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Child Welfare Practice : A Conversation About Reality

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**CHILD WELFARE PRACTICE:
A CONVERSATION ABOUT
REALITY**

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Cover photo: Jaime Morrill and Travis Atwater with The College at Brockport/SUNY Vietnam Program visiting an Agent Orange disabled child and his mother in Danang, Vietnam, March 2014.

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Introduction

A frightened little boy sat in the waiting room of a foster care agency. He looked warily at the adults standing next to him. One asked another about her plans for the weekend. Another cracked jokes about the local Family Court judge. They all laughed at the jokes, until another person joined them. The banter switched to the little boy. “What’s up with the kid?” one asked. “He’s going to foster care as soon as we hear from the foster mother. We should drop him off in an hour or so. You remember, his mother dumped him at the hospital yesterday.” “Ah, yes. Well, I am not missing lunch today. Let’s just drive him to the foster home now.” The little boy began to cry quietly. The child welfare workers seemed uneasy and walked to the other side of the room.

The social workers’ conversation was not intended for the child to hear, but he was not a person, merely an inconvenience. The child welfare system too often walks to the other side of the room; sometimes sensitive, sometimes ignoring.

During my fifty years of involvement with child welfare practice in a variety of roles, settings, and countries; there has been what seems an apparent developing arrogance in the world of social work. That developing arrogance claims to have a handle on helping children who are abused, neglected, exploited, or abandoned. I dare say the profession believes it has the knowledge, skills, and values to make manageable or to resolve the victimization of children by caregivers within a society that finds children more a burden

than a blessing and less a moral imperative for society. If the profession has this ability, why, then, do hundreds of millions of children live without hope, without dreams, and without protection? Why are the very systems that exist to help children ineffective?

It might be that this is not overconfidence at all but rather a focus on practice within an inept system that was never really constructed to resolve such problems and an ensuing professional education that merely prepares social workers for work within this system.

The use of “tried and true” social work methods to practice in child welfare is not enough. The worker struggles with roles filled with clear contradictions. On the one hand, they see themselves as helping professionals; on the other, they wield the power of the state.

Those who receive services understand this dichotomy. The situation creates an untenable and irrational intervention akin to the parent who spans a crying child and says, “I am doing this because I love you.” Should the child respond with appreciation? Should the recipient of child welfare services respond with similar gratitude?

The public and the social work profession have the perspective that a group of dedicated professionals staffs child welfare. They are often portrayed as working tirelessly to hone their skills, develop appropriate and effective knowledge, and convert into action a philosophical view. This analysis purports that it will protect children, preserve the concept of a happy childhood, strengthen families, and end the slaughter of children by

caregivers. Some child welfare workers meet this expectation. Many do not. The child welfare system continues to treat symptoms.

Relatively few of the frontline child welfare workers are social workers at all. From the ranks of those who are, many flee the trenches of this war on behalf of children in favor of self-perceived professional prestige in other forms of social work practice. There are many reasons given for this abandonment of child welfare. The explanation frequently given includes the labor of paperwork, the lack of support resources, low wages, stress, large caseloads, and inadequate supervision (DePanfilis & Zlotnik, 2008; Kadushin, 2013).

A major risk for those who practice in child welfare settings is called "burnout". The basic question is whether these perceived difficulties are based in fact or are self-serving rationalizations. There might be the question about whose needs these child welfare workers expect to meet, the children's or the worker's own. Burnout, after all, is a condition during which a person no longer cares about the work or the people served. One wonders if the child welfare system itself might be burned out.

The public, nonetheless, sees social work as the profession of child welfare workers. Social work education does provide an opportunity to develop and deliver skills necessary for defined child welfare tasks, but the reality of child welfare agencies is that social workers staff few of them (Whitaker *et al*, 2004; American Public Human Services Association, 2005; New York State Office of Children and Family Services, 1996). In

fact, many are staffed by persons with less than a college degree in any area of study and most with workers who possess a degree in any academic major. There are fourteen times as many child welfare caseworkers with only a high school diploma in Indiana than with a degree in social work. Many studies conclude that child welfare services need workers with social work degrees. The results of these studies are merely more studies that are ignored (Folaron & Hostetter, 2007; Ellett 2006)).

The view from within the child welfare system is merely reflective of an American view of itself as a God-endowed land of wisdom, democracy, and prosperity. Washington, fueled by a fundamentalist Christian fire, repeatedly preaches to the rest of the world about how they should think and behave. It dictates by flaunting military and economic strength, with rhetoric that others should honor human rights while America denies these same human rights. It shouts that others should refrain from developing nuclear weapons while America possesses the largest number of nuclear weapons and has the dubious distinction of being the only nation in history to have used these against another nation. It proclaims that others should refrain from genocide while the ghosts of what Washington did to African slaves, the American Indians, and to the people of Vietnam haunt history.

UNICEF's report card in 2007, "An Overview of Child Well-being in Rich Countries", ranked American children at the bottom in infant mortality and a variety of other vital indicators among developed nations. Their "State of the World's Children 2013" reports little or no progress at all over a six-year span. (UNICEF, 2013). America's bragging is

not evidence-based. It also inhibits structural change and child welfare system innovation. Why change that which is perfect? The facts are not supportive of the claims. The adage attributed to different historical figures is relevant to both the professional and the national attitude toward a system that does not work, “Repeating a lie loud enough and long enough creates, in the minds of many, the truth.” An examination of the applicability of this lie to child welfare is the basis for a conclusion that we actually have inequities that manifest themselves as child abuse, neglect, abandonment, exploitation, and oppression because we want them to. It is that simple.

This text approaches child welfare practice in a rather radical manner. I do not claim to be an expert, merely a social worker and educator with a dedication to child welfare, human rights, the profession, and the global society in which we all live. My view is being a member of society, a social work practitioner and activist, an academic, a former child, a child welfare client, and a parent. The text is a transparent effort to stir debate in a manner that presents what might be seen as the reality of human experience within the communities in which we all live and the forces that affect us all, children in particular. This is an effort to discuss that which we usually avoid discussing, in a manner that children who are harmed or are at risk of being harmed might benefit from change. My speaking in the first person, a rather non-traditional style for professional literature that usually requires the dispassionate third person style (“the author”), influences the tone. It has always struck me that depersonalizing what I say by referring to myself as someone else or a part of me outside myself is some form of academic mental disorder encouraged by publishers or those so long in academia that they have decided to isolate themselves

from responsibility for self-expression. Opinion, after all, does have value. At any rate, it seems rather contrived, and I would rather share my points of view with you.

The text presents a view toward focusing on the root causes of the tragedy too many children face and by proposing an approach for those who enter child welfare to do so in a manner that works toward ending the need for a child welfare industry. “Radical” is a term that looks at the root causes of issues; attempts to improve the lives of people by resolving problems, not merely symptoms; and speaks to social change by understanding the actual experience of those they claim to serve. This is why the social work profession was created. It may have lost its way.

President Theodore Roosevelt made an interesting observation in the New York Times over 100 years ago:

Any one who has a serious appreciation of the immensely complex problems of our present-day life and those kinds of benevolent effort, which for lack of a better term we group under the name of philanthropy, must realize the infinite diversity there is in the field of social work. Each man can, of course, do best if he takes up that branch of work to which his tastes and his interests lead him, and the field is of such large size that there is more than ample room for every variety of workman. Of course there are certain attributes which must be possessed in common by all who want to do well. The worker must possess not only resolution, firmness of purpose, broad charity, and great-hearted sympathy, but he

must also possess common-sense sanity and a wholesome aversion alike to the merely sentimental and the merely spectacular. The soup-kitchen style of philanthropy is worse than useless, for in philanthropy, as everywhere else in life, almost as much harm is done by soft-headedness as by hard-heartedness. The highest type of philanthropy is that which springs from the feeling of brotherhood, and which therefore rests on the self-respecting, healthy basis of mutual obligation and common effort. The best way to raise any one is to join with him in an effort whereby both you and he are raised by helping each other (Roosevelt, 1901).

Working with clients instead of providing services for them seems an alien concept for many child welfare workers; however, not doing this provides no service at all, certainly not a helping service. Child welfare can only succeed in helping children and their families when the work is shared by all involved – on an equal basis. This, of course, requires that child welfare workers have particular skills, a firm philosophical and theoretical foundation that permits such an approach, a self-awareness that acknowledges clients have the answers to their dilemmas and workers do not, and a heightened sensitivity to the actual causes with and beyond the client that result in the need for services (Kadushin, 1988).

This is a significant departure from other child welfare texts. It requires understanding the status of children in America in a global context. It requires understanding and implementing viable practice alternatives to approach children's issues within a complex

series of services. It requires working with clients to discover that strength which always exists in people who struggle with perceived inadequacies. It requires actively engaging the process of creating a society responsive to the needs of the marginalized. It requires that the worker must be able to see beyond what is readily apparent. It requires seriously acknowledging the actual value of childhood. (King, 2007)

This unfortunately rarely happens. Child welfare services are provided in a society that devalues childhood by the very types of service it provides. Foster care is little changed from the orphan trains of the 1800s (and perhaps not as successful). It has emphasized kinship care, a questionable but popular program, as an alternative, placing children with those who are not licensed or trained and have a personal vested interest. Adoption often entails exorbitant fees, bordering on baby selling and with little real preparation for those adopted and those who adopt, with a mistaken notion that it is merely family building.

There is an ignorance of the dangers of child labor in a society built on wage exploitation, with many who see this destructive labor as one in which children learn survival skills in a capitalist society. Intervention is provided for children sexually abused while society devalues the crime by calling it “incest”, instead of the “rape” it actually is. This is an interesting use of terminology. It both minimizes the crime and often penalizes the victim. Child victims of this rape often are placed in foster homes. The perpetrators attend group therapy sessions. Physical child abuse intervention often ignores the reality of the criminal act of assault it represents. The inconsistent area of child neglect too frequently depends on the judgmental and oppressive values and the social standards of middle-class caseworkers and judges. These offenses are subject to the secrecy of

family courts presided over by many judges who would never remain in their positions if the community were aware of what they often do in collusion with social agencies.

Immigration agents seize and hold the children of undocumented aliens as bait to catch the children's parents for deportation. This happens even when the children are American citizens. These and related issues are examined in the text, with a view toward improving the skills of the child welfare worker in effecting effective change.

Understanding child welfare requires understanding children. "Understanding" requires real empathy. Real empathy requires seeing, hearing, feeling, smelling, tasting, and totally experiencing the child, the parent, the family, the community, and the situation in which children face particularly difficult circumstances. It is more than sympathy, concern, and knowledge. Can one navigate the muddy professional waters of what the child experiences in situation and maintain objectivity (seeing reality, not perceived reality) while approaching the change agent role? The answer is that the child welfare worker must be able to do this if the worker is to be an effective and important part of the change process. This can only be done partially through relationship, trust, acceptance, and collaboration with those identified as needing services. This is the human enigma that requires being with the person served throughout the change process; in this case, re-entering childhood without loss of purpose and skill.

Childhood is itself neither an ancient nor a simple construct. Juliet (of the Romeo and Juliet fame) was but fourteen. Mary (the mother of Jesus) often is said to have been between thirteen and fifteen when Jesus was born. The Catholic religion sets seven as the

age of reason (the age when a person is morally responsible). Nations differ on setting the age at which a person is legally responsible for criminal behavior. Children entering the workforce around the world between the age of seven and fifteen is now common (218,000,000 children between seven and fifteen years of age work each day).

Historically, children in America began to work for a living as soon as they could be productive, often at the age of four. Even today between 400,000 and 500,000 children work in agriculture in America (Few states have inspectors who exclusively enforce child labor laws in America. New York State has none. Florida has six. New Mexico has one). Sweatshops around the world provide soccer balls, clothing, and a variety of commodities made by children who work from ten to sixteen or more hours each day. New York State law does not allow a male under fourteen or a female under thirteen to marry. International estimates state that around 100,000,000 children are married before the age of eighteen. These children have no childhood; yet, “childhood” seems to be defined by social condition and circumstances.

Art and literature until the 20th century depicted children as small adults. A brief glance at Greek, Roman, and other art from their respective eras shows little, aside from height, to distinguish children from adults. The same is true of the use of children in labor. Mining, fisheries, factory work, chimney sweeps, and other occupations saw children as cheap labor. If they died, they were easily replaced, and they were. Their vulnerability to disease and injury is obvious. Child welfare practice that avoids this issue of just who children are and what their value is avoids protecting children and ignores culpability for encouraging the destructive experiences of childhood.

Many forget that the reality of a large middle-class in America did not occur until after World War II, with the results of the GI Bill and active employment in that post-war period. More seem to forget that childhood, as a recognized developmental stage in society with general social responsibility, is relatively not much older than this. Ignoring this at any level of skilled practice results in a lack of understanding of the context in which child abuse, neglect, and exploitation occur. Child welfare intervention without adequate knowledge of history always results in inadequate services.

The international legal definition of a child set by the UN Convention on the Rights of the Child in 1989 is a person under the age of eighteen. Obviously, this becomes less clear in particulars and practicalities. Once we decide who is a child, we grapple with various issues that become the responsibility of the child welfare worker. (Hutchings, 2007; UNICEF, 2013)

This text is a critical approach to a tragedy of destroyed childhood in America that denies children opportunity and protection, with a charade of “professional services”. What society provides is often as destructive as the reasons given for coercive state intervention. American society defines who is a child, what acceptable childcare is, what the role of society (government) is in regulating this care, and what is done to intervene when the standards are violated. The type and quality of this intervention is usually intrusive and coercive; thus, the need to be sure of what one does and how it is done. Confidence both in mission and process often are lacking.

This takes place in a nation with no family policy, no child welfare policy, and a refusal even to ratify the UN Convention on the Rights of the Child (along with only Somalia in the global community). The lack of national policies is a scandal that permits a separate justice for children in various states and localities; the disgraceful growth of child poverty; and the ability of fifty states inconsistently to define children's problems, provide services, and treating children as property (as is seen in child custody matters). When no national comprehensive policy exists, the government does not need to adhere to goals and process. Children, then, are as expendable to the government as they historically have been to capitalist employers.

Politicians might hug children during election campaigns, but they often push their needs aside once elected. Budget cuts have been freely applied to child nutrition programs, immunization programs, medical services for poor and marginal income families, education programs, subsidized adoption programs, and a host of other programs that serve children who cannot vote, do not pay taxes, and pose little threat to politicians. This also allows the government to ignore the needs of children victimized by wars waged by America. Children who might survive our bombs and those of other factions who engage us in combat crawl from the rubble, lie next to their parents' corpses, and silently disappear. Their ghosts are haunting. (Sealand, 2003; Golden, 1997; Specht, 1994)

The failure to ratify the UN Convention on the Rights of the Child provides the United States the dubious distinction to be the only developed nation to deal irrationally with children by ignoring their human rights, under the guise of preserving our federal form of government. This Convention is the only international agreement solely dedicated to recognizing children as human beings with special needs and deserving unique protections. Some view this Convention as preserving family autonomy. Others see it as the perversion of the purpose of families and social responsibility. Regardless of one's stand on this international convention, as it stands in America today, children's human rights are not recognized consistently. Adults have certain inalienable rights. Children have the rights granted to them by adults, and these rights are ephemeral. Children's rights are usually framed as privileges that actually are lines in a government budget subject to other political realities of the moment.

This text is intended for those willing to work both in and outside the child welfare system. Their task is to work toward ameliorating the condition of childhood in America and abroad. Undergraduate and graduate social work students preparing for child welfare practice, as well as other involved persons, should benefit from approaching the issues explored. There are no answers to the issues raised; however, there are suggested approaches – all within the context of advocacy; social change; actual practice in child welfare with children and families; and an informed citizenry on the micro, mezzo, and macro levels.

Imagine a textbook that claims to raise questions and to explore issues and practice while it claims no truth. It offers practical suggestions in the context of both what has worked and what has not. This difference is based on the belief that informed persons can develop unique skills and knowledge; based on values found in social justice and the principles of social work, economic justice, and that presented by the UN Universal Declaration of Human Rights that will improve the lives of children, families, and society. This introduces an approach based on a philosophical perspective that society will deliver productive services to children only when the repressive structures of that society are changed. This proposes a radical approach to services. I suggest that the child welfare worker is the person able to make collaborative changes in the lives of children and families, as well as in society in general. (Reisch & Andrews, 2001; Specht, 1994)

Advocacy is a skill taught in social work and human services' curricula but with insufficient focus and certainly without the personally risky centrality the profession assigned to it historically. This book has the goal of providing the tools, including speaking out with clients in a refusal to accept the deteriorating status-quo necessary to help those potentially and actually served by child welfare. It might even ensure the firing of child welfare caseworkers and advocates by a system badly in need of revolution. The text advises taking on the system. Any other approach relegates children to a position of chattel, in fact, things of little value.

This is a text with a difference. It raises important questions about why, what, and how we do what we do. It is presented with the hope that child welfare workers might actually help children and families. They may do this by offering a different and effective service, in a manner that accomplishes what the traditional child welfare system claims to offer but rarely does. This includes an opportunity to experience a healthy childhood, the strengthening of families, and establishing a social context in which people might be served with an understanding of the challenges they face. It suggests effective help in resolving actual personal and social problems. It demands that child welfare workers re-frame themselves both personally and professionally in order to be effective. A child welfare worker is a child welfare worker. Effectiveness requires that these workers assume responsibility for the children and families they serve and also for the system that employs them. This requires a certain reality. The National Commission on Children observed in 1991:

If the nation had deliberately designed a system that would frustrate the professionals who staff it, anger the public who finance it, and abandon the children who depend on it, it could not have done a better job than the present child welfare system. (National Commission on Children, 1991)

The text design provides the reader a philosophical foundation, historical contexts, and relevant skills to provide services on behalf of children, both within and outside child welfare services.

It is important to understand that child welfare practice is political. It is questionable ethically to provide services to children and their families that assist them merely to cope with economic and social oppression. It also is ineffective. It is questionable ethically to ignore the immediate needs of those in distress while addressing economic and social oppression. The skills to address both needs are the same. Implementation might seem complicated. It is not. This text addresses this historical polarity.

The current fashion in baccalaureate social work education is the focus on generalist social work practice. Unfortunately, many graduate programs still provide concentrations on the profession's specializations. This seems to pander to a self-definition of social work practice that is more concerned with the profession than with those we serve. It does clarify the radical social work condemnation of professionalization. It is needless. Child welfare services may serve those in need with individual, family, and community assistance while it works toward social change in decreasing power differentiation and structural exploitation. I suggest it must do all of this. (Johnson & Yanca, 2010; Walsh, 2009; Miley, 2012).

The text is divided into two parts:

Part One – This examines a radical approach to quality practice and a variety of interventions with relevant implications to incorporate into practice on behalf of children. The historical context presented here is important in order to avoid reinventing the wheel

(which child welfare does every few years) and to waste important resources (which child welfare does daily). Historical roots and theoretical frameworks are examined in a manner that provides the reader with the challenge of developing and using critical thinking skills. There is an emphasis placed on cultural and economic diversity, the use of relationship on all levels of intervention, and the role of ethics and values in providing services.

There may be a bit of sarcasm perceived by the reader in the description of ethics and values since the child welfare system is composed of both public and private agencies that oppress as often as they liberate, always under the guise of protecting, saving, and assisting the child to self-actualize. Some reflect public fashion; some religious doctrine.

Whether public or private, bureaucracies first serve bureaucracies. They even make a case with convoluted logic to justify this. If the cart is children in need and the horse is the child welfare bureaucracy, the horse seems to be pulling the horse. This reality of practice presents one theme throughout the text. There are others. The reality of practice, however, should take into account that child welfare has a history of inadequacy. Just look at one typical year.

The year 2007 was a typical year for child welfare in America. In some ways, it was a better year than most, but it included:

- The Iowa Supreme Court ordered the reform of the child welfare system because of inadequate efforts to find permanent placements for children removed from their parents' care. (The Iowa Supreme Court, 2007)
- The Los Angeles County prosecutors audited the Department of Children and Family after finding that donated tickets for foster children to attend holiday events were actually used by child welfare caseworkers and their own families. (Franklin, 2010)
- The Florida Department of Children and Families ended a three-year service to provide child welfare in that state by the YMCA that had been selected to provide child welfare services when it was decided the state was too incompetent to do so. The change back to the state came when even the YMCA admitted it was incompetent to continue doing so. (Department of Children and Family Services, 2010).
- A statewide study of child welfare in Kentucky was released that found major efforts to revise the system had resulted in the state being downgraded to rank 40th in the nation by Kids Count. Placements, it concluded, merely placed far more black children in care than white children. The same reasons given for placement resulted in discriminatory outcomes. (IRP Poverty Dispatch, 2010)

- The children won a federal class action lawsuit brought on behalf of 3,500 abused children against Mississippi. The lawsuit filed in 2004 resulted in the court ordering in 2007 that because the entire child welfare system was incompetent, it must be totally revamped. (Children's Rights, 2007)
- The Director of the Oklahoma Department of Human Services decided to revise regulatory rules for childcare homes when the media pointed out that child abusers and pedophiles were living in the day care homes since there were no prohibitions against this. He noted this was a "minor weakness" in the system. (Oklahoma Department of Human Services, 2007).
- After twenty years of New York City's major commitment of resources to improve the quality of services for black and Latino children resulted in placing nine child welfare agencies in the city on notice they would be closed because of incompetent services that resulted in child deaths and lost children. The first agency, St. Christopher's Inc., lost its contracts with the city when it was discovered caseworkers had fabricated records, forged signatures, and performed poorly. St. Christopher's was held out as the best child welfare agency in the state when the renewal of commitment to child welfare began. The agency director's salary was increased to \$300,000 a year. The time children stayed in foster care doubled. Child advocates with no college education did the work of professionals for \$200.00 a week, and the results included missing children, dead children, and actual chaos in agency offices with screaming and protesting

parents. The child advocates admitted they had little idea about how to do what they were assigned to do. (Kaufman, 2007)

- The Maryland Department of Human Resources was served with a contempt petition with allegations children were kept in state offices, caseworkers failed to provide children in care with health and dental care, and children were placed by the hundreds in group facilities as a first choice, rather than strengthening families. (CWLA, 2007).
- The Massachusetts House of Representatives passed a bill to overhaul the state child welfare system, once again, after past overhauls resulted in a high profile death of a thirteen-year-old girl and frequent inadequate services (The Center for Public Integrity, 2013).
- The needless deaths of a four-year old and a five-year old in Arizona resulted in the state legislature taking action to revamp the state child welfare system (Benson & Crawford, 2007).
- When Nevada's Division of Child and Family Services was cited for not meeting five of six federal standards for service, the state merely cut \$1.4 million dollars more from its budget, ensuring totally inadequate services (Damon, 2007).

- The director for Oregon’s child welfare system resigned after it became public that staff were not seeing children in foster care and that reports of abuse were being ignored by the state (Cole, 2007).

Six years after these horrors of incompetency surfaced, a cursory look at the child welfare system included, in 2013:

- A report from the New York Times, that in South Carolina, “The state has already begun a legislative audit of the child protective division of the State Department of Social Services, ordered by lawmakers after reports surfaced that children in state care had been starved to death, were not getting proper medical care or, in at least one case, were placed back into a home where the child suffered more sexual abuse.” (Severson, 2013)
- Children’s Rights found that thirty-five percent of reports of child abuse or neglect were not responded to in the mandated time period. (Children’s Rights, 2013)
- Parents who were homeless frequently faced being turned away by homeless shelters because of the lack of beds. They were advised that child protective services would place the children in foster care if their families were homeless. The District of Columbia was willing to spend ten times the cost for foster care than for subsidized housing or increases in public assistance. (Gowen, 2012)
- Over fifty-percent of the children in South Dakota foster care are Native Americans in white foster homes. When a number of these children alleged sexual abuse by their foster parents, the Department of Criminal Investigation pressured the children to retract their allegations, further evidence of the marginalization of these struggling children. (Kawana, 2013)
- Numerous child welfare scandals in California, Florida, and Tennessee in 2013 resulted in court intervention, resignations of administrators, and state legislatures requiring audits and legislative actions to change child welfare

practices that have resulted in children dying and wasteful spending. (New York Times, 2013).

- The Illinois Department of Children and Family Services administrator resigned after it was found his administration fraudulently spent millions of dollars for services not delivered to children. He, then, was hired to become the chief consultant to Nebraska's Department of Health and Human Services. (Winter, 2013)

Allowing for the argument to be made that these incidents do not account for the lives saved and the positive results of agencies' and workers' efforts, these incidents actually describe a widespread misuse of child welfare.

Better practitioners enter practice with their eyes open to these fundamental issues rather than entering the child welfare arena with a presumption they will become a Mother Theresa within a system of agencies staffed by other Mother Theresas. The naiveté is shattered when it is discovered that the system is not focused exclusively on the welfare of children at all and the child welfare worker realizes that the worker must be willing to take the risk of challenging what has been done that has not worked. The frustration is that what has not worked before is often repeated, sometimes with a new theoretical label.

The role of funding (money) and public image (political propaganda) are often more important than children's tears. The reference to Mother Theresa, therefore, is appropriate. Her public image was that of a saint who cared for the poor. She said that poverty is a gift from God. She stated in 1981, "I think it is very beautiful for the poor to

accept their lot, to share it with the passion of Christ. I think the world is being much helped by the suffering of the poor people.” She was not one who supported social justice. Duvalier, the evil dictator of Haiti whom she praised, funded her, and Charles Keating, the arch-felon of America’s banking system did the same. Her opening of five hundred convents for the members of her religious order around the world did little for the decrepit location in Calcutta that she founded and never improved. Her religious order, by the way, has always refused to submit to an audit. It is noteworthy that she received her own medical care in affluent clinics in America, cavorted with the rich and well connected, condemned abortion as the greatest threat to world peace, and damned divorce as a tool of the devil while she encouraged the divorce plans of her affluent friends. It is just that the image sometimes conflicts with reality. Child welfare is like that. (Akande, 2013; Sinha, 2013).

This text attempts to help the practitioner approach their responsibilities in changing these variables. It does so with some seeming contradictions. Radical social workers see many of the problems dealt with in child welfare as social structural issues and envision the improvement of individual lives as dependent upon social change in structural terms. I agree. I also realize that the pain of the abusing parent and the abused child need to be addressed at the same time that social inequality and inequity, the fundamental cause, is addressed. This contradiction runs through each of the chapters, is acknowledged, and is seen as unavoidable.

David Gil and Florence Lieberman debated the proper approach to assist abused children. This presentation at SUNY Brockport in the 1980s saw Gil suggesting closing the entire child protection system in America and using the funding to create jobs and decreasing economic stress that result in abuse. Lieberman spoke of improving casework skills in addressing family psychosocial problems that result in child abuse. Their disagreement was controversial. This text sees both as not only relevant to effective child welfare services but also as complementary and necessary. One without the other strikes me as regressive and reactionary, to the neglect of the basic values inherent in each perspective. It makes sense to teach the hungry to fish so they might avoid hunger in the future; however, giving them a fish while structural change occurs avoids them dying in the process.

