

Investigation of the Rights of Children in Primary Education through the Pedagogical Practices of the Teachers

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Abstract

In this paper, which makes use of Basil Bernstein's theoretical framework, the investigation of the rights of children as they are implemented through the pedagogical practices of primary school teachers in Greece is, first of all, sought. Then, secondly, the degree of differentiation in the practices, with regard to these particular rights, which are determined by the Convention on the Rights of the Child which was adopted in 1989 by the United Nations, is also sought. For the realization of the research, in which primary school teachers participated, semi-structured interviews were used as our research tool. The main findings were the following: that for the promotion of the rights of the children which relate to leisure time and play, non-discriminatory treatment, the right to the free expression of opinion and participation as well as for priority to be given to the children's best interests, visible pedagogical practices in the space of the classroom were implemented, with explicit instructional and regulative rules, by the teachers in the sample. A few teachers expressed a desire for a weakening of the framing aimed at an increase in the pupils' participation in the educational process in specific low status subjects.

Keywords

Rights of the Child, pedagogical practices, Primary education, Teachers' practices

1. Introduction

The goal of the education of children is to secure the present and future well-being of the young generation. One of its most important premises is to ensure the full implementation of their rights, as these are defined by the Convention on the Rights of the Child (C.R.C.) (Convention on the Rights of the Child, 1989; Freeman, 2016; Mason, 1999; Parkes, 2016).

More specifically, on 20th November, 1989 the United Nations adopted the C.R.C., which provides the legal framework on the basis of which an international, intercultural discourse on childhood is developed. The C.R.C. constitutes a text of international treaty law for human rights and because of its legal character it shapes a strongly binding framework for social-political and social-pedagogical action

(Lenhart, 2006, pp. 27-30).

At the dawn of the 21st century the right to education meant the right of every citizen to participate in the life of the modern world. In addition, pedagogical practices in the field of education are governed today by a pluralism as much in terms of their application in practice as in terms of their theoretical composition. In such a diverse environment the rights of children are often interpreted and implemented in opposing directions. This was the most important reason behind the creation of the resolution of the Luxemburg Conference on 13-15/9/2001 which was addressed to all those bodies involved in the education process. This resolution aims to draw attention to the rights of children in school as well as to improve the coexistence and the life for all those participants in the educational process (UNESCO, 2002).

The changes related to childhood reveal changes in the field of pedagogical practices in the attempt to promote the concept of the rights of children. These changes are chiefly implemented through the curricula and hence the introduction of innovative actions in the educational process, which involve pupils as active members, and offer them the possibility of expression, speech and action within the educational field, takes place (Howe & Covell, 2010).

In this paper and from the whole of the rights referred to in the “interpretative map” of the rights of children (The Luxemburg resolution and the International Convention on the Rights of the Child) we will deal with those that concern the field of education and its objectives. These rights are: the right not to be discriminated against (Article 2 of the C.R.C.), the right to the priority of children’s best interests (Article 3 of the C.R.C.), the right to participation, freedom of opinion—expression (Articles 12 and 13 of the C.R.C.), and the right of the pupil to leisure time and play (Article 31 of the C.R.C.).

The results of research in the international field revealed that the issue of the rights of children within the field of the school is mainly supported in the application of sociological theories on childhood (Quennerstedt, 2013). A tendency was highlighted for the introduction of democratic and participatory pedagogical practices in schools so that suitable forms of teaching, which would lead to the promotion of the rights of children within the framework of the school could be developed and shaped (Gillett-Swan & Coppock, 2016; Howe & Covell, 2010; Parkes, 2016; Vissing, Burris, & Moore-Vissing, 2016).

On an international level research approaches and studies the right to participation, the right to freedom of opinion and expression, as well as the right to free time and play within the learning process. It also approaches the practices that are adopted for the promotion or not of these rights within the framework of the school in particular, but in society in general too (Batur-Musaoglu & Haktanir, 2012; Beckett, 2010; Bennett, Aguayo, & Field, 2016; Johnny, 2005, 2006; Im & Swadener, 2016; Konstantoni, 2013; Merey, 2012; Quennerstedt, 2016; Smith, 2007).

