

The theme of children's rights has been in evidence for the last 32 years, because of the ratification of the Convention on the Rights of the Child. The aim is to know the perceptions of children in the 4th grade on the rights to participate and play. A qualitative methodology was used, semi-structured interviews were conducted and content analysis was performed with the support of NVivo software, establishing three categories of data analysis: child rights, right to play and participation rights. The results show (I) the need for knowledge and experience of rights; (II) the association of the right to participation with playing, with little reference to transforming; (III) the role of the adult as the one who intervenes in inappropriate behavior and dictates the rules. It should also be mentioned that the rights frequently experienced by children in their daily life are more easily described, while participation seems to be distant from their condition. Due to the implications of the pandemic some reflections upon the topic are urgent.

Keywords

participation rights; right to play; perceptions of primary education children.

Percepções sobre os direitos da criança: um estudo no primeiro ciclo em Portugal

Resumo

Nos últimos 32 anos, a temática dos direitos da criança esteve em evidência, fruto da ratificação da Convenção sobre os Direitos da Criança. Objetiva-se conhecer as percepções de crianças do 4.º ano sobre os direitos de participação e de brincar. Utilizou-se uma metodologia qualitativa, realizaram-se entrevistas semiestruturadas e fez-se a análise de conteúdo com o apoio do *software* NVivo, estabelecendo três categorias de análise: direitos da criança, direito a brincar e direitos de participação. Os resultados evidenciam (I) a necessidade de conhecimento e de vivência dos direitos; (II) a associação do direito de participação ao brincar, sendo pouco referenciado como transformador; (III) o papel do adulto como aquele que intervém em comportamentos inadequados e dita as regras. Refira-se, ainda, que os direitos vivenciados pelas crianças no seu cotidiano são descritos com maior facilidade, parecendo que a participação encontra-se distante da sua condição. As implicações da pandemia tornaram urgentes reflexões sobre o tema.

Palavras-chave

direitos de participação; direito a brincar; percepções de crianças do primeiro ciclo.

Percepciones sobre los derechos del niño: un estudio en el primer ciclo en Portugal

Resumen

En los últimos 32 años, el tema de los derechos del niño ha estado en evidencia, a raíz de la ratificación de la Convención sobre los Derechos del Niño. El objetivo es conocer las percepciones de los niños de 4º grado sobre los derechos a participar y jugar. Se utilizó una metodología cualitativa, se realizaron entrevistas semiestructuradas y se realizó el análisis de contenido con apoyo del software NVivo, estableciéndose tres categorías de análisis: derechos del niño, derecho a jugar y derecho a participar. Los resultados muestran (I) la necesidad de conocimiento y experiencia de los derechos; (II) la asociación del derecho a participar en el juego, siendo poco referido como transformador; (III) el papel del adulto como quien interviene en la conducta inapropiada y dicta las reglas. También se debe señalar que los derechos que experimentan los niños en su vida cotidiana se describen con mayor facilidad, lo que hace parecer que la participación está lejos de su condición. Las implicaciones de la pandemia han hecho reflexiones urgentes sobre el tema.

Palabras clave

derechos de participación; derecho a jugar; percepciones de niños de primer ciclo.

1 Introduction

The social transformations experienced in some current contexts point to how easy it is to violate children's rights, which is a topic widely discussed in scientific and media contexts. In this way, it is recognized that there are achievements that need to be experienced so that children effectively have their rights appropriated, recognized, and valued - primarily, those of participation, since their opinions aren't usually considered (MARCHI; SARMENTO, 2017).

Namely, it is possible to recognize in children the ability to think and act following their own ideals, for example, concerning urban living. Rodrigues and Ferro (2020, p. 24) mention that their voices should be heard for the reorganization of cities so that these spaces are also designed for this group:

It is necessary to promote the active participation of children in the city, ensuring their right to play, to use urban spaces autonomously, guaranteeing equal opportunities for children with different social backgrounds and their effective participation in the processes of defining public policies on an urban scale (for example, as protagonists in the design processes of concrete urban public spaces, in addition to the specialized spaces destined for them).

