## Contents

	Acknowledgements	V111
	Dedication	ix
	Preface	x
	Foreword	xii
1.	THE IMPORTANCE OF CHILD CARE LAW	
	AND POLICY	1
	The study of child care policy	3
	Introduction to the four value perspectives in Chapters 2–5	9
	Notes and references	11
2.	LAISSEZ-FAIRE AND PATRIARCHY	13
	Introduction	13
	(i) The main elements of the perspective	13
	(ii) Some authors associated with the perspective	16
	(iii) Rationale and underlying values	25
	(iv) Criticisms of laissez-faire	30
	(a) Empirical support	30
	(b) Problems with the implications for policy	32
	(c) Problems of rationale and underlying values	38
	(v) The perspective in practice	41
	Laissez-faire in nineteenth century English child care law	41
	Laissez-faire in the 1970s and 1980s in United States child	
	welfare law, policy and practice	46
	Note on the decline and defence of patriarchy	50
	Some references relevant to this perspective	52
	Notes and references	53

## Contents

3.	STATE PATERNALISM AND CHILD PROTECTION Introduction	59
	(i) The main elements of the perspective	59
	(ii) Some authors associated with the perspective	59
	(iii) Rationale and underlying values	62 70
	(iv) Criticisms of state paternalism and child protection	75
	(a) Empirical support	75
	(b) Problems with the implications for policy	77
	(c) Problems of rationale and underlying values	82
	(V) I he perspective in practice	85
	Paternalism and protection in English child care law and	0.0
	policy in the early twentieth century	85
	Paternalism and protection in English child care law and	
	policy in the 1970s	91
	Some references relevant to this perspective Notes and references	97
	1 votes and references	99
4.	THE MODERN DEFENCE OF THE BIRTH	
	FAMILY AND PARENTS' RIGHTS	104
	Introduction	104
	(i) The main elements of the perspective	104
	(11) Some authors associated with the perspective	107
	(III) Rationale and underlying values	117
	(iv) Criticisms of the modern defence of the birth family and	
	parents rights	122
	(a) Empirical support	122
	(b) Problems with the implications for policy	126
	(c) Problems of rationale and underlying values (v) The perspective in practice	131
	The defence of the birth family in English child care law	134
	and policy in the 1950s and 1960s	124
	The defence of the birth family in child welfare policy in	134
	rustiana m the 1970s	143
	Some references relevant to this perspective	148
	Notes and references	150
5.	CHILDREN'S RIGHTS AND CHILD LIBERATION	
	Introduction	155
	(i) The main elements of the perspective	155
	(11) Some authors associated with the perspective	155
	(iii) Rationale and underlying values	159 169
		107

vii

	(iv) Criticisms of the children's rights and child liberation	
	perspective	175
	(a) Empirical support	175
	(b) Problems with the implications for policy	180
	(c) Problems of rationale and underlying values	185
	(v) The perspective in practice	188
	Children's rights in Norway in the 1980s	189
	Other signs of the perspective in practice	19
	Some references relevant to this perspective	190
	Notes and references	190
6.	CONVERGENCES AND DIVERGENCES	
	Points of convergence between the four perspectives	20
	(a) The focus on children	20
	(b) The state and the blood tie	20.
	(c) Areas of convergence in the first three perspectives	20
	Points of divergence between the four perspectives	20
	(a) The understanding of child welfare	200
	(b) The view of the family	20
	(c) The origins of child care problems	209
	(d) The role of the state	210
	(e) The concept of rights	213
	(f) The view of society and social problems	213
	A final comment	21
No	etes and references	21:
7.	LAW, POLICY AND PRACTICE: AN UNEASY	
	SYNTHESIS	217
	Factors influencing law, policy and practice	218
	(a) Scandals and enquiries and the response	218
	(b) Interest groups and their thinking	220
	(c) Reviews of legislation and policy	22
	(d) Wider policies and changes	222
	English child care policy in the 1980s – the uneasy synthesis	224
	(a) Laissez-faire	224
	(b) Child protection and state paternalism	225
	(c) The defence of the birth family	22
	(d) Children's rights and child liberation	230
	Conclusion: conflict and balance	230
	Notes and references	23
	Bibliography	23
	Index	243