From a review of the literature in the greek field a lack of research regarding the pedagogical practices of teachers for the application or not of the rights of children within the framework of the school was noted (Avgitidou, Georopoulou, & Moutafidou, 2013; Balias & Michalopoulou, 2015; Pitsou, 2014).

This paper has a dual purpose. Firstly, the investigation of the rights of children within the field of primary schools as they seem to be implemented through the pedagogical practices of the teachers. And secondly, the detection of the degree of differentiation of the teachers' pedagogical practices as far as the particular rights are concerned.

2. Theoretical Framework

Bernstein perceives each pedagogical practice as a cultural transmission and believes that the fundamental relationship for cultural reproduction is the pedagogical relationship which consists of the transmitters (teachers) and receivers (learners) (Bernstein, 1989, p. 125, pp. 111-114; Koustourakis, 2014; McLean, Abbas, & Ashwin, 2012, p. 268).

The concept of code, which comprises a central concept in Basil Bernstein's theoretical schema is interwoven with the pedagogical practices. The code constitutes a regulative principle within which class regulated power relations are registered, as well as the principles of social control. Depending on the particular regulative principle, the choice and implementation of the appropriate combination of pedagogical practices takes place, that is to say the forms through which they are applied as well as the framework within which they manifest themselves. Interrelated with the concept of the code, in Bernstein's theoretical framework, are the concepts of *the boundary*, *Classification (C)* and *Framing (F)* (Bernstein, 1989, 1990). The boundaries relate to the practices and social conventions that separate the social groups, in space and time. Bernstein refers chiefly to the symbolic significance of boundaries, which are recruited by the actors and are maintained and reproduced through their activation in the social field (Atkinson, 1985, p. 27; Bernstein, 1989, p. 26; Mutekwe, 2016).

The concept of classification depends on and is defined based on the strength of the boundaries between different categories, as for example between agents which in the space of the school can be detected in the bipolar teacher-student. Classification is linked with the concept of power and determines "what can be put with what" defining the strength of the boundaries between categories, like the cognitive objects of the curriculum of a particular level of education (Bernstein, 1989, p. 25; Hoadley, 2007, p. 683; McLean et al., 2012, p. 266; Sriprakash, 2011, p. 528).

The concept of framing refers to the control the transmitters and receivers have regarding the selection, sequencing, pacing and evaluation of the knowledge which is transmitted and received within the pedagogical relationship. Strong framing places explicit boundaries on the roles between the teacher and the pupil as well as between what can be transmitted and what is forbidden to be transmitted as school knowledge in the everyday process of the implementation of school work. On the contrary, when framing is weak, the boundaries between what can and cannot be transmitted as school knowledge to the pupils are implicit (Bernstein, 1989, p. 68; McLean et al., 2012, p. 266; Hoadley, 2007, p. 683).

Indeed, based on the implementation of the principles of the C.R.C. the question could be raised of the extent to which the pedagogical practices of the teachers (transmitters) respect or ignore the rights of

children, placing emphasis on the role of the teacher and focussing mainly on the cognitive achievements of the pupils (Sandovnik, 2001).

