"DIAGNOSTIC NOTES AND SUGGESTIONS FOR CHILD POLICIES"

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In the pages that follow, I will attempt – telegraphically, as the required dimension of the work demands – a cursory diagnosis of the situation of minors in Uruguay today, in its economic, family, judicial, police, INAME, mass media, and public opinion aspects, in both political and sociocultural terms, and in its internal variety and relationship with the situations of other age groups.

On this telegraphic and cursory basis, I will present suggestions for child policies.

I. DIAGNOSIS
I.1.Economic situation and trends

Uruguayan minors are in a worse situation than older Uruguayans, in terms of absolute disadvantages, relative disadvantages, inequalities and trends that are cause for concern.

The operation of adult society is the main cause of these situations of absolute and relative disadvantage, and inequality and preoccupying trends.

The economic diagnosis is partly responsible for the lack of productive incentive, the psycho-social pathogenesis, the potential for criminogenesis, and the sociocultural frustration of minors, with reflections in political attitudes.

Despite this innocent discrimination against minors, there is a public image that, through the mass media and informal rumors, stigmatizes, stereotypes and harms minors (with reflections on the INAME) and is not confirmed by judicial, police and INAME statistics. In fact, there is a whole flood of statistics supporting the almost absolute and much greater responsibility of adult society in the creation of dangers for children, which – as opposed to what they believe – is much less threatening to adult society than it is to children.

I.1.1. High level of absolute disadvantages (1994)

Unmet Basic Needs (NBI) (0-14 years): Approx. 1 out of every 4.5 persons; 1 out of every 6 persons in Montevideo; 1 out of every 4 persons in the Interior (1994).

Below the poverty line (0-14 years): 4 out of every 10 persons.

Recent poverty: 1 out of every 5 in the Urban Interior; 1 out of every 4 in Montevideo.

Inertial poverty: 1 out of every 40 persons, in both areas.

Chronic poverty: 1 out of every 7 persons in Montevideo; 1 out of every 5 persons in the Urban Interior.

Critical socioeconomic conditions: 1 out of every 4 in both areas; 1 out of every 6 suffers from 2 critical conditions; 1 out of every 10 suffers from 3 conditions; 1 out of every 20 suffers from 4 conditions; 1 out of every 50 suffers from 5 conditions; 1 out of every 600 suffers from 6 conditions (all of the conditions studied).

Unsatisfactory housing: 1 out of every 20 in Montevideo; 1 out of every 16 in the Urban Interior.

Overcrowding: 1 out of every 7 in Montevideo; 1 out of every 5 in the Urban Interior.

Not attending school: 1 out of every 250 in Montevideo; 1 out of every 140 in the Urban Interior.

I.1.2. Disadvantages in comparison with other age groups (1994)

In each and every one of the dimensions we have just seen, children under the age of 14 are in a significantly worse position than adults in both the 15-59 age group and the 60+ age group.

The younger a person is, the worse is his or her level of unmet basic needs, poverty and its different types, and he or she suffers worse critical conditions and is more vulnerable to risk situations, in both Montevideo and in the Urban Interior.

If there are 1/4.5 children under 14 with unmet basic needs, then there are only 1/10 people in the

15-59 age group and only 1/12 people in the 60+ age group living with unmet basic needs.

If there are 40/100 children under 14 living under the poverty line, then there are only 27/100 in the 15-59 age group, and only 17/100 in the 60+ age group living under the poverty line.

If, in the 0-14 age group, there are 26 people in Montevideo and 21 in the Urban Interior in a situation of recent poverty, then, in the 15-59 age group, there are 21 in Montevideo and 19 in the Urban Interior, and, in the 60+ age group, there are 17 in Montevideo and 12 in the Urban Interior in a situation of recent poverty.

If, in the 0-14 age group, there are 3 people in Montevideo and 8 in the Urban Interior in a situation of inertial poverty, then, in the 15-59 age group, there are 2 in Montevideo and 6 in the Interior, and, in the 60+ age group, there is 1 in Montevideo and there are 6 in the Interior in a situation of inertial poverty.

If, in the 0-14 age group, there are 14 people in Montevideo and 20 in the Interior in a situation of chronic poverty, then, in the 15-59 age group, there are only 6 in Montevideo and 9 Interior, and in the 60+ age group, there are only 2 in Montevideo and 4 in the Interior in a situation of chronic poverty.

Not only are children always worse off than adults, in both Montevideo and the Interior; also, their situation worsens as the type of poverty concerned becomes more acute.

In fact, if recently poor people between the ages of 0 and 14 are 28% worse off in Montevideo and 15% worse off in the Urban Interior than people between the ages of 15 and 59, they are much worse off than people over the age of 60 - 55% in Montevideo and 116% in the Interior.

In terms of inertial poverty, which is perhaps worse than recent poverty, children in the 0-14 age group are 83% worse off than those in the 15-59 age group in Montevideo and 33% worse off in the Interior; they are 267% worse off than those in the 60+ group in Montevideo and 57% worse off in the Interior.

Undoubtedly, the worst kind of poverty, which combines the recent and inertial types, is chronic poverty. In this respect, children in the 0-14 age group are even worse off than other age groups. They are 145% worse than those in the 15-59 age group in Montevideo and 103% worse off in the Interior, and they are 606% worse off than those in the 60+ age group in Montevideo and 545% worse off in the Interior.

This means that unmet basic needs and poverty hit minors much harder than adults, even harder when the type of poverty they suffer is more acute.

The same is true if we look at the level of suffering in critical living conditions, according to age groups. 39% of persons in the 60+ age group suffer from a critical condition, compared to 29% of those in the 15-59 age group and 26% in the 0-14 age group.

It would seem that minors are better off. But if we look at the percentage of those who suffer from two critical conditions, minors begin to show more disadvantages than the other age groups: they represent 16%, while the figures are only 14% for those in the 15-59 age group and only 13% in the 60+ age group.

If we look at those who suffer from 3 critical conditions, the figure for the 0-14 age group is 10%, while it is 6% for the 15-59 group and 4.5% for the 60+ group.

In terms of those who suffer from 4 critical conditions, the figure for the 0-14 age group is 6%, while it is 3% for the 15-59 group and only 2.5% for the 60+ group.

With respect to those who suffer from 5 critical conditions, the figure for the 0-14 age group is 2%, while it is 1% for the 15-59 group, and 0.5% for the 60+ group.

Finally, if we look at those who are in a maximum critical situation, the figure is 0.3% for the 0-14 age group, while it is 0.1% for the 15-59 group and 0% for the 60+ group.

This means that minors not only suffer from many unmet basic needs, poverty, critical disadvantages, and vulnerability to risks, but also suffer the consequences of defective societal operation to a much greater extent than those who are old enough to be responsible for these defects, inequalities, discriminations and exclusions. And their worst suffering in comparison to older people is made even more serious as the situation in question becomes more acute.

I.1.3. Other inequalities suffered by minors

Besides this situation of minors in Uruguay today, which is worse than the situation of their elders, in absolute and relative terms, as well as in terms of trends, their situation is also worsened from another angle: the percentage of those with lower incomes among the underprivileged in terms of basic needs and poverty.

In fact, in both Montevideo and the Urban Interior, the percentage of those with unmet basic needs who are part of the lower-income group (20%

inferior, 1st quintile): in the Capital, those with unmet basic needs, among those in the worst income quintile, grow in percentage from 41% to 44%, and in the Urban Interior, from 38% to 44% in 10 years. There are consequences for the loss of income.

At the same time, the percentage of persons who are in the 1st quintile of income distribution grows: from 67% to 73% in Montevideo, and from 47% to 61% in the Urban Interior. In Montevideo, the percentage of those in the 2nd quintile grows as well, from 19.8% to 20.3%. Result: in Montevideo, 86% of those with unmet basic needs are located in the first two quintiles (40% poorer) and in the Urban Interior, the figure is 74%. Ten years later, among those 40% poorest, the percentage of those with unmet basic needs rises to 94% in Montevideo and to 81% in the Urban Interior.

There is also increased inequality between the quintiles from 1984 to 1993; the distance between them grows, as does the distance between contiguous quintiles as we look at those who are more disadvantaged. All of this takes place in Montevideo, not in the Urban Interior. As we will discover, despite the fact that the Urban Interior is generally worse off than Montevideo, there is more rapid deterioration, with greater and growing levels of inequality, in the Capital.

