

# Reconstructing Children's Rights

An online institute about dismantling racism, neo-colonialism,  
and patriarchy in humanitarian and development efforts to  
protect children and support families

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Reconstructing  
Children's Rights



## Conversation#2:

# Confronting Colonialism, Racism and Patriarchy in Child Welfare and Child Rights Programming

## OVERVIEW

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Building on Conversation #1, this session will expand our political imagination by delving deeper into the international children's rights and child protection space. If inequalities and injustices are apparent across wide swaths of humanitarian aid and international development, their roots in racism, neo-colonialism, and patriarchy are especially problematic in fields such as child rights and protection, where the roles of children and caregivers in their families and communities will vary from context to context. As the international development and humanitarian communities seek to create quick, cost-effective technical solutions, the likelihood of the imposition of conceptual and practice models that replicate oppressive, patriarchal, and racist norms is high. We must examine the incongruence of these models, programming and policy interventions and the ways in which their (mis)application can increase harm to children and families.

This discussion presupposes that historical storytelling is needed to understand children's rights – What are the historical trajectories of the people, programmatic approaches, and policies operating in international humanitarian and development spaces? If white supremacy culture is identified by defensiveness, perfectionism, paternalism, and a sense of urgency, how are these translated within the international child protection and rights field?

### ***The (Mis)application of Child Welfare***

The approaches that child protection and child welfare systems adopt in conceptualizing children, families, and the State's self-appointed role in intervening in the lives of children and families reflect the cultures and contexts in which they emerge. In the United States, Canada, United Kingdom, France, Denmark, New Zealand, and Australia, among other places, racism, white supremacy, colonialism, and expansionism guided how government policies treat families, parents, caregivers and children and young people in need. We have seen these tendencies in the United States, in which US child welfare policies have taken the view that low-income children, in particular children of color, are a "problem" that need to be "solved" through removal or assimilation;<sup>1</sup> given this conceptual starting point, it is an unfortunate

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1. Heron Greenesmith, "Best Interests: How Child welfare Serves as a Tool of White Supremacy," Political Research Associates," (November 26, 2019) Available [here](#). Alexander Krueger, Guy Thompstone and Vimala Crispin, Learning from Protection Systems Mapping and Analysis in West Africa: Research and Policy Implications. Available [here](#).

reality that Black, Brown, and Indigenous children are overwhelmingly removed from their families in a system ostensibly designed to protect them.<sup>2</sup> The indigenous and community methods of parenting, caregivers, and children and young people rearing practices were ignored or annulled by the statutory services. We have seen this same pattern in Australia, New Zealand and Canada with Aboriginal, Maori, and First Nations populations, respectively. As Catherine Love noted, “statutory child welfare services themselves exist within a wider colonial context which structures the power dynamics, ideologies and perceptions permeating social services.”<sup>3</sup>

Over the last few decades, as the international child protection field has developed, it has tended to transport, replicate, and export Anglo-Saxon models of child welfare and statutory services, rooted in structural racism and colonial ideologies, to areas all over the world. One could argue that the humanitarian aid industry has, in essence, exported and replicated models of child protection that are well documented to be racist in their treatment of Black and Brown children. These models are further layered on top of existing colonial structures of the international development and humanitarian aid industry – systems and structures imposed from the outside with an outsiders’ lens.<sup>4</sup>