The rationale reasoning behind every pedagogical practice depends on the interrelated relationship between the following three rules: the *hierarchical* rules, the rules of *sequencing* and the *criterial* rules. The hierarchical rules regulate the internality of each pedagogical relationship that is formed by the interaction between transmitter and receiver (Hoadley, 2006, pp. 21-26; Lamnias, 2002, p. 85). The main requirement for appropriate behaviours that develop within the pedagogical relationship is the acquisition by those involved in it of the rules of social order, morals and conduct (Bernstein, 1989, pp. 114-115). The sequencing rules regulate every pedagogical practice relating to the order of presentation of knowledge and its pacing. In particular, pacing concerns the length of time given to the receivers in order to acquire a particular quantity of knowledge (Bernstein, 1989, p. 115, 1990, pp. 57-58). The criterial rules make known to the receivers what is considered to be appropriate and inappropriate communication and social position in a pedagogical relationship (Bernstein, 1989, p. 116, 1990, p. 58, 1996, p. 50). Hierarchical rules can be explicit or implicit. When they are explicit then clear relationships of power are promoted in the pedagogical relationship between teacher and student (F++/F+), where the former imposes and the latter acquiesces. When the hierarchical rules are implicit then (F--/F-) the teacher acts directly on “*the transmission framework but indirectly on the receiver*” since he takes care to use appropriate communicative strategies to conceal his power and promote the self-activation of the pupils (Bernstein, 1989, p. 117-118, 1990, p. 61; Singh, 2002, p. 577). The explicit rules of sequencing and pacing of a transmission determine with great clarity the time schedule for a project and the pupil’s obligations since they are recorded in the timetable for each day, in the curricula and the acceptable rules of behaviour within the framework of the pedagogical action. The implicit rules of sequencing imply that the receiver doesn’t possess clear knowledge of the timetabling of his work since this is handled in an appropriate way by the transmitter (Bernstein, 1989, p. 118, 1990, pp. 58-61). The criterial rules can be explicit or implicit. In the former case the child (receiver) is fully aware of the evaluation criteria that he has to satisfy while in the latter case he has a general and indefinite knowledge of the particular criteria that he has to satisfy (Bernstein, 1989, pp. 121-122; Frandji & Vitale, 2011, p. 160).

Bernstein claims that when the hierarchical rules, the rules of sequencing and the criterial rules are explicit then a “*visible pedagogy*” is being implemented. Conversely, when the particular rules are implicit then “*invisible pedagogy*” is being applied (Bernstein, 1989, p. 122; Bernstein, 1990, pp. 61-64; Loo, 2007, pp. 209-210; Moore, 2010). From this point of view if we bear in mind that what is set down by the C.R.C. constitutes a framework which in a way can shackle the daily social-pedagogical action of the teachers then the question arises: Perhaps the pedagogical practices applied at the micro-level of the school classroom, which are influenced by the power possessed by the teachers, undermine the implementation of the pedagogical principles that result from the C.R.C. guidelines (Androutsou & Askouni, 2011, pp. 132-138; Bernstein, 1975, pp. 107-111).

Finally, the concept of recontextualization is “closely” linked with the teachers’ pedagogical practices and influences them. In fact “*recontextualization*” analyses and interprets the process of choice and transmission of knowledge from the space of its production to the space of its transmission, such as the school classrooms of the primary school (Bernstein, 1989, pp. 231-232). *Recontextualization* establishes on the one hand the “*what*” that is referred to in the various categories of content and in the relationships between them, which comprise the object for transmission, which is why in this case they are linked with the concept of classification. Recontextualization, on the other hand, also establishes the “*how*”, which refers to the way school knowledge is transferred, and in this case is linked to the concept of framing (Tsatsaroni & Koulaidis, 2010, p. 35). From this point of view, at the micro-level of the school classroom the influence of external authoritarian factors concerning the “*what*” and the “*how*” of the choice and transmission of knowledge may become obvious (Cause, 2010).

3. Research Questions-Methodology

In this paper we will approach the following research questions:

- 1) Are the rights of children that relate to education and are recorded in the C.R.C., implemented through the pedagogical practices that are chosen and applied by teachers in Primary education?
- 2) Is there a differentiation in the pedagogical practices of the teachers concerning the application of the particular rights?

