

## Harlow's Monkey

an insider's thoughts about experiencing the social experiment of transracial and transnational adoption

February 11, 2007

### A brief history of child removal/child protection

One of the first things that a social worker who focuses on child welfare issues soon realizes is that the practice of child welfare is fraught with several inherent value and ethical conflicts.

At the core of this conflict is the question of whose rights take precedence: the parent or the child.

Over the past 200 years, our society has struggled with this conflict. Thus, at some points in history we will find that the rights of the child are considered more important; at other times we see laws and policies that support the rights of the parents.

We tend to think that child abuse happens squarely within the context of a nuclear family and often, we blame those who are responsible for the day to day care of said child or children.

But I agree with Pecora, Whittaker, et. al (2000)

who also place the responsibility for care of children in the hands of society at large – on the community, social and institutional levels. With that perspective, we might claim that any society or community that does not provide safe housing, adequate nutrition and education or violence-free environments as committing child maltreatment.

Shireman (2003)

points out that on an institutional level, for example, our society is guilty of maltreatment when “schools, legal authorities, or institutions designed to care for children and families fail to provide adequately for all children.” To me, this includes the structural discrimination that negatively targets certain populations. I’ll delve into this further in my next post, but think of things such as equal education, housing, medical care, finance, employment, etc. that have/continue to purposely discriminated against some populations. If we are structurally contributing to suppressing the opportunities for targeted populations, and those children suffer as a result, then we are guilty for the maltreatment of those children.

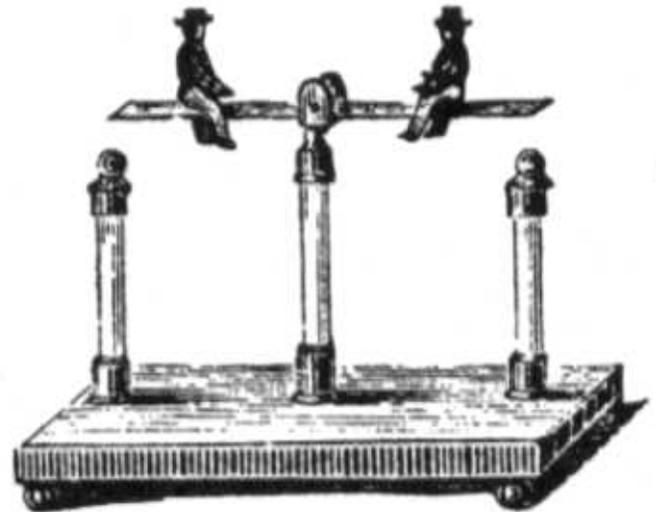
This is not to say that individual parents should not be held responsible for the care and treatment of their children; but I believe that our institutions and policies also need to be responsible.

The abuse of a child was considered within the rights of the parents up through the mid-1800s. In fact, the court system had no way of dealing with parents who abuse their children until 1873 when Mary Ellen, a little girl who was severely abused by her caregiver, brought child abuse to public attention because New York’s animal cruelty laws were used to argue that “children deserved the same protection that animals enjoyed.” In 1875, New York founded the Prevention of Cruelty to Children, the first ever organization aimed at dealing with the “rescue” of abused children.

Keep in mind that despite these new movements towards criminalizing parents who abused their children, the United States was still actively practicing child labor (it wasn’t until FDR signed the Fair Labor Standards Act in 1938 that standards and limits were in policy across all the states).

It would be wrong to assume, then, that our society placed a lot of emphasis on children’s rights during this time.

Post WWII, our country swung over to a paradigm shift of emphasizing the nuclear family. Part of this movement involved



laying off all the women who had been employed while we were at war so the returning soldiers could be employed. One way to do this was to create an emphasis on women's domesticity – marriage and children. Women who were mothers were previously encouraged to place their children in day care so they could work. Women were told it was good for their kids. Suddenly, everything changed; now the thought was children needed to be at home with their mothers. The ideal for a 1950s woman was no longer Rosie the Riveter but June Cleaver. The public now focused on children more than ever before.