Part Two - This section of the text approaches knowledge and skill development with the application of values for specific areas of child welfare services: Foster care, adoption, child abuse and neglect, prevention, child trafficking and exploitation, child poverty, child refugees and migration, juvenile legal and custody issues.

Each of these areas of service has common issues and needs as well as unique issues and needs. That learned in Part One will be explored, with knowledge and skills particular to each specific service. A liberal use of case examples is included.

Each chapter provides a historical context for specific services. This is a natural foundation when it is related to a philosophical perspective that both presents a view for understanding and a focus for intervention with necessary strategy and tactics for change. We learn about the present from the past. This learning takes on understanding within a philosophical framework. This understanding leads to change. Merely intervening without this rational approach creates either chaos in the lives of children or, at best, the illusion of help.

The legal sanctions that provide for existing services are explored. Interviewing, record keeping, assessment approaches, differentiation between need and problem, and a general context of understanding of each avenue of service are examined with a view toward providing quality services, improving services, and discovering alternatives to that which is done and does not work. This, again, requires concurrent intervention on a variety of levels, a certain lack of specialization. In fact, the trend in child welfare has been toward specialization in agencies. No wonder effective change from child welfare intervention is questionable.

Finally, an extensive bibliography to present opportunities for further learning and research is provided. This includes web sites useful in becoming involved in activist and advocacy organizations both in America and abroad.

PART ONE

Chapter One: Child Welfare in the Context of Radical Change and Reactionary Control

The radical approach to child welfare practice might be understood through the practice of social workers, especially those who pioneered child welfare practice. Few identified themselves as social workers, but they were. They were not all radical, either, in their philosophy or in their practice. It is worth noting that they dedicated their lives to their service, rather than dedicating eight-hours a day during a workweek. It also is important to note that they focused on not only the immediate needs of children and families but also on community, national, and international problems. Each maintained a concentration on the needs of children and their social context, rather than the needs of a bureaucracy or regulations. The latter were seen as necessary inconveniences, except when they facilitated aid to children. They were not all supportive of structural change in America, but they did recognize parts of the existing political and economic structures that were oppressive. Some preferred to cooperate with oppressive forces. They thought this a series of effective compromises. One might conclude that if they were medical doctors, they worked with the belief that cooperation with cancer might make the disease benevolent or, at least, manageable. Some were in favor of structural change and the destruction or the revision of social and political systems that, by their nature, enslaved people, especially children. They, however, did implement a focus of their efforts to

change the rules when the rules worked against effective services. They also represent the historical era in which they practiced. None were saints, and it is useful to consider their strengths and their limitations. They have a mixed record.

Jane Addams

Social workers often are described as change agents. Their roles since Jane Addams, the mother of social work who did not want to be described as a social worker, have included a fundamental commitment to social change, with a particular focus on assisting persons exploited, marginalized, and oppressed. Addams, born in 1860, won the Nobel Peace Prize a few years before her death in 1935 for her anti-war activities. She was labeled a socialist because of her work to include the disadvantaged in a redistribution of wealth. She was labeled a communist (a bad word to reactionary conservative political figures and their supporters) because of her association with those who engaged efforts to change fundamentally an American capitalist society in a manner that would end the exploitation of the proletariat. In a nation founded primarily by businessmen with the goal of making and keeping money, her social justice and human rights advocacy and her opposition to child labor resulted in vitriolic attacks by many who despised her and saw her as a threat. (Stanley, 1973)

Her Quaker roots and her opposition to World War I (in fact, all wars) resulted in many who questioned her loyalty and patriotism. Some see support for war as patriotic. The slaughter of soldiers and innocent civilians is interpreted by some as a good thing and

working to avoid conflict and to end armed struggle as a bad thing. It is obvious that she would have opposed World War II, the Korean War, the Vietnam War, the Afghanistan War, and the two invasions of Iraq. It is worth noting that at the beginning of the 20th century, 10% of the victims in wars were civilians. In today's wars, 90% of the casualties are civilians. More than half are children. (Peace, 2013). The American military has developed a computer program that estimates civilian casualties in any military attack. The program is called "Bugsplat" and generates pictures of "squashed insects" for killed innocents. (Graham, 2003). One cannot ignore this madness if one is to engage child welfare practice in a manner that will improve childhood in both America and elsewhere.

Addams saw peace as an avenue of growth and war as a venue of death. Her humanitarian efforts would have been hypocritical to think otherwise. Addams was no hypocrite. Those who are child welfare practitioners cannot excuse ignoring this issue; although, there are some, as we will see, who practice with more of a focus on fulfilling task-specific regulations, completing assigned paperwork, and ignoring the welfare of children, especially children not in the practitioner's agency's mandate or neighborhood. Far too many disregard the needs of children who fail to fit the worker's job description.

She, however, was seen by many as a change agent whose efforts provided a national conscience; methods of direct service, advocacy, community organization, national and international policy formulation and implementation; and tireless political activities. She established Hull House in Chicago after visiting a settlement house in London (Toynbee

Hall) to meet the needs of immigrants and others disenfranchised by capitalist American society. She opposed nationalism and the effects national borders too often caused.

Addams saw the needs of people met by what might now be referred to as generalist social work. She referred to this as “active sociology”. Her approach might be seen as an integration of various levels of social work practice based on what Addams saw as pragmatism, advancing people’s status, applied feminism, and social change that both challenges social institutions and structural rigidity as well as that which prefers the betterment of a few at the expense of others.

Her efforts were applied philosophy and sociology. She lived at Hull House with her life partner Mary Rozet Smith and with those she served. She never fled to the hallowed halls of academia or the suburbs. It was not sufficient to talk about meaning and purpose. It also was not enough to act without thinking. She practiced theory and philosophy, an approach she saw as intrinsically important for those involved in advancing social justice. It is useful to require those who teach to continue practicing what they teach.

Addams had a particular concern for the plight of children. (Schugurensky, 2007). Child labor was not only the exploitation of children for the profit of a few; it also included the types of employment imposed on youth. These included prostitution, factory work, and a variety of other occupations that were unhealthy and dangerous. The wealth of the rich was built on the cheap labor and both disposable and easily replaced laborers, i.e.

children. Children made others wealthy. When they cost others their profit or created a perceived inconvenience, children were discarded. Not much has changed.

Understanding Jane Addams is of value in understanding the birth of the profession of social work. More importantly, it is imperative to use an understanding of why she did what she did and how it was effective. This makes Addams relevant to current child welfare practice. She understood the interweaving of causation and the need for multiple approaches in dealing with relevant issues. Her speech to New York Probation Association in 1911, as reported in a New York Times article, more than illustrated this. She was speaking about delinquent girls when she observed, “If we realized the lure of the city, said Miss Addams, in conclusion, ‘the zeitgeist which stalks abroad, we would have tenderer feelings for the girl and not be so indignant with her as against the social order.....back of the wayward child was the delinquent parent and back of the delinquent parent the delinquent community.’” (Addams, 1912).

In many ways, Addams both represented and rebelled against her era. She was well educated and seemed to have inherited a fair amount of money. She began her work in Chicago after seeing settlement houses in England on which she modeled her efforts with Hull House, which actually was more of a campus that provided a variety of services and served as the launching pad for her challenges to quite powerful politicians of her time. She also developed her initial work in Chicago to national and ultimately to international efforts. She insisted that those who would help should live with those they would help.

She lived in Hull House. It seems she understood that doing things for people had certain limitations and that doing things with people was much more productive.

Addams espoused a philosophy of participatory pragmatism, and there is debate about whether she influenced John Dewey or was influenced by him. (Leffers, 1993). At any rate, Addams supportively wrote about lateral progress in society (a concept of democratic socialism), was clearly a feminist, and frequently attacked concepts of the poor as being responsible for their own plight as being dangerous and erroneous blaming the victim.

Addams' approach to helping the poor was reflected in the settlement house movement and her related activities.

Mary Richmond

Mary Richmond was Addams' contemporary and developed from her experience with one of the Charity Organization Societies the concept of social work as casework, providing services to individuals and families in a structured manner not totally alien from that used in medicine. Many have framed the difference between Addams and Richmond as being the focus of philosophical difference. Richmond saw the poor person in the context of their social environment but responsible for their own functioning; therefore, the poor person was assisted to cope with social oppression and, hopefully, to move beyond it. Addams espoused a more macro-oriented approach to change, based on

her philosophical foundations. Richmond practiced in the shadow of Addams but worked toward professionalizing social work, rather than training through apprenticing. Her work led to what became the Columbia School of Social Work. The national organization for social workers, the National Conference of Charities and Corrections (later the National Conference of Social Work and still later the National Association of Social Workers), changed leadership from Addams to Richmond in 1898.

This began the movement from a sociological emphasis (Addams) to a psychological emphasis (Richmond). Addams seemed prophetic in her lack of support for professional schools of social work. She saw this as changing the profession from advancing social change to a profession that adopted a medical framework. This difference is reflected in the social workers of the era who saw Addams' anti-war activities as being unpatriotic. I suppose they might have applied casework techniques to Addams in an effort to help her decrease her stress and oppositional behavior. (Haynes, 1998; Gettleman, 2006; Lorain County, 2007)

Charles Loring Brace

The middle 1800s saw an effort to rescue children from the onset and damaging effects of the Industrial Revolution in places like New York City. At the age of twenty-seven, Charles Loring Brace, a Protestant minister who had graduated from Yale and the Union Theological Seminary, founded the Children's Aid Society (CAS) in 1853. This began because of his work among the poor and his outrage over the conditions of children living

with parents whom he thought abused and neglected them. He also was concerned with the plight of the tens of thousands of street children in New York. He saw the orphanages and institutional care provided these children as dangerous and destructive and saw hope for these children if they were raised in families capable of meeting their needs.

Brace began the “orphan train” movement that took children from what he described as the deplorable conditions they faced in New York City and transported them to rural areas to be placed with people he considered good Christian parents. Most lived without further exploitation. Children’s Aid Society implemented an evaluation of the orphan train program in 1910 and concluded that 87% of the placements were successful. These children could leave placements if they wished. The presumption was there was somewhere for them to go, a curious response to the reality that faced these children. Many were adopted. Most were not. The program continued for more than seventy years. It became the model for foster care and adoption programs not merely through CAS but also through a variety of public and private child welfare agencies across the nation. Children were removed from unacceptable conditions and placed with foster families and adoptive families in settings in which they would be treated as full family members. Those who were not adopted, however, did not assume the same legal status as biological children in families.

Some saw this as cheap child labor for farmers, and they opposed the orphan train movement. Sibling groups were usually divided, often having one child from a family

placed and the others left at home. The majority of the children came from New York City and Boston. Most were placed in the Midwest. Few knew the particular circumstances from which they came.

Brace endeavored to save the “Street Arabs” or “Street Rats”, children whose nomadic street life resulted in prostitution, disease, abuse, and often death. He was a believer in Social Darwinism but emphasized nurture over nature. His firm belief in moral philosophy saw the situation in which thousands of hopeless children found themselves would result in the deterioration of society.

He was a product of his time. None of those who were placed in the orphan train movement were black. Many (some say most) were Catholic or Jewish but were placed in Protestant homes. His anti-Catholicism and his denigration of the Jewish population were no secrets; although, to note this today about Brace risks social work heresy. His anti-Semitic orphan train practices were no secret. His exclusion of black children, however, was not a complete denial of services. He assisted some with food and assistance through an orphanage in New York City, used exclusively to help black orphans. It could be called separate and unequal. Keep in mind that the entire orphan train movement was a reaction against what he saw as the oppression and poor treatment of children in orphanages and institutions, as well as the children of immigrant families.

In the end, orphan trains placed about 200,000 children. Other organizations began to use this vehicle of service; both in America, Canada, Great Britain, and elsewhere.

Catholics began their own use of orphan trains because of Brace being unwilling to place Catholic children in Catholic families. It was a method of preserving the children's faith. Jewish charities similarly developed to help their children.

Brace interpreted the predicament in which children found themselves in the late 1800s within the context of his time, including its racism and religious intolerance. His sincerity was founded on his Methodist missionary zeal. That, in and of itself, did not totally minimize the importance of what he did.

He saw the family as the principle vehicle to meet children's needs, and he met these needs in a manner that provided what he and his supporters deemed desirable. He provided services for people according to standards he and his associates established and in a manner he thought correct.

He took children from the slums of New York and placed them with white Protestant families in rural areas. Their biological families did not know where the children had gone. They initially did not know that their children would be deprived of their religion if they were Catholic or Jewish. Jesus was on Brace's side; at least, a white Protestant Jesus who thought poverty, especially poor immigrant status at the time, would justify children being removed from their families. About 50% of the orphan train children were not orphans at all. Catholic parents feared Brace and the CAS staff and viewed their visits to neighborhoods as raids that, when finished, would see fewer children than before. The poor, however, also feared others whose stated purpose was to help children.

Brace's Children's Aid Society worked diligently to place children in foster homes during a time that another agency, the Society for the Prevention of Cruelty to Children (SPCC), was founded by Eldridge Gerry, a politically influential and affluent attorney in New York City. He agreed with Brace that poor parents should not raise children. He disagreed on the alternative and advanced the placement of children into institutions. Brace and Gerry disagreed, but most of those who worked on behalf of children and the poor at the time also disagreed on approaches to service.

Brace engaged a variety of services to assist poor and exploited children, usually focusing on the symptoms of a growth of killing labor exploitation. As an example, he was active in establishing a cheap hotel for newsboys, a significant population among New York City youth in the late 1800s. Related medical care, food, and clothing were provided. The newsboys and people like Brace usually pooled money for the children's funerals. Brace gave sermons at these sad events.

Brace spoke out clearly with a concern for juvenile delinquency and attributed much of this to the separation of immigrant families from their old world cultures and some inherent culturally driven character traits. Pick pocketing greed by Jewish boys, he noted, might be attributed to their zeal for wealth and an attention to devious detail. He called such children a "dangerous class" in America. He indeed was an anti-Semite.

He acquiesced to the need for funding from sources that never would have supported his work if he included non-white children. In other words, his development of child welfare services threatened neither the social nor the economic structure of society and generally avoided the efforts of other social reformers that he thought would have threatened the process of services that he began and his son continued after his death. His failure to screen properly families who accepted the children he placed and to follow-up on these placements, however, did create public concern. Massachusetts and a number of other states implemented adoption laws, as a direct result of Brace's careless, purposeful, and controversial efforts. However, he expanded CAS services, to include education and other services for children and families.

Children's Aid Society continues to provide foster care and associated services for abused, neglected, and at risk children. There no longer is the faith-based orientation that included and excluded children from services and mapped out a child's future, based on theological as much as social need. It should be noted, however, that the 21st century is seeing a rapid development of such services again, reminiscent of Brace's efforts but without the train. (Hacsi, 1998; Haynes, 1998)

Faith-based child welfare services often define and deliver services, based on the religious sponsor of the agency. They, like Brace in the orphan train movement, never question the validity of imposing their beliefs on others. After all, they believe they have the truth. Sharing this truth is seen as benevolent or even required. Yet, Brace, a prolific writer, warned that sectarian and religiously based services in child welfare should be

avoided in the future if the needs of children and society would be nobly served. This conclusion is not merely self-critical, it is prophetic. Sometimes the issues never change and the solutions seem to retain the same contentious issues. (O'Connor, 2001) This is reflected clearly in the work of Charles Loring Brace and his effort to help children survive and cope with the structural political, economic, and social oppression of the powerless and poor. His was not an effort to change these oppressive structures in society, nor did he waiver in his scorn for the poor. His efforts may be seen by some as saving children and helping them to become what he termed "good citizens". His work was different from Addams. She attempted to meet immediate needs as well as to change that in society that resulted in oppression. She admired the poor and generally did not blame them for their condition.

Florence Kelley

Florence Kelley was born in 1859. She was a well-connected daughter of a Congressional representative. She studied at Cornell University and the University of Zurich. She, like many of the early social reformers of her era, tackled controversial issues that negatively affected poor children. She not only was an active socialist, but she even translated Friedrich Engel's The Conditions of the Working Class in England for publication in America. Kelley moved to Hull House. While she was a contemporary of Jane Addams, Kelley was a Marxist. Addams was not.

Her active advocacy for children and others exploited by factory work resulted in the Illinois governor appointing her the chief factory inspector. Two years later, in 1894, she was instrumental in having the state legislature pass child labor legislation. The Illinois Association of Manufacturers was successful in having the legislation repealed the following year.

Five years earlier, she had joined the Socialist Labor Party and was active in incorporating Marxist principles into the movement. This added fuel to her social reform-minded fire. The flames fanned her principled personality, having been described by Frances Perkins as, “Explosive, hot-tempered, determined, she was no gentle saint. She was a smoking volcano that at any moment would burst into flames.” (Berg, 1989; Spartacus Educational, 2013)

Kelley integrated her fury over the inhumane treatment of children in a bustling capitalist economy with her belief that people should be able to determine their own fate within the context of mutual dependency and social justice. Her anger with the rampant neglect of children’s needs in an abusive society was built on her observations of the victims of corporate greed, a development shared by many in child welfare efforts. She saw children working in dangerous glass factories and other settings in which their labor made the owners of production rich. Her belief that workers should control the means of production and should share based on their contributions while being treated humanely is still a controversial idea and, in the minds of some, un-American.

The American Association of Manufacturers, their supporters among politicians (many of them corrupt or, at the very least, tools of those who funded election campaigns), and those who saw their economic and financial stability at risk with what were seen as foreign and radical ideologies, readily condemned her work. Kelley, however, dismissed the judgmental but well-meaning work of reformers like Brace and the lack of a socialist philosophical foundation by others during the social reform era of the late 1880s and early 1900s. Some saw her as polarizing. Others viewed her merely as being philosophically honest. (Spartacus Educational, 2013)

Julia Lathrop

Few early social workers could claim the accomplishments of Julia Lathrop. Born in 1858, her father William Lathrop helped found the Republican Party in Illinois and was an active abolitionist. He was born in LeRoy, New York, and attended the Brockport Collegiate Institute, now The College at Brockport/SUNY. He studied law in Attica, New York, and moved to Illinois to practice. He was elected to the House of Representatives after active involvement in the Illinois legislature. Her mother Sarah Adeline Potter was a well-known suffragette who graduated from Rockford Female Seminary (now Rockford College). Julia Lathrop began studies there and eventually transferred to Vassar College and graduated. She participated in her father's law practice for a period but moved into Hull House after hearing a lecture by Jane Addams at Rockford in 1890. For the next twenty-two years, she lived at Hull House and became the

first member of that group of reformers to hold an appointed political position, largely because of her own talents and her father's influence.

Lathrop was appointed by the governor to the Illinois Board of Charities and worked to end housing together the sick, aged, disabled, and mentally ill in institutions. Her efforts led to placements and services in separate services for these persons. She began the first juvenile court in an effort to end the criminal treatment of children as adults. Her efforts also resulted in establishing a psychiatric clinic for children, as a service of that court.

In 1912, Lathrop was appointed the chief of the Children's Bureau by President Taft and moved to Washington, DC. She spent the next ten years working closely with Grace Abbott at the Children's Bureau (being reappointed by Presidents Wilson and Harding) to improve child nutrition, decrease infant mortality, protect children in the labor force, and improve the treatment of both mentally ill and juvenile delinquent children. She tackled a variety of social issues and was instrumental in helping to pass Federal legislation, the Sheppard-Towner Act of 1921, which provided money for states to use to assist mothers and children with health care, to conduct relevant research, to ensure assistance to decrease infant mortality, and to provide prenatal training for professionals who would work with disenfranchised families. The American Medical Association (AMA) viciously publicized their opinion that her work in using tax money to provide medical care proved she was a socialist and a communist, bent on destroying America. She was not alone in being singled out for these charges. (Siefert, 1983)

Those connected with the Children's Bureau were attacked as being un-American and in favor of the government replacing the family in a totalitarian manner. (Xenophobic neo-conservatives and paranoid fundamentalist Christian groups often use this strange, tortured logic today as a reason to oppose the UN Convention on the Rights of the Child, child protection legislation, etc. These groups have historically seen "human rights" only an acceptable effort when employed to justify using military and economic power to impose their will on others, an odd misapplication of the concept.) The private medical industry labeled all who had leading roles in these reforms as a threat to the country. This attack by the AMA was successful, and the Sheppard-Towner Act was not renewed. It ended in 1928, ignoring the fact that this legislation had resulted in services that decreased infant mortality by 45%. The AMA was not concerned with a decrease in infant mortality if this was accomplished by government medical care and programming that threatened their profits.

In 1922, she returned to Rockville and lived with her sister while working diligently to end capital punishment for children and for a host of other social reform issues. She was an important but reluctant member of the Child Welfare Committee of the League of Nations from 1925 until the year before her death in 1932. Even though the United States never joined the League of Nations (predecessor to the United Nations), Lathrop saw value in sharing views, reform efforts, and efforts with other nations and reformers from Europe. In 1927, the Daughters of the American Revolution (DAR) saw Lathrop as dangerous and subversive, an "Internationalist, Feminist, Socialist, and Pacifist".

Lathrop, unlike her friend and colleague Florence Kelley was neither a socialist nor a communist. She, however, thought that her efforts on behalf of children would be frustrated until the problem of poverty could be resolved. She wanted to reform capitalism, much like Addams, and she was part of a movement that saw the important role of government in assisting the poor, particularly children, and the need to regulate conditions that endangered marginalized populations. She clearly understood the oppressive role capitalist corporate structures played in controlling politics and the nation. She was direct in acknowledging that this control ensured the subservient role of the working class and the poor, as well as the difficulty this contributed in attempts to assist children through child welfare efforts.

Louisa Lee Schuyler

Louisa Lee Schuyler was born the great grandchild of General Phillip Schuyler of the Revolutionary War, a rich and politically important figure in New York State both before and after Independence. She also was the great grandchild of Alexander Hamilton, who served George Washington during the Revolution and became the first Secretary of the Treasury. She was born in 1837, and until she was twenty-three, she lived a privileged and rather protected life. Her parents were involved in various efforts to help the underprivileged, including financial support for Children's Aid. Because of newspapers' expose of the horrors of poor houses and other institutions, Schuyler went to look for herself. This led to her involvement in the reform movement. She also served for a time as a volunteer teacher with Children's Aid. Seeing the plight of the poor seemed to

unleash what became an enviable record of accomplishments, especially in New York State.

Schuyler joined forces with others in establishing the United States Sanitary Commission during the Civil War. This provided nursing services, field kitchens, food, sewing, and a variety of other services for the Union troops. After the war, it assisted veterans with pay that was due them and pension claims. The USSC began at the Church of All Souls, one of many progressive efforts by the Unitarian Universalist Church. Schuyler was one of the leaders whose efforts were initially derided but later praised by President Lincoln. The organization ended in 1868. Schuyler suffered a variety of physical and emotional problems resulting from her herculean efforts. She traveled in Europe and rested in order to recuperate, but this experience made a lasting impression on her.

Schuyler's concern about the poor in New York and elsewhere combined with her experiences during the Civil War with an active volunteer effort to serve the victims of a war that was a massive humanitarian disaster. She also had become well known for her activities. Her experience with volunteerism on behalf of the disadvantaged resulted in her forming committees to visit poorhouses and institutions. These became the nucleus of the New York State Charities Aid Association in 1872. (Trattner, 1965; All Souls, 2007; SCAA, 2007; New York Times, 1915)

The SCAA received the legal authority to inspect poor houses and institutions, with a view toward enforcing improvements when abuses were discovered. This led to her

efforts to assist children by working for the adoption of the Children's Act of 1875. This law removed children from poor houses, known for deplorable conditions. The year before, however, the Society for the Prevention of Cruelty to Children had been formed in New York. The Children's Act removed children from poor houses but created placements in children's institutions, inspected and required that the children be placed in institutions that represented the same religion as their parents. The poor called the SPCC "The Cruelty", and children were removed from families not merely because of abuse or neglect but also because of poverty. 1,151 such institutions were operating by 1910. It was presumed that children raised in abject poverty would become criminals or would be dangerous to others. There also was a fear that such poverty might be dangerous to the political and economic structures in society, presenting a risk of revolution.

Schuyler opposed outdoor relief (handouts to the poor in the form of direct aid) and saw this as a waste of resources. Education, job training, and employment assistance were seen as a far better approach to dealing with the problem of child and family poverty. In addition to her not trusting the poor to have the intelligence to use money they were given wisely, she was representative of many reformers who sought to lessen the marginalization of families and the victimization of children but not to threaten the economic class structure nor to reign in the corporate magnets of the time.

Society seemed to have replicated past feudalism but with corporate royalty wearing suits and living in mansions, rarely in view from the workers' tenements. Schuyler's youth was an example of a young person raised in wealth and seemingly being unaware of the

wage slavery and terrible living conditions of those who earned the wealth of her political, government, and corporate elders, until she read about the reality of society in local newspapers and went to see for herself. She was not a Hull House reformer who lived with those she served. It would appear that her parents' financial support for Children's Aid and her approach to helping the poor was well-meaning and was an effort to help those who were victims of capitalism but also served to solidify the power of capitalism over the populace. Schuyler received the first honorary doctorate from Columbia University and many other accolades from the political, corporate, educational, and social elite. The New York State Charities Aid Association continues today as the The Schuyler Center for Analysis and Advocacy,

Bertha Capen Reynolds

Bertha Capen Reynolds was born in Massachusetts in 1885. Her father died when she was seven, and she moved to Boston where her mother taught school. Reynolds received a baccalaureate degree from Smith College, with the financial support of her aunt, and a second degree from Simmons College. This second degree was in social work in 1914. She said that she wanted to be a social worker "in order to help the poor, help the Negro, and to earn a living." She returned to Smith College, after briefly working in a clinic in Boston, to complete studies in psychiatric social work in 1918. This followed five years of work at the Children's Aid Society in Boston. After graduation, she worked as a social worker at a state hospital in Massachusetts and for the Division of Mental Hygiene in helping pre-school children.

During the 1920s and 30s, Reynolds recognized the value of the Marxist paradigm for social work practice. She rejected the view that social workers worked “against a sea of human misery”, but rather, “It was not we, a handful of social workers, against a sea of human misery. It was humanity itself building dikes, and we were helping in our peculiarly useful way.” She saw practice as necessitating broadening the power of labor through unionization and incorporating Marxism in both education and practice.

Children were of particular concern. She thought the improvement of their circumstances would come through the improved economic condition of their families. Reynolds broke with early reformers who were prone to accept government approved roles and regulations through such groups as the Charities Aid Organizations but did not support direct government financial grants for the poor. Her socialist and communist view also rejected the view that the poor caused their own poverty. Her support for social work’s counseling and micro-level intervention recognized the propriety of such specializations but required the inclusion of social action, community organization, and the implementation of radical approaches to end the oppression and exploitation of those marginalized by others’ wealth and power in society.

Although Reynolds received a baccalaureate degree from Smith College and joined the faculty in 1925, she continued in practice as an advocate for labor, children, families, and social change. Her courage in teaching from a Marxist perspective and advancing the structural change in America resulted in being fired after many years at the college by Dean Everett Kimball in 1938.