The research was conducted in the spring of the school year 2015-2016 and ten teachers (2 men and 8 women) who taught year 6 in Primary schools in Patras took part. The average age of the sample was 41.7 years (Standard Deviation/SD 8.2 years, minimum age being 31 years and maximum age being 53 years). The average teaching experience in primary schools of the sample was 16.5 years (SD 7 years, minimum teaching experience being 6 years and maximum teaching experience being 31 years). In order to carry out the research “convenience” sampling or “easy” sampling was applied (Robson, 2007, p. 314). As research tool, the semi-structured interview was used, which allows us to deepen the questions put to the research subjects and in order to reveal their views (Bell, 2007, pp. 209-213). For the needs of the research and in order to investigate the teachers’ pedagogical practices in relation to the exercise of the rights of children, we formed a suitable guide for semi-structured interview questions, divided into topic areas which included axes related to: a) the right to equal treatment, b) the right to the priority of children’s best interests, c) the right to freedom of expression-opinion, and d) the right of the child to play, free time and rest. The questionnaire was piloted with a teacher who was then excluded from the research. The interviews were tape-recorded with the consent of the research subjects.

When the interviews were complete and the research material had been collected, qualitative content analysis was used (Cohen & Manion, 1997, pp. 438-440; Iosifidis, 2008). We categorized our data taking the “topic”, which could be comprised of one or more sentences whose aim is to formulate a clear meaning which is integrated into a specific analysis category (Robson, 2007) as our recording unit.

Indeed, based on our objective and the theoretical framework of the research, as well as the research material, we formed the following categories:

A. The teachers and the role of the “facilitator” within the framework of an invisible pedagogical practice.

A. The application of a visible pedagogy by the teachers with a curbing of the rights of the child.

A.1. The makings of the pedagogical code and its changes at the micro-level of the classroom.

A.2. The “inadequate recontextualization” of the school handbooks.

4. Presentation and Analysis of the Research Data

Subsequently we will perform a qualitative analysis of our research material presenting our findings based on the analysis categories mentioned above.

4.1 *The Application of a Visible Pedagogy by Teachers with a Curbing of the Rights of the Child*

According to Bernstein’s theoretic schema, the “visible” pedagogy always places emphasis on the “accomplishment” of the child and on the external product that the child produces. One characteristic of this pedagogy is guidance of the child in an obvious and categorical way by the teacher aimed at the completion of the teaching action through a strict and clearly predetermined time framework (Bernstein, 1989, p. 122; Koustourakis, 2014, pp. 25-26).

From the discourse of the teachers in the sample, it became evident that the application of their pedagogical practices was to a large degree based on the strong pacing of the acquisition of knowledge. In other words the teachers don’t provide their pupils with the necessary length of time in the framework of the everyday schoolwork in order for them to approach and fully understand school knowledge. Hence, for the acquisition of knowledge by the pupils to be achieved, additional effort is required on their part beyond the micro-level of the school classroom, and more specifically, at home. Indicative of the specific findings are the excerpts below from interviews with teachers in the sample:

“I believe that the acquisition of knowledge requires personal participation and personal participation happens with work in the classroom, but mainly at home. Of course the pupils need to make sufficient effort in the classroom” (Teacher—T. 9).

“There is pressure from the system itself which is structured in such a way that learning takes place in two places, school and home, this is completely social class based. It is a school that is addressed to the middle classes” (T. 3).

From the indicative quotations above the need for two places of uptake for the “acquisition” of school knowledge, which are the school and the home, becomes evident. In addition it is also noted that the pacing of the reception of knowledge is strong and demands the systematic effort of the child at home to complete his study and acquire the knowledge (Bernstein, 1989). This fact seems to circumvent the child’s right to rest, free time and play.

In the educational practices of the teachers in our sample, it was noted that the shaping of a participatory environment for the children, which would allow them the development of initiatives and

the promotion of their interests, is restricted by the intense presence of the teacher in the pedagogical relationship. So, the asymmetrical relationship between the teacher and the pupils is outlined in the explicit hierarchical rules, which reveal relationships of express compliance and clear power relations (Bernstein, 1990, pp. 111-117; Smith, 2013, p. 267). The teachers in the sample seemed to play the dominant role in the pedagogical relationship and their position was very distinct in the school communicative framework, in relation to the position of their pupils (Bernstein, 1989, p. 117). Moreover, through their discourse it appeared that in their pedagogical practices the teachers didn't adopt the shaping of a participatory environment that could strengthen the collaborative effort and communication through the exchange of knowledge and ideas. Consequently, the teachers appear as the strong pole in the pedagogical-teaching action and they don't aim to promote self-activating learning and facilitate the learning effort of their pupils.

