

Childhoods in Chile: (de) protection and paradoxes of the accountability model ¹

Niñeces en Chile: (des) protección y paradojas del modelo de rendición de cuentas

Crianças no Chile: (falta de) proteção e paradoxos do modelo de responsabilização

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Abstract

The Convention on the Rights of the Child (CRC), adopted in 1989, marked a milestone in the way states design public policies aimed at ensuring the protection of childhood. It also opened new and enriching discussions within the Social Sciences. However, the implementation of this international framework has not been immune to the influence of the neoliberal economic model, which has shaped the design, execution, and evaluation of related policies. In this paper, we offer a critical reflection on the tensions and paradoxes that emerge between the mandates of the CRC, and the current realities faced by children in Chile. We focus on three key dimensions: first, we examine the theoretical categories constructed around childhood; next, we check the paradox of rights protection based on recent reports; and finally, we explore the relationship between the CRC and the implementation of public policies strongly oriented toward an accountability model. This analysis entails a critical and reflective review of various theoretical and technical sources produced in Chile in recent years. Some findings reveal a worsening trend in indicators related to violence and the child protection system under state care, which stands in stark contrast to the guiding principles of the Convention.

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Resumen

La Convención sobre los Derechos del Niño (CDN), adoptada en 1989, marcó un hito en la manera en que los Estados diseñan políticas públicas orientadas a garantizar la protección de la infancia. Asimismo, abrió nuevas y enriquecedoras discusiones en el ámbito de las Ciencias Sociales. No obstante, la implementación de esta norma internacional no ha estado exenta de la influencia del modelo económico neoliberal, el cual ha condicionado el diseño, la ejecución y la evaluación de dichas políticas. En este trabajo proponemos una reflexión crítica sobre las tensiones y paradojas que surgen entre los mandatos de la CDN y la realidad actual de las infancias en Chile. Para ello, nos enfocamos en tres dimensiones clave: en primer lugar, examinamos las categorías teóricas construidas en torno a la infancia; en segundo lugar, analizamos la paradoja de la protección de derechos a partir de diversos informes recientes; y, finalmente, abordamos la relación entre la CDN y la implementación de políticas públicas marcadas por una fuerte orientación hacia el modelo de rendición de cuentas. Este análisis se basa en una revisión crítica y reflexiva de distintas fuentes teóricas y técnicas producidas en el contexto chileno durante el último período. Algunos de los hallazgos evidencian un deterioro creciente en indicadores vinculados a la violencia y al sistema de cuidado bajo protección estatal, lo cual contrasta de manera significativa con los principios rectores de la Convención.

Palabras clave: Chile, derechos del niño, infancia, niñeces, niño desfavorecido, neoliberalismo, política gubernamental, sociología de la educación.

Resumo

A Convenção sobre os Direitos da Criança (CDC), adotada em 1989, marcou um marco na forma como os Estados elaboram políticas públicas destinadas a garantir a proteção das crianças. Abriu também novas e enriquecedoras discussões no âmbito das ciências sociais. No entanto, a implementação desta norma internacional não esteve isenta da influência do modelo econômico neoliberal, que condicionou a formulação, a execução e a avaliação destas políticas. Neste artigo, propomos uma reflexão crítica sobre as tensões e os paradoxos que surgem entre os mandatos da CDC e a realidade atual das crianças no Chile. Para tal, focamo-nos em três dimensões principais: em primeiro lugar, examinamos as categorias teóricas construídas em torno da infância; em segundo lugar, analisamos o paradoxo da proteção dos direitos com base em vários relatórios recentes; e, por fim, abordamos a relação entre a CDC e a implementação de políticas públicas marcadas por um forte enfoque no modelo de responsabilização. Esta análise baseia-se numa revisão crítica e ponderada de diversas fontes teóricas e técnicas produzidas no

Chile nos últimos anos. Algumas das conclusões revelam uma crescente deterioração dos indicadores relacionados com a violência e com o sistema de assistência protegido pelo Estado, o que contrasta significativamente com os princípios orientadores da Convenção.