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2. US Children’s Bureau - Child Welfare Information Gateway. Racial Disproportionality and Disparity in Child Welfare Issue Brief (November 2016) Available [here](#).
  3. Catherine Love, “Maori Perspectives on Collaboration and Colonization in Contemporary Aotearoa / New Zealand Child and Family Welfare Policies and Practices.” In Freymond, N., Cameron, G., eds. 2006. *Towards Positive Systems of Child and Family Welfare: International Comparisons of Child Protection, Family Service, and Community Caring Systems*. University of Toronto Press: Toronto. 235-268 (2006).
  4. *Ibid*; Conversation #1 – Reconstructing Children’s Rights; Heidi Nietz (2018) “Reframing” relation-based practice in the child protection sector in remote Aboriginal communities of Australia, *Journal of Social Work Practice*, 32:3, 251-263; Lester J. Thompsom & David Wadley, “Integrating Indigenous Approaches and Relationship-Based Ethics for Culturally Safe Interventions: Child Protection in Solomon Islands,” [International Social Work](#), Volume 62: Issue 2, pg 994-1010. March 7, 2018; Yeboah A. Sampson & Marguerite Daniel. “Towards a Sustainable NGO Intervention on Child Protection: Taking Indigenous Knowledge Seriously.” [Development in Practice](#), Volume 31, 2021: Issue 2 (Published online 26 October 2020)

## ***The (Mis)application of Child Rights and Protection***

In turn, the humanitarian system – its structures, systems of power, influence, and ethos-- has had an impact on the workings of the child rights and protection fields. Over the last few decades, the child protection field has focused on the development of technical resources and prioritized the professionalization of the field. While this technocratic “professionalization” has led to the growth of the sector, as Jason Hart has noted, this “technocratic approach on its own is too narrow and attends insufficiently to issues of power.”<sup>5</sup> Child protection and rights programming design has tended to promote simplistic, paternalistic interventions in which children and families are protected, rescued and saved, often pushing them further away from their communities, cultures, and social norms. The rights-based programming has focused on seemingly apolitical, technocratic programming that purports to respond to child survival, development, protection, and participation. The programming and funding have taken a siloed rather than collectivist, intersectional approach across communities and across race, gender, ethnicity, class and gender identity.<sup>6</sup>

This technocratic, apolitical approach to child protection funding and programming, ultimately, has led to a Northern elite (white), top-down, and solutions-oriented ecosystem divorced from the socio-economic and political realities which these organizations and stakeholders are situated in. These power dynamics have resulted in “an application of a mechanistic, blueprint driven approach,” which has primarily focused on governments and formal structures, and, ultimately lacks grounding in the informal structures and lived experiences of children, families and communities and has struggled to reach better outcomes for children and their families.<sup>7</sup> Children and families are passive beneficiaries, disconnected from levels of power and influence, depoliticized, with little or no agency due to their age as well as other marginalizing factors such as ethnicity, class, race, and gender identity. And, while the child rights and protection work is part of the political economy and the oppression by the State, the field does not operate in this way, operates within a technical lens, further de-politicizing the children’s field.<sup>8</sup>

This session will bring two scholarly voices whose work examines these considerations of politics and power dynamics in international child protection to the center of our discussions.

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5. Jason Hart, Project Details: Child Protection in Gaza and Jordan: Understanding and Addressing Neglect Through a Systematic Approach, [University of Bath](#), Department of Social & Policy Sciences. Refer to Reference List for additional Jason Hart articles on this topic.

6. *Ibid.*

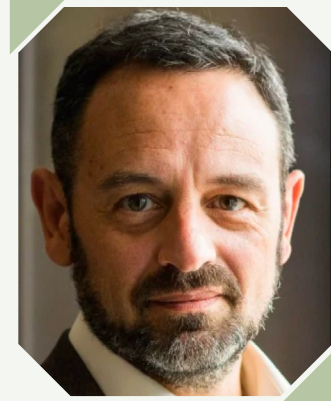
7. Bill Forbes, Alex Krueger, Nicole Benham, Peter Cook, Mike Wessells, and John Williamson, *Reconsidering Child Protection Systems: Some Critical Reflections*. Unpublished (2016)

8. Refer to Jason Hart resources.



## Speaker Biographies

**Dr. Jason Hart** is a social anthropologist by training (BA, MA, Ph.D. University of London). He joined the University of Bath in September 2009 after seven years as a researcher and lecturer at the Refugee Studies Centre, University of Oxford. He is also Visiting Lecturer at the Centre for Children's Rights Studies, University of Geneva



