HISTORY OF SOCIAL CARING FOR ORPHANS
AND ABANDONED CHILDREN IN SLOVAKIA

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The article depicts a brief history of care for orphans and abandoned children in the European environment and particularly from first records to the present in Slovakia. This article presents the historical aspect of care for orphans and abandoned children within the concept of social-legal protection which has undergone a lot of changes under the influence of the historical, cultural and social development of the society. Theoretical background for research of the issue is included.

Key words: care, orphans, abandoned children, orphanages, finders

Introduction

"Caring for orphans and abandoned children was a gradual process. The attitude of the society towards children has been not always focused on their protection. We can basically state that the attitude towards a newly-born child in the prehistoric ages and ancient times by the majority of people is similar to the current attitude to a child just conceived. Their attitude towards killing a newly-born can be compared to the attitude of the current society to abortions. To kill a child was not considered as a murder.." (Longauer, Selická, Vanková, 2006, p. 25).

Caring for abandoned and unwanted children in Europe resulted from the attitude of the society to accept and kill children. Different civilizations had different attitudes towards treating a child (Bizová, 2015, p. 10).

The beginnings of caring for orphans and abandoned children in the ancient times and Middle Ages up to the modern times

Substitute care or education were completely unknown in the ancient times. Unwanted children and children abandoned by their parents that could not take care of them, were also known in the ancient times, when a newly-born was not taken as a full-fledged man. To kill or abandon a child was not seen as criminal or unethical act in the ancient times. Matějček (1995) gives five causes and reasons to kill, however, some of them were seen as unacceptable.

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• Endangerment of parents and family – survival of the family was endangered by children born shortly after each other with a short distance. The twins were also endangered – at least one of them.

• Gender selection – killing of girls had a social economic effect targeting at achievement of low birth rates.

• Revenge on the enemy – eradication of the enemy and its children to prevent descendants.

• The sacrifice of child – to sacrifice a child had a bigger value than to sacrifice an animal or any other sacrifice.

• Social condemnation – unmarried women or women in a difficult position that killed or abandoned a child shortly after the birth (Škoviera, 2007 p. 31 - 32).

Matějček (1999, In Bizová, 2015) quotes a record from the Greek Miletus, according to which 79 families that were granted the Greek citizenship in 200 BC, included 118 sons and 28 daughters. Two sons were regular in the Greek family, three sons were occasional but more daughters than a single one was considered as a rarity. Archeologic findings confirm that less skeletons of girls were found in ancient burial grounds than skeletons of boys and less skeletons of adult women than men, despite the fact that more girls are born. The data are the evidence of population regulation by sex. According to L. DeMeuse (Bizová, 2015), the sex ratio of girls to boys that came of age in the antiquity was 100 : 400, in the Middle Ages the ratio was reduced to 100 : 140 and some balance was only achieved in some European countries in the 17th century.

Protection of a child was also known from the Code of Hammurabi dated to about 1750 BC and stipulating that the father could not even draw on mother´s dowry after her death or in case of divorce as it had was designated for caring for children (Lengyelová, 2004 p. 21).

A child did not have any rights in the antique. Rights were obtained by attaining the age of majority, resp. after passing the exams, the child was declared as adult. The destiny of a minor in Rome was determined by the father. A delivery nurse put the baby down to its father´s feet. The baby was accepted to the family, when the father put the baby into the arms of the mother; if not, such baby was killed or abandoned. According to the Roman law, the father decided about the life or death of his child. The father could acknowledge or abandon the newly born, had a right to sell it into slavery, right to put up a minor for adoption and hand over control of his son to another person (Levická, Zeman, 1999, In Hudecová, Belková, 2008, p. 14).

Sale of abandoned children into slavery was approved by the emperor Constantine in 315. D. Schneider, P. Macey (2002, In Bizová, 2015, p. 1) state that the emperor permitted the sale to prevent killing and leaving the minors to their fate. Such manners were also usual during the great migration of tribes, when parents had sold cheap their children in markets and money-grabbing citizens bought and subsequently sold them into slavery. Christians bought them, as far as they could afford it, and grew them up as free citizens (Gabriel, Novák, 2008, p. 12).

Longauer, Selická, Vanková (2006) state that the Church had been striving to ensure the care for unwanted minors and particularly illegitimate children from its very beginning by establishing and building shelters, orphanages and foundling wheels where particularly

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unmarried mothers could leave the unwanted baby and pass bringing up of the minor on the Church. The first foundling home was established in Constantinople most probably as soon as in 335.

A visible change in the treatment of a child occurred in the ancient Rome following the advent of Christianity. The Roman law of 374 stipulated killing of a minor as murder. The Christianity introduced the idea of equality of a child and an adult and the new idea of not harming the child. The Christianity introduced a major turnaround in the treatment of a minor and appealed for mercy to the children. The first church councils dealt with this idea. The practical application of this idea was establishment of foundling homes and shelters for abandoned children (Matejček, 1999, p. 17).