Palavras-chave: Chile, direitos da criança, infância, crianças desfavorecidas, neoliberalismo, política governamental, sociologia da educação.

Introduction

The Convention on the Rights of the Child (CRC), adopted in 1989 (Unicef, 2006), is widely regarded as the first international human rights treaty dedicated specifically to children (Estrada, 2023). Among other aims, it seeks to strengthen the legal recognition of childhood not only from a legal standpoint but also from historical and political perspectives. This landmark document ushered in “a new way of seeing children and adolescents” (Picornell-Lucas, 2019, p. 1178). Moreover, it establishes that States must protect, promote, and deepen this new conception of children and adolescents “by taking all appropriate legislative, administrative, and other measures to implement the rights recognized in the Convention” (Unicef, 2006, p. 6).

One of the first definitions provided by the CRC is that of “child”: human beings under the age of 18, who are recognized as “individuals entitled to full physical, mental, and social development, and to freely express their opinions” (Unicef, 2006, p. 6). This definition largely shapes how the CRC’s principles are interpreted and applied across various contexts, with significant theoretical and practical implications, particularly for the design and implementation of public policies.

Although there is widespread recognition within academic circles and advocacy groups of the progress made to date, the CRC itself acknowledges that “much remains to be done to create a world fit for children” (Unicef, 2006, p. 79). This is especially true when one considers the ongoing tensions surrounding the ideal of a rights-based approach (Cabrolié et al., 2022), as well as the economic realities and social inequalities that, in many cases, hinder the effective coherence and tangible impact of international policies on children’s lives.

In the Chilean context, the child protection system has its earliest roots in the 1920s, with the emergence of charitable and welfare-based initiatives aimed at improving maternal roles and child-rearing practices (Rojas, 2016). In 1928, the Law on the Protection of Minors was enacted, formally assigning to the State the responsibility for the care and education of minors (Urtubia, 2019).

By the mid-20th century, in 1967, the National Council for Minors (CONAME) was established, providing financial and advisory support to civil society organizations, although it was not a strictly state-run entity. Later, during the 1979 military dictatorship, the National Service for Minors (SENAME) was created, merging CONAME with the Chilean Child Foundation (Martin et al., 2020; Rojas, 2016).

Chile ratified the CRC on August 14, 1990, marking a paradigm shift in its approach to childhood: a transition from viewing children as passive objects of protection to recognizing them as active rights-holders. This shift prompted significant changes in public policy, introducing a more holistic approach to child protection (Bobadilla, 2021; Muñoz-Oyarce, 2021). It also led to reforms in laws related to so-called irregular situations and the creation of new bodies aimed at ensuring comprehensive protection (Bobadilla, 2021; Estrada, 2023; Olivares, 2022). One example is Law No. 19.968, which established Family Courts. However, despite these legal advancements, concrete progress remained limited well into the 2000s.

In 2018, the Office for the Rights of Children was created—an autonomous public institution tasked with promoting, disseminating, and protecting the human rights of all children and adolescents living in Chile (Defensoría de la Niñez, 2025). In 2021, the Specialized Child and Adolescent Protection Service was launched to safeguard children and adolescents who have experienced severe rights violations, ensuring their best interests and promoting their active participation—along with that of their families—in the restoration of their rights. This service also provides specialized support to foster safe environments, gender equality, and the full realization of children’s rights (Servicio Nacional de Protección Especializada a la Niñez y Adolescencia, 2025).

Most recently, on April 23, 2025, Decree No. 4 of 2024 was published, approving Chile’s National Childhood and Adolescence Policy and its 2024–2032 Action Plan (Biblioteca del Congreso Nacional, 2025). The introductory section states that the Chilean State has made significant progress since ratifying the CRC, aligning itself “with international human rights standards” (pp. 6–7). In line with the current global context, Decree No. 4 explains:

The National Childhood and Adolescence Policy 2024–2032 redefines and focuses efforts on developing strong guidelines to strengthen the Guarantees System, aiming to create the political and institutional conditions necessary for the effective exercise of children’s rights. (P. 8).

