MANUFACTURING IDEOLOGIES OF THE “BAD” MOTHER IN ONTARIO CHILD WELFARE

by

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A thesis submitted to the Department of Sociology
In conformity with the requirements for
the degree of Master of Arts

Queen’s University
Kingston, Ontario, Canada
(September, 2015)

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Abstract

In Canada, under the guise of austerity measures, the state is increasingly distancing itself from the responsibility of helping families raise their children (Vandenbeld Giles 2012; Walmsley and Tessier 2015). This distancing is evident in Canada’s provincial legal-judicial child welfare systems, where the focus on protective child services significantly outweighs preventative programming and family support. A tenant of neoliberalism, a focus on individual responsibility is evident in the increasing concern that parents are risk factors in their children’s lives (Brown 2006; Romagnoli and Wall 2012). This ideology is apparent in the constructed “bad” mother label applied to mothers involved with Canadian child welfare, where 89% of involved caregivers are biological mothers (CIS 2008:40). Focusing specifically on the Ontario child welfare system, this case study examines how manufactured ideologies of the “bad” mother become synonymous with marginalized mothers. Using the theoretical lens of Pierre Bourdieu and the material-feminist work of Angela McRobbie, the institution, practices, and policies of Ontario child welfare are discussed as both class and racially biased. Further, prescriptive ideologies of intensive mothering, a concept coined by sociologist Sharon Hays, are found intertwined with notions of “good” mothering and normalized within the intersecting fields of mothering and child welfare. The landscape of “bad” mothers involved with child welfare is discussed surrounding the non-essentialist categories of monstrous mothers, the incarcerated mother, and the mother next door – the vague category where marginalization and disadvantaged social positioning serves as an invitation for increased scrutiny and gaze from the state (Appell 1998; Reich 2005; Swift and Callahan 2009; Swift and Parada 2004). This thesis challenges assumptions and stereotypes held about mothers involved with child welfare by highlighting the marginalized contexts in which they navigate life for both themselves and their children including experienced poverty, racism, colonization, substance abuse, and domestic violence. Moreover, a specific analysis of language constructions and reforms to Part III of the Child and Family Services Act made in 2000, reveal how such changes are manufactured more so for the protection of the state and its governing agencies, than they are for the protection of children and their families.
Acknowledgements

There are many people I would like to acknowledge and thank that have had an impact on the completion of this thesis. First, I would like to thank my thesis committee for participating in my defense. Thank-you for taking the time to read and constructively evaluate this project. I would also like to express thanks to Dr. Rob Beamish and Dr. Sarita Srivastava for their support and encouragement throughout my Master’s studies; you have both been so kind to provide valuable advice and references. I would also like to specifically mention and thank, Michelle Ellis, recently retired Graduate Assistant in the Sociology Department. I am grateful for Michelle’s caring demeanor, kindness, and warm welcome week after week.

I truly believe a supportive supervisor makes a world of difference in the student’s journey. My journey as a Master’s student has been enriching and fruitful thanks to Dr. Annette Burfoot. Annette, thank-you for believing in me, challenging me, and ultimately supporting me along the way. Thank-you for diving into this topic with me, and helping me channel my ideas!

Alongside funding from Queen’s University Sociology Department, I would like to extend gratitude to the Social Sciences and Humanities Research Council for their valuation and funding of this project. Moreover, the Michael Smith Foreign Study Supplement has afforded me the wonderful opportunity of traveling to Jyväskylä, Finland to provide insight and global comparison in the valuation of mothering. A special thank-you to the University of Jyväskylä, the Department of Social Work, and my host supervisor Marjo Kuronen for supporting my endeavours and warmly welcoming me.

And lastly, thank-you to my husband Trevor, who has been an immense support during this journey, filling me up when I had nothing to give in return. Your respect, praise, and encouragement means the world. And to my three energetic children, Grace, Eli, and Jude, who provide me with joy and perspective daily; thank-you for your love and forgiveness.
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Chapter One: Introduction

In many ways, “bad” mothers are not so very different from “good” ones. We all struggle under mountains of conflicting advice that cannot be followed in real life. We all must find our way in a society that devalues mothering, sees childrearing as a private family responsibility, and pays little heed to what actually happens to kids. Our point, however, is not that the pervasiveness of current mother-blaming creates a rough equality of suffering. One woman’s psychic distress over society’s harsh judgements cannot be equated with another’s loss of legal custody of her children.


In his book The Sociological Imagination, sociologist C. Wright Mills reflects on what he terms intellectual craftsmanship. Defined as a commitment to the integration of life and work, Mills explains that a scholar’s ability to utilize their life experiences will allow them to reflect critically on their own intellectual work (Beamish 2010; Mills 1959). It is within this notion of intellectual craftsmanship, where I have discovered my passion for researching motherhood, mothering, and related social policies. Together with my experiences as a student resource worker with an Ontario Children’s Aid Society, the idea for the foundation of this thesis was established.

On a daily basis, I question my own acts of mothering. Similar to the confessions of other mothers, which are today easily accessed on social media, I have referred to myself from time to time as a “bad” mother. Others have even told me that I am, including my own children. In Western society, the judgment and blame placed on mothers is intensifying (Douglas and Michaels 2004; Hays 2009; Ladd-Taylor and Umansky 1998; Thurer 1994). As mothers, we are increasingly feeling pressure to ensure all aspects of our children’s well-being are cared for. We question if our children are healthy, meeting developmental milestones, dressed appropriately, thriving at school, making friends, getting enough exercise, limiting electronics, and so on. For
the most part, we are aware of the degree to which our acts of mothering are being surveilled; the glances at the grocery store when our children are having tantrums, neighbours peering from their windows at our children playing alone outside, news stories highlighting mothers who have failed to act “appropriately,” and letters from school reminding us that lunches be nutritious, homework be completed on time, and permission forms and money be returned. What’s clear however, is that some mothers, and their actions, are surveilled more than others. As Ladd-Taylor and Umansky note at the opening of this chapter however, there exists a significant difference between the worry most mothers experience, and the consequences that result for some. One mother’s “distress over society’s harsh judgements cannot be equated with another’s loss of legal custody of her children” (Ladd-Taylor and Umansky 1998:22). While the term “bad” mother is used generally in the language of social actors to refer to both ourselves, and those around us who fail to uphold dominant-held ideals of “good” mothering, the label itself is often attributed to mothers involved with child welfare. And while it is true that any caregiver could be the target of a child welfare investigation, this thesis reveals how the manufactured label “bad” mother has become synonymous with marginalized women.

This Master’s thesis is a case study drawing on existing scholarly literature and social policies within the intersecting fields of mothering and child welfare. With a focus on mothers involved with the Ontario child welfare system, this study highlights the marginalized social contexts in which many of these women navigate acts of mothering, including: poverty, racism, domestic violence, and substance abuse. As a white, young women working with the Ontario Children’s Aid Society, it is apparent in my experience, that mothers involved with child welfare are fashioned as the “Other;” they are different, they are not like “normal” mothers. Why is this the case, and how has it come to be? How are ideologies of the “bad” mother involved with
Ontario child welfare manufactured? Furthermore, how are they perpetuated and maintained? These questions are addressed in the chapters to follow.

Laying the foundation for this case study, Chapter Two presents the theoretical lenses, literature review, and methodological framework. The theoretical lenses, including a focus on relevant conceptual tools, are discussed in relation to the theories of sociologist Pierre Bourdieu, the work of material feminist Angela McRobbie, and sociologist Sharon Hays’ ideological concept of “intensive mothering.” Given the intertwining definitions of mothering dichotomies, the literature review in this chapter begins with a broad conceptualization of the field of mothering and maternal scholarship. The narrowing definition and historical and cultural context of the “good” mother, within Western society is discussed, with its normalized impact on the construction of socially “adequate” and “inadequate” mothering. This discussion provides context for understanding constructed stereotypes of the “bad” mother, with specific relation to women involved with the Canadian child welfare system. The chapter concludes by providing methodological details, including epistemological and ontological positioning.

Chapter Three presents the landscape of mothers involved with Ontario child welfare and addresses variability in the manufactured and applied “bad” mother label. Using the limited research available, monstrous mothers and incarcerated mothers are discussed as both heterogeneous and homogeneous categories, however, serving only as a minority of the landscape of involvement. Drawing on information from the Canadian Incidence Study Report on Child Abuse and Neglect, this chapter reveals that the majority of mothers involved in substantiated child abuse and neglect cases are marginalized. Specific discussions concerning domestic violence, race and ethnicity, substance abuse, Aboriginal mothering, and experienced poverty, highlight apparent social problems requiring attention and resources.
Extending into the state’s construction and implementation of social policy, Chapter Four focuses on the impact recent language and policy reforms have on marginalized mothers. A specific analysis of Part III of the *Child and Family Services Act*, involving the specific constructions of “neglect” and “inadequate care” as child maltreatment, as well as expanded “duty to report” obligations and the inclusion of “risk” management are examined. This chapter also analyzes existing power relations within the intersecting fields of mothering and child welfare. Applying Bourdieu and McRobbie’s theories, female individualization, symbolic violence, and class distinction are discussed with concern to both embedded and apparent power relations within the field. Moreover, a brief comparative analysis between the Canadian and Finnish welfare systems, with specific concern to the valuation of mothering and child rearing activities, is presented. Suggestions for ideological shifts and practical reforms for the Canadian child welfare system, are offered here.

Chapter Five concludes by presenting final thoughts on the importance of researching the impact dominant ideologies have on marginalized populations. Suggestions for future scholarship and directives within the field are made.
Chapter Two: Theory, Literature Review, and Methodology

If we identify the current dominant “good mother” paradigm as Intensive Mothering, we can begin to see how Ontario children’s services categorizes “bad” mothers or “at-risk” mothers in juxtaposition to this constructed ideal.

- Melinda Vandenbeld Giles [2012:124]

INTRODUCTION

Western scholarly literature and research surrounding mothering and motherhood is extensive in quantity yet limited in its scope and inclusiveness. Meanwhile, the social landscape of both mothering and motherhood is ever changing; shifting to reflect historical developments, geographical particularities, and cultural priorities (Kinser 2009:9). While research of mothering as currently constituted continues to be important, there is a need for scholarly research to stretch beyond merely identifying and challenging white middle-class standards, and to provide research within specific contexts where marginalized populations are adversely affected by normalized dominant ideologies of “good” mothering.

Within the literature, there is a sharp and important distinction between motherhood and the act of mothering. Motherhood is often referred to as an institution; a social arena involving historical and geographical norms (Hewett 2008; Kinser 2008; Rich 2009). The institution of motherhood, frequently discussed in relation to patriarchy, is used broadly to encompass and refer to those who have gained entrance, by varying means. Acts of mothering on the other hand, refer to the social action involved in care work, often taking place within motherhood, although not restricted to the institution. Acts of mothering include both tangible and intangible elements of care work, which over the past century have remained closely tied to gender roles and have expanded in scope (Krull 2011; Reich 2005). This thesis focuses primarily on acts of mothering, with a specific focus on acts of mothering within the context of Ontario child welfare, and addresses the research question: how is the “bad” mother socially constructed within the
institution and policies of child welfare in Ontario? The study will also include an examination of the broadly conceptualized field of mothering in Western society to provide context to the specific question addressed.

The following literature review will focus on understandings and practices in the social construction of mothering dichotomies. While mothering dichotomies are occasionally referred to within the literature as being myths, the epistemological and ontological position within this thesis understands the “good” and “bad”1 mother to be social constructions (Hays 2009:410). It is the embeddedness and continued use of such dichotomies in the everyday language of social actors, and their implementation and effect within governing legislature such as the Child and Family Services Act that controls and directs Ontario child welfare, which renders a constructionist research focus appropriate (ibid.). Furthermore, to understand the “bad” mother, a label often assigned to mothers involved with Ontario child welfare, we need to understand the construction and adopted tenets of the “good” mother standard, as both constructions intertwine and influence one another (Diduck 1998; Hays 2009).