The two areas are equal in one respect: 100% of their poorest 20% in terms of income are below the poverty line; the percentage of persons living in poverty rises from 58% to 73% in Montevideo and from 39% to 61% in the Urban Interior; there are no inertial poor among them; the number of persons in chronic poverty drops from 42% to 27% in Montevideo and from 61% to 39% in the Urban Interior).

I.1.4. Inequality is higher among younger minors

With respect to unmet basic needs, recent poverty and chronic poverty, the percentage is higher when it comes to minors, even within the group of persons under 18. In terms of these three forms of poverty, the percentage of disadvantaged persons is lower in the 12-17 age group than it is in the 0-5 and 6-11 groups.

Poverty, want, critical disadvantages and vulnerabilities seem to affect minors more than adults, and, increasingly, affect them differently, bringing more harm to those who have more of their lives ahead of them. This is a cruel fact for those who were not born when, where or how they wanted and who have practically no responsibility for the type and distribution of attributes, assets and services in society.

I.1.5. The maximum polarized disparities

We have seen inequalities and trends in major areas, age groups and periods, revealing shameful disadvantages, inequalities and disparities that harm minors, especially the youngest ones.

But this overview becomes even more dramatic if we concentrate not on comparing deciles, quintiles and percentages, but rather on looking at the distance between those who are best and worst positions.

In 1994, the average percentage of Households with unmet basic needs in Uruguay was (leaving aside differences between areas, regions, ages, etc.) 10%. However, there are more than ten areas with more than 40% of unmet basic needs. In Nuevo Paysandú, the figure is 56%, while it is 49.3% in Casabó and Pajas Blancas, and 48.8% in Casavalle. Conversely, neighborhoods such as Punta Carretas, Pocitos, Punta Gorda, Carrasco, Parque Batlle, Malvín, Parque Rodó and Buceo have rates of unmet basic needs between 1.7% and 6.2%.

Even more pronounced are the concrete inequalities between neighborhoods in terms of children between the ages of 6 and 13 with unmet basic needs. In Nuevo Paysandú, almost 75% of minors between the ages of 6 and 13 live in a situation of unmet basic needs, while the figure is 69% in Casavalle and 66% in Casabó and Pajas Blancas. In ten other neighborhoods, the percentage of minors between 6 and 13 with unmet basic needs is almost 60%.

Worse still is the situation of the children in the 0-5 age range. As we have seen, the situation of poverty, want, critical circumstances and vulnerability gets worse with time and with the age of those involved. There are more than ten neighborhoods where more than 60% of children in the 0-5 age group are in a situation of unmet basic needs. In Nuevo Paysandú, the figure is 81%; in Casabó and Pajas Blancas, it is 72%; and in Casavalle, it is 69%.

However, in the affluent neighborhoods of Montevideo, Canelones and Maldonado, the rate of infants with unmet basic needs barely reaches between 3 and 5 percent. Conversely to what occurs in the most impoverished areas, in these neighborhoods the youngest are actually better off than older children. Vicious cycles are obscenely present.

Moreover, almost all of the areas in the country with the highest percentages of children under 13 or under 5 with unmet basic needs are also the areas with the highest percentage of children under 14 in their demographic pyramid.

It is best not even to comment on the pathogenic or criminogenic aspects, or the crucible for subcultures and differential associations, of the situation of minors in Uruguay, as they would give criminologists a field day.

Our sadly infamous Nuevo Paysandú has the highest percentage of minors under 14 in its population (38.66%) and the worst rate of unmet basic needs among children between 5 and 13 in Uruguay. Casabó, Pajas Blancas and Casavalle are among the ten worst areas in all aspects.

I.1.6. Other burdens that innocent minors and youth must bear

The fact that the concentration of income in Uruguay is the best in Latin America, and that it is getting better and more egalitarian, is highly publicized. The country's good position in the international Human Development index, as an estimate of quality of life, is emphasized, with reminders about the historical accumulation of advantages and traditions that a once-successful Welfare State *sui generis* gave its inhabitants.

However, despite the fact that the Gini coefficient for measuring income inequality says one thing, all of the data that we have accumulated tell us that, for young people, and especially minors, Uruguay is "a different country" – a country that condemns them, without guilt or participation, to suffer serious disadvantages, and to suffer them more than their elders, to experience them with more intensity the younger they are, and to operate within "vicious cycles" in the extremes of the distribution of attributes, assets and services.

But Uruguayan minors must also struggle against other burdens they have innocently inherited:

1. A foreign debt that, despite efforts to reduce its absolute amount and to service it, has grown in ten years from 251 to 467 million dollars – it has almost doubled.

2. A reality in which minors are underpaid, earning half of what an adult with 7 years of formal education earns. Minors must work more to earn the same amount of money, with all of the disadvantages that we have already seen, more debt, and a greater consumerist identity that has been introjected by adults in various ways (by example, by marketing and advertising, as role models).

3. Minors face a dilemma of having to choose between studying or working. They know that, for every 2 extra years of formal education they receive, they will earn an average of 20% more income. However, they also know that

their labor will mean an average improvement of 10% to 20% in the family's income if they come from a poor household. For a poor minor, the cost of leaving school to work is higher than it is for a rich minor. Another example of the vicious cycle.

4. For this reason, many of them make the sacrifice of working and studying, earning less than an adult. Those who are employed, work an average of 24 to 32 hours; in urban areas, they work between 41 and 44 hours. They are driven by consumerism and urban decay, as well as a greater need for generational independence.

5. Also because minors are discriminated against and undervalued in terms of remuneration, or because education does not hold much attraction, there are more and more minors who neither work nor study: the figure has grown from 6.5% to 8%. Radical marginalization and strong polarization of vicious circles and consequences of exclusion.

Therefore, Uruguay shows us a cruel adult society that has made some achievements in eliminating measurable macro-social disadvantages and inequalities. However, minors have been basically left out.

Minors are in a worse position than their elders; the inequality between minors and adults increases, as does the inequality between different groups of minors. The future of Uruguayan minors is becoming more and more compromised. This is not their fault; it is the fault of the society that they have inherited from their elders, and the neophobic, anti-minor society that sacrifices them and hypocritically blames them.

The economic situation and prospects for Uruguayan minors should not come as a surprise to those who believe to have found an increase in the generational gap, and an increase in disrespect, rebelliousness, civic indifference, and even diverse levels of offenses or criminality. Society is reaping what it has sown and continues to sow, while blaming the plant that grows there and not the person who prepared the ground, planted the seed, fertilized the ground and fed the growing being.

I.2. Family situation and trends

The relatively unsatisfactory present of Uruguayan minors is not only supported by the economic situation and prospects. The inauspicious future for these minors is also rooted in an increasingly deteriorated family situation, for which the minors are not responsible, but rather are innocent

victims. Let us look at some of the most notable and influential aspects of this situation.

Minors do not only suffer from this deterioration in the form of vicious circles that originated in economic conditions, but also the effects and consequences of the type and quality of conjugal and family ties.

The following are worth mentioning:

1) The divorce rate has multiplied by 5.5 in the last 30 years.

2) The marriage rate for people between the ages of 15 and 29 dropped from 3.4 to 2.5.

3) For every 100 marriages, the rate of divorce has grown from 14 in the mid-1970s, to 19 in 1981, and 20 in 1987. In those years, the marriage rate per 100 thousand inhabitants fell.

4) The marriage/divorce ratio, which was 12 at the beginning of the 1960s, fell to 6 in the mid-1980s and was 3 at the beginning of the 1990s.

5) Added to all of this is an increase in the percentage of households with non-biological parents, which has obvious psycho-social effects as well as proven effects on school repetition and performance, among other things.

6) In the past, incomplete families were much more often the result of the death of one parent, rather than divorce or separation. Today, the numbers are equal, and there are no doubts about the comparably less harmful effects of an incomplete family for reasons of death, as compared to the effects of changing partners or problems with coexistence.

7) Among adolescents and pre-adolescents, the most common way of formalizing coexistence is a Common Law union, followed by Stable Relationship in second place and Marriage in third place.

8) In the 25-29 age group, the Stable Relationship is the most frequent form of coexistence, followed by Marriage and then by Common Law union.

9) Among adults, Marriage is the most frequent, followed by Stable Relationship and then Common Law union.

10) The most common age group for first marriages is between 20 and 24 years of age.