Social work principles supported individual self-determination and had long supported the end of exploitation and oppression. During the 1930's and the Great Depression, many social workers supported the labor movement. After all, the profession was founded to combat poverty. Reynolds believed what she taught and in addition to adhering to socialism and Marxism, she attempted to unionize employees at Smith College. It was one thing to teach; it was quite another to take action where one taught.

After leaving Smith, Reynolds worked with the Maritime Union and briefly taught part-time at the University of Michigan. The profession purged her writings and removed her name from reading lists, in spite of her having been one of the most prolific writers of the time. Academia and social work blacklisted her. She retired in 1948. Reynolds continued to write and to provide consultation until her death in 1978. She remained a communist until her death. The Bertha Capen Reynolds Society formed in 1985 to honor not merely her name but also her dedication and contribution to radical practice. The Bertha Capen Reynolds Society changed its name to the Social Welfare Action Alliance in 1999. SWAA continues to advance structural change but not necessarily through Marxism or communism. It seems still not politically correct to adopt Reynolds' philosophical or theoretical perspective in the profession that has rapidly continued to move in the direction of psychotherapy, symptom resolution, and assisting a person to survive in an oppressive society. (NASW Foundation, 2004; Grobman, 2007)

The Founders

Addams, Brace, Kelley, Schuyler, and Reynolds represent early reformers in both the development of social work and the development of child welfare in America. They drew some of what they did from Europe and much of what they did from the era in which they practiced.

Addams arguably was the most influential, partly because of her visibility. She replicated the settlement house, based on those in London. Her work did strengthen countless families and did lead to major gains in attacking social problems. Her goals included strengthening the stability of communities and the capitalist system in America but with a view toward advocating what became the principles of social justice, peace, and an evenhanded approach to the poor.

Addams was hated by as many as loved her. She was termed by her enemies as a danger to America. This is ironic since her work focused on helping to assimilate immigrants while helping them to produce within the capitalist system, but she did expose the dark underbelly of the beast. She saw the responsibility of philanthropy and private donations to ameliorate the condition of the have-nots. (Gettleman, 2006; Haynes, 1998; Hiersteiner, 1999)

Brace was a racist who despised Roman Catholicism and blamed poverty on the poor. He struck fear into the lives of families he would fracture while he helped begin the long tradition of child welfare placing children into foster homes for the perceived betterment

of those children and the community. Issues related to Brace and his work have not gone away and are still debated by those who profess adherence to both social justice and human rights. He, too, saw poverty as a choice. His organization advanced the view that the private sector should fund charitable causes but readily accepted public dollars.

Eldridge Gerry's cause of removing children from poverty clearly had a more rabid cadre of agents who were often seen by other charities' leaders as more destructive than caring. The SPCC became known as "Gerry's Society" and his employees as a Gestapo of sorts. The argument continues.

Kelley presented views that did not blame the poor for poverty, did not reject but rather welcomed society through its government assisting children and families, and advocated for the end of capitalist exploitation and the replacing of this economic system with socialism. She was not naïve and understood the vilification she would suffer. Focusing on root causes of social pain are seen by those who contribute to this anguish as a threat to their own power and position. Why? Obviously, because it is. "When I feed the poor, they call me a saint, but when I ask why the poor are hungry, they call me a communist." (Dom Helder Camara).

Schuyler was a strong-willed individual with a social conscience who was able with others to involve politicians in New York State and elsewhere to approach poverty by listening to those who endeavored to understand the needs of the poor, but with certain limitations. She did not espouse socialism and did not immerse herself as the Hull House

leaders and workers did. She maintained her distance, did not challenge the views of Brace and his ilk, but established an institution that to this day researches, consults, and has the ear of powerful policy makers. Her efforts remained focused on symptoms, never on the causes of economic disparities.

Reynolds did not have the affluence that supported those who came before her. Her experience and the desire she had was focused on ending economic and racial oppression and the exploitation of children and families. Her profession and those who made a place for themselves professionally in academia, practice, and within the milieu of mental health and human services cast off Reynolds. She rejected capitalism and espoused communism. This controversial conversion sadly exposed the hypocrisy of many in social work and child welfare who were willing to claim a humanitarian façade while supporting the very reasons for the existence of poverty, placing children at risk, and the continuation of services that never worked and were probably never going to work.

Defining Radical Child Welfare Practice

The struggle of children to survive is experienced by everyone. We might conveniently forget, but each of us was once a child – and in some ways might still be, depending on our arrested development. The convenient memory loss is also subject to a self-orchestrated (perhaps, self-justification) revision of our personal history. Imposing on others our values and the baggage we carry from our childhood reflects not merely narcissism but also unresolved issues others should not bear.

This has professional implications for the child welfare worker, as well as the children and families served. The problem is not only the individual pathology represented by this behavior; it also is the replication of this pathology in macro terms throughout a system of laws and services developed by the larger society. Persons with unresolved personal traumatic experiences should not be child welfare workers until their pathology is resolved to the point they will not impose this on others.

Societies with irrational perspectives of children, such that those in control who deny diversity, the usefulness of class consciousness, and even the status of children as persons with human rights should not be in the position of subjugating children and families with the pretence that this is caring. It is not. People who are owned are slaves, and controlling is a form of ownership. This applies to people, regardless of age. The root causes of this oppression are at least as important as bruises and other apparent trauma.

When child welfare is approached by a narrow focus on symptoms or observable effects and this is coupled with personal history, services are little more, at best, than bandages for actual or imagined wounds of development. The wounds, then, will tend to spread a contagious psychosocial infection under the guise of healing. Even the medication of child welfare services might cause increased and chronic pain. This is not necessarily a result of the law of unintended consequences. It regrettably is purposeful.

The present child welfare system is not able in its present structure and service delivery provisions to ameliorate the condition of abused, neglected, exploited, and oppressed children in America and elsewhere. I suggest it has no intent to do so. Its purpose might be to assuage the guilt adults have about the millions of children engaged in injurious labor, painful abuse, agonizing neglect, and a tenuous condition in which they find themselves teetering on a physical and emotional precipice of hopelessness. It might be comfortable to accept the fiction that what we should do we are doing and we are doing it well. Fiction, however, it is.

Neglecting this reality ignores children's needs. A wide-variety of services, in the opinion of many, do not neglect children but, rather, spend \$23.3 billion (2004) of public funds effectively for services to children in the child welfare system. This view is illogical. There is no significant change to indicate that these funds improve the overall quality of children's lives. This figure, also, does not include any expenditure for international child welfare services. At any rate, spending lots of money does not indicate either a commitment to helping or even the probability that what is done is what is intended to be done. It merely means that billions of dollars are spent. The massive increases in educational funding in America certainly have not resulted in improving either test scores, learned scholarly skills, or high school graduation rates for students. Historical increases in health and medical care costs for Americans have not improved the health of the population. (Infant mortality rates, survival rates, and the availability of medical services in many other nations which spend less all surpass America's.) Spending less for child welfare, education, or health care will result in exacerbating

problems for children. Merely spending more will not guarantee improved services or results. It is how the money is spent that is important.

There is an urgent need to move beyond the tasks of placing children in foster care, locating adoptive parents for waiting children, investigating alleged abuse and neglect, and providing supervision to families at risk of inadequate childcare if the symptoms of inadequate care are to be both decreased and potentially replaced with quality childhood. This requires meeting immediate needs. Child welfare workers have not usually tackled causal variables. Dealing with causal variables takes a child welfare worker far beyond the traditional definition of services. It is important.

The response to children's needs is dictated by the place of children in society. If we consider all children as persons who deserve an opportunity to survive and prosper, share in relevant resources, and be recognized as the productive next generation; then, it is incumbent on society to respond rationally to what we know. The reality of what we know is subject to analysis. Some rely on common sense; yet, common sense is merely a conclusion based on one's idiosyncratic experience, more often than not a judgmental conclusion. This might be acceptable (but this is dubious) for personal decisions that do not require generalizations or actions that affect others directly or indirectly. Common sense is not common. Imposing one's own values on others is actually a form of tyranny.

It might be anathema to suggest that child welfare services are oppressive. If they are not, they liberate, resolve class oppression, and support pluralism. They see diversity not merely as difference but rather as enrichment. They promote a climate in which economic, political, and social differences decrease stress, violence, and the mistreatment of children. If not oppressive, child welfare works to end wage exploitation, a major cause (if not “the” major cause of family stress). It labors to end all forms of marginalizing discrimination. It works to create a system of government in which all people are treated as equals and in which resources are distributed “from each according to his ability and to each according to his need”, with compassion and concern for each person’s values and human rights, and with a firm commitment to social justice. This requires a focused effort to restructure society in a manner that both society and its institutions work to accomplish these ends and a society in which the causes of child abuse, neglect, and exploitation no longer exist; thus, decreasing the symptoms the system now has as its sole concern. If child welfare services are not oppressive, it does all of the above.

Child welfare today concentrates on the welfare of individual children while it seems too often to ignore the ecological context of that child. Improving society may improve the lives of those who comprise society, including children. Neglecting social health requires reframing the very provision of services. Is it enough to assist children to cope with oppression when the means to end the oppression are available? Is it enough to feed minimally hungry children with nutritional assistance programs while their neighbors feast? Is it ultimately beneficial to place abused children in foster homes while the

parents pushed to violence by poverty and social exclusion continue to function ineffectively? (Lindsay, 2003) Is it useful to place children in group homes and institutions because they refuse to attend inadequate and dangerous schools? Does it make sense to take children to family court for running away from a climate in which they are abused and exploited? These and similar situations require reforming the environment, not merely the individual child or the individual family. Why spend billions of dollars, train hundreds of thousands of child welfare workers, staff child welfare agencies with persons who have few or no skills to practice, and create social institutions like family courts while ignoring the fundamental causes of those issues that come to the attention of child welfare agencies? (Child Welfare League of America, 2008; US Congress, House Ways and Means Committee, 1993)

Knowing the existence of inequality and its consequences is meaningless unless it leads to actions potentially able to replace that which creates this disparity with something more conducive to equality. As an example, being aware of the close correlation between physical child abuse and parents' economic stress is one thing, but this information must be converted into action that decreases poverty and near poverty, or it is merely knowledge for knowledge sake.

The present child welfare system attempts to provide services that meet the present needs of abused and neglected children, those available for adoption (more often those who want to adopt), and others who fit the definitions of child welfare agencies' services. This is congruent with the present social work education focus on assisting people to

survive experienced pathology or dysfunction. Radical child welfare does not ignore these needs, but it goes beyond this to include prevention, with an effort to alter the context in which a people's democracy has become a money democracy. It sees indispensable value in having children and families share in the power of society through a government that truly assumes responsibility for the general welfare. This results in a balance between remedial and preventive services. Corporate greed, political elitism, and other disparities of a society ruled by Adam Smith's valued accumulation of wealth as its own justification, are not the only causes of difficulties experienced by those in need of child welfare services, but they do provide an insidious climate for the growth of inequity and oppression.

A radical approach to child welfare practice, therefore, requires a critical evaluation of the child and family; with a view toward direct services, indirect services, and an essential critical evaluation of the community in which the child and family live – local, state, national, and global. These four levels of society all interact and have a mutual dependency. Goods are manufactured and sold across local boundaries, state lines, and national borders. At the bottom of this economic food chain is a child. Permitting exploitation along the way in this complex economic superstructure facilitates destroying individual children and their families.

The critical evaluation of child and context results in an understanding that there are major disparities in power distribution. Frederick Douglass informed us that those who have power never voluntarily surrender it. He added that those without power will only

gain power if they engage a struggle to take it away from those unwilling to give it up. Children's tears and screams might make those in power uncomfortable, but they will not result in power sharing. The children will be ignored or hidden away, as they have been throughout American history, unless they threaten the power of individual politicians and corporate leaders. Children alone cannot accomplish this exchange of power. Child welfare workers can. If they do not, who will?

These workers are in an enviable position not merely to intervene to assist with presenting problems but also to become valuable members of a movement to remove obstacles to the self-actualization of those they serve. This requires working with those they serve, not merely for them. It requires a collaboration of efforts built on the realistic presumption that this cooperation is with those they serve, not with the oppressive structures that cause homelessness, abuse, neglect, etc. The oppressive structures of society (economic, political, and others) will not surrender willingly the power they have amassed over the past decades. It must be taken away. This involves conflict. Actual change throughout history that results in movement toward equality comes only from conflict. Change only occurs when conflict exists.

Social conflict theory, incorporated by Karl Marx and detailed by Max Weber and others, is compatible with this dialectical approach to social change. A dialectic takes place when differing actions clash, and this difference results in something new. In this case, the "something new" may be economic, political, legal, and social empowerment for

families previously at the mercy of social structures and those who create and maintain these social structures. The “something new” is liberation.

This process of change begins with the child welfare worker accepting responsibility to be a radical agent of change. This certainly will require a redefinition by child welfare workers of their practice, incorporating new methods of intervention, using broad qualitative approaches for assessment and evaluation, and developing an understanding of the need to develop processes that will lead to far-reaching goals. It demands an understanding that mere compromise might merely lead to continued oppression.

Opposition to radical practice will come not merely from social structures threatened by possible change but also from within the employing agencies conditioned to continuing the same symptom focus that has not worked before.

The radical approach to child welfare also is based in humanism. It presumes that the state of victimized children and families is caused by human action and is not predetermined by that outside the human condition. Eve eating an apple did not make child abuse inevitable. It did not result in sweat shops filled with child slaves. The explanation for the economic, political, and other causative forces that result in poverty and its related child abuse, child placement, dysfunctional child welfare systems, and other inadequate responses to children’s needs are all well within the potential control of human beings. This is an instrumentalist approach to understanding the road we need to follow if we are to improve the status of childhood.

An instrumentalist philosophy sees our condition as fraught with problems we make and filled with potential solutions we can create and implement. The work of John Dewey and Karl Marx, among others, discounts the view that such features in life like abuse, neglect, homelessness, poverty and the other disadvantages of society are inevitable. They reject the view that idealists or utopians, religionists or essentialists espouse to explain life as a set of unachievable goals based on fate, faith, belief, mystery, or some other magical body of conclusions. Rather, they approach understanding as having a practical value when it leads to action, especially action that approaches change by changing oppressive social structures. They do not see one cause but rather a myriad of causes that alter over history. Marx did not claim to have found the solution to human problems with communism. He did claim that we have an obligation to criticize the present conditions of society within the context of the factors that form it. He was clear that absent a willingness to be a revolutionary, no fundamental change in society would occur. With this spirit, child welfare workers might benefit from the understanding that real, fundamental change is within their abilities when they base practice in humanism; practically apply that which implements knowledge; and take into account the historical context in which they practice, with a total rejection of the conclusion that basic change is not possible or is beyond their scope of practice. Ascribing children's horror as beyond their abilities to make change means child welfare workers will not make the effort to work toward those changes. This inertia will not safeguard children; it will perpetuate the problems that cause children's horrors.

The Council on Social Work Education (CSWE) accredits social work education programs (Scannapieco & Conell-Corrick, (2003). This results in rigidly fixed curriculum content; a required focus of service with particular populations; and little opportunity to think outside the box, unless it is thinking acceptable to the undergraduate and graduate boxes approved by the CSWE. Graduates expect to find employment in social agencies or to leave traditional social work service to marginalized populations by becoming psychotherapists who assess clients' needs with the DSM and provide services for which the medical insurance industry will pay.

Medical insurance companies will not pay for services geared to end the insurance industry's power over families. The CSWE might hesitate to approve an education program that includes an effort to end the CSWE's monopolistic academic power to control what aspiring child welfare social workers will learn in social work education. Employing child welfare agencies might more than hesitate to fund an effort to use all of their budgeted funds to create employment for the poor, which would result in closing the agencies that perpetrate in practice the lie that children prosper in foster homes, group homes, or institutions. None of this should cause pause for workers considering radical practice; rather, it should represent a welcome challenge.

Radical child welfare practice is not anarchy. It does not urge the destruction of social or political institutions, but it does support changing the focus and functioning of these forces from preserving and supporting their own power toward meeting the needs of those for whom the institutions allegedly were established. The social work profession

did not begin by spending its energy on certifications, clever but redundant private practice psychotherapy techniques, or third-party payment issues. The CSWE did not form to develop rigid standards, charge exorbitant fees, carve out a place of control in both academia and state licensing agencies, and to guard against social work education approaching its mission with a self-assigned urgency to help resolve exigent problems in an innovative manner without the prior approval of a paternalistic accrediting organization. Child welfare agencies were not all begun merely because of social guilt, a large tax-deductible donation, or brief community outrage over another dead child whose demise was silently and callously observed by a public unwilling to “get involved”. Social work began to help the poor and oppressed. The CSWE began to work toward quality in preparing those who aspire to become social workers and to have some control over the quality of their services to those in need. Reformers worked during the past one-hundred years toward helping children to have some semblance of normalcy or caring in their lives. No, not a broad radical sweep of the axe to destroy these efforts, merely an effort to remind our social structures of their purpose and a reforming of the structures and institutions that need to focus more on the poor, exploited, and oppressed than the needs of the professionals and policy makers themselves. This requires less effort to train child welfare workers to fit into employment for the present agency system and more an emphasis on both micro-level and macro-level change to obviate causative problems that result in the symptoms we read about when children are murdered, sold, starved, and abandoned.

Too few physicians and health professionals make a career of public health. The efforts of those who do, however, make survival possible. Emergency medicine too often provides services that might have been avoided by preventive medicine. Prevention, also, is less expensive than remedial medicine. The same holds true for social workers engaging social change (National Child Welfare Workforce Institute, 2011; Lawson & Claiborne, 2005).

Marx foresaw the evils of rampant and uncontrolled capitalism. Child welfare workers see this materialize in their daily practice. They have an opportunity to work toward both alleviating and resolving effects and causes through a practice that sees society as having the potential to stop the exploitation of workers and to end the view of labor as the creation of wealth for a few.

Radical child welfare practice requires collaboration built on an equal and trusting relationship between those who serve and those who are served. Within this arrangement, not merely are all efforts made to protect the welfare of children but also to preserve or develop family strength within a community in which conflict results in decreasing the control owners of the means of production have over children, families, service providers, and those who are or might become policy makers.

The state belongs not only to the powerful. The weakest members of society have an equal right to share the actual and potential benefits of society. The weakest members are children. Child welfare workers have to decide if they speak for agencies, a profession,

the economically and politically powerful, or children. They cannot practice to please all of these conflicting constituencies. They have a unique duty to speak only for children. This certainly would re-define child welfare services in a historic dialectic that would have the potential for the first time to improve the lives of children and families who now have neither dreams nor hope.

This is seemingly compatible with a radical child welfare approach to the provision of services. The NASW notes:

“Social workers pursue social change, particularly with and on behalf of vulnerable and oppressed individuals and groups of people. Social workers' social change efforts are focused primarily on issues of poverty, unemployment, discrimination, and other forms of social injustice. These activities seek to promote sensitivity to and knowledge about oppression and cultural and ethnic diversity. Social workers strive to ensure access to needed information, services, and resources; equality of opportunity; and meaningful participation in decision making for all people.”

This also seems compatible with a radical approach to service.

The NASW Code of Ethics, however, largely is decidedly slanted toward issues regarding licensing, professionalism, fees, billing, and the other features associated with clinical practice or psychotherapy. It, like most professional codes of ethics, attempts to establish relevancy with all present forms of practice within a profession. Psychotherapy is the tendency of practice for most graduate social workers today. A smaller number focus on social change. Conflicts are an inherent part of any document that attempts to meet such diverse practice needs.

The conflicts in this Code, however, include requiring loyalty to employing agencies, without mention of the capitalist economic nature of the society within which practice occurs; the historical repetition of methods of practice that do not work; the failure to even mention human rights; the neglect of the global implications of practice; and ignoring the term “liberation”. Ending structural oppression, ending reinventing the square wheel, advancing human rights, fighting for liberation? These terms rely on a philosophical foundation of humanism and an instrumentalist philosophy with inherent reliance on social conflict theory. The Code expresses no philosophy on which to build an ethical practice. It appears that practice admits any other relevant philosophical orientation that supports humanitarianism (which is not humanism); however, this allows the continuation of poverty, unequal social and economic relationships within the framework of a capitalist society, and a betrayal of the standard that the NASW states is social work:

“The primary mission of the social work profession is to enhance human well-being and help meet the basic human needs of all people, with particular attention to the needs and empowerment of people who are vulnerable, oppressed, and living in poverty.” (NASW, 2008)

The agenda addressed by the NASW might not consistently be compatible with a radical approach to social change. It appears that its vague attempt to be inclusive of all approaches to practice is a resulting irrelevancy in favor of protecting the legal status of practitioners in how things are done now, neglecting what might be done. This is significant when one understands that what is now being done just does not work and maintains a focus on symptom reduction, not structural change. Might this be framed as a self-justification of employment status and a seeming non-sequitur for practice focused on client needs? Does this admit working with clients to accomplish change, or does it perpetuate a rather condescending view of practice in which social workers provide services for those in need (the healthy helping the sick), not with equal partners in the endeavor?

The International Federation of Social Workers (IFSW) represents the profession around the world. The IFSW Code of Ethics states:

“The social work profession promotes social change, problem solving in human relationships and the empowerment and liberation of people to enhance well-being. Utilising theories of human behaviour and social systems, social work

intervenes at the points where people interact with their environments. Principles of human rights and social justice are fundamental to social work.”

The IFSW Code lists relevant international human rights agreements and requires:

“Social workers have a responsibility to promote social justice, in relation to society generally, and in relation to the people with whom they work. This means:

1. Challenging negative discrimination* - Social workers have a responsibility to challenge negative discrimination on the basis of characteristics such as ability, age, culture, gender or sex, marital status, socio-economic status, political opinions, skin colour, racial or other physical characteristics, sexual orientation, or spiritual beliefs.

*In some countries the term “discrimination” would be used instead of “negative discrimination”. The word negative is used here because in some countries the term “positive discrimination” is also used. Positive discrimination is also known as “affirmative action”. Positive discrimination or affirmative action means positive steps taken to redress the effects of historical discrimination against the groups named in clause 4.2.1 above.

2. Recognising diversity – Social workers should recognise and respect the ethnic and cultural diversity of the societies in which they practise, taking account of

individual, family, group and community differences.

3. Distributing resources equitably – Social workers should ensure that resources at their disposal are distributed fairly, according to need.

4. Challenging unjust policies and practices – Social workers have a duty to bring to the attention of their employers, policy makers, politicians and the general public situations where resources are inadequate or where distribution of resources, policies and practices are oppressive, unfair or harmful.

5. Working in solidarity - Social workers have an obligation to challenge social conditions that contribute to social exclusion, stigmatisation or subjugation, and to work towards an inclusive society.” (International Federation of Social Workers, 2012)

These ethical standards admit a radical approach without the ambiguity of the NASW standards that seemingly permit the reinforcement of wage slavery, the empowerment of the wealthy at the expense of the poor, and the continuation of services that oppress, rather than liberate. The IFSW understands the dilemma facing practitioners confronted with the conflicting roles of social control and social liberation. The NASW merely overlooks the conflict. The radical child welfare worker avoids controlling in favor of basic liberation from the forces that oppress and exploit.

Defining social work is a reasonable effort if child welfare workers are to understand the role of ethics and the radical approach to providing services. It is relatively easy to define most professions. Proctologists, teachers, auto mechanics, chefs, police officers, farmers, and other occupations are commonly understood for what their practitioners do and what their occupation is sanctioned to do. There are expectations for the members of professions and knowledge of what services they provide. Social work is not as clearly understood. If one is to engage child welfare services as a social worker in an effective manner, understanding what social work is seems imperative.

Social work literature is filled with articles, books, and various other publications that attempt to define the profession. The professional journals and professional conferences almost seem negligent if they fail to tackle this definitional task periodically. The founding mothers and fathers of the profession debated this seemingly unfinished business endlessly. Bertha Capen Reynolds experienced the attempts to end her career when her commitment to social work, as she saw it, was not acceptable to colleagues.

Once we seem to know what we are not, we struggle with what we are, but, then, the realities of daily practice confront the words and challenges from academia and the demands of the politicians, investigative journalists, and funding sources. Clients are in this mix somewhere. (Ascribe, 2009)

I suppose those who receive services should be the reason for refining how we see ourselves, but they too often are ignored. That just might be acceptable to many social

workers because clients will define social work by their experience with social agencies and social workers. If clients were treated as a case number, they would define social workers as accountants without feelings. If clients were treated as being in need of control, they would define social workers as being much like those who discipline dogs in a kennel. If clients needed freedom from depression or anxiety, they might define the social worker as a healer. If clients needed to overcome oppression and exploitation, they might define the social worker as a liberator. If clients were partners in resolving both symptoms and the causes of problems, they might define the social worker as a collaborator in change.

Social work is not clinical psychology or psychiatry. If it is, students might seek a doctorate in one of those two professions. It is not the applied sociology Addams and others used as a definition or even the active philosophy some saw her as practicing. These neglect the tasks and methods that have evolved over time that require liberal arts knowledge beyond these two academic disciplines. It is not a civil services occupation, unless we want to define a profession by its paycheck.

Social work is a profession, by definition. It has social sanction, ethics, an educational foundation to practice, and legally delineated scopes of practice. So what is it?

The IFSW arrived at a definition in June 2000. The NASW defined the profession in 1999 with the descriptive statement above, as a part of the Code of Ethics.

The U.S. Bureau of Labor Statistics defines social work by what social workers do:

“Social work is a profession for those with a strong desire to help improve people’s lives. Social workers help people function the best way they can in their environment, deal with their relationships, and solve personal and family problems. Social workers often see clients who face a life-threatening disease or a social problem, such as inadequate housing, unemployment, a serious illness, a disability, or substance abuse. Social workers also assist families that have serious domestic conflicts, sometimes involving child or spousal abuse.”

(It also notes that the 272,000 social workers in child welfare services earn an average of about \$32,000 each year, slightly more than the average income for a person with a high school diploma.)

These definitions contain rhetoric that allows for radical social change as a center of attention for practice for social workers; therefore, for child welfare workers. The reality is that the NASW tailors most of its activities toward professionalization for its members (licensing, insurance claims, and both private practice and agency practice). It also offers a plethora of continuing education offerings nearly totally oriented toward psychotherapy techniques and related theory. To be fair, it does pass policy statements supportive of liberal social policy objectives, all of which seem supportive of political, economic, and social programs that encourage combating poverty and marginalization. These policy

changes would serve to assist client populations to survive capitalism. Coping is seen as more feasible and acceptable than a radical restructuring of society with a view Kelley or Reynolds would have supported. Human rights sometimes are mentioned. Liberation is not.

The IFSW does require liberation as a purpose of the profession of social work. Human rights are emphasized. It, however, is still a question if the Western view of human rights is relevant to cultures that do not share a Western view of culture. Might this be an inadvertent cultural imperialism? Does this run counter to a Confusion or Buddhist view of society that is much older than a European or American form of social structure? Does this impose a view of individualism that is not congruent with an emphasis on group, family, and national values as being more important than the role of the individual? Might this view actually perpetuate competition and the ascendancy of personal economic wealth as a value over the basic needs fulfillment of all over the self-actualization of individuals?