The increasing narrowness of the “good” mother construction interweaves and reflects ideologies of what sociologist Sharon Hays describes as intensive mothering (Hays 1996; Hays 2009). Based on Eurocentric, middle-class perspectives of mothering, intensive mothering is the “dominant ideology of socially appropriate child rearing” in contemporary Western society (Hays 2009:414). Tenets of intensive mothering are understood to be “child-centered, expert-guided, emotionally absorbing, labour-intensive, and financially expensive” (ibid.). In her work

1 Quotations are used throughout this thesis to encase and reference terms, concepts, and adjectives that require subjective interpretation, such as “good,” “bad,” “inadequate,” etc. The quotations thus serve as reminders of the variability and importance of perception and positioning when decoding such terms.
“Why Can’t a Mother Be More Like a Businessman?” Hays poses a series of cynical questions that captures intensive mothering as both ideological and socially constructed:

Why are there aerobic courses for babies, training sessions in infant massage, sibling-preparedness workshops, and designer fashions for two-year-olds? Why must a “good” mother be careful to “negotiate” with her child, refraining from demands for obedience to an absolute set of rules? Why must she avoid spanking a disobedient child and instead feel the need to explain, in detail, the issues at hand? Why does she consider it important to be consciously and constantly attentive to the child’s wishes? Why does she find it necessary to apologize to the child if she somehow deviates from the code of appropriate mothering? Why is it important to have all possible information on the latest child-rearing techniques? Why must she assure herself that prospective child-care providers are well-versed in psychological and cognitive development? Surely all these activities consume massive amounts of time and energy (2009:412).

Hays reveals and explains the context, the key players, and ideologies of intensive mothering, and her work is as an important resource in the development of this thesis (ibid.:420). It is the adoption, implementation, and normalization of ideologies of intensive mothering as they relate to constructions of “adequate,” and by contrast “inadequate” mothering, which plays an instrumental role in further marginalizing disadvantaged mothers\(^2\) (Reich 2005:159). Furthermore, access to capital becomes an essential element in fulfilling tenets of the intensive mother; failure to access minimum degrees of capital required to “play the game”\(^3\) may result in the attribution of labels such as the “bad” mother. Intensive mothering then, can be understood as a generative patriarchal scheme\(^4\) that has become normalized within the field of child welfare.

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\(^2\) Disadvantaged mothers refer to those mothers experiencing social strain in conditions of poverty, substance abuse, and unstable employment and housing for example.

\(^3\) “Play the game” refers to Bourdieu’s field theory, and his analogy of a football game being played.

\(^4\) A Bourdieusian reference, generative schemes refer to the construction of dominant-held ideologies and practices. Depending on the individual’s life experiences, these schemes may or may not become embedded in dispositions of the individual’s habitus. Successful regeneration of such schemes is dependent on transmission during socialization.
For the purposes of fluidity and integration, this chapter presents the literature review and theories discussed together. In doing so, various lenses are able to operate simultaneously. The lenses through which this thesis envisions mothering is through the adopted and normalized prescriptive ideologies of intensive mothering as highlighted above, alongside the theoretical perspectives and conceptual tools of material feminist Angela McRobbie and social theorist Pierre Bourdieu. McRobbie’s focus on class dynamics within a neoliberal post-feminist climate allows for a rich discussion of the intersection of gender, race, and class within the contemporary mothering landscape of child welfare. Furthermore, McRobbie’s framing of marginalized women within neo-liberal social policy provides an understanding of and insight into issues of implemented policy language, strategies of maintaining oppression, and social mobility. Moreover, McRobbie’s use of Pierre Bourdieu’s writings in her work, including the re-casting of conceptualizations such as symbolic violence, allows for a rational and fluid integration with Bourdieu’s theories.

The work of Bourdieu has been selected for several reasons; the first of which is Bourdieu’s take on field and capital that explain the various types of capital at stake, including economic and social capital, and their relevance to positioning within the social field. This is applicable to mothering within the context of child welfare as this social service encompasses mostly marginalized women who have limited access to material and social capital that players require to benefit from dominant discourses of mothering within the field. Second, Bourdieu’s conceptualization of dispositions found in habitus, is central to understanding the positioning of

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5 Field refers to the social arena in which the struggles take place over specific resources or stakes and access to them.

6 Habitus refers to “an acquired system of generative schemes objectively adjusted to the particular conditions in which it is constituted” (Jenkins 1992:74). One’s habitus is acquired through the process of socialization and
gatekeepers within the field, including social workers and their relations with mostly socially marginalized clientele. The absence of a shared habitus in the field of child welfare establishes the foundation for class struggle and strain. And lastly, what Bourdieu terms “processes of symbolic violence,” allows for insight into how generative social schemes, specifically racialized and classed schemes, become normalized, in this case, within the field of mothering. This will be illustrated throughout with reference to middle-classed ideologies of intensive mothering as they have become dominant and normalized. Specific reference is made to dominant ideology within child welfare as institution, policy, and practice in order to understand the standard for “adequate” and “acceptable” mothering.

**THEORY AND LITERATURE REVIEW**

The theories and conceptualizations of the post-feminist materialist McRobbie and those of social theorist Bourdieu are found to compliment each other. While McRobbie is not without her critiques of Bourdieu, her application of Bourdieu’s writing and theoretical lens within her own research, specifically *The Aftermath of Feminism* (2009), is fruitful and applicable to this case study. By involving and applying Bourdieu within this feminist inquiry, I hope to contribute to existing Bourdieusian-feminist literature.

**A Bourdieusian Framework**

Social theorist Pierre Bourdieu was interested in how lived experiences of the individual are positioned within the broader social structure. For Bourdieu, social life could not be understood as solely the aggregate of individual behaviour nor could any explanation be attributed to social structures alone (Bourdieu 1984; Bourdieu 2000). Bourdieu’s conceptual

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acquired life experiences (ibid.:79). While habitus is embodied in the individual agent, it is a social phenomenon (ibid.).
tools and social theories provide an understanding of social life that includes both elements of agency and social structure.

In terms of this research on the social construction of the “bad” mother within child welfare, Bourdieu’s conceptualizations offer value in understanding existing class dynamics, embedded habitus,’ and the perpetuation and maintenance of class hierarchies. From a material feminist perspective, Bourdieu’s analytical concepts of field, economic and social capital, habitus, and processes of symbolic violence provide insight and explanation into how and why the “bad” mother label becomes synonymous with marginalized women.

Using Bourdieu’s concept of fields, the field of mothering can be seen as the social arena in which the struggles of mothering take place over specific resources or stakes and access to them. Each field, including the field of mothering, has a different logic and hegemonic structure of necessity and relevance (Jenkins 1992:82). Within the field of mothering, an internally structured system of social positions, including that of both individuals and institutions, exist in relation to access to material capital. The field grounds the agent’s actions in objective social relations and each field is relatively autonomous with its own laws of functioning and relations of power (Bourdieu 1993:2).

Within the social arena of mothering then, the institution of child welfare – governed and funded by the state (in this case study the province of Ontario) – serves as a regulating mechanism of control over what constitutes “adequate” and “inadequate” practices. Together with governing policy (The Child and Family Services Act), authorized knowers within the field, including social workers, supervisors, police officers, lawyers, and judges possess the necessary capital, class, and attributed power to persecute and label.
In his introduction to Pierre Bourdieu’s work, *The Field of Cultural Production*, Randal Johnson comments, “it is up to the analyst to establish through research what the specific interests of the field are and what strategies of accumulation (which may or may not be based on conscious calculation) are employed by the agents involved” (1993:8). The interests and strategies of accumulation within the intersecting fields of mothering and child welfare highlight the importance of access and possession of capital. The interests and associated positioning within these two intersecting fields is distinctly class based and biased (Romagnoli and Wall 2012; Swift and Callahan 2009; Vandenbeld Giles 2012). The players that govern the field, writing the rules for the game and carrying them out, as evidenced throughout this case study, occupy middle and upper class positions while the vast majority of players experiencing conflict in achieving the necessary means (capital) for competing and thus “failing” to play by the rules is mostly experienced by those positioned as working and lower class (Jaremko Bromwich 2013; Reich 2005; Swift and Callahan 2009; Swift and Parada 2004).

To enter the field of mothering and to successfully play the game, “one must possess the habitus which predisposes one to enter that field. One must also possess at least the minimum amount of knowledge, or skill or talent to be accepted as a legitimate player” (Bourdieu 1993:8). For Bourdieu, habitus is central to participation within the field. Deciding who can be classified as a legitimate player within the field of mothering in Ontario falls under the jurisdiction of government-funded child welfare agencies and the current governing legislature *The Child and Family Services Act*. Together with policy in hand, the institution and assigned players are responsible for gatekeeping the field, ultimately wielding power to judge and deny access to those who do not possess the minimum amount of “knowledge, skill, or talent” (Bourdieu
1993:8). The power to decipher and implement generalized policies within the field, discussed more thoroughly in Chapter Four, is typically held by those positioned as middle-class or higher.

The notion of habitus is fundamental in bridging together individual experiences and the broader social structure. For Bourdieu, the embodiment of habitus has three distinct and integral meanings: (1) the habitus exists inasmuch as it is ‘inside the heads’ of actors, (2) habitus exists through and because of the practices of actors and their interactions with each other and the rest of their environment, (3) the notion of ‘practical taxonomies,’ the heart of the generative schemes of the habitus, are rooted in the body (Jenkins 1992:75). Dominant cultural ideologies of “good” mothering, and contrastingly “bad” mothering, within Western society do not take into account the lived experiences of actual mothers. Thus, the individual dispositions of a mother, which contribute to the formation of habitus, are primarily the regeneration of the generative schemes of dominant ideologies and institutions within society (Swartz 1997:104-106). The formation of habitus then, disposes actors to perform in certain ways and provides a basis for the generation of dominant practices (Jenkins 1992:78).

Applied to the social construction of the “good” mother, patriarchal institutions including the media, politics, and medical and psychological experts, are successful in manufacturing and manipulating images of mothering ideals—generating schemes that become embedded in dispositions. Thus, when many mothers perform acts of mothering, their own ideals and ways of practicing are already predisposed to perpetuate the dominant cultural ideals of the field. Practices of mothering are produced in and by the encounter between habitus and its dispositions and the constraints, demands, and opportunities of the social field to which the actor is performing (Jenkins 1992:78). This being said, the construction and label of the “bad” mother
serves in opposition to dominant cultural ideals; the label thus represents defiance in relation to the existing “norms” of the field.

Moreover, structural disadvantages “can be internalized into relatively durable dispositions that can be transmitted inter-generationally through socialization and produce forms of self-defeating behaviour” (Swartz 1997:104). It becomes important to understand then, the category and label of the “good” and “bad” mother in their historical and cultural context, as Bourdieu understands habitus to be “a product of history that produces individual and collective practices—more history—in accordance with the schemes generated by history” (Jenkins 1992:80). History is experienced as a “hegemonic, axiomatic necessity of objective reality,” which serves as the foundation of habitus (Jenkins 1992:80). History is continuously carried forward in a process of production and reproduction in the practices of everyday life (Bourdieu 1997:115). The practices of mothering that stem from habitus then, serve to reproduce and confirm what dominant ideologies construct and hold as “true.”