11) With these rates of marriage, divorce and forms of family ties according to age groups, it comes as no surprise that

12) The rate of illegitimate births in every 1,000 inhabitants has risen.

13) That 6 out of every 100 young women between the ages of 15 and 19 are mothers, and that 1 out of every 100 young men between 15 and 19 is a father.

14) In ten years, the rate of Births to Teen Mothers, as compared to General Births, rose by 10% to go from 13 to 16 out of every 100.

15) In the same period, the percentage of Illegitimate Births to Teens, as compared to the total of Illegitimate Births, rose from 22% to 24%.

16) Also in the same period, the percentage of Illegitimate Births to Teen Mothers, as compared to the total number of Births to Teen Mothers, went from 42% to 48%. In teens under 15, the figure rose from 57% to 67%.

17) The number of female-headed households, as compared to the total number of single-parent homes, rose from 21% to 23%.

18) The type of family ties and the mother's level of education have shown themselves to be associated with school repetition and performance, as well as with child mortality and the level of velocity of anatomic and psycho-motor development.

19) All of these problems with the family are more frequent in lower-income households with more unmet basic needs; along with the economic situation described above, they collaborate in the perpetuation of vicious circles.

The children's family situation also derives from the organization of adult society, in which the minor is basically an innocent victim, although it is logical that, as a result of these vicious circles in which he or she was born and developed, it would be probable to think about his or her civic indifference, formal political disregard, generational cultural separation, lack of respect, self-centeredness, rebelliousness and even delinquency. We cannot get pears from elm trees.

Faced with this dark, unfavorable set of vicious circles suffered by Uruguayan minors, and faced with this possible, and even probable, conflictiveness and delinquency, what information do we have about the behavior of minors in judicial

and police terms, as well as in terms of involvement with the INAME? To what extent do the vicious circles and their relative, biased discrimination become a self-fulfilling prophecy, although it is basically the fault of adults?

The judicial, police and INAME-related situation of Uruguayan minors will come as a surprise, especially to those who have innocently or intentionally directed stigmas, stereotypes and prejudices against children that the mass media have injected into public opinion with the partial help of diverse institutions and the adult world in general. This exorcises guilt and expels demons through the innocent minors they, making the minors believe that they themselves are the guilty victimizers. Let us see.

I.3. Judicial situation and trends

Almost everyone believes that minors are committing a growing number of criminal offenses, and that the Juvenile Courts are so overwhelmed with cases, that there should be another Court added to the two that are already in operation.

Now, a) the official Judicial Branch figures do not support this impression. In fact, in recent years, there has been a decrease in the overall number of cases brought to the Juvenile Courts. Also, contrary to popular belief, there has been an increase in the Interior and a decrease in Montevideo.

Also, b) the number of judicial reports of crimes has decreased; this is not true of Law Enforcement, which is of an oscillating quantitative magnitude.

c) There is an enormous disproportion between the percentage of minors who have been subject to police intervention, and the total number of persons subject to police intervention and brought to court. The number of minors subject to police intervention has oscillated between 18% (more than the percentage of minors in the population) and 44% (almost triple the demographic percentage).

d) However, only 5% of cases brought to court as criminal offenses end up as Summaries in Montevideo (this figure is 8% in the Interior).

e) In the Interior, only 61% of minors brought to court are charged with criminal offenses. Therefore, this impression of a significant, growing juvenile delinquency is not judicially supported; rather, it is supported by an overrepresentation of minors among persons who have been subject to police intervention, whose cases do not continue into court proceedings, not even as Summaries. There must be some reason for this "persecution"

of minors by the Police. The INAME would do well to ask this question.

f) Court sentences of "institutionalization" for minors as the result of a situation that seems to merit it, do not support our naive opinion, which is based on rumor and the public opinion established by the mass media. In fact, out of the 65% of young offenders who had committed property crimes and who were defended by court-appointed attorneys, only 23% were taken into institutional custody. By contrast, out of the 12% defended for assault offenses, 42% were taken into institutional custody.

g) Another figure that denies this belief: the number of those who received a court sentence and were taken into custody by the INAME under security is only 14% (25% without security; 20% returned to their families; 16% with police-judicial follow-up¿; 16% to appear in Court or in Police Headquarters; 10% under house arrest).

I.4. INAME situation and trends

The INAME suffers this same stigmatization, stereotyping and prejudice constructed on the basis of rumor and the mass media. Let us see it in figures that not only diversely characterize the INAME for public opinion, but also defend the "reality" of minors against their "image."

We have already seen that only 14% of minors sentenced by the courts are taken into institutional custody under security. Let us see other figures.

a) The number of minors with whom the INAME works has more than doubled (125%). The number of minors in semi-institutional custody has grown by 219% (mostly in the Interior); the number of minors not in institutional custody has risen by 43%; and the number of minors in institutional custody has risen by only 14% (especially in Montevideo).

b) Only 14% of those sentenced or who receive INAME services are held in institutional custody under security. The number of minors held in institutional custody without security has grown, while the number of those held in institutional custody under security has decreased.

c) The mass media's dissemination of police information contributes substantially to this mistaken impression. One paradigmatic case is the "public alarm" in April 1996 about the news that more than 300 minors had escaped the INAME and were sweeping Montevideo, threatening citizen security. It was stated that 342 minors had left the INAME without authorization, but 149 of them had returned voluntarily. Thus, there were 193 supposed escapees: 17 of them

did not return because they had been legitimately discharged from the institution, having completed their sentences. Thus, there were 176, but 117 of them were not even offenders. Thus, there were actually 59 young offenders who had escaped from the INAME – but 3 of them were on court-approved release. So, in fact, out of 342, we are down to 56. And 53 of them had not been held in institutional custody under security, so they could not even be considered escapees in the same way as adult prison escapees. Therefore, out of the feared 342 minors, only 3 were actually escaped offenders considered dangerous and held under security.

d) The INAME is also criticized because 95% and 86% of inmates were held in institutional custody with and without security respectively. As if the INAME were sufficient to keep in check adult recividism forever.

As we have seen, neither judicial figures, nor INAME figures, justify the public's impression of growing delinquency and danger among minors.

I.5. Police situation and trends

We have already seen how police interventions focus more on minors than on adults. However, the court cases that are initiated, the Summaries that are formalized, the percentage of institutionalizations achieved, and the percentage and evolution of cases of institutionalization under security, do not correspond to these abundant, over-represented figures of interventions in cases of children and by law enforcement that appear in the Juvenile Courts. The judicial consequences do not seem to justify this police selectiveness.

But we should know how the Police register their interventions with minors who are taken into Juvenile Police Headquarters, to then be taken into institutional custody or returned to their families through the Justice system.

In 1995, the Police registered 5,024 minors who had been subject to police intervention and who had been sent to the Juvenile Police Headquarters. This could seem like a lot, but if we analyze the reasons behind the cases, we find various particularities: a) Both victimizers and victims are put in the same group (i.e.: aggressors and victims of aggression; rapists and rape victims; and victims of punishment and abandonment). b) Offenders are grouped with those who are cited for investigation (there are 280 of them). c) The disorderly are included (there are 292 of them). d) Lost children are included (there are 128 of them). e) Runaways are included (they may have run away for hours or days; there are 223 of them). f) INAME escapees are included (the majority of whom, as we have seen, are not actually escapees; there are 475 of them). g) 66 "ill-entertained" are included (i.e.: because they got caught playing soccer on the street). h) Children caught begging are included (there are 559 of them). i) 1,146 children are "in storage." j) 8 are included because of punishment or abuse, and all have been returned to their homes; none has been taken into custody (in other words, it was not a serious offense). k) 58 are included because of having uttered threats (only one is in custody; most of them are simple cases of bravado). l) And so it continues. Out of the 5,024 minors who have been subject to police intervention, only 1,163 were taken into custody and only 28 were held under security.

There is no doubt that, for administrative and substantive reasons, the Police should care about the total number of minors who are subject to intervention, but when the aggregate data are passed on to the mass media, and then the public, the disaggregated data become more important. And these data are not requested, and they are probably not made available. Thus, out of 342 minors, only three were technically escapees; and out of 5,024 minors subject to police intervention, only 1,163 were taken into institutional custody (and not for serious offenses, but often because there was nowhere else to send them). Only 28 of them were judged dangerous and were put in custody under security.