Nevertheless, a series of recent reports (Bedregal et al., 2025; Defensoría de la Niñez, 2024; Observatorio Niñez, 2024; Subsecretaría de Prevención del Delito, 2024) indicate a deterioration in key child protection indicators in recent years. For example, it is reported that “today, Chilean children exhibit worse health and learning outcomes than seven years ago, alongside a decline in care conditions” (Bedregal et al., 2025, p. 104).

Such findings reveal a contradiction with the spirit of the CRC. A paradox emerges that warrants critical examination, particularly in terms of the relationship between public policies and the prevailing neoliberal economic model. The latter has influenced and shaped child protection strategies characterized by privatization and accountability-driven measures (Jara, 2019; Pavez, 2021; Sisto, 2019).

Privatization and outsourcing have enabled third-sector actors -such as NGOs, foundations, and corporations- to enter the child protection system with relative ease (Pavez, 2021; Pavez et al., 2019; Ribeiro et al., 2024; Varas et al., 2018). Through state bidding processes, these entities compete to implement various child welfare programs (Pavez et al., 2019). Moreover, the evidence suggests that rather than overcoming outdated approaches, multiple frameworks now coexist in a fragmented manner (Morales, 2021).

Taking into account the CRC’s scope, the historical development of child protection in Chile, and the most recent reports, this article adopts paradox as its guiding analytical lens—understood here as “a device that generates questions and new lines of inquiry around contentious and complex social issues” (Saavedra, 2017, p. 212). Accordingly, the central question driving our analysis is: How does the current paradox between the CRC’s rights-based framework and the realities of child protection in Chile manifest, particularly in the context of neoliberal accountability practices?

Our aim is to examine this paradox critically, focusing on how neoliberal logics have permeated Chilean child protection policies, in contrast to the CRC’s mandates.

The discussion will address three key aspects: first, theoretical categories surrounding contemporary constructions of childhood; second, an empirical examination of the paradox in Chilean child protection data; and third, an analysis of how the CRC’s implementation intersects with accountability-driven public policy within a neoliberal context.

Children and Adolescents: From Homogeneity to Diversity

The category associated with childhood has undergone numerous revisions in recent decades. Traditional concepts such as minor or infant are increasingly criticized for several reasons. First, these terms often reflect a perspective of infantilization or marginalization (Fernández, 2017). Second, they fail to capture the plural and diverse nature of this stage of human development. In contrast, the term *childhoods* (*niñeces*, in Spanish) has emerged. As Westendarp-Palacios (2022) argues, “the term *niñeces* alludes to the multiple meanings of what it means to be a girl or a boy” (p. 26), and these meanings are themselves diverse. Consequently, there are multiple ways of being a girl, a boy, or a non-binary child, shaped by the complex interrelations present within this social group.

Reflecting our perspective -rooted in a Latin American context (invoking the concept of *Abya Yala*)-, Morales (2022) notes that there are “girls, boys, non-binary children, trans children, Afro-descendant children, migrant children, Indigenous children, children with disabilities, children without parental care, children living on the streets, children in detention, rural and urban children, rich and poor, mistreated and free, happy and unhappy” (p. 136).

Morales further contends that it is therefore “inadequate to think in terms of a singular childhood” (Morales, 2022, p. 136). This recognition of diversity has opened up new approaches to research and practice.

Accordingly, in this article we prioritize the use of the term *childhoods* (*niñeces*). When we use terms such as *childhood* (singular or plural), or *children and adolescents*, it is to refer specifically to categories employed within public policy. The central rationale behind this choice is that “to speak of *childhoods* in the plural is to acknowledge the diversity and heterogeneity of children, according to their gender, class, ethnicity, place of residence, functional diversity, among other factors” (Westendarp-Palacios, 2022, p. 26).

Diversity, as an analytical lens, has enabled new perspectives on *childhoods* in both research and practice. This progress has been driven by interest from a wide range of disciplines—including education, sociology, psychology, and other fields within the social sciences and humanities. Nevertheless, this remains “a contested and complex field of work” (Vergara et al., 2015, p. 57), due in part to the fact that “the social field of childhood studies is in constant tension with a natural and moral world (or with notions of what the child should be)” (Vergara et al., 2015, p. 57).