The following excerpts are indicative of these specific findings:

"I am demanding of the children and in the past I was more so. I put pressure on them then and I put pressure on them now, I didn't allow and I don't allow much of a margin for participation" (T. 1).

"You can't give your pupils rights, and prioritize their interests and initiatives, since they are not mature. In other words to give them the right to decide on something that you should decide on. You have to make the decision otherwise it will just be a mess" (T. 3).

The teachers in our sample seemed to use exclusion strategies and control and express explicit rules for the enforcement of their power, especially in those cases where the pupils display transgressive behaviour (Bernstein, 1989, pp. 140-144). So they use strategies of control and exclusion through the practice of punishment, which are integrated into the regulative practice of a visible pedagogy, absolutely defining the positions of the receivers (pupils). Consequently, the implementation of punishment, when it is judged necessary by the teachers, maintains and corrects the boundaries within the school framework.

The answers below from the teachers in the sample are indicative:

"The child has to know, has to live in an environment where he will have obligations and he will have penalties" (T. 2).

"When there is some violation I believe that the best thing that can happen is for the pupil to have some form of consequence...for example, a kind of punishment perhaps to stay inside during the break. Something immediate in other words which will have an instant cost for the pupil. But it will always be repeated, every time" (T. 3).

"The punishment could be the loss of a break time, it could be the loss of the chance to come on a trip. But there have to be some punishments because children don't understand boundaries" (T. 5).

4.1.1 The Makings of the Pedagogical Code and the Changes to It at the Micro-Level of the School Classroom

The views of the teachers in the sample refer to the degree of control they themselves possess as far as

the selection, the sequencing and the pacing of the knowledge that is transmitted is concerned. Hence the existence of a “loyal” interactive relationship between the teachers and the curriculum (seen as the regulative principle of the teaching process) became evident. The findings of the research showed that the teachers in the sample faithfully follow, for the teaching of each lesson, the guidelines for the curriculum and in particular the teaching suggestions in the Teacher’s Book, which exists for every lesson in Greek Primary education. Consequently, in this particular case the framing is strong, since it refers to the range of teaching choices available to the teacher. In fact, from the statements made by our research subjects it emerges that initiatives for self-motivated teaching are minimal since their teaching choices are adapted to whatever is determined by the official pedagogical discourse that is laid down in the curriculum guidelines and the Teacher’s Book (Bernstein, 1989).

The following excerpts from the interviews are characteristic of the specific findings:

“You can’t get away from the curriculum. Perhaps you can a little, but ok, how much...? We have to complete the syllabus” (T. 5).

“The time frame for teaching the lessons in the primary school is very stifling and fortunately there are the teacher’s books that guide us in how we should teach” (T. 1).

Then, in the contemporary greek primary school and especially in the higher years the curriculum suggests a teaching approach to school knowledge with the implementation of projects which in theory aspire to promote self-activated learning on the part of the pupils (Bazigou, 2005, p. 500). Nevertheless the findings of this research showed that during the implementation of projects the dominant role of the teacher was enforced, rather than suggesting and promoting the initiative and active participation of the pupils for the discovery of knowledge. The teachers put this down to two factors. Firstly, to the tight time frame at their disposal for the teaching of school knowledge. And, secondly, to the lack of experience and familiarity of many teachers with the particular model, something which makes it difficult for them to successfully plan and implement teaching actions through projects. It is obvious that these findings are in contrast with the philosophy of the project method which aims at the development and growth of the personality of the pupils, who are expected to be educated at school so as to play the role of tomorrow’s active citizen (Voudrislis & Avgerinou, 2004).