Minors and the INAME must watch their image; the mass media must be more careful in questioning and publishing figures; and the police must better distinguish between their administrative numbers and the relative danger of those who have been subject to police intervention, for the purposes of the public dissemination of their activities. It is on this false information foundation that judges appear to be benign and unaware, that the INAME does not appear to be able to keep anyone in custody, and minors seem to be much worse citizens than adults. And we will soon see that this is not so.

In fact, the number of male minors between the ages of 12 and 17 in custody under security is smaller than the number of male adult inmates, with respect to the proportions of demographic structure. The proportion of male minors between 12 and 17 years of age in custody, with respect to their demographic volume, is also smaller than the proportion of police officers taken to court, with respect to the number of personnel in the Ministry of the Interior (it would be even higher if the references were the police personnel themselves).

Let us list the ratios:

Male Minors 12-17 years of age in custody without security measures	1/1200 males 12-17 years of age
Male Minors 12-17 years of age in custody with security measures	1/6000 males 12-17 years of age
Adult Inmates 18-25 years of age	1/525 males 18-25 years of age
Adult Inmates 26-35 years of age	1/650 males 26-35 years of age
Adult Inmates 36-70 years of age	1/1500 males 36-70 years of age
Adult Inmates over 70 years of age	1/12000 males over 70 years of age
Adult Inmates average	1/600 adult males
Minors 12-17 years of age in custody with security measures	1/ 6000 male minors
1988 Ratio of police officers taken to court, with respect to the personnel in the Ministry of the Interior	1/170 approx.
1994 Ratio of police officers taken to court, with respect to the personnel in the Ministry of the Interior	1/500 approx.

This impression that minors are breaking the law more seriously and more often, and that they are a worse problem for society than adults, because of their numbers and tendencies – from what judicial, police, INAME or other official statistics does it come?

This image, which has been built and installed in public opinion, does not appear to be supported by any serious figures.

I remember that, in the middle of a repressive euphoria that had been unleashed by a serious juvenile offense, a recent President stated that if he had to choose between minors and society, he would choose society. Beyond the absurd hypothesis of a President who chooses society (which we suppose would be adult society) and reject the society of minors, there is a latent idea that minors are more dangerous to society than society is to them.

The economic and family data, added to the police, judicial and INAME data, are precisely what permit us to clearly argue the contrary.

In fact, as we have seen, adult society is so dangerous to minors, that it places them in an economic and family situation that is clearly criminogenesis according to accepted criminological patterns.

However, despite the fact that 1 out of 5 minors suffers from unmet basic needs, 1 out of every 2.5 lives under the poverty line, 1 out of 4.5 lives in recent poverty, 1 out of 6 lives in chronic poverty, 1 out of 20 lives in inertial poverty, 1 out of 3.5 lives in a situation of critical disadvantage, 1 out of 6 lives with 2 critical disadvantages, 1 out of 10 lives with 3 critical disadvantages, 1 out of 20 lives with 4 critical disadvantages, 1 out of 30 lives with 5 critical disadvantages, and 1 out of 300 lives with all of the disadvantages; despite the fact that there are places where minors suffer 80% and 70% of unmet basic needs, and the fact that, in up to 56% of households, within a situation of grating inequality, there is a surprising discrimination against the quality of life of minors and a consumerism that is becoming more and more frustrating. Only one every 1.200 boys from 12-17 years incur into minor offenses whiile only one every 6.000 incur into major offenses in the same age group.

Society as a whole, the INAME and the young people themselves must all work to reverse this image, the process of its construction and the realities that lie behind this societal construction of false images of minors. Also, of course, their substantive situation must also be improved, as well as their image.

The sensitization of the mass media about the substantive and rhetorical handling of figures pertaining to minors, as well as the sensitization of organizations that feed data to the mass media, should be priorities for child and youth policies in the future. The young people themselves, the INJU, the INAME and NGOs, Community Organizations, and International Organizations must coordinate for the substantive and rhetorical improvement of the situation of minors in society.

But if society has profited from the economic and family situation in which it has placed minors in terms of illegal offenses, part of this unpaid cost will be made up with political and cultural suffering. We will see that now.

I.6. Notes for the political characterization of minors

Because minors and youth do not generally have a clear awareness of the worst situations of exclusion, inequality, discrimination and unfairness that they suffer in their public image, despite all of the economic, family, police and media problems that they have to contend with (they only have a diffuse, fuzzy awareness of this), we cannot attribute their attitudes about the formal political system and its most relevant participants to a kind of "vengeance" for the general situation in which they live. However, it is clear that if the quality of

life is inferior to expectations, then it is the responsibility of those who run the country and whose actions have consequences for the daily lives and expectations of the citizens.

Let us list the indicators of the delegitimization or insufficient legitimacy of the formal political system and its actors – roles in terms of distrust, lack of prestige, and disinterest:

- 1985. In a survey, housewives give negative points to political parties (-31) and rank them 13th out of 15 institutions in order of prestige.
- 1991. Having repeated the survey, the negative points grow (-44) and political parties are now ranked 14th out of 15 institutions in order of prestige.
- 1991. Civil servants are evaluated negatively (-5) and are ranked 16th out of 18 professions in order of prestige.
- 1985. Politicians are ranked 5th our of 9 professions. Positive evaluation: 17.
- 1991. Politicians are ranked 7th out of 9 professions. Negative evaluation.
- 1992. Politicians are ranked 9th out of 9 professions. Negative evaluation: -44.

The velocity of the deterioration of their public image from the most favorable moment (the restoration of democracy) can only astound us.

- 1988: Almost concomitantly, the measures of preference among young people between the ages of 17 and 29 show a duplication in preference of center-left and left-wing parties (51.5%) above the traditional parties (26%).
- Also in 1988: Among people under 40, the quotient of intention to vote between the left-wing and the traditional parties (LW/TP) favors the left-wing (1.39 among the 18-24 age group; 3.02 among the 25-29 age group; and 1.35 among the 35-39 age group), while the quotient for people over 40 sees a predominance of the traditional parties.
- 1985: 10 well-known political figures are ranked by young people between the ages of 14 and 24 in the following way (with minor differences between the sexes): 1) Rock singer Sting; 2) One's biological parents; 3) Pop singer Madonna; 4) Paco Casal (football impresario); 5) European adult film star Cicciolina; 6) Mother Theresa; 7) Susana Giménez (television star); 8) Rambo; 9) the Pope; 10) the President of the Republic.
- 1985: Trust in politicians (politicians are ranked 8th out of 9 occupations, with only car salesmen ranking lower). 32% say they have a lot of trust in politicians; 50% say they have quite a bit; 15% have little. 1985: 13% a lot; 42% quite a bit; 38% little. 1987: 4% a lot; 47% quite a bit; 48% little.

- 1994: "What things have made the country worse?" Security and politics.
- 1994: "What should the country be ashamed of?" 1st) Politicians, 13%.
- 1994: Percentage of incredulity about the official version of the events that took place around the expulsion of Basque ETA members from the Hospital for extradition: 43%. Credulity: 23%.
- 1994: 70% of adults are hardly or not at all interested in politics. 79% of them are new voters.
- 1994: 60% of new voters have no political leanings.
- 1994: Mandatory university elections. Blank ballots: 24%.
- 1993: "Politicians care about the people." Negative (-27).

"Politicians are trustworthy." Negative (-8).
"Politicians do important things." Negative (-4).
"Politicians do not work very much." Positive. 26.
"Politicians do business for themselves." Positive. 39.
"Politicians earn too much money." Positive. 50.
"Politicians place their own people in positions." Positive. 60.
"Politicians talk a lot and do little." Positive. 72.

Besides this crisis of legitimacy shown in the above indicators of lack of confidence, lack of prestige, and disinterest (which is greater in youth), the political crisis is also manifested in another set of symptoms of a crisis of representability, governability and leadership.

1) We must not lose sight of the fact that the plebiscite of 1980 was a strong rejection of the civic-military regime, as well as a rejection of the Government as the entity responsible for our individual, group and daily well-being, because this rejection would be reiterated later to democratic governments.
2) However, in 1989 there was a preference for giving them amnesty, rather than investigating and convicting them.
3) In 1994, plebiscites supported by 65% of the electorate, through 90% of elected parliamentarians, were rejected by 69% of the electoral body.
4) The Constitutional Reform of 1996 obtained 50% of votes and was represented by 65% of elected officials, while 29% of elected officials obtained 46% against this reform, which was barely passed.
5) However, there was great civil disobedience in both blocks. Disobedience by the "Asamblea Uruguay" fraction against what was supported by the "Frente Amplio – Encuentro Progresista" in Montevideo; disobedience by Asamblea Uruguay leaders in the Interior against their leadership in the capital; and disobedience by many leaders of

traditional parties in the Interior against their bosses in the capital.