In the 1960s, a physician named C. Henry Kempe wrote a famous book in which he described “Battered Child Syndrome” which was the first documented study of 302 children who had been hospitalized for physical abuse by their parents. This study changed how states legislated responses to physical abuse, and the major emphasis at that time was on mandated reporting. Our country shifted from a “parental rights” mentality to a “children's rights” framework.

There have always been parents who horribly abuse their children. These parents are few statistically but even one child abused by his or her parents is unacceptable.

The majority of the children who end up in the foster care system in the United States are not there because of abuse by their parents. Most of these children are placed because of neglect. Statistics from the Children's Bureau show that in 2004 (the most current year of completed research) 62.4 percent of the 872,000 children experienced neglect, 17.5 percent were physically abused, 9.7 percent were sexually abused, 7.0 percent were psychologically maltreated, and 2.1 percent were medically neglected. In addition, 14.5 percent of victims experienced such "other" types of maltreatment as "abandonment," "threats of harm to the child," or "congenital drug addiction."

Neglect covers a wide berth of issues including a lack of or inadequate shelter, supervision, nutrition, and education. The standards for these differ from state to state. In Minnesota, for example, a child 12 or over is considered responsible enough to get themselves to school. A child who misses 25 days of school in a semester would be considered truant if the child is 12, but the parents would be charged with educational neglect if the child is 11.

Regarding abuse cases, where do we draw the line between a parent's “right” to use physical discipline? Well, here the standards are even more blurry. If a parent uses a hand and leaves marks that disappear in a day, that isn't considered “abusive” but if a parent uses a belt and the child has a bruise or a welt, then it is. What if your child bruises easily? What if your child doesn't? Does that mean abuse did or did not occur? What if the physical abuse is marginal compared to the psychological or emotional abuse inflicted upon a child by a parent, yet is extremely difficult to prove?

Add cultural practices and the lines are even more difficult to distinguish. What if the parents who use harsh physical discipline methods are following the teachings of their church? What if the parents who use a "strange" method of heating coins and placing these on their children, so that the kids come to school with circular bruises on their bodies, are following their traditional ways of healing? What if a parent leaves her kids with friends for long periods of time as is not unusual in his or her culture – is s/he abandoning her children? What if it is okay in one's culture to let an 8 year old supervise younger children for several hours a day while the parent is at work? Is it less of a concern for the 8 year old to be home alone?

These are the kinds of questions child protection workers face when thinking about the safety of children.

What does this have to do with children from communities of color and disparate rates?

Part 2 is coming . . .

I strongly recommend reading The Way We Really Are: Coming to terms with America's changing families and The Way We Never Were: American families and the nostalgia trap by historian Stephanie Coontz. These are non-academic books and they give a great historical perspective on how our society tends to misproject nostalgic mythologies about the 1950s nuclear family.

Resources:

U.S. Department of Health and Human Services, Administration for Children and Families, [Foster Care and Adoption Statistics](#).

[Kempe, C.H. & Silverman, F.N. \(1962\)](#). The battered child syndrome. *Journal of the American Medical Association*, 18(1).

[Pecora, P.J. & Whittaker, J.L. \(1992\)](#). *The child welfare challenge: Policy, practice and research*. New York: Aldine de Gruyter.

[Shireman, J.F. \(2003\)](#). *Critical issues in child welfare*. New York: Columbia University Press

More information about child maltreatment at the [National Association of Counsel for Children](#)

February 11, 2007 in [Child Welfare](#) | [Permalink](#)

## Comments

I love this post, Jae Ran. You bring up some great points. Can't wait to see part 2!

Posted by: [sume](#) | [February 12, 2007 at 10:29 AM](#)

Wow- thank you for this fantastic post & the list of resources!

Posted by: [Jen](#) | [February 12, 2007 at 02:53 PM](#)

hi i came across your blog and am well experienced with child welfare issues. my family is now 3 generations affected. I believe that ultimately the child's needs are intertwined with the parents. unless there are safety issues, i believe that families should be given the support and tools to become healthier families, rather than taking the children and adopting them out. in one sense they think they are doing whats best for the child - but i believe taking a child and giving it to another family can often create the abuse they meant to stop.

Posted by: [Erika Klein](#) | [February 12, 2007 at 07:30 PM](#)

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