Capital, according to Bourdieu, exists in four forms of goods and resources: economic, cultural, social, and symbolic (Bourdieu 1984; Bourdieu 1990; Bourdieu 2000). Access to, and distribution of, all types of capital reflect social distinctions in a hierarchically structured space (Bourdieu 1984; Swartz 1997). Further, access to all types of capital described by Bourdieu determine a mother’s positioning within the field of mothering (Swartz 1997:151). From the beginning of the twentieth century, material wealth is shown to have a significant impact on the social position of a mother (Douglas & Michaels 2004; Thurer 1994). The ability to access scientific inventions deemed important and necessary in the practice of mothering and child-rearing, such as formula and vitamins, required a certain degree of material. Access to economic
capital scribes the ever-present class inequalities, and makes up the most unequal distribution of all the capitals described by Bourdieu (Bourdieu 1984; Jenkins 1992).

Bourdieu argues that social classes tend to invest in symbolic distinctions that give them the appearance of status groups (Swartz 1997:80). Symbolic capital represents the degree to which individuals have access to prestige and social honour (Bourdieu 1980:108-110). In the field of mothering, a fight for social honour is evident in the *Mommy Wars*, where disputes between the career mom and the stay-at-home mom play out, for example. Depending on the occupation, the career mom may in fact, have greater access to the prestige and honour attributed to public sphere occupations (Swartz 1997:80). While mothering within the private/domestic sphere is perceived as a full-time job by some, such care work remains unattached to economic wealth, and is often classified as unpaid labour (Hill Collins 2009b; Mandel and Wilson 2001; Swift and Callahan 2009).

Cultural capital refers to the transmission of dominant-held systems of value and meaning. Cultural capital is not accumulated instantaneously (in comparison to gaining economic capital for example), rather the accumulation of cultural capital covers the entire process of socialization (Bourdieu 1986:np). Moreover, what is considered to be of high value and meaning will vary depending on the culture. Access to economic capital is directly correlated with the reproduction of cultural capital. Meaning, the more access one has to economic capital (money for example), the more opportunities exist for one to engage and obtain culturally valued experiences and goods. Access to equipping oneself with cultural capital can take shape in the form of education for example, and one’s knowledge and participation in the arts (Jenkins 1992; Swartz 1997). High fashion is also becoming a rising trend and tenet of idealized mothering in Western society. Beginning in the early stages of pregnancy, a mother’s
economic access to purchase designer maternity wear, strollers, and toys, have broadened the
spectrum and definition of cultural capital in its associations with motherhood.

Social capital refers to the various kinds of valued relations with significant others. This
also involves the actual or potential resources that accompany relationships of mutual
acquaintance and recognition (Bourdieu 1986:np). Social capital can take the form of group
membership for example. In the field of mothering this involves participation in various
community moms’ groups, school committees, religious groups, activity groups (baby yoga for
example), and so on. The availability of services that accrue or avail from “useful relationships”
impact a mother’s positioning within the field (ibid.). Social capital is particularly useful when
discussing experiences of surveillance within the intersecting fields of mothering and child
welfare, as is further discussed in Chapter Four.

Bourdieu believed that we live in a world where perceived reality is taken for granted by
members of society (Bourdieu 1993:2). He theorized how doxa, inequality, and marginalization
are the paramount inequalities that play out in social life. He unveiled how power associated with
symbolic capital generates a symbolic violence that legitimates (Bourdieu 1993:2) institutions
and individuals within a given field, such that those who hold the greatest symbolic capital
(consisting of prestige and honour – all crucial elements of power), to exercise power over those
who hold less. This act of violence is often concealed in broadly acceptable and unquestioned
processes (Bourdieu 1993:2). Symbolic violence is then, “the subtle impositions of systems of
meaning that legitimize and solidify systems of inequality” (Bourdieu 1990; Bourdieu 2000).
Those at the top of the social hierarchy see these processes as natural, while those experiencing

7 Doxa refers to the taken for granted elements of a particular field (Swartz 1997:125).
the inequality and marginalization at lower social positions in the field, experience the processes as normalized and inevitable.

Inequalities that have been created by the distribution of capital through processes of symbolic violence are present in the field of mothering. The multiplicity of standpoints within this field sheds light into the existence of varying experiences, dependent on social place and location. The politics involved in mother-blaming are examples of symbolic violence. The “bad” mother label, as Ladd Taylor and Umansky describes, has traditionally been applied to “the poor, the unmarried, and women of colour” (1998:18). The “bad” mother label is applied by the state, welfare and legal systems, experts, family members, and mothers themselves (ibid.). It is those institutions or individuals with the highest social positioning and the greatest symbolic power that ultimately produce the generative schemes that become embedded in dispositions (Bourdieu 1993; Bourdieu 2000).

**Material Feminism**

Understanding how the “bad” mother as a label and homogeneous identity is socially constructed within the intersecting field of child welfare is assisted by feminist work. Defining which branch of feminism is most applicable and appropriate follows. Given the concerns of both class and racial biases evident in women’s involvement with the Ontario child welfare system, an intersectional feminist lens is used here. This approach understands, at the most basic level, gender, class, and race to be intersecting factors involved in the processes of discrimination and oppression (Crenshaw in Castiello Jones, Misra, McCurley 2013:1). Also, the writings and views of material feminist Angela McRobbie are applicable to understand the current landscape of women’s involvement with child welfare. McRobbie’s discussion of the
current state and implementation of feminism combined with social theorists such as Bourdieu and Giddens on whom she relies, provide the basis for the analysis here.

McRobbie argues in *The Aftermath of Feminism* that we have entered a post-feminist era; stating that such is characterized by the incorporation of feminist accounts into “political and institutional life” where carefully chosen terms such as “empowerment” and “choice” are evidence of an “individualistic discourse” that serves as a substitute for feminism (2009:1). The adoption of inclusive language within recent western government discourse seemingly demonstrates an understanding of gender discrimination and promotes liberation from oppression but effectively it is a “faux-feminism” (ibid.). McRobbie states that,

> within the wider context where it seems that feminist ideals have been adopted, or taken on board by various organizations and public bodies, this implementation has been the occasion also for a process of discouraging and also disavowing the further extension of, renewal of, or regeneration of feminism, in whatever shape or form . . . (2009:150).

McRobbie’s feminism stems from her experience in academia where she finds that while there is the perception that “feminist pedagogy in sociology and cultural studies” is relevant, few students “would actually call themselves feminists” (2009:151). It is this contradiction that fosters McRobbie’s conceptualization of feminism as being “undone” (ibid:150). It is not that feminism no longer exists, but it is young academics’ disassociation with the label which leads McRobbie to investigate the successful schemes that are being played out within neoliberalism more broadly, where feminism is perceived to have been incorporated and no longer needed.

From a material post-feminist perspective then, the current socio-economic system in the West can be seen as disadvantaging and oppressing to those in lower and working classes. The field of mothering is not immune from the shift towards a competitive neo-liberal order. The neoliberal “prioritization of financialization” (Vandebeld Giles 2012:113) affects constructions
of mothering dichotomies, as definitions of “good” mothering are narrowing and increasing correlated with one’s access to the capital at stake within the field. Competition within the field of mothering is evident in the struggle to access capital. The ongoing “Mommy Wars” debate beginning in the 1990s depicts an increasing competitiveness that mothers are experiencing between each other. With the continuous re-creation of social media sites, blogs, and discussion boards, the Internet has become an arena where voices and opinions about ideal mothering become competitive and combative in both subtle and not-so-subtle ways. The judgement mothers place on each other acts as a mechanism of social control, furthering generative schemes of patriarchy and neoliberal ideals (Horwitz and Long 2005; Krull 2011).

Social mobility is dependent upon access to various types of capital. In preparation for understanding the entanglement of class and race when socially constructing the “bad” mother within child welfare, I adopt a series of questions McRobbie poses in relation to mobility and social hierarchies within a competitive neoliberal order,

As women come forward as more active agents in the socio-economic system, they are charged with carrying out different, more aggressive, roles….By what means will women conduct new class antagonism? How will middle-class women retain their advantages and ensure that their social inferiors do not encroach upon their patch of class privilege? What weapons are at their disposal? (2009:125).

It is important to know that this conflict between mothers is not actually between women but rather is an effect of broader social discourse in which embedded patriarchal schemes have become normalized. Within the social context of Ontario child welfare the majority of practicing social workers are women. Further, men are more likely to occupy supervisor and director positions. While this case study does not take a position of analyzing gender relations within the social work profession, it is worth highlighting that the majority of social workers, front-line
social actors, who are mandated to make initial judgement calls, drawing upon both policy and their subjective knowledge, are middle-class, educated women. This insight is relevant to McRobbie’s question concerning how middle-class women retain their privilege.

The socio-economic relations between gatekeeper and client becomes an important spacial arena. This space serves as an area where the production and reproduction of social divisions is “played out” within the field. Each with their class-appropriate habitus, the social worker is likely unable to relate to the embedded dispositions of the client—disconnecting mothering acts from existent social inequalities and attributing inadequacies to personal behaviours. Failing to see the client within their socio-economic context and attributing shortcomings to solely the client alone, highlights the neoliberal focus on individualization, and the growing classification of marginalized mothers as “others.” So while the state is responsible for establishing, surveiling and policing the rules of the field, they strategically distance themselves from claiming responsibility for their citizen’s actions.

From a post-feminist position then, current neoliberal ideologies and policies construct a general focus on gender in terms of female individualization (McRobbie 2009:139). The habitus of the individual female client involved with Ontario Children’s Aid, becomes the focus of investigation in identifying and attributing blame rather than an analysis of her social positioning and access to various forms of capital. This focus on micro social life takes precedence and priority over macro-sociological framing (ibid.:135). It is the detailed micro analysis that becomes the source of judgement and is projected onto media reports; it is similarly this set up, that serves as the foundation for mothers to make comparisons between themselves. This individualized field of mothering also stimulates continually changing standards and narrowing constructions of ideal mothering. McRobbie also notes that female individualization is a process
which highlights “new social divisions through the denigration of poor and disadvantaged women by means of symbolic violence” (2009:133). Recasting Bourdieu’s conceptual tool, “processes of symbolic violence,” McRobbie applies symbolic violence to the generative schemes implemented in the neoliberal state’s focus on female individualization and policy language (ibid.:141). This approach guides much of the analysis in Chapter Four that engages with the Ontario *Child and Family Services Act*.

While McRobbie’s post-feminist materialism and Bourdieu’s theoretical framework intersect quite well, such integration is not without shortcomings. McRobbie’s application and use of Bourdieu within her own research *The Aftermath of Feminism*, addresses concerns with the mechanical and monolithic concept of field and Bourdieu’s “over directive” notions of power (2009:138). McRobbie relies on the work of Judith Butler to challenge and highlight what she perceives as Bourdieu’s weaknesses. Although Bourdieu bridges together both elements of agency and structure within his theories, McRobbie notes that,

> the concepts of field and habitus begin to buckle under the weight of a methodology that would examine the intersections and flows between and across so many fields and so many habituses, at which point one can begin to see again the value of a more open-ended and fluid approach to the discursive operations of power which is not reliant on these schematic terms (2009:142).

As a compliment to what Bourdieu offers, McRobbie references the ways in which Butler draws attention to discursive “micro-social processes” which allows for further focus on the bodies of wounded subjects, and the ways in which the site of such wounds become the space of oppositional politics (ibid.:138). It is within the challenging of power and the exertion of perceived agency in the accounts of marginalized mothers, for example, that Butler’s more “open ended and fluid approach” is necessary.
Although it is of importance to recognize and state potential shortcomings with regards to the integration of the selected theories, for the purpose of this case study—seeking to understand the social construction of the “bad” mother within Ontario child welfare, the adoption of Butler’s more fluid approach is not yet necessary.

