

# OPINION

## The Doctrine of Family Reunification: Child Protection or Risk?

—by Richard J. Gelles

The prevailing child welfare doctrine in cases of child abuse and neglect is to provide short-term protection for maltreated children but to work toward long-term reunification for children with their families. The doctrine of family reunification draws its support from the Federal Adoption Assistance and Child Welfare Act of 1980, which requires state agencies to make “reasonable efforts” to reunify children with maltreating parents. If “reasonable efforts” fail to produce a change in the caretaking abilities of the parents, then the state child welfare agency can move toward terminating parental rights and finding a “permanent placement” for the children. Family reunification is also often mandated as part of state child abuse laws. Even in states where reunification is not a legal requirement, it is the implicit goal of child protective service agencies.

### Assumptions that support the doctrine of reunification

#### 1. A Continuum of Maltreatment

A number of key assumptions support the family reunification policy. The first is that abusive, neglectful, or maltreating behavior exists as a linear continuum. The assumption begins with the notion that “anyone can be a child abuser, given certain circumstances.” The assumption is supported by empirical data that show that abuse and neglect cross all social and demographic boundaries. Following from the assumption of a continuum is the notion that without appropriate intervention, maltreatment will inevitably escalate in families until children are severely injured or even killed.

The continuum assumption generally rejects a “kind of person” explanation for maltreatment. Abusers and neglectors are not conceptualized as defective, deviant, or sick individuals. Rather, the continuum assumption rests on a “tipping point” or a “deficit” model of parental behavior. In the “tipping point” model, stresses or problems pile up until a “tipping point” is reached that pushes parents from being caring parents to maltreating parents. Over-stressed parents either actively lash out and physically abuse their children, or passively neglect their children. An alternative but compatible model

is the “deficit model” that assumes that some parents lack personal, social, or economic resources to be effective parents. Adding resources, such as psychological counseling, parent education, home visitors, or other resources is believed to help parents to meet their own needs and the needs of their children.

Thus, the mandate for child welfare interven-

tions is to: (1) add resources, (2) remove stresses, or (3) both, and make the home safe again so that children can be reunified with their parents. Both models assume that children need only be removed from their parents when they are at risk of harm and should be returned when the parents are able to adequately care for their children.

#### 2. Children Do Better With Their Parents

The second assumption that supports family reunification as the overarching doctrine for child welfare is the assumption that children do best when cared for by their birth parents. A corollary to this assumption is that children do best when they can interact with both birth parents. Thus, judges tend to assign joint custody or allow visitation even in the face of strong clinical evidence that one of the parents physically abused, sexually abused, emotionally abused, or neglected the child or children.

#### 3. Children Are Harmed In Foster Placements

Following the second assumption that children do better when cared for by their birth parents is the assumption that children are harmed when they are placed in foster families. Foster parents are often viewed as the “necessary evil” of child welfare. Although there are scant reputable scientific data to support the claim that children are at risk in foster families, the assumption that children are harmed in foster families is often propped up with anecdotal evidence and stories that detail the horrors and harms that befall children in foster homes. The journalist Richard Wexler, in his book, *Wounded Innocents* (1991), and the legal scholar Douglas Besharov in his book *Recognizing Child Abuse* (1990) both provide anecdotal evidence about the harm done to children in foster families.

### The shortcomings of the assumptions and the policy of family reunification

Family reunification, family preservation, and many of the permanency placement doctrines are all forms of a compassionate approach to child maltreatment and child maltreators. Child welfare professionals who employ the compassionate approach believe in an abundance of human kindness and a non-punitive outlook on intervention. The compassionate philosophy views the abusive parents as victims themselves. The cause of the abuse may be seen in social and developmental origins, and not in the abuse. Abusive parents, rather than being seen as cold, cruel monsters, are seen as sad, deprived, and needy human beings.