A city that considers children as participants in its planning corroborates what is foreseen in The United Nations Convention on the Rights of the Child (UNCRC) (UNICEF, 1989) since their rights are recognized and valued. At the same time, valuing participation rights does not extinguish the need for protection, development, and survival rights to be safeguarded (MARCHI; SARMENTO, 2017), contrary to the idea that they cannot coexist.

The school, as one of the main socializing institutions in childhood, has a fundamental role concerning children's rights, after all, as mentioned by Souza and Diniz (2022, p. 11), at school it is possible “[...] to articulate school and non-school scenarios [...] to promote and make citizenship viable and, for that, the educational processes must happen in conjunction to everyday life”. Thus, the relationships established in this context may (or may not) provide the experience of citizenship and the right to participation.

The notion of citizenship becomes essential for living at school, which is directly related to participation rights, including, in Portugal, the subject of Citizenship and Development is mandatory in the 1st Cycle of Basic Education (1st CBE) and transverse throughout the cycle. It is possible, therefore, to recognize in *the Student Profile for the 21st Century* (CNE, 2017, p. 4) the notion of participation:

The purposes of an educational system, which underlie many of the reference frameworks analyzed, include three dimensions: personal development (capabilities of knowing how to question what has been acquired and knowing how to think managing emotions, and negotiating conflicts), citizenship (active and participatory - the principle of civility and ethics of responsibility towards others and society) and professional (in the trilogy of knowledge, skills/aptitudes, and attitudes, indispensable for the acquisition of qualifications), requiring an ability to adapt and respond to the challenges of a global world.

Sometimes, in their close relationships, such as those experienced in the family or even at school, children experience situations that do not correspond to their rights, those determined in the UNCRC (UNICEF, 1989). Amid the public health emergency and, in a second moment, of a pandemic, when the subject of children's rights was in focus, the present investigation was carried out to analyze the perceptions of the senior students of the 1st CBE of a public school in Lisbon on participation and play rights (NASCIMENTO, 2020).

This article aims to reflect on children's perceptions of their rights. In a second moment, it reflects on how the current pandemic context may have interfered with these children's rights.

2 Methodology

The study included boys and girls, aged between 9 and 11 years old, of different nationality, communicating in the official language of the country, attending the 4th grade of the 1st CBE in a public school in Portugal. The two children who did not provide signed consent forms from their parents were excluded.

The investigation followed the fundamentals of qualitative research, considering the subjects' discourse to analyze the existing representations concerning the theme addressed (AMADO, 2014). For this purpose, interview scripts were constructed and categories established in congruence with the research objectives were determined; children were interviewed individually and in groups, and the NVivo 12 Pro software was used as support for content analysis, which contributed to the organization of interview data, in addition to the corpus analysis itself.

Primarily, individual interviews were conducted with 22 children; and, subsequently, group interviews, on the last day of in-person classes of the 2019/2020 school year – for this reason, only 13 children were in attendance.

The codenames of the participants were freely chosen by themselves, so there are proper names, representative of characters, living or not inanimate beings.

For data collection, a semi-structured interview was used. Two scripts were prepared: the first for the individual interview; after its transcription and first analysis, the second script for the focus group interview was prepared. The interviews took place between February and March 2020, as their extension was interrupted by the suspension of in-person classes from March 16th, with reassessment on April 9th (PORTUGAL, 2020).

The individual interview was divided into three blocks: the first refers to children's rights in general; the second, about the right to play (UNCRC, article 31); and the third, about participation rights, focusing on articles 12, 13 and 15 of the CRC. In addition, the questions were asked after the presentation of images taken from the child-friendly

version of the UNCRC (UNICEF, 2015). The group interview had three parts: in the first, a sheet of paper was handed out for the children to write or draw about their rights to participate and play; in the second, they reflected on how they would like to experience their respective rights; and, in the third, they were asked about being adults in and out of school.

In addition to reinforcing what was discussed in the individual interviews, with a focus on the rights to participate and play, the group interviews aimed to understand the point of view of the participants, since “[...] the children are more relaxed when they are with a friend rather than alone with an adult. They help each other with the answers. They also watch each other for lies” (GRAUE; WALSH, 2003, p. 141).