This body of research is close to *Childhood Studies* or *Social Studies of Childhood* (*Estudios Sociales de la Infancia*, ESI). These approaches represent a significant advance in socio-political conceptions of childhood. The field has found particular resonance within the social sciences, where “the question of

children's agency -their capacities, modes, and scope- is one of the central concerns in social studies of childhood" (Magistris, 2018, p. 6).

However, as a critical counterpoint, Llobet and Cosse (2012) caution that the "foundational focus of the field has often resulted in an overly homogeneous treatment of the State—as if it were a static context rather than a dynamic actor with which these processes interact" (p. 1). This presents a complexity when analyzing public policies —particularly given their potential role in reducing inequalities in the protection of children's rights. A conceptual paradox thus emerges.

The evidence illustrates this paradox. For example, "the data show that the number of minors suffering serious crimes remains very high in today's globalized societies, and these children are not receiving an adequate response or protection from States" (Moreno, 2022, p. 339). To understand this reality, it is necessary to examine some of the critical tensions between the rights-based approach enshrined in the CRC and its implementation in the Latin American context. From a critical perspective, Jara (2019) considers that "[...] the narrow reduction of certain child-related issues to statistics, combined with the creation of institutional frameworks that are largely reactive and compensatory, has led to a form of self-legitimation within the new paradigm established by the CRC" (p. 52).

This situation nevertheless opens up opportunities to develop legal frameworks that can meaningfully influence public policy —particularly through the participation of children and adolescents themselves as social actors. The State apparatus must recognize childhoods as protagonists of their own realities, with the capacity to engage in political dialogue from their diverse perspectives.

Yet even today, we still encounter discourses in which "the voices of children are spoken for, explained, narrated, and subordinated by adults—in other words, they fail to achieve dialogical status" (Muñoz, 2022a, p. 20). In contrast, there is a growing need to recognize the political agency of children and adolescents (Soto & Kattan, 2019). The legal recognition of their rights transforms how childhoods are conceptualized, positioning them as a challenging and dynamic field of study—particularly within the social sciences (Jara, 2019; Soto & Kattan, 2019).

Historically, childhoods have been framed through lenses of subordination (Meza, 2001; Muñoz, 2022a) and subalternity (Muñoz, 2022a), shaped by their status as "non-normalized" subjects (Herrera & Cárdenas, 2013), and constructed by adults as "other"—with essentialist and naturalistic perspectives dominating their development (Vergara et al., 2015). This has resulted in persistent forms of invisibilization (Bahamondes,

2022), reinforced by subalternity: “one is subaltern insofar as one is subordinated by another” (Muñoz, 2022a, p. 20).

The CRC has opened important possibilities across many fields. However, by itself, it has not prevented “the danger of reproducing adult-centric perspectives that are now simply legalized” (Jara, 2019, p. 53). This dynamic continues to shape the design of public policies on childhood, often resulting in extreme forms of standardization. In turn, this fosters a mode of public accountability that neglects children’s subjectivity and agency (Soto & Kattan, 2019, p. 197). An alternative is to reject subordinating frameworks and embrace paradigms that recognize children as active agents of change, not merely passive recipients of rights (Muñoz, 2022a).

In Chile, this dynamic has been shaped by what Martin Munchmeyer et al. (2020) describe as “the strong predominance of paradigms and conceptions that contradict the exercise of the State’s role as guarantor of rights, along with a resistance to recognizing children and adolescents as rights-holders” (p. 363). This presents an ongoing challenge for research on the representation of childhoods and their place within public policy.

The Paradox of Public Policy in Chile: The Current Situation

Talking about paradox, we refer to “a figure of thought used to reveal arguments that appear contradictory, but which can also be understood as a demonstrable contradiction” (Saavedra, 2017, p. 211). This contradiction becomes particularly relevant when applied to public policy. To achieve its aims, governments typically rely on a technocratic approach: diagnose the problem, identify solutions, and implement them—following the model described by Guillermo M. Cejudo (Stone, 2022). In this approach, implementation relies heavily on performance indicators. This, in turn, helps consolidate a market-oriented model embedded within policy solutions, primarily through cost-effectiveness calculations (Stone, 2022).