Although the compassionate approach to child maltreatment is attractive to those of us in the helping professions, I believe that the data fail to support the model. While there are indeed many child maltreators who can be helped to be competent parents with timely and effective social services, other parents cannot be assisted to be caring and nurturing parents. The “tipping scale” and “deficit” models apply to only a

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## Opinion

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continued from page 9

portion of child abusers. My guess is that this model might apply to between two-thirds and seventy percent of all the cases of abuse and neglect — a substantial proportion of cases, but not all.

An additional problem with the family reunification doctrine is the lack of empirical support for its assumptions. My own research clearly indicates that there is not a "continuum of abuse" with severe abuse occurring because of increased stress and disadvantage (Gelles, 1991; Wolfner and Gelles, 1993). Instead, there seem to be distinct categories of maltreatment. Thus, parents who inflict severe harm on their children or kill offspring are categorically different from those parents whose maltreatment does not involve life-threatening harm to children. There is little rigorous scientific empirical support for the notions that children do better when raised by their birth parents or that children must have regular contact with both birth parents, even if one parent is an abuser or neglecter. The idea that children do better with their birth parents is indeed a cherished value and belief in our society, but it is not a belief that rests on much scientific evidence.

The arguments about harm done to children in foster care are merely anecdotes and stories. Here again, there is little scientific data behind the stories told by those who feel that

so-called "child savers" are overly aggressive in removing children from their parents.

Lastly, the arguments for the effectiveness and cost effectiveness of some family reunification/family preservation programs, such as "Home Builders", are also largely anecdotal or else are based on data that are not scientifically rigorous enough on which to build a national policy.

### Toward a new child-centered policy of child protection

I believe that the all-encompassing family reunification model needs to be abandoned as an official and unofficial child welfare policy. What data we have on child abuse, children, and child welfare interventions support a child-centered policy that aims at reducing the risk for children and matching interventions to the needs of children. More importantly, the interventions must be applied with sufficient efficiency that children do not have to languish in administrative limbo while court cases drag on and on.

The most compelling argument for abandoning the uniform policy of family reunification and family preservation are the data on child homicide. Research on child homicide clearly reveals the dam-

age done by rigidly following the family reunification model. Thirty to fifty percent of the children killed by parents or caretakers are killed *after* they have been identified by child welfare agencies and have been involved in interventions, and were either left in their homes or returned home after a short-term removal (Anderson, Ambrosino, Valentine, and Lauderdale, 1983; Besharov, 1991; Daro, 1987; Mitchel, 1989; Mayor's Task Force on Child Abuse and Neglect, 1983; Texas Department of Human Resources, 1981).

A second argument in favor of a child centered policy is the data that children's optimal development is not dependent on living with their birth parents, but on developing a nurturing relationship with a caring adult (Egeland and Erickson, 1991; Sroufe, 1983). More importantly, children need to develop this attachment during a finite developmental period, somewhere between ages four and ten. The failure of permanency planning policies is that they often leave children in limbo during this developmental stage while child welfare agencies are providing so-called "reasonable efforts" to rehabilitate and support parents with the goal of reunification.

I could easily provide a long list of anecdotes to support these arguments. Over the past few months I have been contacted by foster parents, child welfare workers, child welfare administrators, and others concerned with the welfare of children. Each has voiced support for my position and each has provided me with one, two, or more stories about the harm done by "tunnel visioned" family reunification policies. As powerful as these stories are, they should not be the basis of a change in child welfare policies any more than other anecdotes should be the basis of supporting "Home Builders" or other family reunification programs. I will leave the anecdotes to the journalists. I believe that we have collected sufficient knowledge about the effectiveness of family reunification programs, the nature and causes of abuse and neglect, and the developmental needs of children to base our policies on this evidence, not horror stories.

### Summary

Child protection and child advocacy need to replace family reunification as the guiding policy of child welfare agencies. Child welfare workers need to "listen" to the actions of maltreating parents. Parents who fracture the skulls or bones of 6-month-old children, who have sexual intercourse with twelve-month-old daughters, and whose drug abuse patterns compromise their ability to care for their children are simply not entitled to "three strikes" before they lose their rights as parents. With some kinds of child maltreatment, "one strike" is sufficient to warrant terminal parental rights.

### References

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