**Maternal Research**

The development and persistence of maternal research and literature can be attributed to key players, including but not limited to: Adrienne Rich (1976), Sara Ruddick (1989), Patricia Hill Collins (1990), Shari Thurer (1994), Sharon Hays (1996, 2009), Molly-Ladd Taylor (1998), Susan Douglas and Meredith Michaels (2004), and Andrea O’Reilly (2006, 2009). Identifying the need and value in researching mothering, scholars such as Adrienne Rich and Sara Ruddick have paved the way for discussions within the field, challenging and raising concerns about the doxa of motherhood and mothering in Western society. Ruddick in her article “Maternal Thinking” identifies maternal as a social category, where maternal thought “identif[ies] priorities, attitudes, and virtues” and highlights the oppressive elements that cause “pain and struggle in living out,” and up to, dominant ideologies (2009:107). This thesis takes up the task of challenging the doxa and embedded inequalities within the field of mothering, by seeking to understand how dominant ideologies construct deviance in relation to established standards as illustrated in the applied “bad” mother label, with specific reference to Ontario child welfare.

The intersection of both race and class within the field of mothering reveals and highlights the degrees to which constructions of “adequate” mothering in Western society remain attributed to Eurocentric perceptions and prescriptions of mothering (Hill Collins 2009a:274). Patricia Hill Collins in her work, “The Meaning of Motherhood in Black Culture and Mother-Daughter Relationships” and “Shifting the Center: Race, Class, and Feminist Theorizing About
Motherhood” discusses how white perspectives of mothering are problematic for black families; stating that black mothering rarely occurs within the strict confines of the private, nuclear family, where the mother is almost always the primary caregiver (2009a:2009b). Hill Collins notes that when black women aspire to Eurocentric views, mothering can be oppressive, as current white middle-class discourses are ignorant to past and present understandings of racial domination and suppression, producing a field that remains unequal in the distribution and access to capital (2009a:275, 277). Furthermore, current dominant discourses of intensive mothering “distort the experiences of women in alternative family structures;” noting that women of colour have significant historical and cultural differences in living arrangements, evidenced in the inclusion and involvement of extended family in care work (Hill Collins 2009b:312). It becomes important to understand that an analysis of mothering cannot be taken out of historical context, especially for mothers experiencing or having experienced racial oppression (Hays 2009; Hill Collins 2009b; hooks 2009).

Racial domination and gender inequality function in tandem to produce economic exploitation (Hill Collins 2009b:312). Hill Collins notes, that as an institution, motherhood is central in reproducing gender inequality (2009a:275). The insistence on being self-reliant and resourceful within black mothering for example, are concepts which remain embedded dispositions within the habitus of many black women—disseminated and learned through the process of socialization (ibid.:274). Economic dependency on men, Hill Collins comments, is linked to assumptions “that to be a ‘good’ mother one must stay at home, making motherhood a full-time ‘occupation,’ [which] is similarly uncharacteristic of African-American families” (Mullings; Dill; and Carby in Hill Collins 2009a:275).
For marginalized women, work and family rarely function as dichotomous spheres, but remain interwoven (Hewett 2008; Hill Collins 2009b; hooks 2009). It is the historical context of labour for African-American women under slavery, Aboriginal women and their colonial experiences with Europeans, and the “exclusionary immigration policies applied to Asian-Americans and Hispanics,” that serves as evidence that “women of colour have performed motherwork that challenges social constructions of work and family as separate spheres, of male and female roles as dichotomized” (ibid.).

As will be further examined throughout this thesis, acts of mothering identified as “adequate” or “inadequate” in Western society are explicitly linked to access to economic capital (Hays 2009:416-417). The established norms of the field are embedded with middle-class ideologies (Diduck 1998; Hays 2009). Material feminist Angela McRobbie highlights, middle-class women have played a key role in the production of class society not just through their exemplary role as wives and mothers, but also as standard bearers for middle-class family values, for certain norms of citizenship and also for safeguarding the valuable capital accruing to them and their families through access to education, refinement, and other privileges (2009:132-133).

Current middle-class ideologies, reflective of adopted prescriptive tenets of intensive mothering, understand those mothers that deviate from established norms to be more vulnerable to state observation and intervention (Cull 2006:146). Mothers who deviate from established racialized and classed norms of the field then, are subsequently devalued and homogenously labelled. The “bad” mother label serves as a catch-all classification for variously deviant mothers.

**Mothering Dichotomies**

Dichotomies serve to establish standards and norms including the “good” and “bad” mother. Therefore, while this thesis specifically focuses on the construction and application of the “bad” mother in child welfare, it is important and necessary to understand how the “good” mother has
become the norm to which all mothers within the field of mothering are judged. This “good” mothering ideology, referenced throughout this thesis as intensive mothering involving a “very specific and highly elaborate set of ideas,” can be seen embedded within the institutions, policy, and practices of Ontario child welfare (Hays 2009:19). The steady narrowing of the constructed “good” mother, restricts access for many mothers unable to fulfil classed and racialized tenets of intensive mothering, and presents the concern that the “bad” mother label is applied to far more “than warrant the name” (Ladd-Taylor and Umansky 1998:2).

While the norms and standards of the field of mothering are continually changing to reflect time and space, it becomes important to understand the historical and cultural context in which dichotomous social constructions in Western society have been produced and maintained. Furthermore, Bourdieu speaks to the importance of understanding history as processes of “production and reproduction in the practices of everyday life” (Bourdieu 1997:115). The following section therefore provides a brief overview of the shifting construction of the act of “good” mothering over the past century, to provide a glimpse into both the increasing narrowness of such constructions, as well as the seamless manufacturing and weaving of the now necessary economic capital required to participate and compete within the field.

**Placing the “Good” Mother Dichotomy in Historical and Cultural Context**

Tracing the historical origins of the Western social construction of the “good” mother over the last century, dispels any notion that there is but one correct way to mother. While the term “good” mother is embedded in language utilized by both social institutions and citizens alike, the historical definitions and expectations of what constitutes a “good” mother are ever changing (Douglas and Michaels 2004; Hays 2009; Thurer 1994). What remains stable however, is the steady increase in mothering acts and their sustaining ties to white, middle-class ideologies.
(Diduck 1998; Hays 2009). What’s more, the following brief overview of the changing context of Western mothering throughout the twentieth century is limited in its social inclusiveness, demonstrating distance between marginalized women and constructed norms.

Beginning in the early twentieth-century, as with all members of society, mothers were seeing rapid change in both science and industrialization. What was once relied upon and deemed a mother’s “instinct,” her intuition if you will, was beginning to be rendered insufficient and was soon to be outweighed by knowledge claims of scientists and medical experts (Thurer 1994:225). With the introduction of new technologies, child-rearing began to be re-organized along rational, standardized lines, based on the view that science could improve mothering and the lives of children (Thurer 1994:226). This age also included an influx of instruments and resources to assist a mother in both her domestic duties, as well as her child-rearing responsibilities: thermometers, formulas, milestone charts, and vitamins for example; all technologies associated with “betterment” in the areas of hygiene, sanitation, and nutrition. While many practical benefits came out of increased scientific discoveries, including improved child survival rates, the ability to noticeably recognize whether or not a mother had access to certain scientific advancements became more public (Thurer 1994:227).

Scientific inventions and discoveries such as antibiotics and electricity were becoming readily available, but they were not free. Thus, a family’s access to material wealth influenced how accessible advancements in domestic duties and child-rearing could be. The surfacing and claims of “helpful” scientific inventions coupled with the steadfastness of the industrial revolution, resulted in marketing agendas concerned with constructing an image of betterment for mothers who chose specific products for use in their private spheres. Products such as baby formula, clothing, and vitamins began to be strategically marketed to mothers with images and...
slogans depicting a “happy and healthy” family (Douglas and Michaels 2004; Thurer 1994). The media (mostly at this time consisting of print and radio), politics, medical experts and the “psy” disciplines stressed that a “good” mother chose products and practices that she was told were good for her - the “good” mother listened.  

The impact of WWI saw an influx of mothers enter the workforce. As many men left for the war, women were thrust into performing what is now termed the “double shift,” which involves working both outside the home and having the continued responsibilities of caring for their children and domestic affairs (Hays 2009:409). After the war was over however, most women returned back to the domain of household and child rearing. Moreover, as the ideologies of scientific motherhood progressed, mothering became increasingly performable; inherently simple tasks, such as feeding and burping baby, became complicated activities requiring the expertise and advice of a professional. Mothering performativity, involving the “enactment” of “obligatory norms” within a “strict binary frame,” became embedded in the products and schemes endorsed by the media and medical and psychology professionals (Butler 2009:i). Patriarchal authority within the private sphere of the home, during this time increasingly involved the medical or psychological expert (Thurer 1994:229). The social value of the child also rose, and children were beginning to be seen as a hopeful symbol of the future rather than solely offspring (Thurer 1994:230).

Not to be left out however, is the struggle and despair of the Great Depression in the 1930s; a time where consumerism came to an abrupt halt. Economic hardship was felt, not only in Western society, but worldwide; meeting basic needs such as food and shelter, became a daily challenge and chore for many families. While not much is written about dominant ideologies of

8 For more information, see Ehrenreich, Barbara, and Deirdre English. 1979. For Her Own Good: 150 Years of the Experts’ Advice to Women. Garden City, NY: Anchor Books.
mothering in the years of the Great Depression, it can be postulated that with very limited access to many forms of capital, the practices of “good” mothering returned to an essentialist view of strictly physically providing the basic necessities for survival. The famous photograph taken by Dorothea Lange in 1936, entitled “Migrant Mother” captures the hardships faced at this time. Here, the “Migrant Mother” who has fled with her children from “the Dust Bowl,” sits weary with worry, surrounded by her two daughters.

The 1900s-1940s in Western society is seen as a transitional time for mothers. During this time, motherhood was upgraded to a profession—“it was thought to be lawful, rule-bound, embodying a body of scientific knowledge that had to be mastered” (Thurer 1994:233). In the United States, President Teddy Roosevelt commissioned a nationwide diffusion of “expert” advice on child raising to the working classes (Thurer 1994: 234). This upgraded “job description” of Western mothering meant more attention to details in terms of what is “best” for baby, such as selecting the right soap, formula, sleeping position, and the most efficient way to toilet train. There became an increasing concern with making the “right” choice and less concern with the practice of mothering itself. Furthermore, the disciplines of psychology brought forth “informed” scholarly advice from psychologists such as Freud, Skinner and Spock. A child’s attachment to mother could now be analysed and assessed (Freud) and their resulting behaviours could be given professional reasoning (Skinner); all of which manufactured more generative schemes, providing additional criteria on which mothers could be judged.

Scientific ideologies of the early twentieth century in Western society were to take an abrupt shift in the mid-twentieth century towards the “cuddly, twenty-four hour permissiveness,” as Shari Thurer terms the “empathetic mom;” where a child’s spontaneous impulses were viewed as “good” and required mother’s undivided attention (1994:237). A mother’s responsibility now,
was to not only adhere to the latest scientific child-rearing knowledge, but also to respond to the emotional needs of her baby, and at the same time, feel personally fulfilled in carrying this out.

The baby boom starting after WWII and continuing through the 1950s and 1960s, saw the rise of the golden age of the nuclear family, where mother stayed at home tending to her domestic duties, child-care responsibilities, and the overall production of “the home.” Television with its characterizations, and magazines with their models and advertisements, manufactured mothering ideals to attract and drive consumerism including the infamous June Cleaver from “Leave it to Beaver.” Mrs. Cleaver exemplified the “good” mother of her time with her tidy home, well-cared for children, and “wifely” appearance. With the production of television and film, the media was not only able to attribute an image of the “good” mother as seen in print advertisements, but through the roles of characters, practices of how the “good” mother conducts herself became tangible (bell hooks 2009:147). Television in the 1950s, therefore became culpable for reinforcing a socially constructed ideal and essentialist family form: father as breadwinner, and mother left to her self-sacrificing role as family care worker (Krull 2011:22-23).