From a critical perspective, it is essential to examine the constitutive elements of what we are calling a paradox, in order to understand this reality. The first element concerns the ideal objective: in this case, ensuring that the State upholds and protects the rights of children. The second is the requirement that this relates to public policy. The third is that such policies are driven by an efficiency- and accountability-based paradigm. Finally, the fourth concerns how outcomes are assessed.

Meeting quotas, performance targets, and system coverage necessitates an examination of how public policy impact is evaluated. Ultimately, such policy should guarantee a reduction in rights violations and ensure the State's proper implementation of children's rights. In practice, however, what has emerged is an increasing focus on achieving efficiency and resource optimization, often at the expense of substantive protection (Ribeiro et al., 2024).

To illustrate this paradox between the ideals of public policy and the realities of rights protection, we will examine selected data and findings regarding violence against children, and the role of State care. We do so first because violence indicators have worsened in current times, and second because the State bears a fundamental responsibility to protect the most vulnerable. For this purpose, we draw on four key sources: the 2024 Annual Report (Defensoría de la Niñez), the First National Report on Child Well-being 2024 (Observatorio Niñez), the Report on Victims of Completed Homicides in Chile (Subsecretaría de Prevención del Delito, 2024), and the article "Alternative Care for Vulnerable Children: An Urgent Review" (Bedregal et al., 2025). While the data presented here are not exhaustive, they provide a meaningful lens on the current situation. It is also worth noting that most available data from specialized agencies are quantitative in nature—a limitation that seems to further reflect the paradox at the heart of both policy and research in this area.

The 2024 Annual Report from the Defensoría de la Niñez is an important tool for specialized organizations and the public. In terms of violence, between 2017 and 2023 the report shows an increase in several types of abuse: peer violence (from 28% to 36%), caregiver violence (from 35% to 39%), threats (from 20% to 24%), and sexual violence (from 17% to 18%) (Defensoría de la Niñez, 2024).

Similarly, the Report on Victims of Completed Homicides in Chile (Subsecretaría de Prevención del Delito, 2024) indicates an increase in homicides of children and adolescents: "rising from 5.3% in 2023 to 6.3% in 2024, which corresponds to an increase from 66 to 76 victims in absolute terms" (p. 15). These indicators of violence clearly contradict the ideals of public policy, particularly when measured against Article 19 of the CRC, which states:

States Parties shall take all appropriate legislative, administrative, social, and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s), or any other person who has the care of the child. (Unicef, 2006, p. 16).

The evidence regarding children and adolescents who have experienced rights violations—particularly those placed in outsourced State care—raises deep concerns. The article “Alternative Care for Vulnerable Children: An Urgent Review” (Bedregal et al., 2025) reports:

According to data from the Ministry of Health (2023), 69% of children and adolescents with rights violations present with mental health disorders, including high rates of suicide risk (45.3%), substance dependence (40%), and conduct disorders (25.7% with dissocial disorder and 23.5% with oppositional defiant disorder). (Bedregal et al., 2025, p. 9).

In this context, Article 20 of the CRC further establishes that “A child temporarily or permanently deprived of his or her family environment, or in whose best interests it is not to remain in that environment, shall be entitled to special protection and assistance provided by the State” (Unicef, 2006, p. 17). Yet the available evidence shows that this “special protection” does not currently guarantee full rights protection for children (Aguirre & Tristán, 2023; Daber, 2022; Estrada, 2023).

On April 2, 2025, the First National Report on Child Well-being in Chile (2024), prepared by Observatorio Niñez under the Fundación Colunga, was released in the Valparaíso Region. One of the report’s most important conclusions at the national level is that “based on the data, it can be stated that the well-being of children in Chile has deteriorated compared to 2017” (Observatorio Niñez, 2024, p. 104).

