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ON FAMILY POLICY[1]

Society's investment in the well being of its members (however this is culturally defined) necessarily means public interference with the life of families. When it comes to parents and children, lawmakers, judges, the medical, social work and teaching professions have much to say in how they are to relate to each other, including how children should be cared for and educated and when discipline or even expressions of affect become abuse. The courts may break up families even when both parents and children would prefer to stay together, and conversely may instruct them to stay together though they might prefer to separate.

Class and ethnicity make a difference: the transference of parental rights and responsibilities to the representatives of the state is more pronounced if the family is poor and/or a minority. The difference may show in subtle and benevolent ways, like the announcement from a poor neighborhood's public school, "Bring your children one hour earlier, and we will provide them with breakfast", which I spotted on the same day that a family in my private practice had credited my recommendation of having breakfast as a family for the improvement in both their communication and the son's behavior in school. Or it may be expressed dramatically: in the environment of child protection, minority children arriving at emergency rooms with broken limbs have a higher chance of being reported to the protection agency than their white middle class counterparts, who are more likely to be just treated and released to their parents.

It is this kind of public policy –not necessarily written into law, but embedded in the practice of the agencies that have a say on whether a family remains as such- that I want to address here. Once a family comes into contact with a social control agency, the threat to their integrity rises, because the agency's practices are shaped by the value that our culture places on individual capabilities, rights, and responsibilities, at the expense of context and connectedness. A family's viability as a child-rearing entity is often judged by the presence or absence of specific individual behaviors. If a mother is using cocaine the child may be removed, on the grounds that her ability to parent is impaired -even though the family unit may include other, non-impaired adults. The mother's companion or her own mother may be able caretakers, but in the eyes of the controlling agency, their "enabling" of the mother disqualifies them. The contextual notion that good enough parenting may come from the combined resources of two imperfect individuals does not have a place in a culture that demands individual self sufficiency.

After a child is separated from the parents, the standard service plan sets up a goal of reunification. This sounds family friendly, but the plan's set up makes the goal elusive. Reunification is pursued by dealing with the two parties separately. The child is "stabilized" in the foster home while the parent is granted an involuntary leave of absence from parenting, so that she can "take care of her own needs", which usually means attending drug rehabilitation and parenting classes –but not parenting itself. The mother is considered to be "planning for reunification" if she complies with the course of treatment that was dictated for her; "not planning" if she drops out. In this case the only contact between mother and child -the bi-monthly or at best weekly visits- may be

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curtailed. Nurturing, strengthening, repairing the parent-child relationship is not part of the plan. Mutual attachment between parent and child is expected to survive virtually, without the benefit of the actual exercise of the relationship, over the months of years that it may take for the reunification plan to work.

Nor are the practices any kinder to the foster family, or the child. While the Adoption and Safe Families Act (ASFA) attempts to reduce the time spent by children in the limbo status of foster care –setting timelines to decide whether a child should be reunified with the birth parents or "freed up" for adoption-, the professionals responsible for making recommendations often feel they need more time; it is hard to make recommendations on the viability or not of a parent-child relationship when one has been working primarily with one or the other individual, but not with the relationship itself. Therefore the decision keeps being postponed, and in the meantime the foster parent is asked to nurture the child, but not to get too attached because the child is expected to return to the birth family, while at the same time entertaining the possibility of adopting the child should reunification efforts fail. Not just a double, but a triple bind. All of this while birth and foster parents are kept at arm's length from each other –to prevent them from arguing, or from collaborating too much, or simply to protect their confidentiality. Thus the foster parent remains in the dark about the progress or lack thereof in the birth parent's treatment, while the latter is buffeted from the reality that her child is adapting to a new family, and herself to life as a childless adult, while the child grows in an environment where the two most important figures in her or his life do no talk to each other.

The alternative is a policy, friendly to both birth and foster families, that upholds the values of interdependency and collaboration over those of individual self sufficiency and competition. Practice based on such policy focuses on building relationships –parent-child, birth-foster parents, extended family-, more than on treating individuals in isolation from each other. Decisions to keep children at home or removing are based on an assessment of family context, not just the individual behaviors of one parent. Birth and foster parents co-parent, acknowledging their differences but not allowing them to interrupt communication. Substance abuse programs look at the mother-child bond as an asset for, rather than a distraction from the recovery effort.

Family-empowering policies can be enacted even through so-called "concrete services". The staff of a family preservation program that was helping a mother and daughter with their material needs faced a challenge when the daughter revealed to one of the workers that she was pregnant but did not want her mother to know. Having heard the story of the communication-improving family breakfast, and knowing that mother and daughter used to have dinner in a sofa facing the TV, the staff brought a small table and chairs to the home, and one of the workers stayed for dinner. The family choreography thus changed, and with no prompting needed from the worker, the daughter told the mother about the pregnancy and a conversation started among those who should have it.