Contrary to the popularized notion that many women stayed-at-home with their children during this time, many middle class mothers entered the workforce part-time throughout the fifties and sixties (Thurer 1994:250). Also worth noting in relation to the historical and cultural dominant mothering ideologies in this era, is the introduction of the birth control pill and divorce reforms; both of which impacted and were influential in shifting dominant cultural definitions and standards of the “good” mother in regards to family planning and family structure. What’s more, the influx of child experts in both the medical and psychological disciplines also grew significantly, including Dr. Spock who became successful and wealthy by producing and
marketing child raising manuals, covering everything from how and when to potty train to how
to decipher a baby’s cry, establishing an entire industry of mothering “how-to” resources that is
still growing and thriving today (Hays 2009:410).

The 1970s and 1980s in Western society witnessed further growth in women’s
participation within the paid labour force, alongside an ever-present gender wage gap. During
this time, mothers were increasingly experiencing the strain of performing both care work within
the private sphere of the home and paid labour outside the home (Hays 2009:409). As a mother’s
responsibility increased to include contributing economically to the family, so too did
surveillance and judgement of her mothering. Workplace participation meant decisions about
how much maternity leave to take (if any at all was available to her), decisions about childcare -
including daycare, and the responsibility, from the view of the employer, to keep home life and
work life separate (ibid.). Generative schemes continued to produce and manipulate dominant
mothering ideals, reconstructing and narrowing what constituted “good” mothering.

Moreover, liberating women reforms led by second wave feminists, including Adrienne
Rich in her work Of Women Born, understood motherhood to be a product of patriarchy, and
sharply distinguished between the institution of motherhood under patriarchy and the actual
experiences of mothering (Thurer 1994:265). Andrea O’Reilly, in her book From Motherhood to
Mothering: The Legacy of Adrienne Rich’s “Of Women Born,” describes the impact the feminist
scholarship of Adrienne Rich had on her,

I was an overwhelmed and exhausted mother, young and poor, struggling
to do a graduate degree with no mother friends and in a relationship that
was, in its early years quite rocky and in which I was the one mainly
responsible for the kids and the housework. I pretended otherwise and
had convinced myself and the world at-large that I was a modern feminist
mom who was content with, and in control of her life. Reading Rich I
was forced to see and name my oppression as a mother; as well, it gave
me permission to be angry. I also remember feeling a huge sense of relief
– I wasn’t the only women who raged against motherhood, and at times, her children (O’Reilly 2004:3).

O’Reilly’s comment depicts the degree to which second-wave feminist scholars were interested in the production of motherhood and the associated lack of known actual experiences. Bell hooks notes however, that early feminist discussions of motherhood “alienated masses of women from the movement, especially poor and/or non-white women, who [found] parenting [to be] one of the few interpersonal relationships where they [were] affirmed and appreciated” (2009:146). A shift in the paradigm of how mothering was researched began to take shape, as feminist scholars with varying class and racial perspectives and experiences sought to identify and challenge dominant ideologies.

As Adrienne Rich and other feminist scholars researched themes and concerns in the newly pioneered field of maternal scholarship, the schemes of patriarchal institutions heated up the battle by pinning mothers not only against themselves but against each other (O’Reilly 2004:4). As troubling as the name itself, the Mommy Wars, endorsed by the media, politics, and “experts” alike, saw an opportunity to capitalize financially on the steadily increasing trend of women entering the workforce, and successfully sought to pit the growing number of career mothers against the “traditional” stay-at-home mothers (Hays 2009; Peskowitz 2005).

The media could be seen manipulating and perpetuating the construction of two seemingly dichotomized categories of mothers. This was evident in Barbara Bush and Hilary Clinton’s cookie bake-off in the magazine *Family Circle* as well as the *New York* magazine in 2002—publishing the cover story “Mom vs. Mom,” featuring an article of a working mom feeling shunned by a stay-at-home mom at a school fundraiser (Peskowitz 2005:6-31). In her book entitled, *The Truth Behind the Mommy Wars: Who Decides What Makes a Good Mother?*
Miriam Peskowitz describes how politics, advertising, and the media have manufactured and perpetuated a landscape of maternal judgement and distrust. The polarized differences of mothering practices depicted by patriarchal institutions do not exist in the overblown, simplistic manner in which they are presented (Peskowitz 2005:54).

The idea that all mothers fit into one cohesive entity or another, is also illustrated in the political construction and cliché that is, the “Soccer Mom.” The appointed representative of middle-class motherhood, the Soccer Mom was the 1990s construction of “good” mothering; the mother who could be seen driving her children to and from their activities selflessly, including soccer practice. The Soccer Mom, a dominant mothering ideal and construction still very much embedded in today’s language, is depicted as the caring, selfless mother who puts her children’s activity schedule before her own. One of the many origins of the Soccer Mom however, stems from Republican political strategists in the United States in the 1996 election campaigns. In an attempt to manipulate female voters into believing the political party understood the commonality of experiences of middle-class mothers at the time, the concept of the Soccer Mom, as a homogeneous reference was constructed. Peskowitz comments, “the “feminization” of politics was not about content, about policies that would make life easier for women, mothers, and families; it was about persuading them to change their vote” (2005:26).

The patriarchal institutions, as Rich described, that are responsible for the production and maintenance of constructions of mothering and their association with dominant cultural stereotypes, sets the stage for envy and guilt within and between mothers (Peskowitz 2005, O’Reilly 2004). While it is evident that the maternal ideologies of good mothering are socially constructed, the question remains, “How are these dominant mothering ideals perpetuated and maintained throughout history?”
Firstly, the media has succeeded in making many mothers believe that certain mothering ideals and constructions are “truths.” If women desire to align themselves with the social construction of a “good” mother, they must buy into the idea that certain products and programs will help them achieve this ideal. Second, the lack of policies supporting practices of mothering, in both the workplace and government, remain embedded in patriarchal customs. The lack of acknowledgment of the continued trends of women’s workplace participation require much-needed reforms in maternity and parental leave, sick days, flex-time and job sharing, gender wage gaps, and attention to issues of childcare, including daycare. Moreover, mothers “feel conflicted in trying to achieve the neo-liberal image of the ideal worker while struggling to measure up to the normative nuclear family ideology of good motherhood” (Krull 2011:11).

In relation to politics and legal affairs, motherhood continues to be central to the social and legal definition of a woman (Smart in Diduck 1998:130). In her essay “In Search of the Feminist Good Mother,” Diduck explains how the “good” mother of law cannot exist without the “bad” mother, arguing that “the legal mother’s badness or goodness is not inherent within her, but rather is assigned to her when she and her child fall within the law’s gaze” (1998:131). Furthermore, the ideological concept and standard to which mothers are measured in their day-to-day lives, suggests that the “good” mother not only provides for her children but also for society as a whole (Diduck 1998:131).

Thirdly, the disciplines of medicine and psychology serve as “authorized knowers” validating and authorizing the “proper” and “best” practices of mothering with their canons of knowledge and “informed” opinions. Throughout the last century, medical and psychology

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9 This term is adapted and adopted from the work of Dr. Laureen Snider, professor emeritus at Queen’s University, Department of Sociology. See for example—Snider, Laureen. 2001. “Crimes Against Capital: Discovering Theft of Time.” Social Justice 28(3):105-120.
professionals have established a thriving enterprise of child-rearing manuals designed to instruct mother, all the while inducing fear, guilt, and blame. With the rise of new media technologies, child-rearing manuals are no longer the only source in which medical and psychological professionals share their knowledge; with current television shows like Dr. Phil, The Doctors, and Dr. Oz, the gaze of the expert penetrates public perception through the private sphere of the home. The continual judgment and blame directed towards the mother within neoliberal society has created insecurity within the individual experience of mothering, resulting in a constant need for many women to feel assured that the dominant cultural ideals of mothering practices are being performed.

Coupled with the rise of a mother’s permissiveness, this new age of mothering has produced what Sharon Hays describes as “intensive mothering.” This is based on a white, middle class, heterosexual view, in which mothers who are self-sacrificing and child centered are defined as “good” mothers, according to current dominant ideologies (Bell 2009; Hays 1996; Reich 2005). On the contrary, within the stratified system of reproduction, women who are unable to fulfill this ideal are marginalized and systematically devalued (Bell 2009:691). The process of normalization then, whereby mothers are expected to live up to white, middle class mothering ideals, views mothers of a low socioeconomic status as a set up for failure, according to dominant social expectations (Bell 2009; Reich 2005). The ways in which the cultural ideologies of mothering have been manufactured and sold perpetuates feelings of fear, guilt, and blame that become internal mechanisms of control (Horwitz and Long 2005:106-107). Moreover, not only does the judgement of oneself act as an internalized mechanism of control, mothers surveil and judge each other. Thus generative schemes of patriarchy over mothering not only survive, but thrive.
With relation to the specific context of Ontario child welfare, the relevance of “good” and “bad” mothering dichotomies serves the purpose of establishing standards (Vandenbeld Giles 2012:123). The increasing narrowing of the “good” mother associated with middle-class measures and norms, can be found in both child welfare policy and institutional practices. Access to economic and social capital is relevant in the assessment of where a mother is located on the “good-bad” mother spectrum.

Furthermore, the issue of expected compliance towards constructed standards of “good” mothering also serves the purpose of surveillance and establishing scapegoats, diffusing and removing responsibility and blame from governance, by labelling individual non-compliant mothers as “bad” (Vandenbeld Giles 2012:125). In the field of mothering, scapegoats serve as the smoke and mirrors, deflecting attention away from underlying issues of class, racial, and gender biases in governance and policy, including the undervaluation of care work. Furthermore, the threat of child apprehension serves to remove or erase those mothers who choose not to comply to with constructed standards. The perception that individual choice is to blame for involvement, rather than social context and circumstance is problematic. Moreover, vague or skeleton policy, as will be argued is the case with the current utilized child welfare policy in Ontario—The Child and Family Services Act—discussed further in Chapter Four, becomes a tool then, in which subjective judgment is permitted (and expected) to take place.

Mothering within the Context of Ontario Child Welfare

Research specific to mothering within the Ontario child welfare system is limited. One of the reasons for this limitation relates to the degree in which clientele and case notes are confidential. Access to files, the landscape of clientele, and region-specific information (such as “informal” processes) are safeguarded from public knowledge and scrutiny. From the perspective
of individual child welfare agencies, agreed-upon participation in research activities renders agencies vulnerable and culpable to unknown outcomes. Past research within this field for example has revealed issues concerning inconsistency in decision making and gatekeeper subjectivity (Swift 1995; Swift and Parada 2004; Swift and Callahan 2009). In turn, the agencies find themselves in an unwanted position of public defense and transparency. It is the lack of public transparency within the field of child welfare however, that brings researchers and interested public alike, to ask questions concerning highly concealed processes of judgement. While the general public serves as an important instrument of surveillance in their lawfully assigned “duty to report” responsibilities, information provided back to the public is limited (statistics on agency-specific racial involvement for example).

Provincial and federal government-initiated and funded research reports such as the Canadian Incidence Study of Reported Child Abuse and Neglect (CIS), illustrate the pressure within agencies to relay carefully constructed and tightly scripted information to the public as evidence of self-surveillance. As a federal government initiative established by the Public Health Agency of Canada, the CIS samples practicing social workers across Canada and their cases. The CIS validates its information by employing researchers from accredited universities along with including input from Aboriginal leaders and other professionals they feel may add to its legitimacy. The report itself offers little, if any, voice on the behalf of community leaders, including Aboriginal leaders. While such reports have their usefulness, as will be examined further in the Chapter Three, the direction and outcomes of the report are arguably filtered to mitigate government and agency culpability.