These findings are, on the one hand, a reflection of growing societal interest in exposing the realities facing children and adolescents in Chile. On the other hand, they highlight the State’s continuing failure to fulfill its obligations toward the full diversity of childhoods within the country. It is critical that this paradox be transformed into the foundation for a broader political struggle—one that must involve all sectors of society.

CRC and Neoliberalism: Ongoing Tensions

It is essential to highlight the neoliberal state, and its influence on child protection systems. This model promotes, by all means, the “right to individual private property” (Harvey and Mateos, 2007, p. 71). It is sustained by the so-called rule of law, and by the institutions of free markets and free trade. The definition of neoliberalism is (Harvey and Mateos, 2007): A theory of political-economic practices that proposes that human well-being progresses better by liberating individual entrepreneurial freedoms and skills within an institutional framework characterized by strong private property rights, free markets, and free trade (p. 8).

Under such a framework, rights operate within institutional structures designed not to restrict entrepreneurial freedoms or free trade. As Harvey and Mateos (2007) observe, “since the 1970s, we have witnessed a dramatic shift towards neoliberalism in both political-economic practices and thought” (p. 9)—a shift that remains deeply entrenched. One example is the increasing outsourcing of social services in public childhood policy. Currently, 95% of these services are implemented by non-governmental organizations (NGOs), foundations, and social enterprises (Varas et al., 2018).

In Chile, this process let us call it as decollectivization (Báez, 2017). This phenomenon “originates from the unilateral rupture of the social contract between classes that occurred in the mid-1970s” (Báez, 2017, p. 449), specifically following the 1973 military coup. This rupture deepened the paradigm of fragmentation and allowed the private sector to enter the competitive market for public services.

Another effect of this model is the emergence of the forced rider, or forced consumer of public goods (Báez, 2017, p. 449). This concept has important implications for how rights are operationalized through public policy—transforming global rights frameworks into systems where public goods are consumed through services administered by private actors (Castillo et al., 2021). These private actors are then tasked with responding to public demands in the area of child protection. This system, among other factors, “conditions the delivery of benefits on the fulfillment of a set of civic duties, identifying this as the true obstacle to social integration” (Castillo et al., 2021, p. 149).

It thus becomes evident how this institutional design has enabled—and actively promoted—the application of private-sector models to the field of rights and their protection. The logic of this model becomes embedded in the state’s structure, shaping a neoliberal state that operates across multiple domains, including social protection systems such as health and education (Harvey and Mateos, 2007).

In debates around children’s rights, two key variables emerge. From a hermeneutic perspective, Bácares (2012) describes the roles of “applicability” and “normativity”. The first concerns the question of whether what the CRC declares is real for children: “Is it true [...] and what possibilities exist for it to be real for children?” (Bácares, 2012, p. 18). The second concerns how to normatively institutionalize these rights so that “there are no excuses or easy escapes from compliance” (Bácares, 2012, p. 18).

The intersection of these variables presents a complex analytical terrain, influenced by multiple factors such as differing conceptions of childhood, the unique histories of each nation, variations in institutional and

democratic designs, and the economic and legal conditions that shape the obligations declared in the CRC. Once again, tensions emerge. As Jara (2019) notes from a Latin American perspective:

The emergence of children's rights became entangled with and modulated by the precepts of the neoliberal state, resulting in a metamorphosis of public administration following the CRC (post-1989), which was reduced to the creation of containment-oriented, welfare-based social programs. (Jara, 2019, p. 52).

To ensure the systematization and efficiency of this new mode of managing rights, New Public Management (NPM) has been introduced (Sisto et al., 2021). According to Ribeiro et al. (2024), "NPM promotes the privatized outsourcing of public service provision, funded by the state, while embedding regulatory mechanisms and accountability through indicators and results" (p. 3). As a result, this model "has led to the progressive dismantling of social protection, grounded in the principle of a subsidiary state" (Castillo et al., 2021, p. 149).