To finish with this explanation of political-institutional attitudes, let us say that 1991's National Youth Survey intended to demonstrate that the generations basically agree, as would correspond to a hypothesis of a "hyper-integrated" Uruguay that perhaps existed at one time, but very probably no longer existed.

In this Survey done by official employees, to young people in their parents' homes, 21% of these young people disagreed with their parents about political issues, and 18% disagreed with them about the use of leisure time; 14% of young men and 23% of young women disagreed with their parents about sex.

It is certain that there is more agreement than disagreement, but the fact that 20% of children living with their parents would confess, to official staff, that they disagreed with their parents about these issues, reveals not the end of the "hyperintegration" that was plausible a few decades ago, but rather a discrepancy that, outside the home and among trusted persons, would be much higher. A confessed intergenerational discrepancy of 20% on key issues is enormous, unless we believe that only a difference over 50% is significative, an unacceptable statistical idealization. In any place in the world, if 20% of a generation disagrees with another generation on this scale, then it is a very strong potential conflict that must be addressed.

In this telegraphic summarized characterization of Uruguayan minors, we need some notes about their sociocultural characterization in aspects that are not covered by the enumerations in preceding sections.

I.7. Notes for sociocultural characterization

To make my statements on this area, I will use the rhetorical device of finding 7 generalized images of minors, adolescents and youth today, to debate them, and to use contrast and scale to characterize current youth culture here in Uruguay.

A) Criminal Image

We have already seen that this is false, declining, inferior to that of adults, and notably inferior to the criminological and pathological situations that adult society imposes on them.

B) Violent Image

The percentage of violent young offenders is not higher than that of violent adult offenders. Minors, as well as women, are the most frequent victims of domestic violence, which is much more frequent than the violence of the 'criminal news'. We have already seen economic violence in the form of exclusion, inequality, and a future that has been closed off. Later on, we will see the psycho-social violence that they suffer, part of which may be inferred from their family situation. Despite all of the inconsistent prattle about the influence of fictional violence on supposed real violence, it has been widely studied that induction to violence comes first from violence that has been personally suffered and witnessed; second, it comes from the real presence of violence, although without direct participation (the news, special programs, historical series); and third, it comes from fiction that glorifies, sanctifies, and makes heroic and sublime, the attitude of idols who are unscrupulous outlaws, violent, ignorant of rights, and who use all-powerful means to obtain and pursue goals that are outside morals and the law.

All of these causes are much more effective in generating possible violent, anesthetized appreciators of violence, than the violent fiction of series and videogames, which are partly cathartic. Moreover, their producers and distributors are adults.

In any case, we should highlight the quantitative importance of theft as a juvenile crime that is explained in terms of civilization, going beyond the physical attributes of minors that make it possible for them to practice it. In fact, theft is a simultaneous transgression of property and the rights of a person, and it is the result of the need and ambition that result from deprivation and the consumerism that is typical of youth, bringing together resentment, frustration, hate, revenge and physical arrogance in order to physically and psychologically cause instrumentally unnecessary harm in order to appropriate something. Minor uses this for catharsis, with respect to everything of which adults have deprived them, as we have seen. Theft is a contemporary urban Western capitalist youth crime *par excellence*, and for understandable reasons pertaining to urban density.

Other mentioned areas, such as graffiti and vandalism of public property, monuments and educational establishments, may be explained as an expression of resistance to official public culture, which is alien to them, and an expression of the need for specific generational expression. In the case of educational establishments, this is not just an expression of counterculture, but a demonstration of the resentment of those who cannot attend school when faced with the materialization of the vital future inferiority that will occur because of their absence from school. They are not against education; this is a manifestation of irritation and panic about the handicap they suffer

by not attending school. They are not against the system; they are very well socialized in their meritocracy, to the point that they see themselves as losers if they are not in school, and thus the symbols of this handicap are an affront to them.

C) Individualistic Image

Actually, more than individualism, today's children and youth experience new and different forms of sociability that – because they are different from the forms that are termed by modernity's rational, messianic thinking as being "in solidarity" – are branded "individualist" by the dominating cosmovision of adults today.

Following Michel Maffesoli, I will characterize the new social morals as: proxemic (focused on "being together"), neo-tribal (loyalties, belonging and references based on space-time coexistence), "demos"-oriented (the last reality to which it contributes is the proxemic and neo-tribal "demos"). Thus, it seeks transcendence in the immanence of this neo-tribal, "demos"-oriented proxemics. Far from being individualist, its central concept is the "communion" of feelings, affection, emotion, positions, with a hedonistic and esthetic revaluation and some new ethical positions to which we refer when we speak of its sexuality or genitality.

These new forms of extreme solidarity in sociability (although they are allergic to some ideological and political forms of modern sociability) use the vehicles of fashion, styles and expressive exteriors that, within urban density, sometimes need multisensory, spectacular forms of generating identity, through specular reflection in the other – the only guarantee of recognition of identities in the confusion of today's varied, changing urban panorama.

Computer "chatting" is communion as spectators who are physically absent, but with an emotive co-palpitation. Recourse to emotivity and the multisensorial power of mass and virtual behavior does not impede a pacific sociality co-present such as that described by Maffesoli.

The increasing generational diversity makes peer groups more and more inadequate for the identification and expression of new forms of sociability and values. In Uruguay, high housing costs, youth unemployment, and other disadvantages make it very difficult to establish and express specific generational identities, and to create secondary peer groups that may provide the generational specificity that is made so difficult by the primary peer groups.

One dilemma of minors and youth today is the struggle with a centripetal technology and marketing of goods and services, which brings the world inside domestic life and manages it from there. It also appeals to personalized or group-specific satisfaction. To the extent that it is not possible for each domestic unit to be able to centripetally-spealing, satisfy the preferences of each member, this personalized centripetality centrifugally expels those who cannot satisfy its specificity. This personalized centripetality, except in cases of extreme affluence, ends up being centrifugal.

And this double frustration (because of the inability for personal or group satisfaction) encounters a modern "society of risk" that is pathologically insecure (for valid, perverse reasons) and increasingly faces those who want to occupy or circulate in public spaces with a sinister combination of vigilance and dissuasive prevention along with the neo-feudal cloistering of centripetal domiciles that have become electrophysical "fortresses."

Minors cannot "make a life for themselves" in the domestic or public sphere with satisfaction or calm.

They use original resources, of which I will mention only two: a) the occupation of the city space at different times than adults. It is their way of showing their ability to symbolically appropriate it at alternative times and for alternative purposes, even occupying diverse places of congregation (i.e.: it is for this reason that they stay out so late at night, and sleep while others work and devote time to the family); b) the generational and neo-tribal re-signification of "non-spaces" (Augé), using their public neutrality to invade them with re-significations that can be impossible in the domestic context. The impossibly expensive centripetaliity centrifugally expels them and resigns them to look for alternative places, spaces and times.

If minors have centripetal opportunities to satisfy individual or group expressiveness, they will be labeled individualists at home, because they only talk on the phone, watch television, listen to music, etc. If they cannot do this because of a lack of means or excessive generational criticism about the social investment of time, they are expelled to the streets that panoptically or neo-feudally exclude them, but allow them (although with certain important risks) to resignify general and individual citizen spaces and times. Thus they will be labeled "absent family members," "layabouts," or "risks to order and peace."

The peer group or coexistence group acquires a central importance as a belonging/reference group, acting as an emotional support for aborted centripetalities and open centrifugalities. It

becomes the functional equivalent of the lost affection of families and urban communities, the "primary-like group," which is the sanctuary of identities, expressiveness, ideals and gangs.

D) Consumerist Image

Consumerism is generated by adult industrial and commercial ambition, faced with which the greater plasticity of children reacts by internalizing these guidelines much more strongly and with fewer pre-consumerist defenses.

As Hirschman has noted, spending on perceivable, hedonistic goods is favored over the consumption of the semidurable and durable items that are typical of the rationality and temporality that are vectorized to the future.

Thus, youth consumerism has an adult origin, and is found more in ephemeral goods, with specifically generational quality and not necessarily in the highest general quantities or prices.