However, carrying out research with human beings implies informed consent; data privacy and confidentiality; access to the dissemination of the study; the possibility of dropping out with nothing to discredit it; and the protection of participants (SPCE, 2014). Regarding research with children, as they are part of a vulnerable group (SPCE, 2014), in addition to the ethical principles that were previously mentioned and the authorizations of the University Ethics Committee and the Direção-Geral da Educação (in the case of research carried out at the school), authorization was obtained, through the Term of Free and Informed Consent, from a legal guardian, as well as authorization from the school principal, and the Term of Consent for Participation, signed by the children themselves.

Using the NVivo 12 Pro software, the interview responses were grouped into categories; word frequency clouds were elaborated to recognize the words that were most often mentioned by the children, in addition to the elaboration of cross-reference tables and structural matrices.

3 Results and discussion

The research had as participants 11 girls and 11 boys, aged between 9 and 11 years (11 children aged 9 years, 10 children aged 10 years, and one aged 11 years, with an average of 9.5 years and a standard deviation of 0.68 for boys and 0.52 for girls). They all attended the 4th year of the 1st CBE. Regarding nationality, 18 children are Portuguese, three are Brazilian, and one is Angolan.

The analysis of the data obtained in the interviews was based on the principle of content analysis, with the support of the NVivo 12 Pro software. As mentioned by Amado (2014), certain categories are established for the analysis based on the interpretation of the data and information that would be apprehended for the conclusion of the study, which meet the established objectives. The three categories are children's rights, right to play and participation rights.

Regarding children's rights and the definition of the term “right”, 21 of the 22 children answered, and it was possible to recognize the exemplification of known rights and an existing conflict between the meanings of rights and duties:

What should the child have? The child must have the right to a family, the right to health, the right to freedom, and the right to education. [...] What is needed to survive. (GAMER, 10 years old).

It's what we can do. [...] I'm not sure if it's what we can do or if it's what we're told to do, but I think it's more like that, I think it's more about what we can do. (SNOWMAN, 10 years old).

When asked about known rights, the most cited were the right to play and the right to be free, as can be seen in Table 1, which shows the five rights most cited by children during individual interviews.

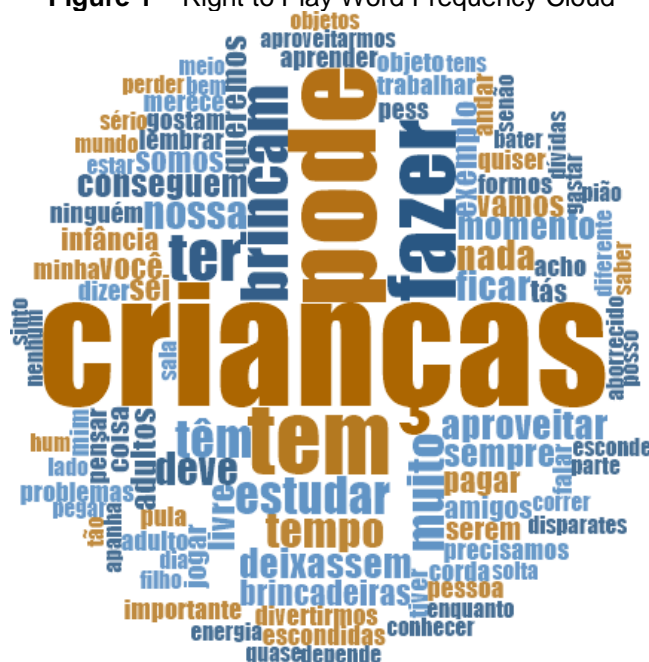
Table 1 – Children's rights

Mentioned rights	Percentage (%)
Right to play	64%
Right to freedom	50%
Right to have a family	32%
Right to have a house, home or shelter	32%
Right to health	32%

Source: Authors (2020).