Radical child welfare services incorporates generalist social work knowledge, skills and values in a conflict-driven manner to offer change in collaboration with children and families that will decrease the symptoms of threat and change the unfair causal structures of society.

Radical child welfare is not a rigidly ideological philosophy. It allows for including a variety of variables necessary for response to individuals, families, groups, organizations, and communities. These include an indispensable application of intervention strategies and tactics that admit and welcome cultural, historically derived tradition, basic human needs, social norms, and professional ethics. Contextual human rights and social justice guide these.

Contextual human rights are the use of these standards within the cultures of all people. Globalization requires this in admitting social, political, and economic values that are culturally congruent and interpretative of the standards in a manner that enhances the quality of life of all peoples in a structural framework. This framework experiences power in a manner that does not change society from one's historical view but rather expands tradition in a humanist manner.

A child welfare worker who approaches practice with a radical philosophy and both develops and applies intervention strategies needs knowledge and skill beyond that required in social work education programs, the personal balance and self-awareness mentioned earlier, and a sense of history. These include a certain wisdom developed by an understanding of philosophy, the verbal and writing skills necessary to communicate effectively, a firm grasp of logic (both linear and non-linear perspectives) to develop successful communication and arguments, and an incisive ability to apply research through action by shaping the conversation.

Intervention by a social worker demands a social worker who is comfortable with self, able to engage services without imposing one's values on another, and is aware of a variety of tactics and skills – all focused on helping another. If this intervention process is sound, it begins with the instincts of the social worker. One's own instincts as a guide are the foundation of a trusting and purposeful relationship with those being served. It is within this relationship that change occurs. Without this, services are merely hollow substitutes for genuine caring. They may meet the expectations of an employing agency or a licensing entity. That is irrelevant. The social worker is to meet the needs of the client.

A child welfare worker cannot end the capitalist exploitation of workers and the poor; collaborate in developing a community based on human dignity, human rights, and social justice; empower marginalized populations; and understand the implications of this struggle merely by implementing child welfare regulations and completing assigned tasks and paperwork.

Child welfare needs dedicated, bright, creative, and focused professionals who are able and willing to change the nation and the world with children and families whom others discard without hesitation. These workers are not just representatives of an agency or a profession. They are representatives of a long tradition of social change - professionals who are excited about the honor of collaborating with children, families, and others to change history. This is not impractical idealism; rather, it is a natural and rational

response to the human condition and a logical step toward resolving the causes of an epidemic of inadequate and inappropriate childcare.

These thoughts might also include the notion that this battle over the rights of the child is just this, a concept that while many, including Locke, saw slavery as war. Freeing slaves is recognizing that people who are without rights are slaves, people whose very existence depends on the will of the slave owners, those who decide property's way of life. We might come to understand that slavery is war and that slaves have no rights but rather privileges that are granted beyond natural law, beyond the state of human rights.

Thus, the effort to radicalize child welfare, to make the effort to free children from the concept of ownership, approaches an awesome responsibility that negates age-determined perceptions of humanity. This leads us to conclude that the social, political, and economic variables traditionally used to decide who is an adult and who is a child subject to the will of adults must be freed from definitions of subservience (slavery) and replaced with definitions of mutual responsibility, regardless of age, stigma, and tradition. The radicalizing of child welfare practice may be that of conducting a war on the forces that seek to or actually deprive others, including all children, of their natural human rights and the logical result of depriving the young of civil rights.

Chapter Two: Effective Intervention Strategies and Tactics

Description of social work practice

Relationship to child welfare

Assessment and intervention strategies, application of philosophy

Influence of human rights agenda, economic and cultural diversity

Re-definition and use of assessment and intervention in radical social work

Social work is a profession that has struggled since its inception with apparent internal contradictions. It seeks to liberate while it controls. It works toward ensuring its clients' self-determination while it imposes social standards on these same clients. It uses skills that are based on manipulation while it professes rejection of the manipulation of others. It makes claim to champion social justice and human rights while it represents an America that is based on economic exploitation and wage slavery. The skills that are used seem based on Western philosophies that damage certain cultures, often exhibiting differences in perception and logic that are interpreted as pathological. Difference is frequently the target of change rather than mere diversity that might be nurtured. These skills and knowledge seem guided by values so ill-defined that they lack any useful definition. (Bridgood, 2003; Feguson, 2007; Holosko, 2003)

Social work, as noted earlier, is defined in a variety of ways:

The National Association of Social Workers is the professional association for the profession in America. It defines the profession as follows:

“The primary mission of the social work profession is to enhance human well-being and help meet the basic human needs of all people, with particular attention to the needs and empowerment of people who are vulnerable, oppressed, and living in poverty. A historic and defining feature of social work is the profession’s focus on individual well-being in a social context and the well-being of society. Fundamental to social work is attention to the environmental forces that create, contribute to, and address problems in living.

Social workers promote social justice and social change with and on behalf of clients. ‘Clients’ is used inclusively to refer to individuals, families, groups, organizations, and communities. Social workers are sensitive to cultural and ethnic diversity and strive to end discrimination, oppression, poverty, and other forms of social injustice. These activities may be in the form of direct practice, community organizing, supervision, consultation administration, advocacy, social and political action, policy development and implementation, education, and research and evaluation. Social workers seek to enhance the capacity of people to address their own needs. Social workers also seek to promote the responsiveness of organizations, communities, and other social institutions to individuals’ needs and social problems.”

The International Federation of Social Work (IFSW) is a professional organization that represents social workers around the world. It defines the profession as follows:

“The social work profession promotes social change, problem solving in human relationships and the empowerment and liberation of people to enhance well-being. Utilizing theories of human behavior and social systems, social work intervenes at the points where people interact with their environments. Principles of human rights and social justice are fundamental to social work.” (IFSW, 2012)

A core debate exists within the profession. It presents what may be seen as an unresolved conflict as old as the profession. Is the practice of social work based on science or art? The application of this debate to child welfare is as pervasive as in any social work focus of practice.

The fashionable mention of “evidenced-based practice” and “best practices” cloaks practice within the appearance of science, rather than art. Science is presented in the usual scientific method. I suggest this perpetuates the thesis, hypothesis, data collection, evaluation, etc. model. This sounds intellectually sound, but it might posit what is not.

Even the works of the empiricists who claim this traditional model have neglected the fact that scientific research does not really work this way. Bias toward proving

hypothesis as fact or truth predisposes the investigation. Data is slanted toward supporting the hypothesis, and the history of science is full of these efforts. In fact, its advocates neglect that which changes problematic behaviors – creative use of self and relationship. All change between the worker and the recipient of service is a human transaction (a purposeful interaction) that depends of the relationship. Within this dialectic, effective growth occurs.

This effective growth is observed and facilitated by the worker while it is personalized and acted on by the client. The client changes. Individuals hopefully become more effective in the use of self and more productive in building responsible relationships that meet the needs of the client and the environment in which they live. While individuals develop, so, too, do families and the world in which they live. This reflects inevitable change, as noted in General Systems Theory that observes that all systems and components of those systems (individuals) are always in the state of change. Insight, planned behaviors, chance, and the influence of infinite influences contribute to this process. One's perception of values contributes to this growth between people, to this focused relational and inevitable transactionally influenced growth. The child welfare worker needs to be cognizant of this human developmental process.

The influence of culture is an aspect of this process in pragmatic behavior and the interpretation of personal actions that are influenced by spiritual principles. Most religious teaching addresses this with common themes of otherness. Spiritual growth is not necessarily theological, however. Social workers are not shaman, pastors, priests, or

spiritual advisors. Social work has no doctrine or creed. It does not function with the magic dust of faith.

This spiritual factor in practice actually is at the heart of the science v. art tension in social work practice addressed earlier. The relationship between the worker and the client (the actual focus of intervention) may result in the transformation of the client, including the proximate and distanced communities. It is significant to observe that not achieving such a transformation is not achieving change with the directiveness required by child welfare intervention.

The worker, as noted, observes and facilitates such a process. All worker-client interactions, transactions, and resulting relationship changes need to understand that the worker, too, is constantly changing; thus, the importance of the worker's awareness of this confluence of science, art, assigned tasks, formal role, personal identity, and the context in which this all takes place. The work, therefore, cannot escape being influenced by these variables. An effort to maintain a cognitive and emotional distancing to resist such change can only result in frustration and failure in effecting change on any level.

Strategy and Tactics

Social work intervention is guided by the NASW and the IFSW and their respective codes of ethics. The development of a strategy to resolve a client's problem must involve

the recipient of service, as will the exercise of tactics that lead to the achievement of the problem resolution for which a strategy, with inherent goals, is developed. The process is facilitated and implemented by social workers and those served, including children. It should be considered that the process toward achieving change is more valuable than goal attainment. Since all systems are constantly changing, goals change with them. If this is not considered, goals for service become irrelevant and, perhaps, counter productive. The flexibility of process, goal definition, and goal attainment must reflect the human condition of growth, change, and transformation. If those being served are not changing, there is a problem with the active relationship between those receiving and those providing services.

When developing a plan of intervention, the child welfare worker should avoid the tactic of coercion. This is difficult because coercion is an innate aspect of authority. Once CPS workers, as an example, visit a family for the first time and introduce themselves and the protection service they represent, the parent may become defensive or, at least, fearful. A visit by child welfare may, in the mind of the worker, be an offer of help. The parent may not share such benevolent thoughts.

This introduction of stress, apprehension, and fear when the agency visits result from the popular presumption the workers may take away the parents' child. This is difficult to minimize. The attitude of the child welfare worker will affect this. When the worker is able to empathize, see the situation through the eyes of the parent and the child, and truly

grasp the perceived implications for the family, efforts to form a productive alliance with the family is possible.

All productive service takes place through a trusting relationship. Child welfare workers who see their role as law enforcement, responding to a report of abuse or neglect and conducting an investigation, will begin by alienating parents, injuring the parent-child relationship, and begin an escalating spiral of defensiveness. Stability for the child can be threatened and even destroyed by an incompetent social worker. The visit may be perceived as Charles Loring Brace with a train waiting outside to whisk away another child to the white Protestant farms of the Midwest.

Strengthening families, helping them to resolve difficulties, or apologizing and leaving when the allegations are not valid are vital parts of this interference in a family's life. The worker should be mindful that the vast majority of reports of child abuse or child neglect are unfounded, without cause for state intervention.

Children are the prime focus of intervention. Child welfare workers would do well to listen to the children who experience the defined problem that has led to the child welfare worker being involved and the turmoil this creates. Children can communicate by words, behavior, body language, and affect in an honest manner, often without the learned manipulation and confusing agenda concocted by adults. After all, the decisions made by adults will directly affect the abused, neglected, and exploited in what may be a life-long experience.

The strategy of intervention is to achieve the best interests of the child, and the tactics used to achieve this should not be to meet the needs of a child welfare worker or their agency. Case planning and intervention without this focus may result in a variety of services for parents and involved adults but will not be in a child's best interests when developed and implemented without the direct participation of the child. How might this be achieved?

Intervention involves a variety of variables that require skills for the social worker that must be mastered in order to assist families fractured by a loss of equilibrium. This loss of balance is sometimes well understood by all family members, often understood only by the child. The expert in child welfare services, again, is the child.

Advocacy is an intrinsically important skill in child welfare. Speaking out with and for the client in order that the ignored are heard contributes to the appropriate delivery of services. This case advocacy facilitates the development of individuals who previously saw themselves as being at the mercy of others. Advocacy is equally important to strengthen efforts to resolve social oppression. This cause advocacy advances efforts to resolve the source of the problems faced by those served by child welfare agencies. Both forms of advocacy give voice to the silent who are marginalized in society.

Aside from the suggestions above, the worker might meet together with the child and those the child knows who make the child feel safe. These people act as a bridge in assessing family context, available resources, relevant community variables, and building trust in a developing relationship.

Indirect communication and interpretive techniques facilitate communicating with the child in a manner in which the child feels understood. What the worker says is less important than what the worker hears, sees, and feels. Listening is the prime communication skill.

Children will share their feelings and thoughts in what might seem random rambling. Its logic becomes clear when the worker hears what is appropriate for the child of a certain age and development. Meeting the child where they are at, not where the worker wants them to be or imagines them to be, will enable this communication. Expecting the child to communicate only with words, facial expressions, drawings, and toys in an adult manner is irrational. This expectation is more than foolish, it projects the presentation of an adult not to be trusted and, therefore, destructive.

When the worker does not know what to say, say nothing. Silence is a powerful form of communication. Asking searching questions of a child may fill time, but it is the tool of the unskilled. As an example, how many social workers or child welfare workers ask children, "How do you feel?" The child wants to please the questioner. Will any answer

ever result in productive interaction? Children unfortunately are too often subjected to an interrogation.

Family interviews afford the opportunity to witness interactions, communication styles, culturally governed relationships, the engagement or avoidance of taboo subjects, and the priority of issues for the family. Listen. Observe the living spaces the family has mapped for itself and how these might be influenced by the various family roles that are played.

Workers should not ignore their gut reactions. They also should not act on these. They provide information to be considered, but workers have to be sure not to confuse their own issues with those of the family. Social workers and child welfare workers best not engage clients in a change process if their own personal, problematic issues that inhibit growth are unchallenged or unresolved to the degree that they only hear themselves. Reviews of records kept by social workers and child welfare workers too often tell the reader more about the workers themselves than those they are supposed to serve.

Individual actions and comments are only useful when they occur in the context of patterns. The themes of a family govern its functioning and present both understanding and avenues to be pursued. These themes are rarely identifiable in one visit with a family but become clear with time.

These tactics make possible developing a strategy of change, regardless of the specific child welfare service – adoption, foster care, abuse, neglect, prevention, etc. The strategy includes goals to be achieved during service delivery. The child and the family define these goals and develop how these will be achieved. The worker becomes only one person in this collaborative process. Intervention is a complex series of transactions with the child, family, and community.

Every child welfare service involves a child and a family within a community. The community is often marginalized as a mute factor in services; yet, the competitive nature of American society and the rugged individualism that creates a political and economic milieu do have an effect on every child welfare service and cannot just be ignored by these services. The community sets expectations, service parameters, and support or opposition for what services and how services are delivered. The social workers and child welfare workers are also products of this society. Merely accepting the violence, adversarial nature, or definition of responsibility for actions in such a society ignores the unique needs, strengths, and limitations of children and families. Even the use of courts obviates efforts to create a society with group responsibilities and interprets all activities as outside the social context in which children live and families function.

Looking at families as members of a village of caring is alien to the environment in which children are raised in America but an important avenue of social improvement if child welfare seeks to protect children's welfare. This particular issue is a primary matter

for the effective functioning of services. It may be the only reason to have the profession of social work.

The child welfare worker may play an intrinsically important role in not merely sensitizing the community to this duty but also in mobilizing the community to help minimize all variables that hinder successful adoptions, needlessly increase financial stress on families, silence sexual abuse victims, create false impressions of foster care, minimize the educational opportunities of the poor, form destructive options for child custody, react to the child's place in the justice system with questionable motives, and reject children's human rights. All intervention strategies and choices of tactics ought to reflect social justice and the resolution of problems, not merely focus on coping with the theme in a society that actually rejects human rights and both social and economic justice. This should not be the business of helping the victims of oppression to be good slaves and merely to do what they are told by the "system".

PART TWO

Chapter Three: Child Poverty

Role of social work practice in combating child poverty

Relationship to child welfare

Assessment and intervention strategies, application of philosophy

Influence of human rights agenda, economic and cultural diversity

Re-definition and use of assessment and intervention in radical social work

Every 32 seconds a child is born into poverty in the United States. Twenty-one percent of American children live in poor families. UNICEF estimates that 22,000 children in the world die each day from poverty. One-billion children across the globe live in poverty.

Children who live in poverty are more likely to stay in poverty. They are less likely to be mentally and physically healthy, less likely to achieve well in school (or even attend school), and less likely to have adequate nutrition or adequate housing. They are more likely to be removed from their own home by the child welfare system. This is a form of punishment for being poor.

Poverty is a state of want. This lack of material wealth in a nation built on a person's value being objectified in the form of material value presents unique challenges for those devalued. The historical debate in the Elizabethan Poor Laws continues to this day.

The questions of who is deserving and who is not deserving have in many ways defined society. The debate actually ignores the human rights defined in the UN Universal Declaration of Human Rights. The General Welfare clause in the US Constitution is equally ignored. People who are not deserving of food, shelter, health care, and other basic necessities of life may be deemed as not deserving life. Children whose existence is dependent on the willingness of society to accept moral and legal standards under which we do not allow children to be murdered, starved, and allowed to die from illness and disease, regardless of family wealth. In an odd twist of fate, these at-risk children actually produce the wealth of those who exploit and ignore their welfare.

In a capitalist society, the poor provide cheap labor. They also are expendable. America's history of child labor is now repeated across the world, but American corporations seem to continue as the beneficiary of this exploitation. (American Federation of Teachers, 2007) Clothing produced by children in sweatshops in Manhattan or in developing nations produces a big profit fueled by cheap labor. These little laborers are victims of big business. The children tend to live in inadequate housing. They go to bed hungry every day. Their work precludes their attending school. Their labor is in brothels and sweatshops, coffee plantations, migrant farm worker camps, and elsewhere. Their dreams rarely include becoming a person living in a situation

without a futile struggle to survive. In fact, they tend not to dream. The flag that flies in their nation is irrelevant; they are all victims of wealth created for others, slavery.

Social workers labor to help the poor to cope with poverty, rarely to end the existence of poverty. Coping may contribute to the continuation of the want these children experience. The poor are told to budget wisely with an income that could never meet basic needs. The Federal programs to assist the poor include SNAP (Food Stamps).

More Americans now exist on the SNAP program than ever before, as the ranks of the poor continue to swell and the rich enjoy a larger share of the national wealth than ever before. The poor with nutritional assistance find SNAP and the choice of foods the poor make in using their benefits under scrutiny and widely criticized. We might be reminded of France before its revolution in the 1790s. The rich became richer, and the poor became poorer. Food, even bread, became scarce, and Marie Antoinette was reported to respond to the state of hunger and the complaint that the poor had no bread by saying, "Let them eat cake." Similar attitudes now are expressed with equal disregard for the economic welfare of the marginalized by Washington.

Americans donated about \$300 billion dollars to charities in 2012. The average for the middle-class was two percent of their income, for the most affluent about one percent. Americans give the smallest percentage of income to charities than any developed nation. About twelve percent of these donations were given to deal with social issues. The rest went to universities who name buildings after donors, art and culture, and other tax

deductable groups. Americans give almost nothing to organizations without tax deductible benefits for the donor. Corporations receive tax deductions, publicity, image improvement, and other marketing benefits. The largest charities take the largest amount of a donation for administrative and fundraising costs. Those in need receive what is left over from these expenses.

It is not that wealth does not exist in all nations; rather, that the distribution of this wealth is rarely egalitarian in nature. One might presume that the profession of social work would attempt to end this structural inequity.

Social work has its historical roots in approaching poverty through the strategy and tactics of the Jane Addams and Julia Lathrop, leaders and practitioners of the profession. The Bertha Capen Reynolds radicals have periodically attempted to combat poverty by teaching and practicing a structural change approach, with a sometimes-straightforward Marxist agenda with a view that capitalism is rooted in greed/profit and an inherent need not to end poverty but to preserve it to provide cheap labor. More often, the ingrained animosity of the American profession toward Marxist economic and political theory has created a radical approach that tries to avoid the ostracism suffered by Reynolds.

Child welfare workers daily encounter poverty in their practice. State statutes explicitly define child neglect by excluding poverty from the legal definitions of inadequate housing, food, clothing, medical care, etc. and noting that a child being poor is not being neglected. This is interesting from two perspectives. First, individual families are not to

be judged neglecting if children lack the necessities of life because of poverty, an economic condition beyond their own control. This is a recognition that society should not blame the victim; however, it also is a tacit admission that poverty is not a chosen condition but rather an oppressive condition in which families suffer poverty in an economy based on capitalism, an economic system that requires an unequal distribution of resources, available cheap labor, and the exploitation of some for the benefit of others. Second, the perspective that child welfare services serve individual families but also must serve the whole of society in a manner that preserves the dignity of those available for and those who actually serve the few who own the means of production. In other words, poverty is neglect but not the neglect of parents intentionally or by omission failing to provide for the needs of children, rather neglect by society to meet the needs of all children in a manner that both provides assurance that children have adequate care, dignity, and opportunity to develop in a healthy and productive community.

The UN Universal Declaration of Human Rights makes it clear that all persons have the right not to be poor. The UN Convention on the Rights of the Child further clarifies that children have the right to adequate food, clothing, shelter, education, medical care, safety, and parenting. (Herrmann, 1991) Children have the natural and legal right not to be poor. The converse of this is that all societies have an obligation to ensure this status for children. Social work has a historical role to contribute to this effort. Child welfare, by its very name, must contribute to this endeavor. If it does not, it becomes the weapon of the “haves” to oppress the “have-nots”, the social institution that oppresses children, and

the hypocritical shell that pretends to care about the welfare of children while it actually works to help the powerful to maintain their power.

The literature still addresses the term “the culture of poverty”. The basic difference between the poor and the non-poor is that the poor have less wealth than the non-poor do. This is more than a definitional issue. Culture includes the richness of a people’s traditions, the quality of a people’s relationships and interactions, and often the very essence of a people’s existence. It is something to preserve. One does not find value in preserving hunger, disease, and exploitation. Culture is not defined by income or economic circumstance. There is no “culture of poverty”. There merely are political systems and economic structures that keep the poor in poverty in order to allow the rich and, therefore, powerful to remain rich and powerful.

The “them-and-us” theme that creates and perpetuates child poverty may be a theme in the child welfare system. The stereotypical child welfare worker is a white, middle-class woman who reflects the child saving era. Eighty percent of social workers in child welfare are white. They place in foster care poor children and non-white children at twice the rate of white non-poor children each year. While the National Association of Black Social Workers has labeled interracial child adoption as a form of genocide, the disruption of families with a view toward removing children from seemingly dysfunctional families instead of strengthening families without removing children in non-white families might also be a form of cultural genocide and an attempt to impose the personal standards of these social workers on those marginalized by society. Often

this is a reflection of white privilege, rather than overt racism, and a focus by such practitioners on limitations, rather than positive potential for growth. There is a focus on reasons to remove a child from one's family instead of reasons not to effect such a punishment on families. After all, these social agencies are usually funded, run, and staffed by whites or, at least, authorized by legislatures that are disproportionately white. Intentionally racist or influenced in their view by white privilege or capitalist goals?

It may be noted that race could be considered in this analysis as playing a secondary influence, less significant than the economic class structure effect. The struggle is a process of class conflict with a more meaningful impact than mere ethnicity or race; in fact, some view the racial issue as masking the more pervasive unequal distribution of wealth, regardless of race. In either case, economic oppression is a theme that influences and permeates the child welfare system.

Wealth controls the speed and direction of the oppression. Children's needs are not met during this social system's process. Public or legislative priorities in public child welfare agencies, as with private corporate wealth philanthropies, all exert control over what are defined as child welfare concerns, how responses to these concerns are orchestrated, and what goals are defined. This is not new in America, and it would behoove those practicing child welfare to be aware of the public/private economic context in which services are delivered.

Poverty is a social status that is never chosen but rather is assigned. People do not choose hunger over food, ineffective education over functional education, illness over health, and other deprivations over self-sufficiencies. They do not select hopelessness over hope.

Social workers are often employed by social agencies or host agencies that reflect the political, social, economic, and even religious standards of groups that thrive because of poverty and practices that keep the poor in this underclass. This places the social worker in an ethically precarious situation.

Practice choices might require deviating from the actual mission of the employer, unless the worker chooses to oppress rather than liberate clients. A child welfare worker might reflect the part of child welfare history during which child-savers served their employing masters effectively. Collaborating with clients and with the child in question is not congruent with this form of service. Are there child welfare workers who want their clients to chant, “Yes, Master”? There are.

There, however, are child welfare workers who practice with a view toward protecting children by assisting families to escape the poverty often at the root of abuse, neglect, and exploitation. These productive efforts include a proper assessment, including particular attention to financial stress, job loss or the threat of loss, family debt, unfair labor practices, relevant disabling conditions or the threat of unsafe labor, strengthening labor unions and union advocacy, and related economic conditions that feed family dysfunction. Ignoring these factors in family and social functioning is not dissimilar to a

physician treating symptoms but ignoring the causes of this condition or the actual disease.

A family in Batavia, New York faced a series of devastating events. Their home burned down. Both parents lost their jobs, due to employer layoffs. They went to the Genesee County Department of Social Services for help, specifically for their four children, ages twelve, ten, seven, and six. The parents were developmentally challenged. Two of their children were also disabled. The county child welfare service offered the parents the option of placing the children voluntarily in foster care. The parents agreed to this temporary placement until they could provide a safe home. The children were placed in four foster homes.

During the placements, the parents visited weekly, without incident. Each visit, however, was filled with children begging to return to their parents. It was a difficult time for this family. After about one year, the parents found employment, earning enough to provide for the family. They secured a suitable home for the family. The parents, then, asked for the return of their children. To their surprise, the county refused to return the children and filed a child neglect petition in Family Court.

The child welfare service requested the court award custody of the children to the county. They testified that continued foster care was in the best interests of the children, that the developmentally challenged children were in need of the special education provided them in the foster parents' community, and that the parents still lived below the poverty line

with jobs that were always at risk. The court assigned an attorney for both the parents and another for the children. The judge also enlisted the services of an independent social worker to complete an evaluation of this situation and to make recommendations to the court.

The social worker testified at the child neglect hearing that the children and the parents loved each other, there were no prior reports of inadequate childcare, their new home was more than adequate, the parents were consistently cooperative with both the foster parents and the agency, and they had taken a reasonable step in placing their children in care when they faced crisis. There was a plan developed by the agency at the time of placement. The social worker noted that the parents had met all of the specific goals listed in the plan. The social worker strongly recommended the children be returned to the parents' care.

The children's attorney agreed with the agency's recommendations the children stay in care, expressing the opinion that the children would be "better off" with middle-class foster parents than in a financially tenuous situation with their parents. The judge agreed with the agency and the attorney for the children and rejected the recommendations of the social worker the court had enlisted to present an evaluation. He adjudicated the parents as neglectful not because they had committed neglect but because he thought they presented the risk of neglect. He awarded custody to the agency. The children remained in foster care until they each turned eighteen. The children, then, moved back to their parents without future child welfare involvement.

Poverty presents forces that carry with them presumptions of inadequacy. The value of individuals and families is too often judged by community economic standards that are established and enforced by those who exceed these standards. The complicity of child welfare agencies and even the courts is common. Most children in foster care are from poor families. There is no evidence that the poor neglect or abuse their children more than the non-poor. While two billion children across the world live in poverty, should we remove and place these children? The punishment for being poor is severe.