It is important that, with a combination of educational training, access to housing, and employment, they may reach "their" generational consumerism and specificity.

E) Promiscuous Image

Their clothing styles, their styles of expression and countercultural public appearance produce an image of promiscuity, pointing to figures of teen pregnancy and parenthood (which we have already seen).

However, young people have sexual morals that, in some way, are a balance between the Puritanical Victorianism that has legislated sexual ethics and morals in our Greco-Roman and Judeo-Christian past, and the hyper-liberal, orgasmolatric, western, urban reaction from the 1950 to the 1970s.

There is a kind of 'desethization of Eros' or of genitality (Lipovetsky) which, while permitting and including pornography, "perversions," prostitution, gay marriage, and separate families, also urges legislation against domestic violence, sexual abuse, and sexual harassment. The key is in understanding that the new youth morals are paradigmatic and favor rules of coexistence that facilitate intimacy, privacy and freedom from the everyday. 'Forms of genitality and family, which would be labeled immoral, are tolerated, and yet they want legal punishment for threats to freedom. Honesty, coexistence, freedom without offending others – these are the pillars of a new imminent morality, without the necessary force to give authority to the precept: pragmatic consensuality.

The minor promiscuity of youth as compared to that of adults, is anchored in respect for others in the search for the stability and security of the romantic couple in a world that is accelerated, changing, varied, and uncertain.

Neither AIDS, nor old-fashioned morals, can explain some requests for punishment of sexual offenses and the greater current fidelity. It is a new pragmatic morality for daily coexistence. Clearly, there are also reappearances of moral fundamentalisms, but they are not typical here.

F) Satanic Image

Although there is an appreciable, visible and newly present young audience affiliated with sex, drugs, excess, Satanism, and aggressive violence, it is also certain that this music and rhythm, and these multimedia lyrics and rhetoric, are not the taste of the majority, but rather that of a minority. If we analyze music sales figures, radio preferences, broadcasting rankings, etc., we see that these tastes are in the minority, and are very transitory in the lives of their fans, who do not establish long-lasting affiliations with these values. They simply use them to make the vital rupture, from adolescent heteronomy to autonomy. If we portray minority taste as the majority, and if we fear the permanence of values that are actually only a transitory rupture that does not generally leave durable marks, then we are defaming young people and not understanding them.

G) Addictive Image

Alcohol, illegal drugs, screens (television, video, cable, games, Internet, etc.), witnessed violence, nightlife and/or reclusion, on the adolescent side.

On the other side are tobacco, prescription drugs, big screens, and television or radio programs.
Why are cirrhotic folk artist or tango singers seen as divine bohemians, while an adolescent who uses marijuana or cocaine is viewed as a criminal monster that threatens families, cities and civilizations?

Why do they celebrate 'La última curda and 'Fumando espero' (two Argentine tango songs)? and qualify those who watch television or use drugs as escapist, while sublimating those who say "tonight I'm going to get good and drunk, good and drunk, so I won't think" (text of a tango song)? Is youth counterculture or subculture, with its need for exhibition to affirm its identity, so radically different from real adult (although discreet or hidden) behavior? Is excess not a mark of glory for adults as well? ("I drank it all, I ate it all, I fornicated with everyone.") "Look how hot that chick is." Is it easy to get into a by-the-hour motel

immediately after working hours or when there is a soccer game on?

Adult morality is not superior to that of adolescents. It is simply not hyped, and does not find satisfaction in the same objects. These differences allow us to stigmatize juvenile specificity and trace the line of morality in a place that is convenient for adults, who are in charge of the macrosocietal codes. Zitarrosa and Goyeneche are bohemian idols, while Kurt Cobain and Jim Morrisson are monsters. Double standard. Now, then: Why and how are minors, adolescents and young people stigmatized, stereotyped and the victims of prejudice? First, because the underprivileged situation of minors, as well as the unjust image that surrounds them, characterizing them incomprehensibly and injuriously, are a secular chapter of the "intergenerational struggle for symbolic power," which is particularly acute in contemporary society.

In fact, there has always been an intergenerational gap because of biosocial change. But in the contemporary world, adults see their hegemony as being threatened for the following reasons:

a) Esthetic ideals favor youth as the model of beauty, desirability, eroticism, ability for hedonistic and consumerist enjoyment, uninhibited expressiveness, and even greater abilities to learn and master new technologies and techniques that could progressively be an advantage for younger people against older people in the job market. This is a double threat, both symbolic and material, in the two markets: that of symbolic goods and services, and that of material goods and services.

b) Faced with this primacy of youth (and the growth of minors), adults oppose their economic and power primacy, as they tend to be established in the status and technological-labor market. The disputed territory (that of status has been won by youth, and the economic and political one has been won by adults) is the ethical-moral one. Here, we see divergences, in that adults have more power and experience with which to label people "immoral," and yet elements of adult behavior that are intrinsically similar and that reflect similar values, which could be called "immoral." In this way, adults seek vengeance for their inferiority in the symbolic, esthetic and hedonistic market of cultural and social status, simulating morality, which is the hypocritical disguise of resentment, envy and passive jealousy. Young people occupy the role of sacrificial lambs in a ritual exorcism by which the victims (product of adult society) are transmuted and punished as victimizers – primary materials for societal ills. Second, the stigma, stereotype, prejudice, sacrificial lamb, and expiatorial victimization are the result of increased "neophobia," a psycho-socially perverse exit from the insecurity created by the acceleration of change, the increase in cultural variety, and the transitory nature of fashion. On the other hand, the peculiar union of those who were (or who thought they were) in a better position in the past, and who, as time passes and they lose their relative position, deny change, variety and novelty, immersing themselves in a past golden age and damning those who adhere to the new and alternative; further, they proclaim their ownership of these references: young people.

Seen in terms of David Riesman, the generational struggle and neophobia may be conceptualized as the latent conflictiveness between the youngest persons who are "guided by others," and adults, who are "guided from within" or "guided by tradition." In terms of Margaret Mead, this is a latent conflict between pre-figurative as compared to configurative and/or post-figurative. The worst of it is thew need to express identities and differences, and the need to express identity for specular recognition by the other, which adults confuse with arrogance, challenge and disrespect.

Third, in this acute struggle for symbolic power, nourished by neophobia as a psycho-social reaction to contemporary structural insecurities (change, variety, fashion, uncertainty), Uruguay demonstrates phenomena that merit being briefly listed: a) the economic-political decline that seemed to give way to b) *lumpen* philosophy that is fatalistic, passive, nostalgic in the style of the tango, that the social strata who legitimately thus expressed they vital experience, exported to society of sound stock under the Discepolian paradigm (Manrique, Rousseau, Plato, Plotinus, etc.).

We may also add c) the growing demographic predominance of older adults (basically due to the scientific-technical progress of medicine and related fields) over young people, thus affecting the ability of young people to constitute a critical mass and corporative organization because of their decreasing population percentage.

Fourth, there is a "conspiracy of silence" about the sources of data, the mass media and the contents of social rumors, which silences or does not give priority to the disadvantages suffered by children, adolescents and youth, while at the same time, there is a magnification of statistics and individual facts (i.e.: we never see a headline that reads "Adult robs pharmacy," but we do see "Youth Robs Pharmacy" with the consequent fallacious accumulation in the retina of crimes committed by young people). Moreover, they publish messy statistics, as we have seen.

Fifth, in their attempt to de-legitimize young people and to take away the prestige of their generational forms of sociability, adults do not hesitate to lie publicly. In a study done by this author, a sample of Montevidean adults were asked how often they attended video arcades, and whether there were thefts, homosexuality, alcohol, prostitution, drugs and fights at these places. In case they actually believed that these things were taking place, they were to say if they had seen them, had heard about them; if they had seen them, they were to say whether they happened within, without or both; whether they happened as a rule or occasionally; and if in a greater extent, same extent or lesser extent than in other public places.En el caso de que opinaran que sí ocurrían esos hechos, decir si los vieron oyeron hablar de ello; en caso de haberlos visto, si sucedían dentro, fuera o en ambos; si sucedían habitualmente o no; si más, igual o menos que en otros lugares públicos.