Much of Jason's work has explored the experience of and institutional response to young people on the margins of society and the global economy. Themes such as protection, child rights, peacebuilding, home, militarisation and asylum have been central to this research. Much of his research has been undertaken in situations of political violence and displacement. Jason has worked in South Asia (Sri Lanka, Nepal, India and Bhutan) and, increasingly, in the UK. However, his principal area of interest is the Middle East, particularly Israel / occupied Palestinian territories and Jordan. Jason has been employed as a consultant author, researcher, evaluator and trainer by various UN, governmental and non-governmental organisations. These include UNICEF, Save the Children, PLAN, Care International, and the Canadian International Development Agency. He has also served as an advisor to the UN in the formulation of studies, guidelines and policies.





## *Speaker Biographies*

**Dr. Catherine Love**, PhD, has conducted work that spans practice, policy and academic spheres. She is of New Zealand Maori (indigenous) descent, and has served as an elected member of her tribal governance entities for over twenty years. Formerly Director of Indigenous Research and Development at Victoria University of Wellington, Dr. Love moved from academia in 2005 to establish several innovative indigenous / endogenous economic and educational development initiatives. This included Ahikaa entrepreneurship education and the Ahikaa Accelerated Learning Centre. A long-time advocate for indigenous and endogenous supportive policies and practices, Dr. Love has taught and published internationally and has been a popular plenary speaker at social service, social policy, mental health and educational conferences. In 2012, she was identified as one of 130 “innovators and influencers” in the field of Systems of Child and Family Protection and Wellbeing. In 2014, she was appointed to the Steering Committee of the Global Social Services Workforce Alliance.



## REFERENCE LIST

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The following is a brief list of resources by academics, practitioners and activists critically examining colonialism, racism and patriarchy in international child protection and rights field. Please refer to the [Institute's Master Reference List](#) for a complete list of resources.

### INTERNATIONAL CHILD PROTECTION AND CHILD RIGHTS

#### Colonialism, Racism and Patriarchy in Child and Family Welfare Policies and Practices

- [A Starter Reading List on How Child Welfare Policies Harm Black People, Families, and Communities](#) (2020)
- T. Flemington, M. Lock, J. Shipp, et al. Cultural Safety and Child Protection Responses in Hospitals: A Scoping Review. [International Journal on Child Malnutrition](#). (2021).
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- Heron Greenesmith, "Best Interests: How Child welfare Serves as a Tool of White Supremacy," [Political Research Associates](#) (November 26, 2019)
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- Heidi Nietz (2018) "Reframing" relation-based practice in the child protection sector in remote Aboriginal communities of Australia. *Journal of Social Work Practice*. 32:3, 251-263.
- Dorothy Roberts, *Shattered Bonds: The Color of Child Welfare* (2003)
- Molly Schwartz, "Do We Need to Abolish Child Protective Services?" [Mother Jones](#) (December 10, 2020)
- Yeboah A. Sampson & Marguerite Daniel. "Towards a Sustainable NGO Intervention on Child Protection: Taking Indigenous Knowledge Seriously." [Development in Practice](#), Volume 31, 2021: Issue 2 (Published online 26 October 2020)

- Lester J. Thomson & David Wadley, "Integrating Indigenous Approaches and Relationship-Based Ethics for Culturally Safe Interventions: Child Protection in Solomon Islands," [International Social Work](#), Volume 62: Issue 2, pg 994-1010 March 7, 2018.
- [Podcast episode](#) - Black Families Matter: Ending the Family Regulation Systems (with Dorothy Roberts and Lisa Sangoi), We Be Imagining (July 2020)