Datius, Archbishop of Milan, had established a home for "children dumped in front of the church gate « in 787 caring for children until they reached the age of 8. The similar mission was followed by foundling hospitals, in particular since the 12th century, when Guy de Montpellier founded the Order of the Holy Ghost, the network of foundling houses started growing as houses specialized in the care for abandoned children. The number of foundling houses increased particularly in the 16th century, probably as a result of the change of demographic structure in the West Europe, as well as due to increasing prices for the foods, deepening social and economic divisions and more difficult conditions for raising children. Generally, we can state that the Church had exerted a wide influence on individual states since the 4th century to eliminate situations and practices endangering the life of child (Lengyelová, 2004 p. 22).

Based on the medieval economic-social situation in Europe, establishment of several foundling houses was necessary. D. Schneider, P. Macey (2002, In Bizová, 2015, p. 12) state the chronological sequence of their establishments both in Europe and in the world. Foundling houses gradually appeared in the Italian cities Bergamo (982) and Siena (1000), in French Montpelier (1010), in Ljubljana (1040), Padua (1049), Florence (1161), Rome (1198), Marseilles (1199), Parma (1201), Jerusalem (1210), etc.

Pope Innocent III ordered to build an orphanage next to the hospital in Rome in 1198. The building was quite exceptional, as it contained the so called "torno", i.e. a baby hatch which enabled to abandon the baby anonymously, without any identification of a person abandoning the minor. Thus, an unwanted baby could get the necessary care without exposing its mother to any risk. Placement of children in the orphanages did not mean the life maintenance of such minor. Serious problem of orphanages was the high mortality rate (in some cases even 90%) of children as a result of diseases, famine and infections. (Mikloško, 2009)

Care for children and abandoned minors from the Enlightenment to the end of the World War II

In the age of the Enlightenment, there were founded new orphanages which did not only rescue children but particularly focused on their education. There occurred first elements of humanization of such institution, rights of a child were brought to the fore, and particularly the right to grow up in the family. The main problem of the age was a huge crowd of children compared to a small number of interested parties (Matějček, 1999, p. 45).

In 18th century, J. H. Pestalozzi contributed to the solution of problems of abandoned children. He rejected the care provided to abandoned children in orphanages and insisted on

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the importance of their education and being raised in the family. Pestalozzi initiated significant changes in the foster care system, especially in France, where adoption (Code civil) and foster care were introduced in 1804. After a short stay in the orphanage, abandoned children could be put to foster care (Bubleová, 2000, p. 46).

On the territory of Slovakia, orphanages were primarily established by the Evangelical and Catholic Churches and towns. Under the reign of Maria Theresa, the state started being involved in the care for abandoned children (Škoviera, 36 p.). According to Kušniráková (2004, In Škoviera, 2007, p. 36), small institutions were founded, usually for 10 – 15 children. The biggest house of this type was the Trnava Province orphanage (with the total capacity of 64 children). Orphanages were established in each provincial town and in some boroughs. In Banská Štiavnica, a small orphanage was established in 1762 with a support by the town council, parish and mining council. The first state-owned orphanage had been opened in 1764 in Tomášikovo, later it was moved to Senec and in 1786 to Bratislava (Kowalská, 2004, In Škoviera, 2007, p. 36).

It became necessary to establish foundling houses and orphanages. The situation was critical due to the high mortality rate of placed children. With advent of romanticism, the rhetoric changed and seeking help for abandoned children was focused on humanistic ideals and not on preceding practical reasons anymore. Despite of that, orphanages were overcrowded at the end of the 19th century and there was only a little interest in abandoned children (Matějček, 1999, p. 18 - 19).

The care for abandoned children on our territory was governed at that time by the Imperial Act of 1862, No. 18 Rz, imposing obligation on municipalities to care for people in need due to their poverty, disability, or being orphaned or abandoned (Bubleová, 2000, p. 46).

The concept of orphanages established in the 19th century was similar to that of orphanages being established on our territory at the beginning of the 20th century. Orphanages were administered by volunteers, by the Church and partially by municipalities until 1901. The state had taken over the care for foundlings and abandoned children by the act on institutional care adapted in 1901. This act was effective even after the establishment of the first Czechoslovak Republic. First state institutions for abandoned children which can be called children´s home - to use the current language - were established in Košice and Rimavská Sobota. These institutions strove for adoption of children or their foster parenting. Until 1945 besides the state orphanages, the Church maintained its own houses of care for children. (Gabriel, Novák, 2008, p. 14-15).

According to Škoviera (2007), the first Czechoslovak Republic considered the care for vulnerable and abandoned children as an important mission. Besides the state, churches and municipalities and various associations took part. Other countries not only adopted laws governing adoption and care for child, but also the professional interdisciplinary interest in education increased and the social care system improved as well.

Foster care played an important role in the care for abandoned children. There were established the following forms of the care for a child: confide to the care of

•   Foundling – following the stay of a child in the foundling house or in the orphanage. Children taken to the foundling house were confided to the foster care of foreign persons (usually spouses) for consideration immediately after their birth. When such child achieved a certain age, it had to return to the institute. Permanent supervision and choice of foster parents

was carried out by the parent institute on the basis of the institutional custody (Matějček, 1999, p. 29 - 30).