In fact, two of the teachers in the sample characteristically state:

“The project is a way of working where I believe the teacher dominates. In other words the teacher has already decided what the outcome will be” (T. 1).

“The project helps, but it needs preparation, a lot of guidance from the teacher and it needs proper organization” (T. 3).

The teachers in the sample also mentioned the role the “code of educational knowledge” (curriculum) plays in the shaping of their pedagogical practices (Bernstein, 1989).

In the subdivisions of school time in the greek primary school, the teaching of particular knowledges corresponds to the forms of separate cognitive subject areas, which are classified in a strict way. More specifically, the means of didactic approach to the various lessons in primary education, like the

number of hours allocated for teaching them in the weekly programme, are determined by the interdisciplinary curriculum in Greece, which was established at the beginning of the 21st century aimed at the promotion of mixed pedagogical practices, without nevertheless undermining the dominant didactic role of the teacher (Alahiotis & Karatzia, 2006; Koustourakis, 2007). Hence, transmitters and receivers are obliged to apply the segmentation and classification of time and knowledges in school with the potential result of the noticeable reduction of the right of children to participation and free expression in the education process (Vergidis, 1997).

Focussing on the relationship between contents as far as teaching time devoted to each is concerned, we noticed that the teachers in the sample applied the project method selectively and chiefly in contents where the units of time are limited. In other words they implement the project in lessons which are considered to be of secondary importance like Geography and Environmental Studies. In this case the right of children to free expression and participation, which emerges from the characteristic excerpts that follow, is limited to lessons with low status in relation to lessons that are considered to be of priority, like Language and Maths:

"I don't apply the project method across all the lessons because there isn't the time. Time stifles us..., the Curriculum stifles you" (T. 5).

"You do the project for example in Geography if you want to show various things" (T. 3).

"Primarily only in Environmental Studies, I only work on projects in that lesson...there are lots of topics. For example, the olive tree, water..." (T. 10).

4.1.2 The "Insufficient Recontextualization" of the School Handbooks

The teachers in the sample focussed in their answers on multiculturalism, claiming that "recontextualized" knowledge which is transmitted through the greek school handbooks and which they use daily in their schools contains patchy data, like foreign names or references to other cultures, which aim at the highlighting of the cultural identity of students from other countries. However these elements are seen to be insufficient by the teachers in the sample for the presentation and acceptance of the cultural identity of the pupils from other countries. What's more, the teachers expressed the difficulties they had in handling the special characteristics of the diverse composition of the pupil population in contemporary greek educational reality, that has been shaped as a result of the increased flow of immigrants after the 1990s (Evangelidou & Kantzou, 2005, p. 14).

The following excerpts from the interviews are characteristic of the above findings:

"The books don't take into account the diversity and the otherness in nationality to a particularly great extent. And what can the teacher do for those pupils in the class, change the books?" (T. 3).

"For example the [environmental] studies book allows, in the unit on cultures, for greater activation of pupils from other countries in the classroom. In other words for there to be discussion in the class about the morals, customs, traditions, of each people or like in the language book there are heroes from other countries and such like...but is that enough for the children? I don't think so..." (T. 7).

Consequently, according to the point of view of the teachers who participated in the research, the

recontextualization of school knowledge in the content of the school handbooks seems unable to approach the multiculturalism of contemporary greek society, something which touches on the right to equal treatment of pupils from other countries through the recognition, understanding and creative utilization of their cultural diversity.