About the right to play, 20 children considered it important, while two mentioned that it is a “more or less” an important right, as they recognized that all children can and should play. Word frequency analysis, performed with the NVivo 12 Pro software, enabled the recognition of the most cited words (Figure 1), the word “children” was mentioned 43 times and it's highlighted, followed by the word “can” (30 times), “has” (23 times) and “do” (22 times) – which correspond to the relevance attributed to playing, since children can, have and do something while experiencing this right.

Figure 1 – Right to Play Word Frequency Cloud



Source: NVivo 12 Pro Software (2020).

The importance of playing was recognized by all research participants, primarily during childhood. The excerpt from the interview with Carol (10 years old) stands out, in which the girl related playing to childhood unlike what happens during adulthood:

Because our life doesn't always have to be studying, studying, studying, and doing a lot of homework. We need to have a little time to play because otherwise, we will lose our childhood. We would miss our childhood. [...] It would be that, while we are children, not taking advantage, having a moment to study and another to play, would be like being an adult while still being a kid.

Playing was associated with having fun by 11 participants; when playing and doing games, by nine children. It was also related to moving around and freedom, choosing what they really want to do and the opposite of studying (associated with working). Regarding the experience of this right, Table 2 elaborates on the three places or situations most mentioned by the children:

Table 2 – Experience of the right to play

Places or situations	Percentage (%)
Recess/break	82%
Home	77%
Games	55%

Source: Authors (2020).

The relationship between playing and recess was evident in this research, as well as playing at home, which corresponds to the fact that recess is the right time for playing at school, while the classroom would be a place of “work”, even when there may also be times when activities associated with playing are carried out (eg, dancing, sharing ideas without content perceived as curricular, drawing), as mentioned by some children:

In the classroom, we shouldn't play as we do in the playground, inside the classroom, what we play is, sometimes, drawing; sometimes it's dancing; sometimes it's talking about what we want, hum... playing in the courtyard is not the same as playing in the classroom, because playing in the classroom is a little less fun, it's as if you were drawing, talking about something else or talking of things, or dancing. Sometimes, teachers or psychologists also do this, which is activities for children. (CIRCLE, 10 years old).

It was observed that the children participating in the study differentiated the experience of playing and playing with the use of technological resources, without disregarding more traditional games (mainly in the school context), as well as in the research carried out by Azevedo and Betti (2014), as mentioned:

Researcher: And, in this case, is Minecraft at home? That's what you said.

Pigeon: That's gaming.

Researcher: Right, but gaming is playing?

Pigeon: Um... more or less.

Researcher: Why?

Pigeon: I can't explain.

Researcher: No problem. But if you were gaming, and I asked, 'Pigeon, are you playing now?', would you say yes?

Pigeon: No. (PIGEON, 10 years old).

The relevance attributed to playing corresponds to what is found in the literature when authors (MRNJAUS, 2014; PALMA, 2017) emphasize the importance of this act for child development; after all, “[...] it is in play, and only in play, that the individual, child or adult, can be creative and utilize his full personality: and it is only by being creative that the individual discovers the self” (WINNICOTT, 1975, p. 80).

Regarding participation rights, it was possible to recognize their association with “doing something” or “being part of something”, mainly a game or a playing (Figure 2), since the word “do” was mentioned 18 times, “play” was mentioned 14 times and “want” was mentioned 12 times during the interviews. By promoting this relationship, the association between the two rights was perceived, which is in line with what Mrnjaus (2014) mentions, that playing is the child’s first form of participation.

Figure 2 – Word frequency cloud about participating



Source: NVivo 12 Pro Software Pro (2020).

The notion of participation, as a process that influences decisions taken (TOMÁS; GAMA, 2011), was mentioned a few times by the interviewees, some examples can be found in the excerpts from the interview: “It about be questioning. Our parents have the right to participate in the votes for who will be the president of the republic; we have the right to participate in the votes of who will be the president of the class” (PIGEON, 10 years old).

In addition, Table 3 shows the places or situations in which children participate most – it is noteworthy, however, that, in the classroom, the notion of participation is biased, since they considered participation the moments in which they respond to what is asked by the teacher, for example.

Table 3 – Experience of the right to participate

Places or situations	Percentage (%)
Class	86%
Home	77%
Playtime	59%

Source: Authors (2020).