Chapter Four: Child Exploitation and Trafficking

History of types of child exploitation and trafficking in America

Role of social work practice in combating child exploitation and trafficking

Relationship to child welfare

Assessment and intervention strategies, application of philosophy

Influence of human rights agenda, economic and cultural diversity

Re-definition and use of assessment and intervention in radical social work

Slavery, as noted earlier, is a form of war. While the majority of victims in any form of war are the most vulnerable, children play an important role for the slave owners. In a shooting war, children are often targeted to gain from the disheartening and emotional damage caused the enemy. Many have used the slaughter of children as a means to avoid future combatants that would threaten the power of new political regimes. In an economic war, children provide cheap labor and potential control over any emerging society in which family status presents a ready resource for the imperialist designs harbored by corporations. The exploitation of children, therefore, has roots in the imperialistic designs of politicians, those who seek power or wish to preserve status, profit seeking people and corporations seeking more wealth, all parts of the military-industrial complex, and those who champion the use of children's weaknesses to enable strengthening those seeking more power and control in a society. At the heart of child

exploitation is a total disregard for the welfare of children and an exclusive focus on what the person who exploits might gain from this activity. (Herrmann, 1987).

The Prime Minister of Thailand issued a directive to the Province chiefs that addressed the major problem of child prostitution in that nation. Over 50,000 young children were child prostitutes in Bangkok, the nation's capital. International human rights advocates were focusing attention on Bangkok and other cities in Thailand, especially the tourist area of Phuket, after a child prostitution brothel caught on fire and the children who burned to death were found to have been chained to beds. The Prime Minister's directive noted that government authorities should pay attention to the international media reports of this tragedy and the massive problem of sexual exploitation throughout the country. He noted this exploitation was immoral and illegal. He added that this practice was a violation of Thai law and was condemned by international agreements. He, however, added that the authorities should consider the large amount of foreign money that this attracts when deciding to enforce the law. His caution not to threaten the money flowing into Thailand continues to support the existential reality of tens of thousands of children in Thai brothels. The practice continues of recruiters traveling through the rural areas of that country, buying children under the guise of paying parents to facilitate their children finding safe and productive employment and education in Thai cities. The Thai authorities occasionally attempt to defuse the effectiveness of human rights advocates' efforts to shine a light on this sexual slavery by arresting a few individuals in the child sex business.

The sex trade in children rivals the power of drug trafficking. Each year millions of children feed this system by being bought and sold, traded, stolen, and involved by their own guardians and parents. It is a multi-billion dollar business with customers in most nations. Some, like Thailand, openly attempt to balance their tourist image with their sex tourists' money. The reach of this insidious exploitation is obvious when one recalls the 1987 arrests in Belgium that resulted from uncovering a large child pornography operation that worked from the UNICEF Committee's office in Brussels, taking pornographic pictures of young children and distributing them to fifteen other European countries. Many of the pictures were actually taken in the UNICEF office. (Herrmann, 1987)

Attorney General Kamela Harris of California notes that seventy-two percent of the world's victims of child pornography, child prostitution, and related offenses are American children. The Meese Commission in the late 1980s was established by the US Government to investigate and examine this exploitation. More laws were passed. More services were created, but between 2010 and 2013, the number of children sexually exploited in America increased by thirty percent. The average age of these children was twelve, but even infants have been victimized.

Many are runaway children. Many flee abuse in their own families, only to find the horror on the street more damaging. Some are abducted. Others are sold by their parents into a life of rape and torture.

When Texas Attorney General Craig Abbott in 2013 noted that the Super Bowl is the “single largest human-trafficking incident in the United States”, he was addressing findings that thousands of women and children are used in prostitution activities during this sporting event each year. (Goldberg, 2013).

Children who are twelve and younger have been injected with drugs to control them while they service as many as fifty men each day. Those who do not cooperate are tortured, witness other children being tortured, or have the quota of customers increased. Some have been offered for sale at the Super Bowl on the internet site, Craigslist. The Department of Justice estimates that these and similar activities are a \$9.5 billion a year business in America.

One of the findings resulting from the Meese Commission was identifying sex rings in America that exploit children in an organized criminal manner. One of these groups trafficked children from Maryland to Texas. At the end of this circuit, the children who were no longer productive were shot, dismembered, ground up, and fed to hogs. (Burger, 1987).

While few oppose enforcing relevant laws and arresting those charged with such activities, funding programs that not only work to resolve these symptoms of child marginalization but also the causes of this exploitation are often opposed.

The United Nations has approached the sexual trafficking of children as one form of child labor abuse around the world. Conservative American politicians have not been supportive of regulations that regulate job safety, child labor, and controls over these dangerous practices. The politicians' opposition has even included ending any restrictions on child labor produced goods being sold in America. The US corporations that exploit children have been major financial contributors to these politicians' campaigns. Wal-Mart is one example.

The television program Dateline cooperated with the AFL-CIO in investigating allegations of child labor in clothing factories in Bangladesh. The investigators videoed the conditions in one such factory and interviewed children who worked in these factories, as well as human rights activists in that nation. They also interviewed the CEO of Wal-Mart. During the interview, they showed him the video taken of children sewing clothes for Wal-Mart, the deplorable and oppressive work conditions, and the long hours in this exploitive work environment. The Wal-Mart executive, at first, denied the clothing was manufactured for Wal-Mart. When the interviewer presented him with the same clothing purchased from the retailer, the response was that Wal-Mart never employs child labor in making their goods and products. He added that the children in the video were not children at all, but rather "small adults". The world's largest retail corporation is built on the blood, sweat, and tears of young children that the corporation calls "small adults". (Hansen & Greenberg, 2005)

Adam Smith and later Ronald Reagan noted that “Wealth is its own justification”, a theme of the 2012 Republican presidential campaign, an argument of the Tea Party movement in American politics, and apparently a business practice of Wal-Mart.

In 2013, over 1,100 of these Bangladeshi garment workers died in a factory fire reminiscent of the fabled Triangle Shirtwaist fire in 1911 in New York City that sensitized many to the results of the garment industry’s exploitation of young women and children. Frances Perkins took on a career with the Franklin Delano Roosevelt Administration in advancing workers’ rights after witnessing the tragedy in NYC, the image of 146-burned bodies of teenagers who fled the fire by jumping nine stories to their death. This haunted Perkins. (AFL-CIO, 1997).

Dozens of similar tragedies have occurred in Bangladesh. An accord was formed in May 2013 for garment retailers around the world to sign that would implement safety measures for workers in Bangladesh and would regulate child labor. Major European retailers have signed the accord. American retailers have refused, including Wal-Mart, Sears, Williamson-Dickie, GAP, Macy’s, JCPenny’s, VF Corporation (Wrangler, The North Face, and Vans), Target, Kohl’s, Cato Fashions, OshKosh B’Gosh, Nordstrom, American Eagle Outfitters, The Children’s Place, and Foot Locker.) (The Economist, 2013)

“Wealth is its own justification.” Capitalism is focused on increasing profits for corporations, regardless of the welfare of workers who create this wealth, the rigid

dependency families' develop from child labor, and the politicians who hold the possibility to end this tragedy but profit from the support they withhold from implementing that which human rights advocates support. It is not enough for Americans to attribute these offenses to other nations' governments. Globalization has created a partnership among developing nations' governments, Washington, and exploitive capitalist international corporations. It is children who pay with their lives in order for corporations to maximize their profits.

It seems that the rich have developed their own ethics in which they are entitled to whatever they wish, riches made in any hedonistic utilitarian method they define as functional, regardless of the consequences, as they become less attuned to the needs of the poor.

The root cause for both sex and labor exploitation is political, social, and economic marginalization generated by economic poverty. It creates child slavery, knows no borders, and parasitically feeds on the vulnerability of families and children. The apathy that supports those who exploit might be targeted by American child welfare agencies in cooperation with similar organizations around the world.

Corporations collaborate with those who ignore the rights of the child. It is plausible and fitting that child welfare workers collaborate with others who support the rights of the child in an effort to end these and other forms of child exploitation. This is a radical view of child welfare practice addressed throughout the text. Avoiding this effort actually

supports the horror encountered by children, under the guise of accomplishing childcare and protection in an agency's individualistically oriented mandate. It requires a certain courage in opposing large corporations' grant funding and certain politicians' support.

Chapter Five: Child Abuse

History of child abuse in America

Role of social work practice in combating child abuse

Relationship to child welfare

Assessment and intervention strategies, application of philosophy

Influence of human rights agenda, economic and cultural diversity

Re-definition and use of assessment and intervention in radical social work

The source of love, nurturing, security, predictability, and caring for a child is the parent. When the parent fails to provide these vital benefits of a parent-child relationship, others must attempt to bridge the gap experienced by the child. It seems not merely the often cited “children are our future” adage that addresses this mandate but the basic moral legitimacy of a society to even exist.

Allowing children to suffer cruelty, rejection, and the futile effort to survive with inadequate resources would expose the moral turpitude of any people. One would presume this would call forth all available efforts from any society. This effort would be seen as combating child abuse and child neglect (Herrmann, 1975; Stoesz & Karger, 1996; Child Welfare League of America, 2010).

The earlier description of the work of the CAS and the SPCC provides a background of efforts to intervene into perceived unacceptable parent-child relationships in America. These activities by the child welfare system are illustrated by actions taken by the State of Texas in 2008 at a fundamentalist Mormon community, the Yearning for Zion Ranch (Garrett, 2008; The DesMoines Register, 2008).

The state Child Protective Services received an anonymous phone call, later shown to be false, alleging that the children in this community were sexually and physically abused. The child welfare authorities reacted quickly. They arrived with snipers, SWAT teams, police helicopters, armored personnel carriers, police, and social workers. All of the over four-hundred children in the community were taken from their parents and were loaded into buses from a near-by Baptist Church. One-hundred thirty of the children were under the age of five. The children were placed in foster homes in various locations in Texas. Some were placed at a deactivated US Army facility. The entire operation cost the state \$14 million.

The children were not placed with siblings. The mothers of these children wrote to the Texas Governor, alleging that the child welfare workers and mental health social workers subjected them and their children to constant evaluations, interviews, unexpected visits, and what were clearly unwarranted family and stress producing invasions – all without the discovery of evidence of child abuse. The parents filed a petition in the Court of Appeals in Austin. The court ordered the return of all the children. Texas's Child Welfare appealed the decision. The Texas Supreme Court agreed with the lower court.

There was no evidence presented in these court hearings that would otherwise justify the removal of these children by the authorities. The ACLU issued a statement that this was a case of religious persecution orchestrated by opposition to the fundamentalist Mormon sect practiced by these families. One might hear the ghosts of the SPCC sweeps of Irish immigrant communities that resulted in “saving” children from their Roman Catholic religion and living standards that were unacceptable to Gerry’s Society and the SPCC.

Child abuse may be defined as the person responsible for a child’s care inflicting or allowing to inflict a serious physical, sexual, or emotional injury on a child, including excessive corporal punishment. Child neglect may be defined as the person responsible for a child’s care depriving the child of minimally adequate supervision, education, nutrition, health or medical care, or the basic necessities to ensure the child’s well-being. About as many children die from child neglect each year as die from child abuse. Both conditions are equally severe. The state has the responsibility under a legal principle called “*parens patriae*”, requiring the state to be responsible for protecting children from threat or actual harm.

The failure to provide adequate care would not be considered neglect if the failure to provide is because of poverty, an inability to provide such care, and the parents have not been offered assistance that would obviate the inadequate conditions. Poverty, however, is not the only variable that provides special consideration of what appears to be neglect. Another variable is important, one that unlike poverty is purely voluntary. (Lower East Side Museum, 2005)

Religion and the religious belief of some parents present a serious threat to the welfare of children. Jehovah's Witnesses oppose a child receiving blood transfusions, even in a life-threatening situation. Christian Scientists refuse all medical care and instead rely on their religion's faith healers. Other Christian fundamentalist sects have parents or other members of their religion pray over a sick child and provide no other medical care. The US Constitution guarantees freedom of religion. The debate is whether this freedom may be imposed on a child and whether it includes a death sentence for a sick child when available medical care would save a child from suffering and death.

Forty-three states protect parents from being held liable or from being charged with child neglect if the parent's religion prohibits medical care. The Christian Science religion has often been the leader in lobbying that has resulted in this exemption in the law that removes protections granted to all other children in America. Christian Science is not alone.

C.H.I.L.D., Inc is a child advocacy organization that has documented this religious belief that God forbids providing medical care for suffering children. It has documented some religions that practice this belief, but there are other smaller sects:

- Followers of Christ
- Faith Assembly
- Church of the Firstborn

- Christian Science
- Faith Tabernacle
- End Time Ministries
- The Believers' Fellowship
- Jehovah's Witnesses
- Church of God of the Union Assembly
- Church of God (certain congregations)
- First Century Gospel Church
- Full Gospel Deliverance Church
- Faith Temple Doctoral Church of Christ in God
- Jesus through Jon and Judy
- Christ Miracle Healing Center
- Northeast Kingdom Community Church
- Christ Assembly
- The Source
- "No Name" Fellowship
- The Body
- 1 Mind Ministries
- Twelve Tribes
- Born in Zion Ministry

Children have died because of parents refusing medical care for the following:

- pneumonia
- meningitis
- diabetes
- diphtheria
- appendicitis
- measles
- gangrene
- dehydration
- blood poisoning
- Wilm's tumor and other cancers
- perinatal suffocation or strangulation
- diarrhea
- respiratory infections
- kidney infections
- Rocky Mountain spotted fever
- epilepsy
- pericarditis
- strangulated hernia
- bowel obstruction
- sepsis
- thalassemia

Some states now have ruled that homicide is not included in the religious exemption. The courts have not all concurred, and non-death suffering because God-will-heal is still tolerated under this exemption. Included in these religiously governed sects or cults is opposition to children being immunized against preventable diseases. Such children are thirty to forty percent more prone to contracting measles, whooping cough, etc. Belief and faith are not science, regardless of Christian Science's claim.

The incidence of physical child abuse in America has become one reason the international community questions our nation's rhetoric about human rights and social justice. The US Department of Health and Human Services reported in 2010 that 754,000 children were confirmed to have been abused or neglected in their homes. The majority of these children were between the ages of four and seven. They tended to be most often white and beaten or neglected. Five children reportedly die from this abuse each day, but about sixty-percent of those who die from familial abuse are not reported as having been murdered by a guardian or parent. Autopsies are rarely performed on children who die when their parents claim their religion forbids medical care. About thirty-percent of the parents who abuse their children had been abused themselves when they were children. The number of children who die from child abuse in America ranks the United States first in the world for this form of violence suffered by children.

Emotional abuse is included in statutes that define abuse and neglect. One survivor of Catholic schools in the 1950s noted, "The bruises and welts all healed, and when I share this experience with friends who also attended these schools, we even joke about what

the nuns did to us; however, we never joke about the embarrassment and ridicule we suffered. That pain never goes away.” Verbal attacks may be invisible and even more disabling than beatings. Echoes lurk inside these victims and may lead to mental health problems, suicide, self-destructive behaviors, and struggling with relationship issues and anger.

Emotional abuse is rarely prosecuted and often requires linking the person responsible for the child’s care with a diagnosed mental disorder suffered by the child, as the causative factor. When a child is deemed to be abused or neglected, emotional abuse is most often (if at all) added to the more easily defined and observable symptoms of physical abuse, sexual abuse, or neglect.

Sexual abuse is an insidious form of abuse that is first identified by a child who openly discloses or whose behavior discloses rape, molestation, or coerced participation in sexual exploitation. There are indicators that this frequently occurs in families with a rigid moral system. Pathological sexual behavior in such families may present a complex reaction formation that exhibits efforts to rationalize destructive childcare. There are similar features in the thousands of sexual abuse cases involving Catholic priests, ministers, and religious leaders in fundamentalist and evangelical churches. The dark side of those who practice and preach strict moral beliefs may conceal capitalizing on children’s innocence, their dread of rejection, and their abhorrence with what is being done to them while they fear abandonment.

Child sexual abuse results in life-long trauma, depression, suicide, self-destructive behavior, poor academic achievement, drug and alcohol abuse, anxiety, self-blame, and a vicious cycle of failed efforts to learn to trust others and even themselves. The abuse and exploitation often occurred after adults had groomed the young victims in such a manner that the child might have actually seen the abuse as a caring relationship in which the child approved of the mistreatment. The abuser was frequently skilled enough to blur the lines of responsibility such that the child owns the responsibility for the destructive activity. The pedophile, on average, has sexually abused about one-hundred and seventeen children before being identified. Pedophiles are addicted to having sexual experiences with children, sometimes children only a few weeks old.

Cyber sexual abuse and exploitation present new risks and challenges. Computers and cell phones have generated new levels of access to pedophiles grooming vulnerable children, defining and redefining exploitive relationships, and branding children forever with what is written and images that are placed on the Internet.

Those searching for children to abuse and exploit continually scan social media.

Pedophiles have ready access to children who have had their pornographic photos and videos placed on the Internet by others or by themselves. Nothing on the Internet is private. Nothing may be permanently removed or hidden from view. There are countless new social media sites that teenagers and others seem addicted to use. The FBI and other law enforcement agencies have difficulty keeping up with this avalanche of new opportunities for exploiting children.

17.3 million child pornographic images and videos on the Internet were reviewed by the National Center for Missing and Exploited Children in 2011. The NCMEC also reports that there are nearly 800,000 registered sexual offenders in America. About fifteen percent of children twelve or younger are sexually assaulted each year, but fifty-four percent of child sexual assaults are not reported. Cyber sexual abuse and exploitation are growing by about twenty-five percent each year. This increase is attributed to the supposed anonymity of the Internet, increased social media sites that fail to police their postings, the practice of sexting and texting by both children and adults, and the increasing cooperation among child pornographers and pedophiles on computers.

Organizations that support adults having sex with children include: Christian boylove Forum, Christian Consultation, Rene Guyon Society (Its motto is “sex by year eight or else it’s too late”), North American Man-Boy Love Association (NAMBLA), Pedophile Information Exchange (PIE), Childhood Sensuality Circle (Founded by a retired social worker in California), and hundreds of others in America and across the globe. These groups are monitored by law enforcement. They thrive in the computer age, however, and focus on what they see as their freedom to express their sexuality and their rationalization that engaging children sexually is healthy for the children, rather than stealing childhood from their victims. Many literary scholars discuss Lewis Carroll and the long discussed controversy about whether or not the author of Alice in Wonderland was a pedophile. He was. Their continual reference to Allen Ginsburg’s public support for NAMBLA seems to signal to them that they have some type of artistic legitimacy; in

fact, the literature from these sexual abusers' organizations consistently touts what they claim is their misunderstood lifestyle. They deny harming children and reject any view that sees pedophiles and their behavior as destructive. It is.

Children find themselves in a threatening and precarious milieu not only of easily accessible victims of sexual abuse and exploitation, the business of child sex, peer-pressure, organized efforts to abuse and exploit, but also technology that exacerbates efforts to protect them and to preserve childhood from those who would destroy it.

Child Protective Services are in place in all states. They are charged with identifying abuse and neglect, taking legal action when necessary to protect a child, and ensuring the provision of services to families in which abuse or neglect exist or are at risk of maltreatment. I have suggested these child welfare workers do more than focus on the symptom of abuse or neglect and assist marginalized families with the effects of poverty, etc. This is a complex responsibility to deal with causes, not merely symptoms. Yet, Abraham Bergman notes in the Archives of Pediatric and Adolescent Medicine in October 2010 that 28% of CPS staff have a baccalaureate degree in social work and 1.5% have a master's degree in social work. He also observes, "The average tenure of a child welfare worker is less than two years." Bergman, David Gil, and others suggest that CPS agencies be closed. Some suggest that public health nurses evaluate childcare in relevant situations since they have the training to do this and social workers do not. It also is suggested that law enforcement investigate physical abuse, sexual abuse, etc. since these are crimes. Social workers are not police officers. If we believe children are persons,

they need the same protections adults should receive from assault, rape, etc., not services from a CPS worker whose college degree (if s/he has one) is in an unrelated discipline. While few child welfare workers are professionals, most CSWE accredited social work education programs are not required to offer courses in child welfare or content in other courses that explore child abuse, exploitation, or neglect. We expect more training and preparation for services in society for those who cut our hair, groom our pets, or fix our automobiles.

How effective can we expect CPS workers to be? Kristine Campbell at the University of Utah looked closely at this question and concluded that from a sample of 595 families who received CPS intervention: “Adjusted measures of social support, poverty, and children's anxious, depressive, aggressive or destructive behaviors grew worse, though not significantly, in household subjected to any CPS investigation, compared with uninvestigated homes. As well, maternal depression also worsened -- to a statistically significant ($P < 0.05$) degree.”

The rate of deaths from child abuse in America is the highest of any industrialized nation. While child abuse is markedly severe in America, it becomes even more alarming when viewed as merely one form of violence with which children struggle. As an example, The Centers for Disease Control and Prevention reports “The overall reported fire-arms death rate among US children younger than fifteen is nearly twelve times higher than among children in twenty-five other industrialized countries combined.” It also reports about the presence of guns in American homes, “The United States has the highest rate of

youth homicides and suicides among the twenty-six wealthiest nations.” The conservative Tea Party lists gun ownership as “a sacred right”.

I have directed both an international education program for the State University of New York (SUNY) and an NGO in Danang, Vietnam (The Danang/Quang Nam Fund, Inc). It seems worth noting that I spoke with a grandmother in Danang who at one time immigrated to America. She lived in Maryland for a year with her daughter and the family’s two children. This grandmother decided to return to Vietnam and clarified her decision, “I just could not stay in America because it is so violent. It is not a good place to raise children.” A Philippine pregnant mother who married a man from America decided with her husband to return to her home country to have their baby and to raise the child “because it so dangerous to live in America.”

Our image around the world is not the proverbial nation with streets paved with gold. It has increasingly become a nation ruled by violence. Our children are abused in their own homes daily, often murdered by parents, and as victims of gun violence in their own homes, in their schools, and on those once mythical golden streets. Just as many Mexican immigrants to America who enter our country each year decide to leave America to return to Mexico each year. This is a zero immigration rate. The Statue of Liberty’s welcome “Give me your tired, your poor/your huddled masses yearning to breathe free”, has developed a different scandalous connotation for too many children.

Chapter Six: Foster Care and Variations

History of out-of-home care for children in America

Role of social work practice in foster care and variations of out-of-home care

Relationship to child welfare

Assessment and intervention strategies, application of philosophy

Influence of human rights agenda, economic and cultural diversity

Re-definition and use of assessment and intervention in radical social work

It seems that among all of the variables that make the present child welfare system important, the relationship between children and adults is significant. This relationship is presumed to have an impact on children that forms psychological, social, and biological consequences for a child's behavior; cognitive development; and relationship utilization. Much is made of the nuclear family and its importance in if not determining what a child has become at least what a child will become.

Society responds to the victimization of children by focusing primarily on the victimizing parents rather than the child. The parents are ordered to attend parent skills training, group or individual counseling, supervised child visits, etc. Parents who abuse are often replaced by foster parents. Adoptive parents may replace parents who abandon children.

Governments that regulate how forms of assistance can be used replace parents who cannot provide.

This carries a certain belief that parents may be the key to ending abuse and neglect, that we might merely replace the maltreating and unproductive parent with another who represents what society thinks a parent should be. This presumes the replacement will be more successful at what society wants “good” parenting to be and this success will be seen in children who behave the way society thinks they should. If this is valid, one wonders why this does not work.

Foster parents and adoptive parents abuse children as frequently as biological parents. Children are maltreated in group homes and residential treatment settings as frequently as they were when they were with their parents. In fact, society and communities have provided this alternative childcare for hundreds of years, and the rates of abuse, neglect, delinquency, and other social aberrations have not decreased. The conjecture that removing children from parents whom society thinks are not doing their job well will decrease risk is not always born out in experience.

Merely placing children outside their own homes does not guarantee improved childcare. It, however, does guarantee that a child will live in a fantasy universe in which child welfare workers might visit periodically to see if the child is receiving the quality of care one might presume is owed the child the state has placed. The child in this foster home retains his/her own last name, has travel restricted to the jurisdiction in which the

placement has been made, and experiences the tenuous life of one dependent on the willingness of the foster parents to continue to provide care and the results of caseworkers periodically leaving due to job change or agency staffing policies. The US Department of Health and Human Services notes that about 415,000 children lived in foster homes in 2010.

Goldstein, Solnit, and Freud established the standard that decisions made by the child welfare system should be based on stability. These decisions must be made in the best interests of the child, not the parent, and certainly not the social agency or court.

The system has an obligation to not only understand the psychological value of stability in a child's life but also understanding the permanent effects that result from removing or even threatening to replace this with invidious or well-meaning instability. This clearly is to be avoided. This stability is at the core of the parent-child relationship. It begins at birth and is the child's source of nurturing and predictability that leads to interpretations of met expectations intrinsically interwoven with a developing sense of self that forms a functional identity. Does the child welfare system preserve, or does it intrinsically destroy this potential for healthy growth?

Foster care, by definition, does not offer a child stability. It is intended to provide a temporary replacement for parents deemed unable to perform the responsibilities expected of a custodian.

The uncertainties of foster care might be defined by a young adult June who shared her story with me. She related that she had been placed in foster care at the age of five in Rochester, NY and left care when she turned eighteen. During those thirteen years, June lost track of her parents and her two siblings who had been placed in separate foster homes. She noted she thought her child welfare workers did their best and cared for her welfare, all six workers. It was difficult for them, she shared, because they always complained about paperwork and large caseloads. June added, “They just came and went. Sometimes I winced at being paperwork or the large caseload, but that’s the way it is. I felt sad most of the time, but they were good people. My foster parents were good people, too, all thirty of them. I’d be in a home for a month or a couple of years. After awhile, it didn’t matter. I felt like a box that kept being mailed to the wrong addresses.”

My first assignment as a foster care caseworker in Buffalo, NY was to place a sixteen-year-old child in a new foster home. She had been in her present foster home for thirteen years. Her foster parents were retiring to Florida and chose not to take her with them. I arrived at her foster home to find her sitting on the front porch with a few cardboard boxes. I identified myself, and she merely shrugged. She said, “My foster mother is out shopping. She said I should just go with you.”

Boxes being mailed to the wrong addresses? Cases and paperwork? A child not fitting into foster parents’ retirement plans? A child welfare system intended to preserve stability and the value of every child? There is incongruency between purpose and practice (Herrmann, 1984).

This incongruity has deep historical roots in racism and the imposition of religious intolerance toward members of competing belief systems. One of these victimized populations is the LGBT community. Faith-based child welfare agencies have long contracted with state child welfare systems to provide foster care services. Three of these agencies received over \$40 million from the Illinois Department of Children and Family Services for such services. Lutheran Child and Family Services, Catholic Charities, and Evangelical Child and Family Services were all exposed in 2011 as refusing LGBT persons' applications to provide foster care and adoption, a practice in violation of DFCS regulations. Each claimed that their religious beliefs would be violated if they did not discriminate against LGBT prospective foster care and adoptive parents.

All relevant scholarly research concludes that children raised by LGBT parents demonstrate no problems whatsoever because of the sexual orientation of their parents. Reports indicate that about 2,000,000 LGBT adults would like to adopt children. A bill was introduced in the US Senate and House of Representatives to end the discrimination that obviated foster care and adoption because of the sexual orientation of the care provider. The Every Child Deserves a Family Act of 2013 sits in a committee in Congress. It is predicted by GovTrack.us that the bill has a one-percent chance of being voted out of committee and a zero-percent chance of being passed into law.