4.2 The Teachers and the Role of the “Facilitator” in the Framework of an Invisible Pedagogical Practice

A small number of teachers in the sample, and specifically two of the ten teachers that participated in the research (20% of the sample) claimed that they had integrated the right of the child to learn through play directly into their pedagogical practices. In this case these teachers promoted an implicit hierarchy in the distinction between transmitter and receiver, something that could lead to the weakening of the framing while the transmitter would enact the role of “*facilitator*” (Bernstein, 1989, pp. 117-118). In fact, these particular teachers from the sample mentioned characteristically:

“The children really like the integration of a game into the lesson, because in this way the lesson isn’t so rigid. I mean to say, you don’t enter the classroom, to do a lesson ... and ‘read, write’ and that’s it. If there is a game they really like it a lot and they understand the lesson better. They get into the role, go crazy and then they don’t come back into line” (T. 9).

“In class I adopt it, I put a game in the lesson, but you know it is a camouflaged learning activity, in other words, we play on the map, but at that moment I’m teaching Geography” (T. 1).

In addition, some teachers (20% of the sample) in the sample demonstrated a desire to leave a greater margin for initiative, participation and decision making to the pupils, applying in this case an apparently implicit hierarchy in the pedagogical relationship between them (Bernstein, 1998, p. 125; Lamnias, 2002, p. 306). Nevertheless, as emerges from the characteristic excerpts below, the self-activation of the pupils is permitted in activities and actions which are differentiated from the educational process through which the teaching of the cognitive subject areas of the curriculum is sought:

“I give my pupils the initiative and they participate. Each participates where he can. I mean in the simplest way, cleaning the board. They like this. It is a role for them. To clean the board, to wash the sponge, to go to ring the bell...” (T. 5).

“I usually ask the children’s opinion regarding excursions. Where they want to go. That’s where I take their opinion into account. I even ask them about some game they want to play in the classroom for example during the flexible zone and for freer activities. There of course, the pupils participate” (T. 7).

The answers of our research subjects coincide as far as the choice of dialogue with their pupils, as a means for the successful handling and confronting of conflictual situations which can arise within the context of the classroom is concerned, as is apparent in the following indicative excerpts:

“The first thing I do in the case of conflict is have a discussion. I get the children to express their opinion on whatever has happened, whatever is bothering them. After that I listen to both sides of the conflict and then I give them some advice, that’s the first thing I do” (T. 7).

“Mostly I apply discussion in cases of conflict. A lot of discussion. I let them talk, to give their opinion, to express themselves. To say why they did what they did. This is the only way they’ll learn to solve their problems” (T. 10).

Consequently, the teachers in the sample seem to claim that only through dialogue, discussion and interpersonal communication can the solution of conflicts that are created between pupils in their daily school life, be achieved. So, through the interpersonal communication between the receivers and the transmitter, the attempt to implement elements from an invisible pedagogy where control is chiefly integrated into interpersonal communication which functions encouragingly and helps the pupils in order to talk and reveal their thoughts and views and in this way reveal a part of their internal world, becomes evident and functions, albeit latently (Bernstein, 1989, p. 141).

5. Discussion and Conclusions

In this paper we attempted to investigate the implementation of the rights of the child within the framework of the school through the way in which primary school teachers handle their everyday pedagogical practices. From the study and analysis of this research data the following conclusions emerge:

As far as the right which refers to children’s *free time, rest and play* is concerned, we observed that the regulative and didactic rules in the pedagogical practices of the teachers in the sample were explicit, forming visible pedagogical practices. The dominant practice of the teachers as far as didactic rules are concerned, became clear through their view on the need for the completion of school work at a second place of uptake, which is the pupils’ home. Consequently, the teachers in the sample implement strong pacing of the reception of knowledge since they demand from their pupils more school work as much within as outside the field of the school. This fact seems to restrict quite significantly the pupils’ time that could be used for play (Bernstein, 1989, pp. 131-133). Nevertheless, there were some teachers who tried to integrate play into their everyday pedagogical practices which resulted in the promotion of a weakening of boundaries in the pedagogical relationship teacher-pupil. In this way it seems that a disguising of the power of the teacher is attempted and a choice of elements from an invisible pedagogy that is linked to the promotion, to a marginal degree, of implicit rules of hierarchical relationships (Bernstein, 1989, pp. 117-118).