It is within the limited work of grass roots researchers such as Romagnoli and Wall (2012), Vandenbeld Giles (2012), and Swift and Callahan (2009) that we find arguable
challenges to current Ontario child welfare institutions, players, and policy. In their research on young, low-income mothers and their perception as a “high-risk” group of mothers, Romagnoli and Wall (2012) interviewed ten, white mothers who had been attending a southern Ontario Early Years Centre for parenting classes in accordance with government program stipulations (277-278). Romagnoli and Wall argue that it is “those that fall outside of middle-class social values and norms that become identified as risky” (2012:275). In accordance with neoliberal governance and the private responsibility of parents to care for their children, specifically mothers, the Ontario Early Years Centre serves as a government-funded space where the advice and direction of what it means to be a “good” parent can be learned, assessed, and monitored (ibid.). Nine out of the ten research participants interviewed in Romagnoli and Wall’s study received social assistance, some of whom were required to fulfil parenting class requirements at the Early Years Centre in order to receive their Ontario works (commonly referred to as welfare) payments (ibid:278).

Romagnoli and Wall reveal dominant mothering ideologies, including notions of intensive mothering, to be ignorant of the experiences of young and disadvantaged mothers (2013:274). Problematizing young, low-income mothers as a social threat, and a homogeneous group that lacks the necessary education and economic capital to adequately mother furthers classed ideologies and constructions of mothering (ibid:277). Thus for many of the research participants, attending parenting classes ensured economic survival, as it was through and by their agreed upon attendance in such programs, that their welfare and residence agreements were issued and fulfilled (ibid:280).
What is perhaps most fascinating about Romagnoli and Wall’s study is their participants’ focus on and discussion of the Ontario Children’s Aid Society, citing the agency a critical reason for their participation in parenting programs (ibid.). Romagnoli and Wall comment,

The fact that the child protection agency was so relevant to discussing intensive mothering and parental education surrounding child cognitive development, even for those mothers who did not currently have a child protection worker, illustrates the extent to which mothering was felt as a prescriptive force in these young, low-income mothers’ lives. Fear of child protection services involvement, and of losing child custody if they did not comply to workers’ expectations, was amply evident in these discussions. In this way, attendance to parenting programmes had the potential to determine whether or not they could continue to mother at all (2012:280).

The scrutiny and attributed blame which shapes the gaze towards “high-risk” groups that have the perceived potential to “inadequately” mother is evident in Romagnoli and Wall’s research. While participants in this study admit to performing middle-class versions of intensive mothering in public to avoid critical judgement, they also readily admitted that their definition of a “good” mother was one that provides the “basic needs such as food, shelter and clothing, and prioritizes security, safety, and love” (Romagnoli and Wall 2012:283, 286). The study concludes by highlighting the participants’ understanding of the importance of social capital to demonstrate that they are capable mothers within the marginalized social context of being young and having little economic security (ibid:286).

Keeping with the neoliberal theme of risk evaluation, Vandenbeld Giles (2012) in her article, “From “Need” to “Risk”: The Neoliberal Construction of the “Bad” Mother” focuses on the “mother as the site of analysis” with a limited focus on mothers involved with Ontario child welfare (114). Vandenbeld Giles makes the claim that the Ontario child welfare system has moved from a focus on the protection of children to an increased concern with the regulation of
acts of mothering, identifying and labelling those who are “at risk” for being deviant (ibid:112).

The study illustrates a shift in social policy, including child welfare policy, which is argued to be a policy that once assessed and addressed current needs to one that now strives to identify and mitigate risks and speculative needs (ibid:113). This move from what Vandenbeld Giles terms the material to the arbitrary, addresses neoliberal prioritizations with “risk ethos,” the prevention of deviant behaviour, and prioritizing knowledge over providing material needs, for example access to affordable housing (ibid:114-115).

Relying on the 1997 case and death of baby Jordan Heikamp in Toronto, Ontario and the Coroner’s Report that followed, Vandenbeld Giles found that the construction and focus on “bad” mothering teamed with the over-prioritization of accepted expert knowledge in recommendations, overshadow and exclude the lived and material realities of mothers’ lives (2012:120-130). While in the care of his mother Renee, Jordan Heikamp died of starvation at one month old with the cause of death being determined as malnutrition from “diluted formula” (ibid.:220). At the age of 19, Renee Heikamp was charged with criminal neglect and the homicide of her son (although the trial did not proceed due to a lack of evidence) (ibid.:127).

Key findings from Vandenbeld Giles’ research into the case, indicate a blatant refusal to understand or take into account Renee’s standard of living. At the time of her son’s death she was living in a woman’s shelter that allowed children (some shelters do not) in downtown Toronto (2012:127). The recommendations provided within the Coroner’s Report illustrate the larger societal discourse at play, namely the focus on risk assessment and mother blame in relation to acts of mothering (ibid.:121). Out of the 44 recommendations made within the Report, not once is there a comment or link to Renee’s experience of living in poverty and relying on shelters (ibid.). Instead, the recommendations focus on the establishment of more policies and
administrative procedures for shelters, social workers, and hospitals in their dealings with particular populations (ibid:122). Recommendation #7 is particularly alarming in its construction of young mothers,

We the jury recommend, that all child protection workers should be cautioned that some young people who reside or have resided in shelters have become adept at lying and manipulating. The caseworker should confirm the accuracy of information received from the caregiver whose parenting skills are being investigated and assessed, even if the caregiver presents well and there is no apparent reason to doubt him or her (Coroner’s Report in Vandenbeld Giles 2012:121-122).

The study highlights the increased responsibility given to “front-line social actors” or social workers within a neoliberal context where judgement calls are made at the most micro social level (Vandenbeld Giles 2012:119). Along with severe funding cuts both at the provincial and federal levels and increased social work caseloads, Vandenbeld Giles argues social workers have a challenging position of balancing power with inadequate resources (ibid.). The well-known position and discussion of underfunding within Ontario Children’s Aid Societies where social workers complain of being ineffective due to their case over loads, provides further evidence of an inadequately functioning system (Swift 1995; Vandenbeld Giles 2012). By focusing and attributing blame to the individual mother, the organization is able to mask dysfunctional internal operations and underfunding. Furthermore, “blaming the “system” doesn’t provide the same titillation as does blaming the “bad” mother, as seen in the media reporting of such cases (Vandenbeld Giles 2012:123).

The naturalization of poverty is also of concern. Failing to see the individual mother and her particular context within the larger social fabric, ignores the root causes of obvious problems. In a neoliberal social order, this ignorance serves the purpose of eliminating categories of
‘deserving poor’ in welfare law and policy reform (Gavigan and Chunn in Vandenbeld Giles 2012:118). Addressing the immediate material needs of marginalized mothers thus becomes of less concern than mitigating dependence on social programs (ibid.:113).

Moreover, when a mother does lose custody of her children, either for a short period of time or permanently, her legal identity of primary caregiver to her children is withdrawn by the courts (Vandenbeld Giles 2012:125). Children are either placed in kinship arrangements and/or foster care while specific required ‘improvements’ are made or, under court order, the mother is denied custody and children become ‘wards of the state’ with the potential of adoption. Vandenbeld Giles notes, that there currently exists no known specific services designed to support mothers who have had their children apprehended leaving this marginalized population with little social or financial support (2012:129). What’s more, without having custody of children, many services and resources such as public housing that often requires evidence of caretaking, are removed or denied (ibid.).

An experienced social worker now researching the field, Karen Swift, and co-author Marilyn Callahan in, At Risk: Social Justice in Child Welfare and Other Human Services (2009) identify and relay the power relations involved in neoliberal children-at-risk assessments. Swift and Callahan reiterate that mitigating risks has become a priority within Ontario child welfare (2009:4-12). Policy reforms to the CFSA in 2000 identify the “risk” of child maltreatment as grounds for investigation and potential apprehension. Swift and Callahan argue that the implementation of these risk assessment tools in response to legislative reforms, have changed child welfare practices in significant ways; one of which is the assigned power to define and to make judgement calls regarding risk (ibid.:11-12).

10 This involves risk assessment tools such as the Ontario Risk Assessment Model (ORAM) for example.
Referencing their visit to a “run-down housing complex” for an interview with a mother having had involvement with child welfare, Swift and Callahan make note of the complex set of existing power relations associated with risk assessment that allow a social worker to enter the home in the first place (2009:4). As a woman of Metis heritage, Lila the interviewee, expresses her frustrations and concerns with a recent visit from a social worker investigating a reported risk of child maltreatment: not “adequately” providing care for her daughter (ibid.:3-5). During the visit from child welfare, Lila describes that the “social worker asked her a lot of questions, filled out some kind of forms, but never returned” (ibid.:3). Lila never heard back from the social worker and feared that any inquiries into her file would “trigger more investigation” (ibid.:5). Swift and Callahan use Lila’s experiences to illustrate how risk assessment tools inadequately effect and “unfairly punish” marginalized mothers (ibid.:9).

Legislative policy reforms, as will be further addressed in Chapter Four, reflect the current trends and landscape of Ontario child welfare, social work practice and the experiences of clientele. Reforms within the last two decades alone, include the addition of “neglect” and “exposure to domestic violence” as categories of child maltreatment and create a classification of perceived “risk” of future maltreatment as grounds for investigation and potential apprehension. Swift and Callahan describe child protection policy patterns to be that of a ‘pendulum’ swinging from reforms that favour children’s rights to those that recognize the importance of family caregiving (2009; Reich 2005). It is however, the scrutiny and gaze returned to child welfare institutions during a number of high-profile inquests and coroner’s reports in the 1990s, which prompted the adoption of risk assessment tools such as the Ontario Risk Assessment Model (ORAM), serving as a seemingly systematic and scientific adoption in determining intervention (ibid.:119-120).
The aim to produce and implement clear, consistent, and objective risk technologies such as the adoption of ORAM in 2000, is more of an organizational defensiveness in light of the media’s substantial coverage of child death reviews and the associated public scrutiny of Ontario child welfare practices, than it is for the increased protection of children (Swift and Callahan 2009:120-122). Swift and Callahan argue that policy reforms within child welfare serve to represent past “errors in judgement, unexplained oversights, and ill-informed practices by workers” and not necessarily “betterment” for child protection itself (2009:120).

As will be highlighted and discussed within this thesis, legislative reforms also become evidence of revealed problematization over vague definitions and concepts, addressing the need for further clarification with less reliance on worker subjectivity when making judgment calls. The implementation of risk assessment tools, while mitigating the risks to the institution itself, does little to change the landscape of marginalized mothers involved with Ontario child welfare. What’s more, risk assessment furthers neoliberal agendas of attributing individual blame; it is the context of mothering within child welfare, that such risk technologies serve to identify and highlight individual risks, while failing to understand the social risks such as poverty, that often shape and characterize involvement (Swift and Callahan 2009:149).

METHODOLOGY

This research project uses a methodological framework based on a social constructivist epistemology. The social constructivist understands knowledge to be the outcome of people making sense of the world around them, categorizing and representing meaning through the social constructs of language and symbols, for example (Henry 2001:137). Social constructivism challenges the binaries and inherent traits of rigid categories and recognizes the need to address the material reality of lives both at the level of individual actions and at the level of institutions.
and social structures. The social construction of the “bad” mother having involvement with child welfare then, is representative and recognized as a deviant label assigned to those who defy or fail to fall-in-line with behaviours, appearances and statuses that are constructed as “normal,” “adequate,” and “acceptable” (ibid.). Social constructivism is an appropriate epistemological fit for this research project in challenging current dichotomies of mothering and their associated binaries, highlighting embedded class and racial constructs within policy language, and revealing the degree to which constructions of intensive mothering are intertwined with the policy and practices of child welfare professionals. The best ontological match with the objectives of this project is that of the subtle realist. The subtle realist exerts a belief in the existence of an external social reality, recognizing the impact of cultural assumptions and human constructions. As an ontology, a theory about the nature of existence, the position of the subtle realist understands knowledge as mediated and constructed.