•   Children confided to the care of foreign persons – was based and implemented according to the agreement between parents and persons due to which the child was confided without a court decision. This type of foster care slowly grew to confiding to the care of grandparents or other relatives. It is the only type which survived from the period of the first Czechoslovak Republic to the 70s (Bubleová, 2002, p. 49 - 50).

Care for abandoned children after the World Word II

After the World Word II, the perfectly elaborated system of care for abandoned children having been built up during the first Czechoslovak Republic, was eliminated. The whole care for children was taken over by the state and the powers of territorial authorities and charities were suspended. Foster care was abolished, too. Instead of it, a new concept was adapted - education of abandoned children in children´s homes. Children were divided according to their age, whereby siblings were divided, too. Psychical needs of child were not considered (Bubleová, 2000, p. 50).

This situation was preserved until the 60th of the 20th century. Professionals could voice their criticism to the system of abandoned children at that time. It was proved that the stay and development of children in the institutions had negative impact on the soul of a child leading oft to psychical deprivation and causing pathological forms of behaviour, psycho-motoric deprivation, frequent morbidity, etc. (Bubleová, 2000, p. 51).

Development of children´s home was connected to the need to care for war orphans, abandoned minors and difficult children. A lot of confiscated manor houses and villas had been adapted to this purpose and so a sufficient number of well-equipped buildings were available as soon as at the beginning of the 50s. In 1951, the social-legal protection of children and youth was assigned to the competence of the Ministry of Justice (offices for protection of youth attached to the people´s courts), later on, in 1956, the powers were transferred to executive bodies of national committees and the institutional supervision was carried out by the Ministry of Education and Culture. Due to other building priorities of the state and frequent changes in allocation of agenda of social-legal care for children and youth, as well as due to negligence of consequences of big migration processes, and due to employment of women, insufficient infrastructure development (missing kindergartens, nurseries), etc., development of institutions of collective care had been hampered. According to directives, the homes were intended for children until the end of compulsory education. Their further fates after achieving 15 years of age had not been an issue for a long time. Not until 1963, when the staff of such institutions and the staff of some departments at the Ministry had initiated an ordinance which enabled children to stay in the care of the institution after achieving 15 years of age. Director of the institute as the parental custodian of such children had to focus on allocating children to places of works, as well as to indentureship or to secondary schools. The law adopted in 1973 renewed the foster care for abandoned children (Kusá, 2004 p. 34 - 35).

As stated by Škoviera (2007), division of Czechoslovakia caused many changes for the independent Slovak Republic arising from its independence. Among the fields seeking to remove the ideology pertaining from the previous regime, there was also the field of substitute care.

It became increasingly public that the institutional care did not present substitute care in favour of children and provided no suitable environment for the healthy development of a child. Professionals in the field of substitute care started being involved in public matters. Via nongovernmental organizations, they also strove to push they knowledge through in the politics. In 1994, the institute of professional foster family being a form of substitute care was adopted providing a child with a family support necessary for the healthy development. Despite the new law governing substitute care, no significant number of children were placed into a ward.

In 2005, two key acts were adopted -– Act No. 305/2005 Coll. on Social and Legal Protection of Children and on Social Guardianship and the Act No. 36/2005 Coll. on Family. Adoption of these acts which were consulted with a big spectrum of professionals, created a great platform for changes in the field of care for abandoned children. The significant change was the position of personal substitute care overriding the institutional care. The form of the family substitute care also overrides placement of children to the homes of children (Dudek, 2006, p.337-344). If a child cannot be placed to any of above personal or family substitute care, placement of a child to a professional family prevails over its placement to the children´s home. The care in the professional family is provided by professional parents.

Conclusion

Each child should grow up in the healthy environment which gives stimulus and influences its further development. Not each child is enabled to enjoy such environment (Dudek, 2008, p.238-255). The society should provide a child with significant help. Orphans and abandoned children have been provided with various kinds of help in the history of the human society. This reflected the level of society and its comprehension of the position of a child in the society to a certain degree. The interest of a child has not been always respected. This article presents the historical aspect of care for orphans and abandoned children within the concept of social-legal protection which has undergone a lot of changes under the influence of the historical, cultural and social development of the society.

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**Історія соціального догляду за сиротами
та дітьми залишеними без батьківського піклування в Словаччині**

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У статті пропонується огляд історії соціального догляду за сиротами та дітьми залишеними без батьківського піклування в європейських країнах та Словаччині зокрема. Представлено історичний аспект догляду за сиротами та дітьми залишеними без батьківського піклування в рамках концепції соціально-правового захисту, яка зазнала чимало змін під впливом історичного, культурного та соціального розвитку суспільства. Викладено теоретичну основу для дослідження проблеми.

Ключові слова: соціальна опіка, сироти, залишені діти, дитячі будинки, віднайдені діти.