Oregon, New York, California, Wisconsin, New Jersey, Rhode Island, and Massachusetts prohibit discrimination against LGBT persons who are or seek to be involved in foster

care. Utah and Nebraska specifically prohibit the involvement of LGBT persons. All of the other states remain silent on this issue, leaving such decisions to social workers and child welfare agencies. When one population has proven its willingness and worth in providing foster care, as the LGBT community has, but is excluded because of sexual orientation, a nation continues to reflect bigotry that can only harm vulnerable children.

Children who become parentless for a variety of reasons often have been cared for by relatives. This practice dates back through history. Families most often deal with family problems without the intervention of social agencies or the authorities. The same holds true when children in a family no longer may be cared for by their parents. Another family member assumes this responsibility. This is now called kinship care. It is a relatively new term but a quite ancient practice.

The Urban Institute Project estimates that 2.3 million children live in kinship care. The vast majority, 1,760,000 children, live with grandparents, uncles, or aunts. The majority of these children, 1,360,000, live with grandparents. The rest live with relatives in a child welfare agency approved and involved process. 400,000 were placed under a court order and a transfer of custody to the relative providing care. The smallest number, 140,000 were placed voluntarily with a social agency without a court order.

Sixty-percent of these children are persons-of-color. Historically marginalized families have chosen this parenting arrangement, without child welfare intervention. Most of

these families are poor. Social services intervention often is seen as threatening, oppressive, and is avoided.

There are ramifications to kinship care. Most often the practice saves money for public sector child welfare agencies. The families themselves often assume these childcare expenses. If the children are added to a family's public assistance grant, the cost to the agency is much less than the cost of foster care. From a purely fiscal perspective, kinship care is preferred. There are other factors to be considered.

Children who live with a relative may experience less of a threat to their stability than they would being placed with non-relatives. The child's parent may feel more comfortable with such arrangements but also might be threatened by their child being placed in a situation in which they developed, with the type of childcare they experienced. Multi-generational abuse and neglect is common. Grandparents may have experienced the same inadequacy a parent exhibits. Those who were abused may abuse.

Any foster care arrangement has the potential to communicate to a child's parents their inability to provide even minimally acceptable care for their children, their failure as a parent. This lack of self-esteem may serve to distance a parent from a child and may cause additional stress within a family system, especially in a kinship placement. The involvement of a child welfare agency may provide services that assist in strengthening such family involvement or may introduce an inherent use of coercion that may result in unintended consequences, such as the parent abandoning the child.

The foster care system differs from state-to-state. The same is true for working and legal definitions of abuse and neglect. The costs of foster care also vary greatly in different states. Foster parents in the District of Columbia may receive about \$919.00 each month to meet the needs of a child. In Wisconsin, they may receive roughly \$220.00. Neither of these payments totally covers the costs of caring for the foster child. Assistance for the poor also fluctuates across the country. The average TANF allowance per child is \$249 per month. Arkansas pays \$81.00 per month, and New Hampshire \$530.00.

Federal and state funding for TANF is about \$26.9 billion annually. This accounts for nearly all cash assistance for America's poor. 3.2 million children received support through TANF in 2012. \$689 million, on the other hand, was spent by the government for child welfare, including far less than 500,000 foster children.

The Fostering Connections to Success and Increasing Adoptions Act of 2008 allows foster care for children who age out of care at eighteen to remain in care until twenty-one years of age. While it provides support for adoption incentives and a more integrative approach to child welfare, the system remains relatively unchanged. (Stolley, 1993)

Child welfare workers, by the way, spend about sixty percent of their time meeting with parents, foster parents, others providing services for their cases, and children. Forty percent of their time is spent in supervisory meetings, completing forms and case records, in workshops, talking with colleagues, having lunch, etc. The costs and the use of time

are variables that contribute to our understanding of the priorities of child welfare services and how the system functions.

Chapter Seven: Child Adoption

History of child adoption in America

Role of social work practice in child adoption

Relationship to child welfare

Assessment and intervention strategies, application of philosophy

Influence of human rights agenda, economic and cultural diversity

Re-definition and use of assessment and intervention in radical social work

A five-year old boy who was adopted by an American couple from his orphanage in South Korea once defined adoption for me. He said, “Kids come from two places, Mommy’s tummy or airplanes.” Children have the skill of making complex topics quite simple and clear. His interpretation of this child welfare service understandably lacked the complexity and controversy that has always followed child adoption, but it was true. Even his interpretation altered over time. The boy grew and began to come to grips with the personal complications of adoption. His memories of South Korea, the brutal murder of his younger sister by their father when he was three, the disappearance of his biological mother, and his rejection of trust and intimacy offered by his adoptive family in America all contributed to a life filled with turbulence of antisocial reality. The adoption of a child includes all that is that child – physical, legal, emotional, psychological, culture, love, and anger. He left the family that had adopted him after

years of therapy and all the needs that could never be met. There was no positive resolution for this child. He left his adoptive family, blaming them for all of his problems, and was never seen again. His problems were not unique. Attachment disorder? A series of possibilities that became little more than frustrations resulting from tragic circumstances? Expectations gone awry? Early life trauma influencing child development? Inadequate preparation of adoptive parents? Fate? Cultural conflict? All of the above? There is literature supporting each of these explanatory variables, but satisfactory answers are difficult to find.

Child adoption is the transfer of guardianship from a birth parent to an adopting parent. It is the transfer of a child from one parent to another, with all of the legal status involved. The adopted child has the same rights and responsibilities a biological child has in the child-parent relationship (name, inheritance, legal identity, etc.)

Charles Loring Brace and his Orphan Train movement, beginning in the 1850s, took children from Roman Catholic families and gave them to Anglo-Protestant families. Eldridge Gerry and the SPCC did the same. Many of these children were adopted. (Kahan, 2006; Stolley, 1993) Most were not. The mere saving children from the presumed deprivations of Catholicism was seen as justification for this foster care and adoption service, and state governments sanctioned it. It, of course, was a form of genocide that became the foundation of adoption services in America, not unlike the practice of many who presently “save” children from third-world countries.

The intention was to provide hope for what were perceived as hopeless children. Closely looking at the motivation, however, finds questionable human rights and social justice ramifications. The best intentions do have an impact on children who usually have no voice in such situations. Their voice in this might manifest itself, as the child becomes an adult. Studies of internationally adopted children indicate that such children lose their original cultural identification. This variable has been contentious throughout American adoption history. (Herrmann & Kasper, 1992; Jacobson, 2009; Smith Rotabvi & Footen, 2012; Kahan, 2006)

Pearl Buck, the famous author, adopted a number of children of different racial and cultural backgrounds. She saw objections to such adoptions by social workers as repugnant. Her response was to open her own adoption agency. The practice of international, interracial, single parent, and LGBT adoptions is now accepted in most communities. The objections condemned by Buck, however, have not been totally resolved.

The National Association of Black Social Workers still condemns interracial adoption. During the late 1950s and most of the 1960s, the standard setting organization for child welfare, the Child Welfare League of America, used federal grants to place hundreds of Native American children with white families. The Adoption Resource Exchange was formed to support the placement of children for whom adoptive parents were difficult to find. It actively supported the placement of Native American children with non-Native parents. Native American activists opposed these projects, and the 1978 passage of the

Indian Child Welfare Act was intended to limit or end this practice. The CWLA, in 2001, retracted its support for separating Native children from their heritage and culture. It apologized for their long support for this federal project. Black and Native American children who were adopted by white parents seemed to develop socially, educationally, and psychologically as well as the general adopted community, but they seemed to lose their cultural identity. The support for this form of adoption saw social workers disregarding the impact of marginalization in America. The strong opposition to these forms of adoption by Native American tribes and nations and the NABSW have made the risks to those adopted, those who adopt, and society-at-large quite clear.

Those who are interested in adopting a child first locate a public or private social agency that is licensed to place children for adoption. Many avoid an agency adoption by engaging a form of private adoption. These usually are the adoption of a child who is a relative. This maintains family relationships and usually is somewhat uncomplicated. Other forms of private adoptions should be approached with caution.

My research in 1998 began with this abstract:

“A year-long study of child adoption indicates some disturbing trends. The study included contacts with adoption resources in the United States and several other nations; including adoption agencies, facilitators, licensing agencies, Federal and State law enforcement and licensing officials, adoptive parent organizations, and a variety of other persons. The use of the Internet in adoption was also studied. The study concludes that the practice of adoption is presently fraught with baby

selling and a variety of creative illegal practices that threaten to denigrate the altruistic goals of child placement. Recommendations to end illegal adoption are included.”

“The Illegal Practice of Child Adoption” study included investigating individuals who were quite willing to place a child for adoption with adults with felony and sexual abuse histories, as long as they were willing to pay exorbitant fees. Baby selling too often takes the form of child adoption. The Fight Slavery Now organization quoted this study:

“Adoption today has become a business that sells children as commodities with a disregard for children’s human rights and with the moral indignity of selling children to meet the need of some adults to parent and others merely to make money.”

I recall meeting a family of a well-known actress. Her daughter greeted me with, “Did you know my parents bought me?” Her mother explained with a smile, “I was on tour in Thailand, decided I wanted to adopt a daughter, went to an orphanage, and paid them lots of money.” “It was that simple,” she laughed. Her daughter merely shrugged.

This, of course, may be seen as placing child adoption in a morally unjustifiable light. There, however, are many thousands of children in America who struggle with the lack of stability in foster care and many pregnant women who find themselves opposed to abortion or in an American state where abortion is not actually available because of the actions of legislators who impose their religious and moral beliefs on

women. Adoption, therefore, is a welcome alternative for many children and a viable option for many women.

Child welfare workers must be cognizant of the permanent nature of adoption decisions. Their obligation primarily to meet the needs of the child while giving equally skilled and mindful help to the biological parent is essential in adoption decisions.

The emotional experience of the birth mother is reflected in the term “surrender”, the legal term for the birth parents legally transferring guardianship to a child welfare agency or an adoptive parent. Helping the woman to frame surrender as active caring for the future of her child rather than being weak and ineffective is significant.

The third party to these services is the adoptive parent or parents. This tri-party child welfare service will affect profoundly each person.

While no one wants to have a child languish in uncertainty or a prospective adoptive parent experience inadvertent delays in family building, proper preparation is important.

The child’s perception of family is formed by the experience of foster care or inadequate parenting. One’s past forms one’s future, but it is not impermeable or

inevitable. Foster parents who adopt their foster child have the advantage of having more than a fleeting knowledge of the child and more than a speculative awareness of how they parent and how the mutual relationship will be experienced. Such adoptive placements tend to be successful. However, most adoptive placements tend to be successful if the lack of disruption is the factor on which success is measured.

Adopting parents need to consider the reality that after they adopt, their lives will change forever. Parenting is more than smiles and happy feelings. It imposes great restrictions on parents' previous lifestyle, temper tantrums, testing of limitations, financial stress, and a major change in the relationship between parents. The joy of parenting is unquestionable, but, at the same time, it requires degrees of patience and selflessness sometimes unanticipated. Parents, by definition, are to meet the needs of a child. Children were not created to meet the needs of parents. Even in societies and cultures in which children are expected to care for the elderly parent, these expectations are as often tentative and theoretical as actual.

In most states, services from the adoption agency are delivered before a family is deemed acceptable to adopt. These continue during the placement of the child with the adoptive parent and for a stated period after the child is placed. The services usually end once the adoption is finalized by a court. An exception to this end of services is subsidized adoption.

Many children are viewed as unadoptable. Merely being an older child too often precludes adoption. Many children, however, present a variety of apparent obstacles. These children present physical, developmental, emotional, psychological, or behavioral challenges that require ongoing services that might be too financially burdensome for adoptive parents to assume responsibility. Children in need of expensive medical care or long-term mental health services might be adopted if the cost of such care is available.

Subsidized child adoption provides this necessary support. The cost of subsidized adoptions saves about \$6 billion dollars that would have been spent to maintain a child in foster care. These funds are usually a mix of Federal, state, and county funds. They begin when an adoption is finalized and may continue as long as the initial need is present. Ninety percent of children adopted from foster care are subsidized. This certainly reflects the complexities of foster care and the special needs of children who live with a lack of permanency. A study by the North American Council on Adoptable Children found that 129,000 children wait for adoption while in foster care. They entered foster care at the age of five and have spent about three years in care. The findings included that these children would likely find permanence in adoption with the assistance of subsidies.

The programs that establish and regulate adoption subsidies have not been universally supported. Fraud has rarely occurred but has received much media attention when it

has been found. One family in New York was found to have received over \$1 million in relevant funding.

Many conservative politicians have not supported this approach to adoption. More than \$1 billion in state funding in California was cut from the budget. Federal payments for subsidized child adoption was one of the first Federal programs cut by Ronald Reagan after his election to the Presidency, along with child immunization services, and child nutrition programs. Children did not vote for him and did not make financial contributions to his political campaign. This is more than an editorial comment; it responds to a significant difference in political philosophy between those who staunchly support massive expenditures for the military and major cuts in child welfare and other children's services. The proper role of the government in meeting the needs of children is a political thread that runs throughout the child welfare system and has been for over two-hundred years. This is more than cost containment. After all, subsidized adoption is less expensive than foster care. Why cut these subsidies but not foster care? Ending funding for one or two new jet fighters' programs might cover the cost of subsidies for impatient children. What is the logic?

Chapter Eight: Juvenile Delinquency and Illegal Behavior

History of juvenile delinquency and other forms of illegal child behavior in America

Role of social work practice in dealing with juvenile delinquency and other forms of illegal behavior by children

Relationship to child welfare

Assessment and intervention strategies, application of philosophy

Influence of human rights agenda, economic and cultural diversity

Re-definition and use of assessment and intervention in radical social work

The primary function of a government is to preserve the government. It can do nothing if it does not exist. Its secondary purpose is to serve and to ensure the welfare of its people. All else emanates from these primary functions that are defined and exercised according to the will of the people through its elected representatives. The differing definitions of these functions may obviate opportunities to enhance the quality of life in society.

The government enacts laws and regulations that restrict freedoms that are defined by the government and respond to the legitimacy of social order. Children and their behaviors are a vital part of this constituency. The UN Convention on the Rights of the Child is an example of the rights and the responsibilities that affect children and their status.

The general population is expected to adhere to acceptable behavior that, in its extremes, obeys laws. Children are not an exception. This implementation of relevant standards of conduct is juvenile law. America's history includes the development of these laws and speaks to its expectations of children and those who have obligations to society, including the young.

The poverty of many in the 1800s in America gave rise to juvenile homelessness, crime, and gangs. The poverty of many in the 2000s has inherited this product of capitalism. The response to this destructive behavior has evolved over the centuries. The response to juvenile crime, however, dates back to the late 1700s when William Blackstone defined "infants" as incapable of committing a crime and "adults" as culpable. Infants were seen as incapable of understanding the implications of illegal behavior. They were usually defined as persons younger than fourteen. Exceptions were made when a person as young as ten years of age could be put to death for the commission of a felony, a serious crime, when the authorities decided the child knew the behavior that resulted in arrest was both serious and wrong. Children in America were hanged for such offenses.

In 1825, New York City established a reform school for juveniles arrested for criminal behavior. Reform schools were prisons that purported to focus on reforming anti-social behavior. Another was established in Chicago in 1855.

A juvenile court was established in 1899 in Chicago. By 1925, most states had juvenile courts. They all shared a mission of helping children convicted of crimes to be rehabilitated. Involuntary incarceration and the process that leads to this are punishing, alienating, and determinative of a certain labeling when released. During the children's residency in reform schools, they became members of a community staffed by their jailers and populated with young criminals. The issues the reformers of the era dealt with recognized a juvenile delinquent's youth, developmental struggles, and the conflict between helping and punishing.

The issue of juvenile culpability and the consequences of actions are not the only factors that are engaged by this justice system for children in America. Most juveniles incarcerated are people of color, most African American. The case of George Stinney, Jr. is an example of racism and juvenile justice clashing. Stinney was fourteen years old in 1944 when he was strapped to the electric chair in Columbia, South Carolina. He had been convicted in a two-hour trial of murdering two young white girls. The all-white jury took ten minutes of deliberation. No actual evidence was presented in the trial, merely the word of three local police officers that the child had confessed to the murders after being offered ice cream by the police. Blacks were not allowed on the jury nor were they allowed in the courtroom. In fact, they were not allowed to witness the child's execution that took place two months after his conviction. It is reported that he had to use a Bible as a booster seat for the electric chair and the face mask used to cover the face of a person being executed flew off during the process because it did not fit the child's small face

properly. This 5'2", ninety-pound child was executed for being an African-American, not a murderer. He was the youngest person executed in the 1900s in America.

George Stinney may have been the youngest American executed in the twentieth century, but this country has an extensive history of killing children through the legal system.

Examples include:

- Hannah Ocuish was twelve when she was hanged in Connecticut for murder in 1786.
- James Arcene was hanged for murder in 1885, at the age of ten.

Not all executed children have been killed by the courts:

- In 1911, Laura Nelson was raped, dragged, and lynched by a mob in Oklahoma, along with her fifteen-year old son.
- In 1914 in Oklahoma, Marie Scott, a black seventeen-year old was lynched by a mob because her brother killed a white man who was in the act of raping her.
- In 1918 in Georgia, Mary Turner's husband was murdered, and she attempted to have those responsible arrested. A gang of white men retaliated against her, hanged her by her feet, and set her on fire with gasoline. Since she was eight-months pregnant, they cut her open. The baby fell to the ground, and the men stomped the baby to death.
- Andrew Clark, fifteen, and Alma Howze, sixteen, were brutally beaten and lynched from a bridge in Mississippi in 1918.

- In 1955, Emmett Till, age fourteen, was accused in Mississippi of flirting with a white woman. Two white men took the child, tore out one of his eyes, tied a seventy-pound weight around his neck with barbed wire, shot him through the head, and dumped him in a river. The men who committed this crime were arrested and found innocent. A few months later, they laughingly admitted to the murder, but the standard of double jeopardy saved them from punishment. Many in the South saw them as heroes. No one was convicted of murdering this child.

It is documented that more than five thousand blacks have been illegally raped, disfigured, beaten, tortured, and lynched by white men in America since 1859. These murders resulted in no convictions and rarely an arrest. Not all were done in the secret of night. Laura Nelson and her child were murdered in Okema, Oklahoma as a community celebration. Hundreds of families came to witness the slaughter. They cheered, sang, and danced. Body parts were kept as souvenirs.

The legal execution of children in America has an odd history. In 1988 in *Thompson v. Oklahoma*, the Supreme Court banned the execution of persons convicted of a capital offense committed before turning fifteen years of age. The next year, the Court in *Stanford v. Kentucky* upheld the execution of sixteen year olds. In 2005, the Court banned the execution of those convicted of capital offenses when under eighteen in *Roper v. Simmons*.

The prison system and the justice system sometimes change their image. New York State renamed their prisons “correctional facilities” at the same time opportunities and services for prisoners were curtailed for budget reasons. The only correctional opportunities were restricted to the name of the institution, not in offered rehabilitative services.

This same approach has been the history of children’s justice facilities across America. The history of children’s experiences in such facilities is fraught with rapes, beatings, demeaning restrictions, withholding medical and mental health care, and other scandalous reports. Such mistreatment was not merely in the 1800s.

The Arthur G. Dozier School for Boys in Florida closed in 2010. An investigation into its one-hundred year history uncovered one-hundred children murdered and buried on the grounds. They had been beaten, raped, and murdered. Most were black children. Many had been sent there because they were truant or disobedient.

The arrest and incarceration of Americans is governed by a variety of laws and Constitutional protections. Juvenile delinquency, those minors who commit actions considered criminal, are not the only children subject to placement into institutions.

There are laws that are only applicable to children that may result in imprisonment. It is not sensational language to call residential treatment centers from which children may not leave at will “prisons”.

If an adult decides not to show up for work, they might be fired. If an adult in college, cuts classes, the student might fail. If a child skips school, disobeys a parent's edicts, or runs away from home, this child may be arrested, taken to a juvenile or family court, and placed in a so-called residential treatment center or (euphemistically) prison.

These laws only applicable for children are called "status offenses". Some states label these Persons-in-Need-of-Supervision (PINS). Others Minor-in-Need-of-Supervision (MINS). When a child is incorrigible, habitually truant, or beyond the control of the parent or other person legally responsible for the child's care; the child may be petitioned to court. The child may be placed on probation, placed in foster care, or placed in a residential treatment center. The period of time these dispositions might be in effect could be years. Children actually have been charged with these status offenses merely because they have refused to complete homework assignments.

A child who is sexually abused at home and presents disciplinary problems in school, who decides to runaway could be seen as acting reasonably by fleeing danger, or, they might well be seen as PINS. Estimates are as high as ninety-percent of runaways that flee serious child abuse.

Juvenile Courts through the 1900s frequently became Family Courts in the middle and late 1960s and 1970s. While the mission of juvenile courts is to focus on the needs of a child, family courts were to broaden this mission to see the child as a member of a family.

In New York State, the Family Court, by statute, has a primary focus on preserving and strengthening families. This court had its roots in the 1902 establishment of a children's section in state courts. It evolved to 1922 when a Children's Court was established, based on the first juvenile court in Chicago. The Family Court Act was passed in 1962. These courts were as much a legal effort to deal with juvenile offenses and family problems (abuse, neglect, adoption, custody, etc.) as they were to address social issues. The judges of these early Family Courts were very involved with anti-poverty programs, the development of mental health services, and other social policy and program development. They also were proactive in changes in the law that addressed a variety of juvenile issues. As an example, Judge Edith Miller from the New York City Family Court used her position in 1978 to establish changes in related laws that would sentence fourteen-year olds to the same sentences an adult would face for fourteen different crimes. This also added the penalty for a thirteen-year old found guilty of second-degree murder to life in prison.

2,500 children are now serving life without parole sentences in American prisons. Most states now allow the death penalty for juvenile offenders once they achieve the age of majority. This is a violation of the UN Convention on the Rights of the Child, the International Covenant of Civil and Political Rights (ICCPR), and what the UN Human Rights Committee calls "common international law". Since a Supreme Court ruling that banned the execution of a child fifteen or younger, nineteen states allow the death penalty for sixteen and seventeen year olds. Seventy-three persons remain on death row for

crimes committed when they were older than fifteen and younger than eighteen. They are awaiting death when they will be considered an adult.

This list from the Coordinating Council on Juvenile Justice and Delinquency Prevention provides more than statistics on the execution of children in America. (History of the Juvenile Death Penalty, 2013). The children sentenced to death are held until they are older; then, we kill them. The names of these children lend some identity to the numbers:

Executions of Juvenile Offenders,
January 1, 1973, through June 30, 2000

Name	Date of Execution	Place of Execution	Age at Execution	Race	Crime	Age at Execution
Charles Rumbaugh	9/11/1985	Texas	17	White		28
J.Terry Roach	1/10/1986	S. Carolina	17	White		25
Jay Pinkerton	5/15/1986	Texas	17	White		24
Dalton Prejean	5/18/1990	Louisiana	17	Black		30
Johnny Garrett	2/11/1992	Texas	17	White		28
Curtis Harris	7/1/1993	Texas	17	Black		31
Frederick Lashley	7/28/1993	Missouri	17	Black		29
Ruben Cantu	8/24/1993	Texas	17	Latino		26
Chris Burger	12/7/1993	Georgia	17	White		33
Joseph John Cannon	4/22/1998	Texas	17	White		38
Robert A. Carter	5/18/1998	Texas	17	Black		34
Dwayne A. Wright	10/14/1998	Virginia	17	Black		26
Sean R. Sellars	2/4/1999	Oklahoma	16	White		29
Christopher Thomas	1/10/2000	Virginia	17	White		26
Steve E. Roach	1/19/2000	Virginia	17	White		23
Glen C. McGinnis	1/25/2000	Texas	17	Black		27
Gary L. Graham	6/22/2000	Texas	17	Black		36

The hearings in Family Court are confidential. The judges, at least in New York, are elected for twenty-year terms. At times, the practice of these courts makes one want to see a system that is more transparent.

The New York Times reported in 2011:

“Former Luzerne County Judge Mark Ciavarella Jr. was ordered Thursday to spend 28 years in prison for a bribery scandal that prompted the state’s high court to overturn thousands of juvenile convictions. Mr. Ciavarella was convicted of taking a \$1 million bribe from the builder of a pair of juvenile detention centers in a case that became known as “kids for cash.” In the wake of the scandal, the Pennsylvania Supreme Court overturned about 4,000 convictions issued by the judge, saying he violated the constitutional rights of the juveniles. Al Flora, his lawyer, called the sentence harsher than expected.

Federal prosecutors accused Mr. Ciavarella and a second judge, Michael Conahan, of taking more than \$2 million in bribes from Robert Mericle, the builder of the PA Child Care and Western PA Child Care detention centers, and of extorting hundreds of thousands of dollars from Robert Powell, the facilities’ co-owner. Mr. Ciavarella took the cash while filling the beds of the private lockups with children as young as 10, many of them first-time offenders. Mr. Conahan pleaded guilty and awaits sentencing.”

The history of juvenile justice, the establishing of status offenses, constructing family courts, and the legal struggle to make sense of all these and other policies result in a system of contradictions. They appear well meaning. They function only from the adult perspective and often violate the human rights of

the child. Questionable relationships among social workers, attorneys, judges, and related personnel would benefit from a thorough review.

Chapter Nine: Child Custody

History of child custody issues in America

Role of social work practice in child custody issues

Relationship to child welfare

Assessment and intervention strategies, application of philosophy

Influence of human rights agenda, economic and cultural diversity

Re-definition and use of assessment and intervention in radical social work

Child custody defines who has the responsibility for twenty-four hour, seven-day each week care for a child. It might be seen as a product of ownership, as well as the accountability for childcare. Custody is a legal status for both the child and the adult custodian. This should be differentiated from guardianship, the legal relationship that defines the parent-child relationship, as differentiated from the specific tasks of parenting.

Custody is all too frequently decided by the will of a parent within a contentious relationship. Some of these complexities might be seen in the following case example:

Mary Smith is a disabled military veteran, psychotherapist, college instructor, and a licensed clinical social worker with remarkable and praiseworthy service in several states. She also is a mother of two healthy, well-adjusted, and happy children. Why, then, would she be charged with child abuse and child neglect after one of her children received a minor accidental injury that she cared for wisely, as any caring parent would? The injury healed well without need for medical treatment. She, however, was charged with abusing and neglecting one of the children in November 2005, once Michael Smith, her husband, had filed for divorce and custody. He reportedly had been planning for years to avoid child support after the divorce by having his wife charged with child abuse.

How could this happen to this mother and her children? It could happen because she lived in Seneca County, New York, the land of good old boys and local corruption. It is a small county with about 33,000 inhabitants, only 17% of them having earned a college degree. 7% of the population was seen at the local mental health clinic for treatment of mental disorders in 2004.

Nestled in the beautiful Finger Lakes is the quaint community of Waterloo, a village with deep historical roots. It saw the first Women's Rights Convention nearby in 1848. The

red brick courthouse was built in 1818. It is next to the old public whipping post and gallows. The gallows saw the public execution in September 1811 that brought people from across the region to gather in the square, as they cheered while they watched the hanging of a man who killed another over a pint of whiskey.