The conceptual tools and theories of Pierre Bourdieu are used methodologically throughout this case study. Dispositions, habitus, class distinctions, capital, players, field, and processes of symbolic violence provide a critical framework to understand the material examined, and are used here theoretically and methodologically. Bourdieu’s awareness and discernment regarding individuals lived experiences, and their inability to be understood without locating their social positioning within the broader social structure, illustrate the importance of both elements of agency and social structure in sociological analysis (Bourdieu 1984; Bourdieu 2000).

**Research Design**

This research project shall conduct exploratory, qualitative research in a case study format. This case study shall examine current social constructions of the “bad” mother with
specific regard to mothers having involvement with the Ontario child welfare system in Canada. As a qualitative study, this thesis draws upon existing scholarly literature and research produced within the intersecting fields of mothering and child welfare.

A significant and central element of this case study involves policy research, and will be discussed in Chapter Four. A critical analysis of the current *Child and Family Services Act*, adopted, implemented, and reformed within the province of Ontario is the primary site of study. A specific analysis of Part III entitled “Child Protection,” which states when a child residing in Ontario is in need of protection, will be the focus; this section relates to inadequacies and actions of primary caregivers, who are the biological mothers 89% of the time (CIS 2008). Furthermore, an analysis of Part III also illustrates the extent to which social constructions are embedded in language, allowing vague and ambiguous terms to serve as an invitation for subjective decision making by professionals.

As an addition to this case study, funding from the Social Sciences and Humanities Council of Canada—specifically the Michael Smith Foreign Study Supplement, has afforded the opportunity to travel to the University of Jyväskylä, Finland to research and study mothering practices and policies pertaining to the Finnish child welfare system. While the focus of this thesis remains mothering within the context of Ontario child welfare system, a brief comparative analysis to the Finnish system, a country deemed the best place in the world to mother for the last two consecutive years in a row, provides an opportunity for a brief but relevant comparison of the valuation of mothering and corresponding provision of social services.

**SUMMARY**

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While much scholarship has been conducted on the institution of the family, there remain gaps in the literature pertaining to dominant ideologies of mothering and their impact and effect concerning marginalized populations, including women involved with child welfare (Ladd-Taylor and Umansky 1998; Swift and Parada 2004). This qualitative case study draws upon both scholarly literature and social welfare policies to understand the social construction of the “bad” mother having involvement with the Ontario child welfare system.

Within the context of western neoliberalism, the attribution and blame placed on mothers is intensifying. What was constructed as “adequate” mothering practices ten or twenty years ago has quickly become out dated. Meanwhile, there is a continual narrowing of the “good” mother ideal that requires access to capital to fulfill societal expectations. While Sharon Hays revealed the concept of “intensive mothering” almost twenty years ago, ideologies of intensive mothering remain embedded in social policies, institutional practices, professional subjectivity, and the everyday language of social actors (Hays 1996; Hays 2009). The relevance of the prescriptive tenets of intensive mothering continues; the constructed content and further narrowing of “good” mothering is continually shifting (ibid.).

While sociologist Kathy Krull suggests that scholars move beyond thinking about essentialism and binaries, this proves difficult in a society where dichotomous constructions, such as the “good” and “bad” mother, serve as convenient standards (2011; Vandenbeld Giles 2012). Embedded in social policy and institutional practices, the convenience of such standards allows mothers (as well as other social actors in their space) to constantly navigate where their own actions fit in relation to established social norms and expectations (Vandenbeld Giles 2012:123). So while it is important to move beyond monolithic, homogenous binaries and
dichotomies—identifying, revealing and relaying their constructedness and impact within the lives of marginalized populations is of utmost importance.

Marginalized mothers are classified as those falling outside of the dominant held norms and values of the field. Within the context of Ontario child welfare, mothers are not regarded as the primary clients in need; the context in which they navigate and experience mothering is secondary to children’s well-being (Swift and Callahan 2009; Vandenbeld Giles 2012). Systematic poverty, experienced racism, and cultural differences then, are found to be of less concern than the need and requirement for mothers to get “on track” and become or appear “fit” (Reich 2005; Romagnoli and Wall 2012; Swift and Callahan 2009).

To follow, Chapter Three researches and relays the landscape of mothers involved with Ontario child welfare, highlighting the degree to which there is variance in the applied “bad” mother label; and furthermore, how the label itself serves as a catch-all for defiance within the field (Appell 1998; Ladd-Taylor and Umansky 1998). Diving into the social constructedness of “bad” mothering within the context of Canadian society, and where applicable, within Ontario specifically, Chapter Three challenges stereotypes and assumptions held about mothers involved with child welfare. Research is discussed within literature surrounding monstrous mothers, the incarcerated mother, and what is being termed the mother next door - the vague category where marginalization and disadvantaged social positioning serves as invitation for increased scrutiny and gaze from the state (Appell 1998; Reich 2005; Swift and Callahan 2009; Swift and Parada 2004). This chapter reveals the extent to which care work remains tied to traditional gender roles, and also highlights the extent to which past historical and political decisions, including relations with Aboriginal families, continue to impact marginalized populations.
Chapter Four discusses the state’s construction and implementation of legislature and social policy and its specific impact on marginalized mothers. An analysis of language and reforms concerning Part III of the *Child and Family Services Act*, specifically Section (32) and (72), utilized by child welfare agencies in Ontario, highlights the embeddedness of middle-class constructions of “good” mothering and expectations of gatekeeper subjectivity. Reforms to the *Act* in 2000, including the inclusion of neglect and emotional harm as child maltreatment (also involving exposure to domestic violence), still negatively impact disadvantaged mothers. Moreover, expansions to “duty to report” provisions have increased levels of surveillance in relation to acts of mothering. Drawing on McRobbie’s material feminism and the theoretical and methodological framework of Bourdieu, relations of power within the intersecting field of mothering and child welfare are examined. Reproducing ideologies of intensive mothering in policy and practice, is argued to be a “weapon” at the disposal of middle-class gatekeepers; an integral aspect of symbolic violence, ensuring class distinction within a neoliberal climate. Furthermore, Chapter Four presents a brief global comparison between Canada and Finland, including the role of the government, the role of the family, and preventative and protective services. Suggested reforms to the Ontario child welfare system, as well as the call for ideological shifts in valuing care work are presented here.
Chapter Three: The “Bad” Mother as the “Other”

Fundamentally, the “bad” mother serves as a scapegoat, a repository for social or physical ills that resist easy explanation or solution.


INTRODUCTION

Amongst the varying fears mothers’ experience, perhaps one of the greatest is the threat that accompanies the involvement of the Children’s Aid Society (CAS) (Swift and Parada 2004:14). It is this threat and associated fear that we, as mothers, could be separated from our children based on our own actions (or lack thereof), which keeps us mindful and diligent as acts of mothering are increasingly surveilled and monitored for their quality and effectiveness. Expanded “duty to report” initiatives, where each citizen is assigned the responsibility to report observations they subjectively deem “unfit,” furthers neoliberal discourses surrounding individual responsibility through the promotion of community policing, and cleverly masks increasing government surveillance (Swift and Callahan 2009; Swift and Parada 2004).

The fear of negative public evaluation prompts us to retreat to our “private” spheres when we need to discipline our children—not that we may actually think we are being too harsh—but that the possibility exists for someone else’s judgement to render us as such. The risk of being negatively evaluated is too great. Here, I acknowledge and reveal my privileged classed positioning and fears. My current positioning within the field acknowledges that I have access to elements of “private” sphere capital: the mini-van and house, are evidence of economic capital and private spaces to which I can retreat, rendering my mothering practices and performance less publically visible than if I had to discipline on public transit or within the walls of closely-knit apartment units or community housing. Echoing this sentiment and personal positioning is Heather Hewett in her piece “Of Motherhood Born:”
Class and race privilege have left me vulnerable to cultural notions of the “good” mother, the rise of ideals surrounding middle-class intensive mothering, and the angst-ridden conflict—both real and staged—of the so-called “mommy wars.” On more than one occasion, I have fallen victim to the comforting notion that choice, rather than unseen structural forces, governs individual women’s lives. It only through reading the narratives of those who have had to struggle with the barriers of race and class that I have begun to locate my experiences within the larger picture (2008:26).

So while I have a stake in the fear that accompanies the potential threat of investigation, a presumably equal threat experienced by all those who participate within the field of mothering, I do not share the disadvantaged social positioning that many women involved with CAS are likely to occupy (CIS 2008; Reich 2005; Swift and Callahan 2009; Vandenbeld Giles 2012). This threat and fear then, is not equally experienced. Or, even if the threat is perceived to be equal, those surveilled and those deemed “inadequate” as a result (referred to as substantiated cases), do not represent mothers of all classes from across the field (CIS 2008; Reich 2005; Swift and Callahan 2009). As will be further discussed within this chapter, involvement with the CAS is classed and racially biased. This unequal distribution of involvement points to underlying social problems that are not being addressed. Or, attempts for resolving systematic issues such as experienced poverty, are not given priority over the concern and focus on knowledge and risk management (Swift and Callahan 2009; Vandenbeld Giles 2012).

Understanding how the “bad” mother is socially constructed within the Ontario child welfare system begins with an understanding of the agency’s clientele. While detailed accounts of CAS clients are concealed for confidentiality, it is apparent within the literature and my brief work experience within the field, that women involved with the CAS are more likely to be

12 Knowledge management refers to the focus within social services to “educate” individuals failing to perform and demonstrate socially accepted “norms.”
lower-class, be of racial minority, and have experienced or have been socialized within abusive relationships (CIS 2008; Reich 2005; Swift and Callahan 2009; Vandenbeld Giles 2012).

Given the state of our neoliberal “mother-blaming” culture and the narrowing construction of the “good” mother, previously discussed in Chapter Two, it is no surprise that women involved with the Children’s Aid Society are often categorized as “bad” mothers (Ladd-Taylor and Umansky 1998; Reich 2005). Some of them, the literature argues, are rightfully labelled as their deeds are horrific, seemingly selfish, and unimaginable (Reich 2005; Swift or Ladd-Taylor and Umansky). However, for the vast majority of women accused of child maltreatment—including abuse (physical, sexual, and emotional), neglect, and exposure to domestic violence—we need to ask why women who share particular marginalized social positioning are found guilty of “inadequate” mothering skills?

This chapter focuses on what constitutes “bad” mothering within child welfare and will address the variability with the application of the label (Appell 1998; Ladd-Taylor and Umansky 1998). With reference to the literature, social constructions of the “bad” and “unfit” mother are discussed alongside research into monstrous mothers, the incarcerated mother, and what is being termed the mother next door—the vague category where marginalization and disadvantaged social positioning serves as an invitation for increased scrutiny and gaze from the state (Appell 1998; Reich 2005; Swift and Callahan 2009; Swift and Parada 2004). This chapter dives into the social constructedness of “bad” mothering within the context of Canadian society, and where applicable, within Ontario specifically, and challenges stereotypes and assumptions held about mothers involved with child welfare. Discussions concerning the social context in which mothers involved with child welfare experience and navigate mothering, is expected to clarify our understanding of how the landscape of involvement with the CAS “plays” out.
MONSTROUS MOTHERS

Monstrous mothers are classified as the extreme, and are by no means the “typical” “bad” mother involved with the Ontario Children’s Aid Society.13 Women referred to as monstrous mothers within the literature often have abused and violated their children in unthinkable ways – murdering them, starving them and, physically, sexually, and psychologically abusing them (Ladd-Taylor and Umansky 1998; Newitz 1998). Monstrous mothers committing acts in Ontario have limited involvement with the CAS, as the client of the agency is considered to be the child in need of protection, not the parent or other family members (Vandenbeld Giles 2012:125). Involvement however varies based on the situation, and in all instances involving or having involved a child, a CAS investigation takes place. In some instances, if there remain other living children under the mother’s care, the apprehension of remaining children occurs.