## Where is the Community and Children's Voice in Child Rights and Protection?

- Nicole Behnam (2008). *Agencies, Communities, and Children*. [Interagency Learning Initiative: Engaging with Communities for the Wellbeing of Children \(ILI\)](#).
- Mark Canavera et. al. (2018). *Weaving the Web: Documenting the Good Shepherd Sisters' Approach to Community-Based Development and Child Protection in Kolwezi, Democratic Republic of Congo*. [Rome and New York: Good Shepherd International Foundation and CPC Learning Network](#).
- Mark Canavera et. al. (2016). 'And then they left': Challenges to child protection systems strengthening in South Sudan. *Children & Society*, 30, 356–368.
- Tara M. Collins (2016). A Child's Right to Participate: Implications for International Child Protection. *The International Journal of Human Rights*, Volume 2, 2017 – Issue 1: Special Issue: Facilitating Child Participation in International Child Protection.
- J. Corbett (2011). *Learning from the Nuba: Civilian resistance and self-protection during conflict*. [Local2Global Protection](#).
- CPC Learning Child Protection Area of Responsibility (CP AoR) and CPC Learning Network (2020) *Envisioning the Grand Bargain: Documenting the Child Protection Area of Responsibility's Approach to Localisation from 2017-2019*. Available [here](#).
- Bill Forbes, Alex Krueger, Nicole Benham, Peter Cook, Mike Wessells, & John Williamson, *Reconsidering Child Protection Systems: Some Critical Reflections*. Unpublished (2016)
- Jason Hart, "Empowerment or frustration? Participatory programming with young Palestinians," *Children, Youth and Environments* 17, 3 (2007)
- R.A. Hart. *Children's Participation: From Tokenism to Citizenship*. Innocenti Essays, No. 4. Florence: UNICEF (1992). Available [here](#).
- Hoko Horii, Legal Reasoning for Legitimation of Child Marriage in West Java: Accommodation of Local Norms at Islamic Courts and the Paradox of Child Protection, *Journal of Human Rights Practice*, [Volume 12, Issue 3](#), November 2020, Pages 501–523.



- Farzad Rafi Khan, Robert Westwood, & David M. Boji (2010). 'I feel like a foreign agent': NGOs and corporate social responsibility interventions into Third World child labor. *Human Relations* [Volume 63, Issue 9](#).
- Mike Wessells (2015) Bottom-up approaches to strengthening child protection systems: Placing children, families, and communities at the center. *Child Abuse & Neglect*. 43: 8 – 21.
- Mike Wessells, D.F.M. Lamin, D. King, K. Kostelny, L. Stark, & S. Lilley. (2015). The limits of top-down approaches to managing diversity: Lessons from the case of child protection and child rights in Sierra Leone. *Peace and Conflict: Journal of Peace Psychology*, 21(4), 574–588.
- REJUVENATE, [Learning from a Living Archive: Rejuvenating Child and Youth Rights and Participation](#).

## De-Politicizing and Politicizing International Children's Rights and Protection

- Elevate Children Funders Group, Global Philanthropy Project and Sentiido, [Manufacturing Moral Panic: Weaponizing Children to Undermine Gender Justice and Human Rights](#) (2021)
- Jason Hart and Jo Boyden (2018). "Childhood (re)materialized: bringing political-economy into the field," *Reimagining Childhood Studies*, Spyrou, S., Rosen, R & Cook D (eds) Bloomsbury Publishing
- Jason Hart and Claudia Lo Forte (September 2010). *Protecting Palestinian children from political violence: The role of the international community*, [Forced Migration Policy Briefing 5](#), Refugee Studies Centre: Oxford Department of International Development, University of Oxford.
- Jason Hart (April 2016), [TedTalk - Reclaiming Compassion, Rethinking Aid](#)
- Jason Hart (23 July 2015), "The (anti-)politics of child protection," [OpenDemocracy](#).
- Jason Hart (2014). "Engaging with children living amidst political violence: Towards an integrated approach to protection," Centre for Development Studies, University of Bath ([Bath Papers in International Development and Wellbeing, No. 31, April 2014](#)).
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