Concerning participation at home, the children related it to express opinions, whether in choosing what they are going to eat, for example, or in attributing a quality

to something: “At home, I talk... [...] Regarding my sister's toys. They are very nice. [...] I say I like them” (BUTTERFLY, 10 years old).

Although the meanings attributed to participation rights cannot be considered wrong, a certain distance is noted from the notion of modifying contexts after having their opinion considered, highlighting the differentiation of participation in adult life, as well as playing: “Usually it is the adults who have this moment to participate in the meetings. We also must participate in the play” (GAMER, 10 years old).

It should be noted that, when asked about their knowledge of participation and play rights, six children reported knowing the first, while 20 mentioned knowing the second – 14 said spontaneously while exemplifying the known rights.

As previously indicated, after completing the individual interviews, three group interviews were carried out on March 13, 2020, with 13 of the 22 children who had been interviewed. The first and second groups were formed by four participants; and the third group, by five participants.

During the group interviews, the relationship between participation and playing rights was even more emphasized, as well as the relevance of playing, since it is associated with pleasurable feelings, such as happiness. The idea that living this right is important for them not to lose their childhood was present in Group 2: “Diego: I think we have to take advantage of it while we are still in the childhood phase. [...] Playing. Felizzz: Go to the pool” (DIEGO; FELIZZZ).

Furthermore, an observation relevant to the pandemic situation in the course since 2020 is that, during Group 1, Pigeon (10 years old) raised the theme of home study, and, accordingly, Gamer (10 years old) pointed out: “I would also change one thing: school, it would be home study. (...) We would go to the street, I would call Pombo, Pombo would get dressed and we would go play.” (GAMER, 10 years old).

In Group 3, the children emphasized the amount of time they spend at school and mentioned the need to transform the school institution, as they consider spending a lot of time doing similar activities, a fact that is in line with what is referred to in the National Education Strategy for a Cidadania (PORTUGAL, 2017) on the need for innovation in this context in the face of unpredictable changes.

As, during the individual interviews, the participants mentioned the distinction between being an adult and being a child, about both rights, it was possible to question

them about being adults in school and out of school. Chart 1 was then prepared with the analysis of the answers:

Chart 1 – And if they were adults

	In the school		Outside the school	
	Right to play	Participation rights	Right to play	Participation rights
Group 1	Attitudes that allow playing and conflict mediation.	Allow children to participate and prevent inappropriate behavior.	Prohibition of inappropriate games by children.	Allowing a child to participate in something they want to participate in.
Group 2	Intervention in conflict situations and teaching appropriate behavior.	Intervention in conflicting situations and modelling behavior for children.	One participant said that, as an adult, she would allow children to play with her.	One participant mentioned that it would help children to regulate their time.
Group 3	Dialogue to intervene in conflict situations.	Spend less time at school.	The group chose to return to the previous subject (if they were adults in the school).	The group chose to return to the previous subject (if they were adults in the school).

Source: Authors (2020).

After being questioned about being adults inside and outside the school, the children presented opinions concerning their reality, as their interventions in this environment correspond to those already experienced, as in the case of educational assistants, who intervene in conflicts between students and inappropriate behavior. In addition, there was no suggestion of different attitudes by the adult, except when Pedro (Group 2) mentioned the importance of the adult being an example for the child and acting following what they preach (MONTEIRO, 2013).

Groups 1 and 2 pointed out the need to spend less time at school, as well as the notion of transforming some practices common to the school community, which demonstrates the ability to understand their reality, in addition to corresponding to what Fantin (2017) refers to, when the author points out the demand for transformation and adaptation of the school context to contemporary reality, after all, the development of information and communication technologies provide new interactions, through the various existing networks, influencing the experiences lived in the relationship with professionals in the educational field.

Furthermore, the children demonstrated difficulty in talking about being adults outside the school context. In Group 3, the participants chose to go back to the theme of

being adults at school. In Group 2, Flor mentioned what she would do as an adult, which was not agreed upon between the different elements of the group. In Group 1, the students approached attitudes like to those they would do at school, as in the case of intervention in behaviors considered inappropriate.