The level of exaggeration and negative intentions shown in the adult responses may be analyzed in the following points, which are the average responses of adults to the 7 social vices potentially occurring.

a) They state that these vices do occur, and that they have seen them take place 4 times more often than they attend those places. How did they see these things if they do not go there? It could be that they saw them happen outside.
b) They respond that that these vices occur inside and outside 3 times more often than those who state that they take place outside.
c) The frequency of those who respond that these vices occur inside, and inside and outside, is 10 times greater than the frequency of these vices in these places.
d) They state that these vices habitually occur 8 times more than they actually occur. This ill-intentioned collective hallucination is a typical stigmatizing, stereotyping, prejudiced maneuver by adults toward the younger subculture. With the same superficial, false conviction, they affirm that minors break the law more often, increasingly, and more violently than adults, although there is no evidence of this – rather, there is evidence on the contrary. This hallucination is taken as "rebellion without a cause" when, actually, the pathogenic and criminological multicausality brought on by the adult world (to which minors respond in a manner that is infinitely more benign than what could be expected in a situation that has hurt them in so many ways) is not made public.

Sixth, added to the envy of the esthetic, hedonistic, consumerist and expressive status, is nostalgic resentment for mythical lost individual and collective youth, as well as jealousy (already studied) about the objects, machines, persons, groups and technologies that diminish the length of time that children stay with their parents or the length of time that parents may control their activities. Screens idols, generational heroes, peer groups, videogames and telematic communication are all elements that, when handled badly, alienate minors from adults, lower the self-esteem of adults, who have been abandoned for music, videogames and the Internet. Sanitary, cultural or social inconvenience is invoked as an altruistic alibi that hides paternal possessiveness, envy, wounded pride, and resentment.

In synthesis, we have made this dramatic characterization of the economic, family, judicial, INAME-related, police-related, political, and cultural situation of minors as an overdose of antibodies against hegemonic opinion (it is certain), but also in order to base ourselves in the enumeration of suggestions for improving this overview – suggestions which I have in abundance in my paper on 27/08/99 and which will be enriched by the comments of Dr. Mario Torres and those present at the Seminar.

II SUGGESTIONS

1) To improve the public image of children through an awareness-raising campaign spreading knowledge about the level of deprivation that children suffer without blame or responsibility, highlighting the economic and family situation, as well as the reality of the INAME, judicial and police situations, and explaining children's attitude to the formal political system as well as their right to specify their identity and express themselves culturally.

2) To this end, we must change the guiding principles and the phrasing of the objectives of a national policy on children, adolescents and youth. Instead of being concerned only, or principally, with compensating and preventing deficit and problems, this goal must be framed within a more overreaching purpose of "promoting the potential and virtuality of children and adolescents; to debilitate the obstacles that stand in their way; and to attack the problem areas that lead to negative consequences and vicious circles that go against children's development." We must work positively, not just filling gaps made by those who supposedly only create gaps.

3) The duties, role and activities of the INAME must be put through the same change in the image of pursuing the positive rather than compensating for the negative. To this end, a Public Relations, Communications and Marketing policy should nourish the mass media, public opinion, and political and specialized scientific

opinion with "Good News about the INAME" and other products.

4) Child, adolescent and youth policies should be coordinated by an interinstitutional committee of international, governmental and interdisciplinary organizations, as well as NGOs, community groups, and young people, to ensure a multilateral approach to diagnoses and actions. The INAME, with its new image and objectives, must be central to this committee, even by constitutional and legal mandate.

5) The policies coordinated by this committee must be based on mechanisms for consultation with child, adolescent and youth community leaders, as well as consultation on the techno-bureaucratic information that is generated. The mechanisms that ensure contact with target populations in the generation of policies and in their implementation must emerge from ethnographic anthropological and psycho-social techniques for gathering input for policies. Methods for compiling information, such as interviews, life stories, and surveys, must be used carefully, because they would be naive and unfocused on diverse issues of relevance.

6) The gathering of concerns and behavioral, attitude and value mapping with respect to issues that are difficult to address collectively and varied individual responses (i.e.: sex, drugs, abortion, contraception, pregnancy, female cycles, STDs, homosexuality, romantic relationships, family intimacies, neighborhood problems, friendship problems, crime, and violence) must be addressed with patience and humility, and never using messianic or authoritarian terror. We must not be shocked by the behaviors and attitudes that emerge, but rather by the process by which they are established and developed. Different communities, sexes, age groups and geographic locations (i.e.: Urban Interior, rural) may have diverse, or differently prioritized problems, even with different proposals to address them.

7) As well as interrogating with humility, patience and intelligence, we must strive to assume responsibilities to attain our goals. Perhaps accepting responsibilities is the only concrete way to recover the value of political activity, valuing the difficulty of doing, discussing, following up, implementing, negotiating. We must promote coming together to make real policy that is more constructive than protect and magic providentialism.

8) We must allow children, adolescents and young people to enunciate the rights that they want protected, beyond those general human rights recognized internationally. The right to cultural expression, to generational identity, to distinctive consumption, to training, housing and employment, to romantic and sexual relationships in good conditions of development (without authoritarian adult evaluations, with comfort in which to make love, etc.), to use their desired forms of sociability regardless of those that adults consider more "human" and "enriching."

9) A cultural policy, parallel to the protopolitical policy, is the promotion of expressive diversity and exchange between diversities that are tolerant of one another.

10) In the community environment, and even the curricular or extracurricular spheres, children and adolescents must receive preparation to be mothers and fathers. In the same way, Parenting Schools that inform and advise mothers and fathers should participate in interdisciplinary teams triggered initially by voluntary consuration, to go from there to focalized systematic information.

11) Grand-Parent Family Recycling Schools, which would be part of a generational strategy of restoring ages that are demographically growing, living longer, and sharing extended and compounded families.

12) Facilitation of common residence opportunities outside the family sphere for those who do not wish to, or should not, continue living in their family environments, if that is where multiple serious problems originate. Strengthening the family or returning to it is not always a real choice for the minor, since there are no generational alternatives for transforming a peer group of generational fracture into a solid peer group with ample responsibilities.

13) Emphasis on labor training and supply, including knowledge and techniques (or physical skills) with comparative advantages.

14) As a strategy for the prevention of accidents: sensitization to one's own pain and the pain of others (friends, relatives, etc.) as an antidote to the esthetic anesthesia that makes violence a spectacle, and sensitization to death and painful suffering (physical and emotional) as close possibilities and not just possibilities for older people.

15) Promotion of an everyday culture of peace and conciliation, promoting community mediation for civil, labor, family, and even criminal matters, encouraging a non-controversial culture of conflict management.

16) Protection of children from the 5 dangers that threaten them: a) relative deprivation in family, economic and cultural terms (at least); b) protection from violent daily life, with domestic and street violence; c) protection from the glorification

of violence as a percentage of daily life away from their habitat (news and series); d) protection from the immoral effects of series and films that glamorize unscrupulousness and illegal violence; e) sensitization about the pathogenic and criminological nature of compulsive pro-consumerist abuses of publicity and the market.

The media, advertising designers and agencies, families, and children should be sensitized about this.

17) Evaluation and perpetual follow-up on the consequences, for children, of the concrete execution of budgets, spending and macro resource allocation. Monitoring of the consequences, for children, of concrete policies and the handling of their image based on individual facts and added data.

Commentary:
Dr. Mario Torres Pereyra

I have been given the privilege and responsibility of filling in for Dr. Marcelo Viñar today to comment on Bayce's important work on minors, and I hope I may do so with dignity. This responsibility obliges me to first mention one precise point.

It is difficult to comment on a serious, well-supported and concise work, whose greatest strength is shown in the objectivity and measurability of its data, when the commentator comes from a discipline that has its *raison d'être* and its foundational nucleus in research on subjectivity and human individual and group behavior. But this difficulty is also a challenge not to be refused, because our approach to minors in the Group for Research and Action on Marginalized Children and Adolescents is marked by the conviction that only through interdisciplinarity, and open, productive exchange with others, may be create a reading – which is always partial – of the truth about today's subject. In this, I strongly agree with the meeting convened by UNICEF and the INAME with the objective of "making a multidimensional diagnosis" of violence. Our encouragement of and support for interdisciplinary work, whose difficulty is noted by calling it "the fragmentation of discourses," involved – I insist – the conviction, which I am sure is shared by the author, that every view is partial and, instead of an absolute reality, there are multiple plausible readings that must be gathered. While the belief in truth makes us blind, the probable allows us to think. Because of time restraints, I am obliged to restrict my commentary to certain strength-ideas in Bayce's paper.