The Hon. Dennis Bender presided over Seneca County Family Court on the second floor of this historic courthouse, five days each week. He served in office until 2013. Judge Bender ran a relatively efficient court that seems to have run amuck. His decision to allow a Child Protection Service from neighboring Ontario County to petition his court to protect a two-year old and a four-year old from no abuse resulted in a skilled and loving mother being barred from her own home. He allowed hundreds of thousands of dollars and countless hours of agency and court time to be used over nine months to drag children into a morass of madness. This is a legal system hell-bent on injustice. It is as though the public whipping post is still in use.

There have been countless stories of child protection agencies failing in their charge to protect children and of family courts being used as tools of what is in the worst interests of the child. This, however, is a prime example of a family tragedy being enabled by those professionals whom taxpayers fund to protect children from what the “system” is actually perpetrating.

For many in Seneca County, it is frightening that they, too, might find their families at risk because of the incompetence and witch-hunting practices of social agencies that

operate in a manner counter to professional ethics and public charge and a court that hears cases in secret and at the discretion of a judge whose personal relationships place his objectivity in question.

It is not only a matter of concern in Seneca County, New York; it is a concern across America. This case, however, is a typical perversion of the very system our government has established to protect children and to strengthen families in trouble. It certainly is worth examination, if only to avoid child abuse by the very system we expect to protect children.

The family lived in a sub-division of the now-closed Seneca Army Depot in Romulus, N.Y., a former military base first opened in 1941 to store radioactive and chemical waste. The EPA reports that the ground water in the area is contaminated “with volatile organic compounds (VOCs), including trichloroethylene (TCE), 1,2-Dichloroethene, vinyl chloride, and metals. Soils are contaminated with heavy metals and VOCs.” (EPA ID# NY0213820830).” The Army also covered much waste in 1987 and has refused to disclose the identity of these contaminants. These materials are contained in what is euphemistically called the “Miscellaneous Components Burial Site”. EPA documents note that about 1,300 wells are used by locals for water.

The houses are attractive but rather standard officers’ family quarters built about the time the military depot was closed, split-level houses with carefully mowed lawns and small trees. They are adjacent to a wooded area that is protected for “conservation” and wildlife purposes. The families have a suburban homeowners’ organization in an isolated

rural area that maintains a sense of community ownership while it regulates the living environment. The President of the organization recommends snowplowing contracts and the like and benefits from having his own driveway plowed for free. The President is Michael Morse. He also is employed by the Seneca County Mental Health Service in a low-level and rather poorly paid counseling position. Morse's daily contacts, however, include Family Court, the Sheriff's Department, the District Attorney, and the local Child Protective Services.

Mary Smith was engaging the hectic pace of an early evening in December 2006 after a day at work. Two active children were playing with her and singing, as she was making dinner and picking up toys in the family's attractive and well-kept home. She was delighted not only with her children's laughter but also the anticipation of the arrival of a cleaner she was to interview for employment to help her with chores during the week. She and a neighbor had struck a deal to share these services. The doorbell rang, and she cheerfully answered.

The woman at the door nodded at the greeting and introduced herself as Paula Morgan, a Child Protective caseworker from a neighboring county. Smith let her in and felt the confusion any parent would feel at this introduction. Morgan, a wrinkled, middle-aged, and tired looking woman, frowned and said that she was visiting because of a complaint about the care of the children. This surprise was reacted to by the mother with welcoming the caseworker and comments by Smith that she would be happy to talk with

Morgan. She added that she understood and had actually been a CPS caseworker in another state.

The children continued to play, as Morgan spoke about her visiting from neighboring Ontario County because Smith was employed by Seneca County, and they wanted to avoid any conflict by having a local caseworker respond. She went on to describe that the complaint was about Joan, the three-year old child, having been injured recently and Smith refusing to provide medical care. Smith masked her panic and confusion while she faced a threat she had never anticipated.

The visit resulted from a seemingly innocent incident weeks before. Smith was napping on the living room couch. Her husband was cleaning the garage. The children were playing quietly in the living room. Joan fell from the ottoman next to her mother and cried. The two-foot fall onto the carpet had apparently injured her shoulder. Smith consoled her child who quieted quickly. It seemed a minor problem. Children fall all the time. She had no bruise, no mark, and no observable injury. Smith took the children to visit a neighbor, another mother. They both looked at Joan's injury and decided to apply hot and cold compresses to decrease the pain. Joan went to play and seemed fine. Later, she was picked up by her father and cried. She said, "Mommy kicked me off the ottoman." He returned to cleaning out the garage, and Smith returned to the house with the children. The child seemed fine, but her husband, in the habit of strictly controlling his wife and children, ordered his wife to have their pediatrician look at the sore shoulder. Days went by, and Joan seemed fine, climbing trees, dancing, running, and laughing.

Smith saw no need to arrange a doctor's visit since her daughter seemed in good health and had no further complaint. Her husband had something else in mind.

Two weeks after the incident, Smith took his daughter to the pediatrician. The examination showed a healed cracked clavicle. The injury had healed well, with no after effects. The fragile clavicle might break at birth, with a fall from a slide, or a minor bump. Smith, however, told the examining pediatrician that his wife had mental health problems and kicked Joan. He asked if the doctor planned to report the incident as child abuse. The doctor was non-committal. The next day Smith called the doctor and urged a report. The doctor complied, and the wheels of the child protection system began to turn.

Morgan was assigned to the case. She spoke with the father. He elaborated about alleged mental health problems exhibited by his wife. The worker came to the home prepared to see an abusive mother with severe psychiatric problems. She found a cooperative parent, a clean house, and well-developed and healthy children. This, however, is not what she reported.

Smith was described as an immature, irrational, and frightened woman who admitted she had abused her daughter during what Smith described as a "Bad mommy day". Morgan even found fault with the mother sitting on the floor with the children during a part of the visit. Mothers sitting on the floor with two small children? It seems an indicator of inadequate childcare in Seneca County, NY. Having a "Bad mommy day" amounted to an admission of abuse in the mind of Morgan.

It was after this visit that a rather surreal world was created for Smith. Her neighbors and professional colleagues rallied to her support. They had daily contact with her for years in their homes, her home, the neighborhood, and at work. She was seen as the consummate professional and the super mom whose sensitivity and child centeredness not only elicited a confidence in her as a mother but also a reliance on her to watch others' children. The allegations never shook this support from those who knew her well.

The father was portrayed by these same people as controlling and inflexible, a rather odd parent who would sit in a restaurant with Joan and unrelentingly instruct her on the proper way of coughing in public while the embarrassed child would sit close to tears as she tried to cough the way he demanded.

The surreal world created was one in which Morgan refused to talk with any more than two of these neighbors who supported Smith and none of Smith's colleagues. A list of neighbors and others who had visited the family home that was provided by Smith and her attorney was ignored by Morgan and her county's attorney. The caseworker's time was spent with Mr. Smith and his relatives. They described a mother nobody else had ever seen, and they supported this with a theme: she came from "poor stock" and they did not. Smith was raised in poverty. The father was raised by a mother with classical, operatic voice training. Morgan must have been impressed with the good stock vs. bad stock theme. She and her county's attorney filed charges in Family Court, charging Smith with abuse and with medical neglect. The latter charge stemmed from the

mother's decision not to seek medical care because Joan seemed not to need medical care. The father took two weeks to take the girl to see a doctor, but this responsibility seemed only to apply to the mother, not the father. The county did more, however.

The authorities referred the case to the District Attorney. Smith was arrested for child endangerment, an unheard of action, especially given the circumstances that existed here.

The District Attorney in Seneca County has his own interesting history. Seneca County's small Sheriff's Department, those who arrested Smith, became the subject of a special prosecutor's investigation after a suspicious fire destroyed county equipment and five of its deputies became the subject of "possible criminal acts" in March 2006. Federal law enforcement also became involved in the investigation. In fact, the undersheriff resigned. The FBI began an investigation of corruption in Seneca County in May 2006. This followed the launching of a probe into local election irregularities by the NYS Commission on Investigation. Seneca County's DA and Sheriff's Department still seemed to have enough time to arrest Smith. The bizarre action was more outlandish, given the fact that no officer even investigated the charge by talking with anyone other than the father and those who supported what had become a campaign to destroy this mother and her relationship with her children. They did arrange for a medical examination by a Nurse Practitioner who was told when she met the child that Smith had abused the child. The exam took place with the father and the child. The allegations resulted in the nurse recommending mother not be with the child without supervision. Mr. Smith seemed to have been quite convincing. Mrs. Smith was not interviewed. The

following months ground on. Mr. Smith filed for divorce and custody. Family Court ordered the mother out of the family home. Arranged visits between the children and their mother were broken at will by the father. Complaints by the mother's attorney about this were ignored. Mr. Smith often even refused to allow her to talk with the children on the phone. Hearings were held in Family Court with multi-week adjournments in between the hearings. Testimony by a former friend of Mr. Smith that the father had shared with him the plan to charge the mother with abuse in order to avoid child support seemed blithely ignored by the court. On July 14, Mrs. Smith finally was permitted to begin her testimony in court. There was no sign of mental health problems, no immaturity, and no indication of poor parenting in her testimony. She was clear, specific, and quite believable. This mother under attack exhibited only honesty and strength of spirit. Halfway through, the judge adjourned the case once again until August 2nd and indicated he would issue his ruling after her testimony on that date. This assured several more weeks of separation of the children from their mother. Joan attended day care during this separation. She began to bite herself, became angry and withdrawn, and even spoke about hating her father. It seemed to many that her anger resulted from missing her mother and the rigid and demanding behavior of her father. During the spondaic visits she did have with her mother, the echoes of the child's screams filled the air when her mother would leave at the end of the visits. Morgan, Bender, and the other county authorities charged with protecting this child from abuse had created a situation in which this mother's rights clearly had been ignored, the right to a speedy trial had been violated, and the children's rights had been disregarded. The climate of corruption in

Seneca County had a uniquely pervasive quality that seemed both to have no limit and no concern for its victims.

An oppressive heat wave covered Seneca County the afternoon of August 2nd. The next Family Court hearing before Bender was to end this phase of the case. Smith was to be cross-examined, and Bender stated he would issue his decision on the abuse matter after that. The sun baked the old pillory and the site of the gallows. The judge awarded custody to the father. The child endangerment charge was dismissed, however. The judge's decision noted that he had considered finding the father guilty of child neglect, but he decided only to adjudicate the mother. The children lived with the father. The mother had regular visitation. The wheels of justice had spun out of control, all under the label of child protection.

When a father seeks custody of children in the event of a divorce or a similar relationship disruption between parents, he usually is awarded custody. This is reminiscent of British common law, in which the child belongs to the father. This is not only British sexism and a paternalistic bent. It is a standard born out by history. In Rome, the father waited some time after a child was born before giving the baby a name. Birth defects would be seen as justification to kill the baby and without a name (accepting the child as one's own) "the baby" could be killed without compunction. The father made this decision, not the mother. The mother, however, had the responsibility to provide the child's care. She, however, was also seen as the property of her husband.

With all this, in today's society, the mother usually receives custody of a child when the parents separate or divorce. Fathers less often seek custody. Parenting often becomes the purview of the mother in today's society.

Many still approach families in an odd interpretation of the Christian Bible that they pronounce supports god's word that fathers are the head of the family, mothers care for the children, children should be assaulted (it is acceptable when called "spanking") and society should merely support these divine commands. This reflects a theological view of society in which other views are seen as contrary to the word of a Christian god, similar to Sharia law for fundamentalist Islam.

Advancing a particular religious basis for law in a society excludes those who choose another belief or no belief at all. It is dangerous to replace public policy with personal belief. History is fraught with the torture and slaughter of millions when such arrangements exist. When one claims to have a corner on truth, others become expendable. Adolf Hitler's views of Aryan superiority justified the holocaust in the minds of Nazi believers. It was little different from today's various fundamentalisms. When a child's legal status is decided by faith rather than law, the result reflects the will of the god in fashion. This seeks to justify rejection of the UN Convention on the Rights of the Child, legal efforts to refine child-related legislation, and all social efforts perceived as dangerous in a community based on faith instead of law. Even science is replaced by faith. Pluralism is said to be dangerous. This creates a dangerous society for those who question others' truth.

The best interests of the child should be the basis of custody determination and its rights and responsibilities. Custody disputes too often focus on what is in the best interests of the parent(s). The variable of power and the imposition of will that result in divorce, separation, or the rejection of a committed relationship often pit one parent against the other. After all, divorce is an adversarial lawsuit. The outcome is a court order, not only a parenting arrangement.

The child deals with a myriad of issues when parents end joint parenting. Any person whose daily life has turned upside down would react to disequilibrium in response to the unknown, redefined living arrangements, possible financial changes, and changes in living style, new anger, new depression, new communications from parents – especially when either parent commits the error of criticizing the other parent. When children complain about their parent to their friends, it may be a normal child complaint. When the friends make negative comments about their friend’s parent, it may result in a battle. Parents might learn from this when they talk about their child’s other parent. These issues require the parents to see the world through their child’s eyes rather than manipulating their children to see the world through their eyes. This is an aspect of the best interests of the child taking precedent over the interests of the adult. Three lawyers and a judge are involved in child custody situations. The father and the mother have their own attorneys. The child has a court-appointed attorney, a law guardian. Lawyers will advocate for their client. The law guardian, however, has been the subject of controversy.

These professionals may take their responsibility to represent the child seriously, with the understanding that the needs and preferences of the child can only be presented to the court by the law guardian. This representation may be inadequate when the child's attorney never meets the child, rarely spends time with the child, or forms an alliance with either of the other two attorneys. The law guardian needs more than mastery of relevant laws. A sound knowledge of child development, the community context of the child's possible living situations, the strengths and limitations of each parent, and how the final custody decision will affect the rights of the child. The best interests of the child are outlined in the UN Convention on the Rights of the Child (CRC). While this has no legal bearing on America's court decisions in such matters, it offers the law guardian a basis in human rights for the recommendations the attorney makes to the court. This broadens the efforts of the child's attorney to view this little person as a human being, not just the subject of a property dispute.

Arrangements for custody may include one parent being awarded the rights and responsibilities of custody or joint or shared custody. The latter may be an effort to provide a child equal access to each parent. It fails when either parent uses this joint parenting arrangement merely to continue the battle for a child's approval and allegiance. The courts have sometimes clarified this joint custody arrangement to include the child living with each parent in a 50-50 configuration. This, of course, may affect education and the child developing friends. It may inhibit a child adjusting to the divorce. These arrangements unfortunately always are dependent on the needs of the parent. One judge

attempted to redirect such an arrangement when finalizing a divorce order by awarding ownership of the family home to the child. The parents were required to live in the child's home for six months each year. A custody decision based on the needs of a child? Fascinating.

In the UK, the court's involvement in divorce does not include a court order that determines the custody of children. This is dealt with exclusively by the parents. They inform the court of their negotiated settlement. When an agreement cannot be achieved, the court may be asked to intervene, but this is an action separate from the divorce action.

Germany, likewise, avoids custody issues during a divorce. Both parents continue to share custody after a divorce, as they did when they were married. When these parents are unwilling or unable to continue this status, the court may become involved and will make a decision in which it adheres to the best interests of the child, not the parents'.

Child custody laws in China are the same as in America, with little flexibility for variation once a custody order is granted. All relatives of a child in China, however, have standing in their courts to seek custody. The legal standing of relatives in China is also the law in Mexico. In ninety-four percent of cases involving divorce, the children are placed in the custody of the mother. The law presumes the children's interests are naturally better served living with her. A different decision is only ruled when it can be clearly demonstrated that the children would be in extreme danger with the mother.

India bases child custody decisions on a national law but also recognizes the religion of the parents and honors decisions based in these beliefs. These generally state a preference for the mother receiving custody.

Child custody matters in Cuba are assigned to a multi-disciplinary team that decides such issues. The teams include social workers, psychologists, teachers, and even extended family members. Included in these deliberations is the presumption the mother will be granted custody, except in unusual circumstances.

Sharia or Islamic law, by religious belief, requires both parents to come to an agreement in the matter of child custody. Custody, however, must go to a person who adheres to Islam. Young children normally remain with the mother. Older children usually are placed with the father. The children's wishes are always influential in the final decision, especially when the child is seven years of age or older. However, there are differing opinions within Islam about how such decisions should be made and what standards will be used. Secular courts do not often handle child custody issues; the Islamic court is the accepted vehicle through which decisions on such issues are finalized. In Iran, the mother is awarded custody of all children until they are seven years of age. At that point, custody reverts to the father, unless the father is judged legally insane or extremely dangerous. Custody may be seen as ownership. Are children property? This strikes at the heart of the rights of the child. It also is an issue that affects whether or not adults can accept their role as meeting the needs of a child, not the child meeting their needs. This

inability to focus on otherness may be the very reason the parents divorced. The child, however, will eventually decide the outcome. It is the reality that children grow-up. They will interpret their parents' actions and behaviors in a manner that will reject either parent's efforts to control the perceptions of the child.

Chapter Ten: Education

History of education issues in America

Role of social work practice in education

Relationship to child welfare

Assessment and intervention strategies, application of philosophy

Influence of human rights agenda, economic and cultural diversity

Re-definition and use of assessment and intervention in radical social work

All societies have inherent expectations of their people. These usually support the education of their children. These children also have the right to an education, as detailed in a variety of international and national laws and agreements. The early leaders in America's provision of education reflected the reasons for providing education to its children.

Horace Mann, the first Superintendent of Schools in Massachusetts and a leader in the development of public schools, noted these reasons in 1840 by stating that the schools produce children who exhibit “docility and quickness in applying themselves to work, personal cleanliness and fidelity in applying themselves in the performance of duties.” He justified and supported compulsory education for all children by clarifying these

children would become producers of wealth for the economy and consumers of that which is produced by corporations. There was little attention to the general welfare of children, the mastery of math and science, or the value of education in enhancing a child's sense of self. The emphasis in the middle and late 1800s in education was to produce obedient, trainable, and dependent workers. In 1851, Massachusetts opened a reform school for those who would not attend school or whose behavior obviated accomplishing the economic goals of education.

The history of American education is the history of America. Chinese students in California were at one time barred from public schools. The Supreme Court ended this discrimination in 1905. Prior to the Civil War, it was illegal to teach slaves to read and write. In 1864, American law prohibited teaching Native American children in their own language and took children from their parents and Native nations by placing these children in schools run by the US Bureau of Indian Affairs. African Americans could be taught in school systems that separated blacks from whites, with a Supreme Court ruling (*Plessey v. Ferguson*) in 1896. The Court reversed itself (*Brown v. Board of Education of Topeka*) in 1954 and forbid racially segregated schools. Twenty years later, the Court forbid desegregation between school districts (*Milliken v. Bradley*), effectively establishing the segregation of white, black, poor, and affluent school districts. Rick Santorum, a past US Senator and a popular conservative politician and contender for the Republican Party's nomination to run for President in 2010, urged that all public schools be closed. He wanted private schools to replace public schools and the issuing of vouchers for parents to pay a part of the private school tuition. The existence of

taxpayer-funded public education has been constant while debates about how this functions and the variations in effectiveness have also been constant.

Much of the current debate centers on testing, standard setting, local control, and rapid changes in technology.

When it finally was understood by the political and economic powers that American children had fallen behind most of the industrialized world and nearly all Asian nations, the local, states', and Federal education agencies began a process of focusing on testing results to compare, contrast, and judge the effectiveness of schools. These were subject-matter tests, especially in Math and Science, since technology corporations had to recruit and hire skilled workers from other nations, even during the severe economic recession of 2007 through 2013.

The emphasis on test scores has been nothing new in American education. Little is discussed, however, about the now universally accepted Scholastic Aptitude Test (SAT) that so many colleges and universities include in making admissions' decisions. The SAT developed from Benet's IQ scores that, at one time, were used to make some in the military officers and others ineligible for leading others into war. The IQ test was seen as an indicator of the genetically gifted or disabled, and this measured intelligence was viewed as biologically determined. Those involved in this conversation supported the American Eugenics Society. The AES advocated sterilizing 2.5 million Americans they determined were feeble, epileptics, mentally ill, and genetically inferior to the rest of the

population. From 1907 to 1929, thirty-one states passed sterilization laws to improve the education system. Thousands who scored poorly on their IQ test were sterilized by law. The AES research, especially in that done in California, was used by the Nazi Party under Hitler to design extermination policies.

Carl Brigham used these studies and practices in developing the SAT. He eventually withdrew his support for the racist variables in the test, but the biases are an inherent part of SAT, and the presumption that intelligence can be measured and should be rewarded by scores is certainly a significant part of American education today. The higher achieving school districts' reports are actually determined by scores. These schools, however, are rewarded by increased funding. The educational testing scores that were used to sterilize children and to send them to death camps now condemn many children by providing fewer educational opportunities and resources.

The poor child is impacted the most by differences in a community's investment in education. More than one-half of educational resources come from property taxes. The richer a community, the more money is spent on education. A report in 2010 by the Educational Trust concludes, "Research conducted over the past decade has uncovered district-level budgeting practices nationwide that frequently favor schools serving the fewest poor students."

Ellwood Chuberley was an influential educator (Professor and Dean of the School of Education at Stanford University for many years). He is credited with implementing the

structure of American schools (Superintendents, principals, etc.) His views on education logically fit with the above. He wrote: “We should give up the exceedingly democratic idea that all are equal and that our society is devoid of classes. The employee tends to remain an employee; the wage earner tends to remain a wage earner...One bright child may easily be worth more to the National Life than thousands of those of low mentality.”

The UN Convention on the Rights of the Child guarantees all children the right – not the privilege – to a quality education. This is a democratic principle. It runs counter to the elitist view of American education that rests on the myth of American quality education.

The child welfare system needs to focus more on the educational ramifications of foster care placement. More foster children change schools when in placement, and this instability contributes to these children having less chance of educational success than children not in placement; performing lower in math, science, and reading; and not passing from grade to grade. Social workers in child welfare need to work closely with a child’s school and to muster tutoring and other supportive services to achieve a high school diploma and the perceived skills, knowledge and other benefits quality education can deliver to a child. This will increase children’s chances of success when they leave care. Neglecting this role of education in the provision of child welfare is neglecting a child’s future. (Office on Child Abuse, 2003)

The treatment of children in schools significantly contributes to academic success. Since the inception of public education, its innovators have spoken about a child learning

discipline is an advantage of the school system. Discipline (appropriate use of self and productive interactions with others) differs from punishment (infliction of penalties for inappropriate behavior). Some confuse the two. In fact, some support behavior toward children in school that would result in criminal charges if perpetrated on an adult.

Poland banned the use of corporal punishment in their schools in the 1783. My Catholic school in the late 1940s and through most of the 1950s apparently heard about this too late. The nuns taught in pre-1783 Polish style. What could not be taught by respect, they attempted to accomplish by fear. They did not spare the rod and certainly did not try to spoil the child. Style of teaching may influence learning. The role of the school in society also is part of this debate. If parents can spank a child, why not teachers? Well, in 2010, Poland also made it illegal for parents to use corporal punishment.

A cursory familiarity with child development should include understanding that a child dealing with anxiety, stress, and fear does not learn successfully. Most public schools (thirty-one states) forbid corporal punishment. Exceptions in the law and regulations often include private and parochial schools whose religious belief includes beating children. That which could result in an adult being arrested for assaulting a child or child endangerment when inflicted on a child outside of school is seen as permissible in the school. Attention to the devastating effects of bullying among students seems to overlook bullying by administrators and teachers. The contradictions in education have not contributed to resolving America's poor educational standing in the world.

The Fostering Connections to Success and Increasing Adoptions Act of 2008 is Federal law that seeks to improve the educational stability of children in foster care. It encourages collaboration between education and child welfare. The law seems to recognize that schools know little about child welfare agencies, and child welfare agencies know little about schools. They each operate under different laws, regulations, and bureaucratic structures. Each have their own funding mechanisms and expectations. This is one result of America having no national policy for children and families. It is the only industrialized nation with this conundrum.

The American Bar Association has established steps for accomplishing a cooperative and effective relationship between these two service arenas:

1. Create a common knowledge base
2. Set a process and goals for collaboration
3. Collaboratively identify obstacles, challenges, and solutions
4. Keep the conversation going and maintain the momentum.

There are other incentives to improve foster care, adoption, and Indian child welfare services in the Fostering Connections to Success and Increasing Adoptions Act of 2008.

The act does little to improve the educational effectiveness of schools in America.

Voices for America's Children, a child advocacy foundation speaks to effective teaching, test scores, and imposed educational standards in 2013:

“We know from federal test score data that most fourth graders are not proficient in reading and math. Yet according to state assessments, most of them are. For example, federal test scores show that only 32 percent of Alabama fourth graders read proficiently, yet the Alabama Reading and Mathematics Test says that 87 percent are proficient. Why do federal and state standards disagree so much on how well the same group of kids can read?”

Administrators in school districts know that funding depends on such scores and their demonstration of achievement improvement. The media is rife with reports of fraudulent test results. The Atlanta public schools superintendent and thirty-five other administrators went to jail for illegally inflating students’ test scores. Over two-hundred school districts did the same. This was done to increase educators’ salaries, to meet state and Federal standards, and to feed their hubris. The needs of children played no part in the cheating practices of these educators. There was little concern for the educational needs of children and the role a school plays in a community.

This role might better reflect the services many schools utilize from school social workers, professionals who all too often are restricted to services within the confines of the school. As one school social worker shared, “This is my first and last year as a school social worker. The school will not allow me to make home visits and sees my role as counseling disruptive kids, with parental approval. I can’t even phone a parent without the principal’s approval.” Legislative efforts to improve comprehensive service between professions are easily frustrated by this lack of understanding the potential a school social

worker presents. The European Union has begun an effort to establish school social work services as a method of not only recognizing the discreet needs of children but also the community:

“When implementing school social work it is without doubt that it must orientate itself according to the needs of the respective target-group, even if while doing so it conflicts with the school, the teachers, the parents or the respective body can occur. It is further indispensable that the intervention area of school social work does not limit itself to the restricted area relating to school. Contact with parents, out-of-school institutions and further initiative groups must be taken up, amongst others, and possibilities for cooperation must be sought.”

Schools are not child welfare agencies. Their purpose is to educate. They may approach this by excluding non-academic services or by including related support services, including child welfare or social workers. After all, is the school concerned with producing well-educated graduates, or are they concerned with reporting acceptable test scores? (Families in Society, 2013).