The influence of accountability-driven systems within neoliberal states is also evident in the labor sphere. As Muñoz (2022b) explains, "current social intervention processes and the construction of public and social policies reflect a marked neoliberal and technocratic rationality" (p. 71). The labor force engaged in these policies is highly affected: "these workers are managed from the central level in terms of policy implementation, and who are most directly subjected to accountability mechanisms" (Ribeiro et al., 2024, p. 5). The legal frameworks for public policy apply private-sector models to public service delivery: deepening of the "flexibilization and precariousness of work" (Sisto, 2019, p. 2).

We can see a further example in labor inclusion policies for people with disabilities. In Chile, "a new labor inclusion law was enacted to promote, through quotas, the hiring of persons with disabilities in the open labor market" (Núñez & López, 2020, p. 15). Yet the crucial issue here lies in understanding the quality of the employment and working conditions offered under this model.

Standardized intervention and organizational models have produced contradictory outcomes. The neoliberal model permeates all state actions, with tangible effects on the applicability of children's rights. As Sisto (2019) states, "private enterprise is installed as the management model, and the entrepreneur as the ideal subject to be promoted through state action" (p. 2). This shapes the organization of life, from the individual level to local contexts and public policy frameworks.

Ultimately, the state must render accounts. For this reason, the majority of performance indicators are quantitative, reflecting a technocratic vision of rights fulfillment. Children's participation is often objectified; rarely is consideration given to how children themselves would assess their realities. As Muñoz (2022b) explains, this paradox results in the loss of “the voice and participation of those who are the subjects of intervention, as their realities do not fit into a form or an Excel spreadsheet used for case management” (p. 73). Accountability systems focus on a perspective “about children”—one that undermines participatory, qualitative approaches “with children”.

Conclusions

Based on the foregoing analysis, we underscore the importance of constructing public policies that foster social transformation. Critically revisiting the concepts that adults have historically used to frame childhood is a necessary starting point if we are to position ourselves as partners in advancing children's rights. This requires challenging adult-centric, minoritizing, and subalternizing perspectives.

We also acknowledge that a significant shift in rights protection has been driven by the adoption of the CRC in 1989. Nevertheless, the data -particularly in the Chilean context- continue to reveal profound challenges, especially with regard to reducing violence and improving state-based protection systems for children in care.

Within the fields of Social Sciences and Childhood Studies (ESI), important efforts have been made to reframe adult perspectives in ways that empower children's political agency, interests, and aspirations. This poses a methodological challenge for research: scholars must avoid theoretical and methodological frameworks that inadvertently reproduce inequality and harm. Efforts should instead focus on moving from paradox to transformation. Society as a whole must integrate perspectives and actions that transcend the current data trends presented in this analysis. To do so, it is necessary to promote a new social pact—one that ensures public policy is designed with children, not over them.

It is also imperative to question and reform the institutional frameworks through which the state has adopted private-sector models and accountability logics in public governance. These dynamics have had detrimental effects on the development of healthy and protected childhoods exercising their full rights. This is particularly evident in the outsourcing of child protection services—services that should instead fulfill the original promise of the CRC, a promise not yet realized. The predominance of quantitative indicators reflects a logic in which statistical objectification overshadows the lived diversity of childhoods. We are on the wrong path

if the human rights of children and adolescents are in the hands of private enterprise: it is the responsibility of the state -and of society as a whole- to fulfill this mandate.

Debates and legal frameworks that elevate the voice of children, adapted to their diverse life contexts, will enable public policy design that reflects a capacity for social transformation. Such an approach will also help overcome the minoritizing, passive perspectives that too often position children symbolically as fragile and marginalized, as evidenced in the data reviewed here. This is a collective challenge—one that calls for the creation of a new social pact grounded in research, academia, politics, institutional design, and law. The outcome of such a shift would include new models for assessing child rights policies at both global and local levels.

Finally, this analysis invites us to reflect on three key questions arising from our inquiry: (1) How can a child rights protection framework be built under a new social pact? (2) How can legal frameworks be designed to account for the transformative potential of children, while embracing their diversity? (3) What alternative experiences from other Latin American contexts might inform improved ways of assessing the impact of child rights policies in Chile?

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