Although the referenced researches date from a few years before the aforementioned study, there is parity concerning the rights studied, since the proximity to the right to play and the distance from the rights of participation, about the transformation in the context, are firmly present.

It is observed that the two rights most cited by children in this research (right to play and to be free) were directly affected during the period of mandatory confinement, in addition to having some more restrictive rules, even with the return of in-person classes. According to an article by Acta Médica Portuguesa:

81.3% of children or adolescents showed behavioral changes. Preschool- and school-aged children were the most anxious, irritable, defiant, and throwing tantrums. They missed going to parks more, in-person teaching, and missed more their family members. (PEIXOTO *et al.*, 2021, p. 317).

The relevance attributed to recess, as a proper moment to play with friends and, at the same time, “to be free” to choose with whom, when, and how they will play, was and has been affected by the pandemic since some limitations still are enforced by schools. In the study carried out, the children showed a clear taste for the more traditional games played at school: “Skipping rope, playing with the ball, various things” (FOOTBALL PLAYER, 9 years old); “Playing is like skipping rope” (DANIEL, 11 years old).

In the study carried out, the children showed a clear taste for the more traditional games played at school: “Skipping rope, playing with the ball, various things” (FOOTBALL PLAYER, 9 years old); “Playing is like skipping rope” (DANIEL, 11 anos). However, according to an investigation carried out by the Intervenção nos Comportamentos Aditivos e nas Dependências (SICAD, 2020, p. 40), it was found that during the pandemic children spent more time focused on virtual games because they could not go to public spaces and had to stay at home, after all:

[...] Due to a context of generalized confinement and social isolation, the Covid-19 pandemic created the conditions for the assertion of the Internet as a space for work, learning, communication, information, and leisure. This is reflected in the

Internet usage patterns of a considerable percentage of respondents, translating into an increase in time spent online, namely working and communicating, and, to a lesser extent, also playing video games.

However, the fact that children do not use public space dates to before the pandemic. According to Sarmiento (2018), it appears that the school corresponds to one of the places where children can and manage to be, as well as some other institutions designed to receive this public, such as non-governmental institutions. However, with the experience of the pandemic, it was observed that the public space, which was no longer effectively prepared to receive child citizens, has been even less used, especially during mandatory isolation (RODRIGUES; FERRO, 2020).

Therefore, with this research, it was possible to perceive that children can talk about known themes, as mentioned in the literature; it was observed that the rights that are closest to them are those to which they most allude, whether in a group or individual interviews.

5 Final considerations

The SARS-CoV-2 (Covid-19) pandemic caused several changes in the way the society was used to living. As far as Portugal is concerned, it was on March 16, 2020, that schools suspended in-person teaching for the first time. Therefore, it is possible to question how the children's responses would be after the periods of confinement to which they were subjected. Because the same children finished the 1st CBE that year and, consequently, changed schools, it was not possible to continue the research, which was authorized to be carried out in the school context until June, 2020. After all, the importance attributed to the school context, with regard not only to formal learning but also to those experienced at recess, in groups, and informally, are experiences that have been directly altered.

It was found in this research that children needed to be closer to the theme of rights, primarily with participation rights, since their experiences still seem somewhat obscure in the researched context. Although the research cannot be generalized, as it is a micro-level study, it is considered a contribution to the dissemination of the voices of the participants.

Furthermore, the interest in the topic of living in the community in times of a pandemic becomes relevant for the social and academic circles, given that the changes experienced during this period will be connected to the life stories of these people, as well as the adaptation of the community school to which was imposed. Proximity to the Internet and technological resources during confinement may also be something recognized by children in future research, as well as other experiences and learnings.

Therefore, the school is a place that favors the expression of different feelings based on the relationships established there (FLORES; ALBUQUERQUE, 2021), which can be seen in the speech of the participating children, since the school environments are present in the experience of the right to play and participation rights. For future works, it is considered that the aforementioned withdrawal from school and the return to in-person classes – with the rules of distancing that permeate society since 2020 – inevitably reflect (and will reflect) on children's rights, which are affected in different proportions, depending on the particular social context.

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