As far as the right that refers to the *equal treatment* of pupils is concerned, it became generally apparent that school is seen by certain teachers in the sample as a “system” that reproduces visible pedagogical practices which, through the control mechanisms as well as the implementation of penalties with the pupils, aim at the maintenance of order within the field of the school. So, when practices of control, supervision, guidance and punishment of the pupils are applied then it appears that important rights of the child according to the principles of the C.R.C., such as equal treatment and respect of the pupils’ personality, are cancelled out. This is because in these cases it would appear that the recognition of certain rights of the children is seen by a number of teachers as being counter to their own power (Hill,

Davis, Prout, & Tisdall, 2004).

As far as the right to *free expression of opinion and participation* of the children is concerned, we observed that the pedagogical practices implemented by the transmitters in the sample were dominated by a strong framing (P++/P+). The teachers, considering the pupils to be immature in terms of age and cognitively inadequate, undervalued or ignored their opinions during the educational process. Hence, they themselves took important decisions concerning the organization of school work. Also the strength of the curriculum is evident as the teachers in the sample expressed their inflexible adherence to the implementation of the provisions in its guidelines. So their choices contribute so that the current greek primary school curriculum enforces explicit classifications and framings resulting in the reduction in the participation of the pupils in the educational process (Bernstein, 1974, pp. 200-204). Moreover, the discourse of certain teachers in the sample seems to be contradictory as they claim that they implement the project method selectively and in certain lessons of secondary importance, recognising that it is positive for the pupils to participate actively in the educational process and to have the ability to express their opinion. In this the case the particular teachers seemed to be disposed to a weakening of the framing aimed at the increase in the pupils' participation in the educational process in knowledge contents (lessons) which possess lower status within the context of the curriculum of the greek primary school and the units of time available for teaching them are limited (Bernstein, 1989, p. 70).

Approaching the right that refers to the *priority of the child's best interests* in the everyday school process, the teachers in the sample chiefly focussed on the handling of the transmission of knowledge that concerns pupils from other countries within the communicative framework of the school classroom. They stressed that the school handbooks that are offered by the primary school are not adequately "recontextualized", as far as the activities related to the strengthening of the cultural identity of pupils from other countries are concerned (Bernstein, 1989, pp. 230-232). So, at the micro-level of the school classroom the pupils are placed unequally (in the specific case, those from different countries) due to the inadequate recontextualization of the school handbooks, but also possibly due to the teachers' entrenched teaching practices, thanks to the structural limitations of the greek educational system, as they believe that suitable conditions for the incorporation of pupils from other countries in the educational process do not exist.

Finally it appeared that the teachers in the sample through the pedagogical practices that they implement in their everyday school life greatly restrict the four fundamental rights of children, according to the C.R.C. (1989) within the field of their classroom. However, taking into account the findings of this research we could suggest that for the accomplishment of the implementation of the rights of children in the greek primary school the training as much of the teachers already in school as of the students in the Pedagogical Departments who will constitute the new generation of teachers, would be necessary. Moreover, this training would need to be combined with a review of the curriculum of contemporary greek primary education, with the aim of incorporating the rights of children into it (Johnny, 2006; Sajan, 2010).

Completing this paper it would be interesting to conduct quantitative research in order to investigate the aspects of the primary school teachers about the rights of children in the educational process. Also, it would be interesting to investigate the pupils' believes on their rights in the field of the school in order to find if there are differences between the aspects of pupils and teachers.

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Note

Note 1. The legal framework for greek schools foresees respect of the pupils' personality and the restriction of the phenomenon of the punishment of primary school pupils. In particular it is set out that: "School pupils are encouraged to participate actively in the shaping and taking of decisions on topics that concern them and the smooth operation of the school ... At the level of the school unit, suitable

conditions are to be created ... so that they are motivated to participate actively in school life ...In each case ... the fundamental principle of respect for the personality and the rights of the child is taken seriously into consideration” (Presidential Decree 201/1998-Article 8).