Chapter Eleven: Health Care and Special Needs

History of health care and special needs of children in America

Role of social work practice in health care and special needs

Relationship to child welfare

Assessment and intervention strategies, application of philosophy

Influence of human rights agenda, economic and cultural diversity

Re-definition and use of assessment and intervention in radical social work

There are daily fundraisers across America held by friends and families of children with serious medical problems. The most rapid cost increase of any service in this country is health care. America is the only industrialized country that forces people to make a choice between economic catastrophe or refusing or delaying urgent medical care to its children. International agreements guarantee health and medical care to all peoples. Only in America is this care viewed as a privileged commodity, reserved for either those who can afford to pay or those who qualify for a related government healthcare program, like Medicaid. “Life, liberty, and the pursuit of happiness” is the given *raison d’être* for the American system of government. Life? It depends on your healthcare insurance and your family’s financial status. Liberty? The freedom to die from poverty. The pursuit of happiness? This is a phrase borrowed from John Locke. He wrote about “the pursuit of property”. Our founders equated property and seeking wealth with the pursuit of happiness. The cost of healthcare in America is about \$2 trillion dollars. More is spent

for this service than in any other nation. Americans are of the opinion that this cost pays for the best health and medical care in the world. What, however, is the state of our medical system? (Klein, 2013).

The Organization for Economic Cooperation and Development has analyzed the state of health care in the international community. A number of their findings take issue with the myth of American medical superiority:

- America has fewer physicians per person than in most other nations.
- The number of hospital beds per 1000 patients is lower than in most nations.
- Life expectancy in America is lower than in twelve other developed countries.
- The cost of healthcare in other nations is geared to a common fee schedule. In America, the cost is determined by how much insurance companies will pay.
- The only medical procedure performed in America more frequently than in other nations is tonsillectomy.
- The infant mortality rate in America is twice that of the international average.
- There are eight million uninsured children in America who are five times more likely than those insured not to see a physician for over two years and to have untreated illnesses. (Arah, 2003)

The Commonwealth Fund Commission notes that medical care in America is ranked the second lowest of all industrialized nations, but it costs more than twice as much others spend on universal health care, i.e. government provision of health care for all, often referred to as “socialized medicine”. (Davis, 2010)

Gallop completed an extensive study of health care in countries with universal health care and those without such inclusive and universal coverage in 2009. The results noted that seventy-nine percent of the people in nations with universal coverage were satisfied with the quality and availability of medical care. Seventy-three percent had confidence in their health care system. In nations that do not offer such comprehensive coverage (like America), sixty-six percent were satisfied and sixty percent expressed confidence in their health care system.

The government in America does provide limited health insurance for children. Medicaid provides coverage for about fifty million Americans (thirty-six million are children) and eligibility depends on a family's assets. Services depend on whether or not health care providers accept Medicaid payments.

The Children's Health Insurance Program (CHIP) is available in all states, and eligibility depends on a family's assets. Again, this coverage depends on the willingness of a health care provider to accept CHIP payments. Eight million children have no health insurance.

Physicians, according to the General Accounting Office (GAO) in 2011, often do not accept new Medicaid or CHIP covered children. Nearly ninety-one percent complain that private insurance pays faster and more than these two programs. They, therefore, are reluctant to accept these children as new patients. Eighty-four percent of covered children have "great difficulty" finding a physician who will provide specialty care.

American pediatricians in 2012 earned a mean income of more than \$81.00 per hour (the average American earned a mean hourly income of about \$21.00). Pediatricians primarily serving Medicaid and CHIP patients earn a median hourly salary of about \$41.00.

Medicaid and CHIP pay sixty-four percent of private fees. In this profit driven culture, this presents a disincentive for physicians to treat poor children or children from families with a marginal income.

The Patient Protection and Affordability Act in 2010 was passed by Congress and signed into law. This is an effort to provide healthcare insurance for tens of millions unable to afford such insurance, and, therefore, they have been deprived of ongoing medical care. This program will develop incrementally over several years and promises to decrease the number of persons without access to care and to decrease the cost of such care. It, however, does not provide medical care for all. It is far from socialized medicine and does not provide medical care as a right, unless one defines this as the right of the business of healthcare to maximize its profit and to charge whatever the market will bear. Capitalist medical care is a profit-driven system, built on the value of money, not the value of life. This certainly may be seen in the experience of children. (US Department of Health and Human Services, 2013). As early as 1920, Julia Lathrop spoke for the Children's Bureau in observing that "the death rate for black babies was more than double that of white babies....research continued to replicate a correlation between family income and infant mortality: as income doubled, the infant mortality rate fell by fifty-percent....., not because parents were hopelessly stupid or incorrigibly lazy, but

poverty takes away the defenses by which the effects of ignorance may be evaded.” (The Fight for Children, 2012).

Mental health conditions seem to reflect a focus on what seems the popular disorder of the moment. In the 2000s, Attention Deficit Disorder (ADD) or Attention Disorder with Hyperactivity (ADHD) is frequently diagnosed for children who have a short attention span, are impulsive, and are hyperactive or lethargic. The mental health professions have always had difficulty defining in a useful manner what is a mental disorder. The estimates are that the number of children with ADD range from one percent to twenty percent of the child population in America. No long-term longitudinal study has taken place. No identified factors cause the disorder. No specific treatment resolves the disorder. Dr. Benjamin Lahey of the US Centers on Disease Control remarks, “We cannot understand a disorder until we can describe it and we cannot fully describe ADHD.” (Lahey, 2005)

The explanation of this mysterious but common diagnosis includes the potential that these children are actually just normal children. It seems difficult to have this accepted by the medical professionals, teachers, and some parents. Parents who lack the patience required with some children and teachers who teach to a group rather than the individual child who populates the group prefer to have a simple diagnosis to explain a child who is not simply compliant. Too many conclude a child who presents certain observable behaviors must be mentally ill when no physical contributors are found. Easily influenced medical professions dependent on the pharmaceutical corporations and their

benefits and oriented toward the use of medicine frequently prescribe medication for these children based on the parent's or teacher's description of a child's behavior. More than twenty-five percent of children in America are on two or more drugs on a long-term basis. The two most popular drugs taken by children are the two most common prescribed for ADD or ADHD children. (Qiuping, 2005)

Adderall is an amphetamine that may be addictive. Ritalin is also an amphetamine. The former has been known to produce anxiety, irritability, insomnia, and sleep disorders. The latter has been known to produce nervousness, irritability, and drowsiness. Ritalin has long been the medicine of choice for ADD and ADHD children. It also may be addictive. Children are frequently prescribed this drug for five to ten or more years. Long-term use has been found to produce psychosis, severe mental health problems. Caution might be in order while we do not know the causative factors of ADD or ADHD, whether any intervention is helpful, and anything other than subjective judgment in arriving at a diagnosis. The General Accounting Office (GAO) reports that foster children covered by Medicaid are 4.5 times more likely to be prescribed Ritalin. This report quotes Bryan Samuels in 2011:

“Bryan Samuels, a senior official overseeing Medicaid at the federal Department of Health and Human Services, agreed that ‘the current use of psychotropic medications among children, particularly children in foster care, goes beyond that which is supported by empirical research.’ He said his department has written to state Medicaid agencies ‘to raise awareness of these issues’.” (Insight, 2013)

Children in foster care in many states receive their medical care through the Medicaid program. No healthcare provider is required to accept Medicaid as payment for service. This results in communities in which no pediatrician will provide medical care to foster children. The foster parents may have to transport the child to another town or county.

Medical coverage, availability, and the extent of services in the provision of physical care and a child's health are significant child welfare issues, not only for children in care but also for all children in the country. Children's mental health is equally important.

Mental illness is a condition in which people struggle with their ability to relate to others. It affects mood, thoughts, and feelings. Twenty percent of children suffer with mental health problems in America. (Centers for Disease Control and Prevention, 2013). When reviewing foster care, adoption, child abuse, child neglect and the status of children both here and abroad, this incidence should not be surprising.

Children's social position during a period of physical development, adult and community expectations, a stark vulnerability, and the confusion and frustration of identity formation are all fertile ground for anxiety, depression, and cognitive dissonance. One is mentally healthy when they experience harmony and balance. The stability necessary for this productive and predictable equilibrium is a sought after but not yet achieved state by children. While all people are in the process of becoming, children are at special risk of

this normal process being disrupted. The role of child welfare must be to provide support and a context in which children may be protected from needless and damaging instability. This, of course, is difficult, especially when many of these services are intrinsically disruptive. The mere intervention of a child welfare worker should signal hope for children in a particularly difficult circumstance. Too often, it signals the loss or the threat of loss of natural, familial nurturing sources. How many child protection workers have carried a bruised and beaten child who was just abused by a parent and heard the haunting cries of the child begging to stay with the parent? If the known is so terrible, what must the unknown be like? Caring intervention and actual protection are often experienced by a child as fear, punishment, and terror. When a child realizes that a parent is not all-powerful, often when a child welfare worker first visits, the child's relationship with the parent is permanently changed. This is true even when the visit was unwarranted by false allegations. The protection, stability, and intrinsic security of the family are now at the mercy of a stranger whose role is one of introducing uncertainty.

All of this, of course, affects a child's emotional and cognitive functioning and their daily lives. If there is no effect, concern for the child might increase. There always is an effect, and not recognizing this is a problem because the social worker or child welfare worker apparently has neither the skills required to interpret a child's behavior nor to see the process through the eyes of the child. The service provider might be quite competent in completing assigned skills but unable to use the skill of empathy. Mental health risks for the child are increased when the worker fails to see what the child sees, feel what the child feels, touch what the child touches, and smell what the child smells. The worker's

ability to become the child presents the opportunity to decrease the risk of mental health problems. One who cannot do this becomes the source of traumas and stressors discussed by the child when eventually in psychotherapy.

The endangered physical and mental health of children and a system that has lost its way are reflected in a situation in which foster children have been used by the foster care system in collaboration with American pharmacology corporations in a startling manner. In 2004, in New York City, social workers at the city Administration for Children's Services approved the use of experimental HIV drugs by foster children. The program was secret. Children suffered seizures, paralysis, diarrhea, stomach cramps, and death. Nurses in some of these child welfare agencies were told that they should administer the drugs, when a child refused to take them, by forced feeding, including the use of feeding tubes into children's stomachs. Four hundred and sixty-five children from twenty-four child welfare agencies were given these experimental drugs. The ethical problems with this program seem obvious. The expendability of children in the process of corporate exploitation seems equally obvious. (Hassner, 2004).

Corporations cooperating with the American government in medical experimentation without the subjects' knowledge or permission have a long and sordid history, especially when such shocking activities affect children.

J. Marion Simms, the "father of gynecology", performed his first surgery after medical school in 1840 on an infant. He jabbed the baby's gums and left. The next day the baby

died. Much of his work was on slaves, including numerous African-American babies. He often inserted an awl into their skulls to see what effect moving the brain might have on the children. (Sartin, 2004).

Dr. Leo Stanley was the physician at San Quentin Prison in California. From 1913 to 1951, he surgically removed the testicles of prisoners, transplanted them on other men, or transplanted animals' testicles on prisoners. Prisoners at an Ohio prison were injected with live cancer cells in 1952 by a Sloan-Kettering physician. (Blue, 2009)

American physicians injected children with syphilis, gonorrhea, cholera, tuberculosis, cancer cells, the influenza virus, herpes, and malaria over many decades. A dangerous bacterium (*Serratia marcescens*, a bacterium that causes serious gastrointestinal and painful complications) was sprayed by the US Navy in the secret Operation Sea-Spray over San Francisco, between 1950 and 1969. Adults and children died. (Microb, 2013)

Children at a state school in New York State, Willowbrook, were made to eat feces from hepatitis patients, from 1950 to 1972, by Dr. Saul Krugman of New York University. (Rothman, 1984)

In 1955, there was a pertussis epidemic that killed twenty-two people in Tampa Bay. This was caused by a CIA biological warfare experiment. (Burghardt, 2009)

During 1956 and 1957, US Army doctors released infected mosquitoes over Savannah, Georgia, and Avon Park, Florida. Many people, including children, died from yellow fever and dengue fever. (Ray, 2003).

A part of DOW Chemicals process in developing Agent Orange for its illegal use during the Vietnam War, from 1951 to 1974, Dr. Albert Kligman of the University of Pennsylvania injected prisoners at Holmesburg Prison in Pennsylvania with dioxin, the destructive chemical in Agent Orange responsible for 300,000 American veterans and their children suffering severe medical problems and death and millions of Vietnamese suffering the same fate. Dioxin has been called “the most dangerous chemical ever developed”. (Herrmann, 2003; Richardson, 2001).

During the early 2000s, Northfield Laboratory transfused into unknowing patients artificial blood, resulting in heart attacks and death. (Sharove, 2006)

President George Bush signed in 2002 the Best Pharmaceuticals for Children Act. This law grants drug companies incentives to use children for experimental drug testing. (Sharov, (2003)

The EPA received \$2.1 million in 2005 from an industry group to fund a study to investigate the effects on children (infants to three-years of age) who ingest, absorb, or inhale chemicals; specifically, agricultural insecticides and pesticides. Children diagnosed with asthma were required to inhale small carbon particles. The chemicals

involved already had been known for causing long-term serious complications for children. The industry group acted on behalf of DOW, Monsanto, Chevron, Exxon, and other corporations. (DOW and Monsanto were among American corporations who developed Agent Orange.) The Environmental Protection Agency was used because it did not need to adhere to the more restrictive Food and Drug Administration and Health and Human Services regulations relating to human test subjects, as a result of the Bush Administration lowering the EPA restrictions. The health and lives of vulnerable children were seen as a lower priority than the potential of corporations making hundreds of millions of dollars in prospective profit. (Resnik & Wing, 2007)

These are merely a few of the hundreds of human rights violations in medical experimentation, many on children, in America, mostly funded by the American military, other government agencies, and corporations. No researcher has ever been prosecuted. No victims have ever been compensated.

Such activities are now conducted by American medical researchers in India, Central America, and other developing nations. Children's health care is too often influenced by corporate profit. This is not an issue alien to child welfare. It is an ethical and moral issue, however, that rarely is dealt with on the list of child welfare services' concerns. It also might be worth noting that child welfare workers and social workers are consumers and practitioners with certain social responsibilities.

The ethics of social work require its practitioners to engage social action to improve the quality of life for clients. In this case, child welfare workers might join with others who advocate for improved accessibility to quality health care for children. It would be appropriate for child welfare agencies, regardless of their legal not-for-profit or public status to work toward ending the political career of those who support retrenching health services for children or approving children being used as laboratory test subjects.

Prohibitions against workers in certain agencies engaging the political system present roadblocks to achieving the goals of child welfare. These roadblocks are no excuse for ignoring children's human rights. It is simple. Either children are the priority or corporate profits and a reactionary political agenda define child welfare services.

Chapter Twelve: Service within Borders for the Borderless

To Displaced Children and Families

History of services for migrant, refugee, and immigrant children in America

Role of social work practice in serving children with confusing nationality

Relationship to child welfare

Assessment and intervention strategies, application of philosophy

Influence of human rights agenda, economic and cultural diversity

Re-definition and use of assessment and intervention in radical social work

The politics of immigration are nothing new in America. The nation's history is defined by these politics, and like all politics, they are based in economics. The first Europeans came to America for trade and economic exploitation. Once established, new arrivals were exploited as cheap labor. These marginalized populations often replaced the previously powerful capitalists when they assumed political and economic power, only to exploit and oppress those who followed.

The Native Americans suffered genocide easily the worst slaughter in human history. African-Americans endured hundreds of years of slavery and a continuation of this oppression through segregation and merciless treatment. Those who benefited from their labor equally subjugated Asians. All people of color found themselves in social

oppression defined by cruelty, mistreatment, and exploitation geared toward making the powerful more powerful, as their labor made others rich while they struggled for survival.

A person's color was not the only factor that resulted in oppression. A person's religion often resulted in similar persecution. Catholics were banned from public office in New York State until 1806. In 1844, Catholics were hung for their religious belief in 1844. Anti-Semitism litters American history. (Davis, K., 2010)

The discrimination endured by the Irish immigrants who faced "The Irish need not apply" practices resulted in systemic poverty for those who fled the famine and oppression of Ireland for what they thought would be the opportunity and freedom in America.

The children were prime victims of these various forms of subjugation in a society built on the myths of human rights, compassion, and tolerance. Various populations found it necessary to form their own school systems, social welfare organizations, and closed social systems to provide for the needs of oppressed populations.

America became a nation that many defined by myths. These created an Orwellian country that preached human rights while ignoring even the most basic rights to certain populations.

The very tactics employed by the Children's Aid Society during its early years were an excellent example. While it purported to protect children from abuse and neglect, it

destroyed poor Roman Catholic families, ignored children of color, and preached a fundamentalist Christian message that enjoyed wide support among the affluent and politically powerful.

The seeds of such intolerance have continued to be nurtured by those who define difference as dangerous to social stability, true pluralism as a threat to national identity, and diversity as divisiveness. These pillars of intolerance claim ownership of patriotism and oppose immigration. Their loyalty is to nationalism, with a pervasive xenophobia. The immigration debates in Washington in the 2000's reflect an effort to replicate the Berlin Wall across the Mexican-American border. This chauvinistic view is little different from the opposition to immigration by particular groups that dates back to colonial days.

All Americans have a history of families who were immigrants and refugees. Only Native Americans might claim thousands of years of living in what is now America.

The victims of violence have a tendency to become the perpetrators of violence. This has long been known to contribute to child abuse. It is equally known to contribute to genocide, war, insurrection, and rebellion. It seems an odd practice for those who are oppressed to oppress, but it continues.

Children are particularly vulnerable to events that force the relocation of populations. These take the form of economic migration, fleeing armed conflict, refugees, asylum

seekers, internally displaced persons. These children are in danger of abuse, exploitation, abandonment, and other forms of oppression. The problem is markedly severe and one which is of import to child welfare and social work, both in America and abroad.

19,000,000 children are refugees who have fled social violence and war. They live in refugee camps run by the UN High Commissioner on Refugees or private NGO's (Non-Governmental Organizations). About 60,000 arrive in America each year. While that number is decreasing, the number of child refugees in the world is increasing.

Restrictions on immigration in America have resulted in other nations assuming a more proactive role in assisting such children than America; in fact, only one-fifth of these homeless children who flee for their lives are hosted in developed nations. Four-fifths of this population lives in developing nations that are hard-pressed to meet the needs of their own citizens. (Policy Development and Research, 2013)

Social workers and the child welfare system have an obligation to assist children at-risk, sometimes because of reasons seemingly as prohibitive as American military imperialism.

A shadow war fought by America from the late 1970s through the early 1990s witnessed American forces fighting on behalf of a dictatorial government against a Marxist insurrection in the smallest of Central American countries, El Salvador. The American government denied the combat involvement of the US Army in El Salvador; however, even though our soldiers wore no uniforms and received no military decorations, they

assisted Salvadoran forces in such war crimes as the slaughter of over one-thousand peasants in El Mozote and elsewhere. American soldiers who died in combat were sent back to America, and their deaths were camouflaged as accidents in America. Some reportedly were run over by jeeps, and their families were never informed of the truth. The Salvadoran troops who were trained by the Americans used their skills to murder six Jesuit priests at Universidad Centroamericana, raped and murdered Catholic Maryknoll nuns at Santa Tecla, and brutally slaughtered women and children throughout that nation. Social workers and human rights advocates risked death by assisting those in need and speaking out against the oppression in this tiny country that saw over 75,000 casualties. The Reagan Administration and other government officials were never held to account for these tragic activities. (Enemies of War, 2013)

Twenty-five percent of the population fled government death squads, El Salvadoran military, and US forces that killed civilians at-will. One such couple fled a refugee village after the local government announced falsely the distribution of food and medicine at a location outside the village. Death squads slaughtered those who walked to obtain this aid. That night the young couple left the village to begin a long walk to Mexico and eventually America. They entered illegally. The couple married and moved to Long Island, New York. The husband found long-term employment as a janitor in a public school. The wife was employed to work in a factory in Brooklyn. They gave birth to two children. The boys were healthy, happy children. The family was seen as productive, solid citizens. After seven years of arrival in New York State, the US Immigration and Naturalization Service arrested and detained the family, as

undocumented aliens who had entered the country illegally. A Catholic refugee organization in Brooklyn contacted social workers working with an international children's right movement, Defense for Children International, to help this family.

DCI agreed to represent this family and developed a lengthy defense in an effort to allow this family to remain in America. While it was concerned about this family's welfare, it also hoped a victory in court would establish a precedent that would end deportation to areas of armed conflict.

The boys were born in America and, therefore, were US citizens. INS suggested the parents be deported, the boys be placed in foster care in New York, or the parents return to El Salvador with their sons. DCI testified in Federal Court that a return to El Salvador by any family member would result in this person's death. It also testified to extensive background information that substantiated the excellent care given the boys by their parents, the support for ending this threat of deportation by organizations as disparate as the Mayo Clinic, human rights organizations in America and abroad, and DCI itself. The Federal Court ruled in favor of the family. The boys' citizenship was recognized, and the parents were given permanent residency in America. DCI, however, failed in establishing the precedent they had sought. The court made it clear that its decision only affected this family and would have no impact on INS decisions to deport families to war zones. The practice continues.

When looking at the population size of countries that accept asylum-seeking persons, America ranks 24th in the world, accepting merely 30,000 children each year. The countries that host the most refugees are Pakistan (1.7 million), Iran (887,000), Syria (was 775,400 before their civil war in 2011), Germany (571,000), and Kenya (566,500).

The countries from which children flee include Afghanistan (2.7 million), Iraq (1.4 million), and Somalia (1.1 million). America's wars appear to have a unique effect on creating these numbers. It does not assume a commensurate responsibility to provide safety and a future of hope for those whose lives it disrupted. (Policy Development and Research, 2013)

Refugee social agencies in America are largely run as non-profit services. Three-hundred and fifty of these agencies (affiliated with the Refugee Council USA) are recognized by the US Department of State to assist refugees entering America and providing for their initial adjustment needs. Child welfare workers need knowledge and skills that respond appropriately to this population. (Refugee Council USA, 2013)

It is imperative to know the circumstances from which these people flee. It is equally important to understand the suffering and isolation these persons experience. The families and children are the best source of information about the struggle of refugees. Think about the effects on a child witnessing mass killing, forcible training to rape and maim, bombing, the ravages of napalm, the pain of torture, starvation, untreated disease,

and the uncertainties of precarious travel through threatening locations, only to experience underserved refugee camps.

These populations, especially their children, exhibit post-traumatic stress disorder, depression, anxiety, an inability to trust, and a pervasive loneliness. Trauma resolution takes years. The experiences these children survive present complicated personal mental health issues that require acceptance of what is presented, mental health skills to resolve, knowledge of the events that caused such issues, and a stable assignment of a child welfare professional. This latter requirement may be complicated by social agencies' rarely being able to offer this resource since workers are all too frequently transferred or replaced when workers leave the agency. The children in question need stability and predictability. They also have common needs.

The revolving door of child welfare workers and agencies' social workers not only complicates the degree of receptivity of services and the effectiveness of resources, it also is too often unprepared to even recognize the transformative nature of the refugee child's experience. The experience of these children is unlike that experienced in the American communities in which they may find themselves. Is any living situation in which they find themselves merely a transition to a new unknown, fraught with new dangers?

Communicating this unknown by little people whose herculean personal history requires a comprehensive knowledge base poorly defined by a child who has witnessed human slaughter in a chaotic world is a frustrating process. The openness to this variable by the service provider entails a moral partnership with the child beyond the immediate, with

thoughtful understanding that the child is a history book with emotions, and with the child's perceiving the reality of it all being tentative.

These children who wander the world are children. This may sound trite, but they often get lost in political debates, ideological posturing, budget writing, remnants of racism, empirical scholarship, and the routines of child welfare agency practice and regulatory development. Like all children, they need food, housing, medical care, and love. The debates in the US Congress, however, exemplify the existential existence of such children. The conservative politicians preach an equation between budget costs and delivering on human rights when it comes to addressing the forgotten children. The response to refugee, asylum seeking, and immigrant children is to seek to bar them from services established not only to meet the needs of children but also to strengthen the society in which they will develop. These services are seen by these politicians as privileges, not rights established by the UN Universal Declaration of Human Rights and the UN Convention on the Rights of the Child. They also question whether or not these services should be provided by society to any child.

This debate should not be about services only to “our children”, meaning citizens, but rather about how to facilitate services to enrich all children's lives. The children, however, do not donate to political campaigns. The old adage to “Follow the money” provides answers to understanding the limited provision of assistance (Lee & Ensign, 2007). America has decreased the approved number of children seeking admission to this country at the same time it has increased the military actions that have multiplied the

many millions who are victims of these wars. It rejects the notion that when one behaves in a manner that results in devastation to others, it assumes a responsibility to the victims.

President George W. Bush noted in 2002: “We believe that people across the Middle East and across the world are weary of poverty, weary of oppression, and yearn to be free. And all who know that hope, all who will work and sacrifice for freedom, have a friend in the United States of America.” The Iraq War created 1.5 million refugees. America has admitted five percent of them. Other nations’ assistance on balance has far surpassed America’s. (Iraqi Refugee Assistance Project, 2013).

Sweden is a country thirty times smaller than America. It has accepted 50,000 Iraqi refugees. The decade long war in Afghanistan has created millions of displaced and refugee families. As of 2011, America has admitted only 428 of them. That is 0.8 percent of refugees admitted that year. Once here, of course, they face a nation that is economically and philosophically at war with itself. Other populations throughout the history of America have faced similar dismissal by America. President Bush’s comment that these people will “have a friend in the United States of America” lacked reference to the conversation about not only the reality of what they will experience when entry to America is rejected and what the homeless will face if admitted. (UNHCR, 2013).

An earthquake in 2010 devastated Haiti, often referred to as the poorest nation in the Western Hemisphere. Three million people were affected by this disaster, and our nation pledged to provide needed assistance. There was an outpouring of concern by people from around the world. The aid, however, often did not arrive. Many Haitians sought refuge in America. The organization Doctors United for Haiti addressed the fate of these refugees in a 2013 report:

“Haitian immigrant individuals and families that are undocumented and/or visa-expired have reasonable fears of deportation. Many children are left behind in foster care, as their parents are removed from the country. It is estimated that at least 5,100 children in foster care have completely lost contact with their parents due to deportation or detention. It is also estimated that this number will increase by 15,000 children by 2017, five years from now. In 2009, over 30,000 Haitians were on the “final order of removal” list. Many deportees have children who they will never have the opportunity to speak to again. These children are stuck and lost in the United States child welfare system. This is a minor fear when considering the detention centers in the United States.

The Detention Watch Network released a report on the U.S. Immigration and Customs Enforcement’s (ICE) detention center system on November 15, 2012. The report highlights horrific details that these detainees experience, including death by treatable diseases, months of solitary confinement as a punishment for mental health issues, and video visitations rather than in person visitations. Additionally, DWN announces that there are issues of sanitation such as,

“receiving food on dirty trays, worms found in food, bugs and worms found in the faucets, receiving dirty laundry, and being overcrowded with ten other men in one cell and only one toilet”. (Spring, 2013)

The conversation about children without a country takes place in the context of a debate about the general commitment of America to children in need. Some US Congressional Representatives are opposed to the continuation of public school systems, nutrition programs, housing assistance, and child welfare services. Debates at a recent New York gubernatorial race heard candidates suggesting that all public welfare assistance families be relocated to New York prisons to make use of empty prison blocks. The political rhetoric attacks increases in SNAP (food stamp) benefits, resulting from a financial recession caused by American financial institutions, not by hungry children. It certainly was not caused by refugee children.

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