I will now refer to a probable view – the one that Bayce considered the most pertinent and effective for his purposes, and that impacts us strongly and intentionally.

This impact comes from the author's ingenious positioning of a division that is definitively false and Manichean, but tremendously effective – a division between adult society and minors, which is defined, at the end of the paper, as a "dramatic characterization" and an "overdose of antibodies against hegemonic opinion."

First, this view, supported by the strength of its figures, allows us to see one of the ways in which society sees children and young people today, and the deep perversion of a social coexistence that claims to be one of fairness and solidarity. Second, Bayce questions this Manichean social operation, but only in a singular way. He uses statistical data as an infallible mirror where society should reflexively see the responsibility that it hides, and, in this way, Bayce makes the victim-victimizer polarity argued by society appear unnoticed.

This division between adult society and dangerous minors is, in many ways, entrenched in the collective imaginary and functions as a mechanisms for disassociating from problems that they cannot solve, putting themselves outside it. Denial of reality and projection lead to the belief that young people are responsible for social ills. From there, Bayce is very careful to point out two concepts: the stigmatization of young people and the construction of the image of dangerous, delinquent, violent individuals. The social construction of an enemy to be watched and suppressed (for children, more sophisticated mechanisms should be used) and which is the foundation for social control and the first step toward the installation of a logic of exclusion: that of "I" and "other," which is the basis for wars, dictatorships, xenophobia and all situations in which force is used to resolve differences. It is the logic of extermination of one who is similar, of the same essence, but who, at the same time, is different; the "not-I" becomes a stranger, a foreigner to one's sameness and even to one's nature, and thus is a danger that must be eliminated. History is full of examples of stigmatization, marginalization and even extermination, from the hysterical burning of those accused of being witches, to the Holocaust, to Kosovo and thousands of other conflicts of all kinds in our times.

Third, the adult-child polarity allows us to read figures that give the contrast between children and adults a sad resonance; the levels of want, economic deprivation and its consequences, which include insufficient housing, overcrowding, low pay, difficulties in education, unemployment, etc.

Now, let us see. The oppositional model of adult society vs. minors works with less efficiency in both cases. When Bayce looks at political power, the polarization becomes one between political power and the rest of society. In a society that is strongly centralized in terms of population and administration, where the State continues to be the obligated reference, administrative and political power become the main force that is responsible for social problems. This new polarity means that civil society may look at itself in all of its heterogeneity. Within a collective imaginary that demonizes marginality, constructed in the spheres of power with the conscious or unconscious complicity of the mass media and the police as an enforcement arm, there are many, principally economic, forms of marginalization that are less horrendous but just as unjust. Within this heterogeneity, there is a great variety of social actors, including those who, in the anonymity of honorary or poorly-paid work, attempt to give back to the most dispossessed their dignity and the possibility for full insertion into the social *corpus.* This meeting is an eloquent example. In this new context, Bayce shows us some of the causes of certain political and social behaviors of young people as responses to the attitudes of the political sector. This way, we approach a view of the problems which accords more importance to the idea of conflict than opposition.

I will return to this later.

The other case in which the oppositional model of child victims and adult victimizers distorts the necessary perception, is the case of the family.

The marginalized family is the victim of an unjust system and repeatedly creates its own victims. Poverty and the concept of society and its effects on the behavior of marginalized children and youth generate countercultures or alternative cultures (and I agree with the author in this denomination that questions the idea of acculturation) that have a logic and a *raison d'être.* Their roots must be understood before they may be qualified as sick, perverse deviations.

Failures in adult roles, deficiencies in structuring identificatory models, etc., turn the family unit into a complex whole to investigate and understand without prejudices. The ties and reference models offered by its singular world (and not a supposed deviated nature) are the essence of the psycho-social structuration of the marginalized child. All children, in their helplessness and prematurity (which are natural) involve a dyad of three terms: the child, the mother, and the essential care that includes looks, words and love. Winnicott has stated that there is no child without a mother that cares for him or her, and mother and care involve an essential environment to foster them, which, in

the world of poverty and marginalization, are often missing. A child without a mother and her care is an empty, senseless abstraction. These concepts cut across the notion of vulnerability on which Bayce insists. And when we say "street children," for example, or appeal to a transitory element that is more a wish than a reality, "children on the streets," first, because of a descriptive necessity, we inevitably stigmatize them by naming something that, when defined, also becomes essence. Second, we contribute to an imaginary (the street child is tomorrow's criminal) that erases or covers a symbolic register of a child who is deprived of part of his or her essence, alone and abandoned to fate (or doom), and missing the most basic right: care of the environment.

A commentary on "Notes for sociocultural characterization." Here, Bayce presents three interacting factors: the social construction of the violent, delinquent image of youth, the social and psychological causes of violence and offenses, and the necessary construction of a personal identity by forging and affirming group identity. The central idea of this interaction is that of conflict.

We must look again to the idea contributed by Psychoanalysis, that man is a being in conflict. Social harmony consists in finding civilized ways to process tensions and differences – not the absence of conflict. For Bayce, the generational conflict that any parent of an adolescent has experienced, and that analysts like myself know very well, oscillates between adults and youth. On one hand, there is adult society, that easily constructs an image of dangerous, delinquent adolescents who refuse to accept alternative values and esthetics; an adult society that envies juvenile potential and freedom and develops strategies for social control that are always a sign that there are worse things to come; here, Bayce makes reference to Foucault's panoptics, the eye that sees all and thus destroys privacy and individuality. And on the other hand, there is youth that uses violence to respond to social violence and that oscillates between the condition of victim and victimizer, making offenses, noisy behavior, use of public assets, drugs, etc., into a form of protest and /or aggression, while building a social, group and personal identity.

Violence is an expression of human essence, and we are all capable of it. We are all made of the most sublime and abject elements, and we are as capable of loving as we are of hating. But it is essential to clarify one thing: all references to violence, and even more with the implicit idea of aggression, allude to the negative pole of the basic idea of aggressiveness. Aggressiveness as a structural element of human beings also includes a positive pole that is necessary and at the service of life, because it is the very foundation of

individuation and growth. Winnicott, who worked with children and offenders, made two statements that I would like to quote. One is that the deepest root of aggressiveness may be found in the motility of the phetus when it is struggling to be born. There is a creative aggressiveness at the service of separation, of discrimination, and of indentity-building, hence of life. Aggressiveness (not only violence), must be taken as an structural element and construed as a message or demand as we think about our children and youths. According to Winnicott, besides often being a symptom of fear, aggressivity is a way of revindicating that of which the subject has been deprived and to which it has a right. The other, complementary Winnicottian idea is that the main idea about aggressivity is that if society is in danger, it is not because of the aggressivity of man, but rather because of the repression of individual aggressivity.

I would now like to make reference to the suggestions offered by Bayce, and, in order to foster discussion and exchange, I will group them according to my criteria. The central suggestions include three lines of reflection that are coherent with the criteria used in the paper. The first takes children and young people as passive victims of an unjust system.

This line calls on mechanisms to rescue their natural rights. Another, which is based on the singular characteristics of a stage of life, revindicates the right to seek and develop an identity, both as part of a group and as an individual. A third looks to give young people the floor. If adult society makes an essential change, enabling and listening to the words of young people, and not their noise, it would find individuals who suffer, dream, wish, and hate just like anyone else, and would foster their self-discovery and a dialogue of understanding rather than an anti-social act, which is the expression of a text that must be translated. In this dialogue, our marginalized young people have a lot to teach us about them, and about ourselves too. It is said that culture began to privilege the word when someone threw an insult at the enemy instead of a stone.

Another set of suggestions is concerned with work to build a different image of our young people. This set of suggestions could be extended indefinitely, and we would not want to distract from the emphasis on the profound structural causes of violence and the action taken to change them.

Third, I would like to mention two omissions. Although Bayce's work was concerned with the marginal family, it seems that the absence of suggestions in this respect this is the price to pay for having seen it as a victimizer. We all know – as does the author – that the marginal family is a vast political and social territory where there is much to be done. Another omission has more to do with this field that surely more directly concerns those of us who work with the most intimate subjectivity. It is the reference to our moral obligation to enable the necessary spaces and mechanisms for young people, in the privacy of their groups and in the intimacy of their minds, to build a personal history and use their subjectivity in order to integrate themselves into the collective and become subjects. In this way, our work in the INAME with the "Word Groups" is already bearing fruit. Thank you.