While monstrous mothers may not be the “norm,” their acts are more likely to be depicted in high-profile media cases, invoking public scrutiny and outrage (Swift and Parada 2004:2). In her research on mothers who murder, Annalee Newitz highlights that murdering mothers can be understood as a certain kind of outlaw: “She is a killer of tradition, a woman whose crimes seem to protest the social values which make women into mothers against their wishes, or under conditions not of their own choosing” (1998:336). Newitz notes that the “bad” mother label applied in the cases of such monstrous mothers serves the purpose of creating a standard, in which one’s own negotiations and narratives can be placed within a larger context (1998:336). This idea stems back to the increasing narrowness of the “good” mother ideal discussed in the previous chapter; how with each constructed and revealed case of “bad”

13 Statistics on “monstrous mothers” do not exist to the same extent as “incarcerated mothers” or what’s being termed “the mother next door” within this case study. In this regard, there exists a gap in the knowledge and research surrounding monstrous mothers. The only applicable data within the CIS 2008 report that pertains to this category, is approx. 0.6% of all substantiated physical abuse required medical treatment (4).
mothering, comes a clearer definition of what is socially accepted as “adequate.” Socially constructed dichotomies of mothering serve the function of establishing a standard through the continual self-monitoring and reflection of where one’s own acts fit with respect to both established and changing social norms of the field.

Newitz further notes that monstrous mothers display a “lack of affect” alongside a protective absence, challenging and defying what is believed to be inherent to mothering and to women (1998:347). This argument stems back to the debate concerning “women’s nature” and the elements of caregiving and nurturing that have been argued to be intrinsic and innate to women (hooks 2009; Ruddick 2009). Intentionally killing one’s own children defies not only the standards and norms of the field but defies the very “nature” of a woman, and the characteristics and abilities she is perceived to possess (Newitz 1998:336).

Canadian news stories within the past three years alone have highlighted such cases including: the death of 2 year-old Evadne Williams in Mississauga, Ontario in 2013, where her mother, Teresa Williams, was charged with second-degree murder after her daughter’s body was found in their apartment (Barr 2013:np); the death of 8 year-old Teagan Batstone in Surrey, British Columbia in 2014, her mother, Lisa Batstone, was charged with second-degree murder after her daughter’s body was found in the trunk of her car (Lus 2014:np); the deaths of three siblings, Annelie (aged 5), Luc (aged 4), and Anais (aged 2) in Drummondville, Quebec in 2012, their mother, Sonia Blanchette, was charged with first-degree murder after the children’s bodies were found drowned in the family home (Blatchford 2012:np).

Although few of us can relate to the horrific acts conducted by so-called monstrous mothers, the underpinning lack of social support in the lives of these women, and common to many women, is evident (often surfacing after such actions), and cannot be ignored (Vandenbeld
Giles 2012; Rich 2009). Seeking assistance and navigating a social system where admitting to problems becomes grounds for individual scrutiny and professional referrals, including the mandated “duty to report,” is not straightforward. Mothers experiencing relational struggles, financial strain, and mental illness for example, face a difficult decision in seeking help, as admittance of struggle when one is the primary caregiver of children is likely to result in a CAS investigation. Also, the threat of child apprehension can be perceived as too great a risk in admitting to problems. While this seems confusing, considering the sad and horrific outcomes in extreme cases, mothers who have murdered their children and have lived to stand trial, do not admit to doing so out of a lack of love and care. Rather, the alienation and social strain experienced by these women is perceived to be overwhelming. Recognition of their inability to cope often surfaces too late. While monstrous mothers turn to extreme solutions to resolve “problems that thousands of women cope with in more peaceful ways day to day,” their desperateness and lack of social support and networking often becomes evident only after the disturbing actions take place (Ann Jones quoted in Newitz 1998:340). Furthermore, narratives of women who have murdered their children often reveal unresolved generational abuse (Newitz 1998; Reich 2005).

From a material feminist position, it is important that cases of murderous mothers do not appear to be explicitly classed or racialized in comparison to the majority of women carrying the weight of the “bad” mother stigma within child welfare. Not surprisingly, media coverage favours stories of murderous mothers featuring the middle-class, stay-at-home mother who is reported as having no visual indicators of being capable of such horrendous behaviour (Newitz 1998:334). Such news stories have a greater degree of shock value and interest than ones
featuring marginalized women, as they defy what is socially expected by a mother with access to capital and to the dispositions of her habitus.

While time and space within this thesis does not permit a thorough discussion of monstrous mothers, it is important to acknowledge this category’s part in the social construction of the “bad” mother overall (Newitz 1998; Reich 2005). Within the brief illustration above of Canadian news stories depicting mothers that have murdered, it is clear from interviewed neighbours, friends, and family of these women that their actions were not in line with the mothers’ typical behaviours. Neighbours of Teresa Williams note, “From what I could see, she was a good mother” (Barr 2013:np); colleagues of Sonia Blanchette comment that she was a “doting mother who talked frequently about her children” (Blatchford 2012:np). The notion of performance in relation to acts of mothering is highlighted by Newitz, commenting “built into the very structure of motherhood, then, is the idea of a “mask” which might be torn away to reveal mother not as a devoted caretaker but as a kind of demon” (1998:339). While Newitz’s portrayal is quite stark, it certainly questions the degree to which mothers feel the need to socially oppress feelings of struggle within the field of mothering out of fear of appearing outside the norm and even deviant.

THE INCARCERATED MOTHER

Within the context of Ontario child welfare, the socially constructed “bad” mother also encompasses those who find themselves behind prison walls. Intensifying the label of deviance already attributed to her, the incarcerated mother is physically imprisoned and thus unable to provide daily care for their children (Eljdupovic and Jaremko Bromwich 2013:1). Women’s involvement with child welfare services while imprisoned varies depending on their situation. According to the literature, most women are living as single mothers prior to incarceration.
(Eljdupovic and Jaremko Bromwich 2013:10), implying that for most incarcerated mothers, their engagement in criminal activity results not only in a prison sentence, but also means the physical removal of her children from her care.

The number of incarcerated women is on the rise in many countries, including Canada (Eljdupovic and Jaremko Bromwich 2013:7). Figures drawn from the Correctional Services of Canada Statistical Report in 2009-2010, reveal an increase of 35.5 percent of admitted females over the last ten years (CSC quoted in Eljdupovic and Jaremko Bromwich 2013:7). Within both federal and provincial correctional institutions, women offenders comprise approximately six percent of the overall inmate population, with most charges involving theft, assault, vandalism, mischief, fraud, and child maltreatment (including failure to provide the necessities of life) (Eljdupovic and Jaremko Bromwich 2013:6-7).

The majority of correctional facilities’ inmate populations remain male-dominated and for a long time, female offenders were not recognized nor perceived as needing specific study (Eljdupovic and Jaremko Bromwich 2013:7). Over the last few decades, feminist scholarship has been instrumental in identifying the unique characteristics and needs of incarcerated women; one of those areas being mothering (Derksen and Taylor 2013; Eljdupovic and Jaremko Bromwich 2013). With approximately 66-75 percent of the female inmate population in Canada identifying as mothers (Derksen and Taylor 2013:29), we not only need to understand how mothering takes place behind prison walls but we also need to know how to provide practical social services to assist incarcerated women to meet their socially attributed responsibilities to mother.

Just as the label of “bad” mother cannot be essentialized and stereotyped, similarly the experiences and context of all incarcerated mothers cannot be characterized as a homogenous group. There are significant and reoccurring class and racial factors evident within the literature.
on incarcerated mothers (Derksen and Taylor 2103; Eljdupovic and Jaremko Bromwich 2013.)
Research concerning women offenders also reveals that many incarcerated mothers occupy
multiple disadvantaged social positions prior to getting into conflict with the law, such as
experienced poverty, unstable employment, dependence on an abusive partner, and issues with
substance abuse (Eljdupovic and Jaremko Bromwich 2013:8).

The first significant factor noted and discussed within the literature is that of race. There
is an alarming over-representation of Aboriginal women within the Canadian population of
incarcerated women, with approximately 33 percent identifying as Aboriginal (Eljdupovic and
Jaremko Bromwich 2013:9). The racialized profile of the incarcerated mother challenges
assumptions that the law itself is fair and just for all citizens, begging the question: why is the
Aboriginal mother over-represented within the criminal justice system in Canada? A valid
research question itself, it indicates the extent to which Canadian law and related policies, such
as the Child and Family Services Act, negatively affect marginalized populations.

In her research on the intersection of crime and mothering within Canadian law, Rebecca
Jaremko Bromwich discusses the historical context of imprisoning young women for what was
once deemed sexual “impropriety” (2013:59). Until 1982, when the Young Offenders Act was
established, adolescent women were routinely criminalized for “status offences,” including
“incorrigibility,” meaning sexual impropriety as sexual activity outside the sanctity of marriage
(ibid:61). These status offences were seen as a regulation of morality. Jaremko Bromwich notes,
that incorrigibility was enforced selectively with racist and classist agendas “shaping the
criminalization of motherhood” (2013:59,62). Similar to the raced involvement of incarcerated
mothers today, Aboriginal adolescent mothers were targeted, often characterized as unstable and
in “need” of reform (ibid:59). Aboriginal mothering was viewed negatively, as practices failed to fall in-line with dominant ideologies (ibid:64).

Until the establishment of the Young Offenders Act in 1982, the youth justice system was highly discretionary, leaving police, judges, and probation officers to act in the “best interests” of a young woman (ibid:63). Jaremko Bromwich argues, that these “best interests” were characterized by patriarchal assumptions and “problematic racial and class biases in the context of child welfare law” (ibid: 65). However, even with the Young Offenders Act, the lines between child protection and the youth criminal justice system in Canada remain blurred (ibid.). Jaremko Bromwich describes the current intersection of criminality and motherhood in her work, “When Motherhood is the Crime: Incarcerating Adolescent Mothers in Canada,” stating that current Canadian child welfare legislation “continues to disproportionately affect the lives of racialized and economically marginalized young women generally, especially Aboriginal young women” (2013:65). For example, mothers under state scrutiny for failing to provide “adequate” care as outlined within the Child and Family Services Act, could be criminally charged for their failures.14

Research pertaining to incarcerated mothers also reveals that race and social class intersect when characterizing criminalization (Derksen and Taylor2013; Eljdupovic 2013; Eljdupovic and Jaremko Bromwich 2013; Jaremko Bromwich 2013). Many women living as single mothers prior to incarceration also experience the stress associated with living under strained economic conditions (Eljdupovic and Jaremko Bromwich 2013:3). In Gordana Eljdupovic’s (2013) recent Canadian study involving incarcerated mothers, she comments on the daily struggles exemplified in her interviews stating, “It is important to keep in mind that the

14 See Section 215 of The Criminal Code of Canada (CCC).
stressors associated with poverty and isolation were not just occasionally faced, but rather, they permeated every aspect of women’s daily lives” (176). This is an illustration of the “feminization of poverty” experienced by many incarcerated women, who also often possess a low level of formal education, which in combination with a lack of income and resources results in high degrees of stress, especially for lone mother households (Eljdupovic and Jaremko Bromwich 2013:3). Prior to incarceration, and in many instances afterwards, most convicted mothers are socially marginalized due to the lack of access to economic, social, and community resources that ironically are more readily available to the dominant classes (Eljdupovic and Jaremko Bromwich 2013:4). Furthermore, when mothers experience prison confinement as shelter, it speaks to the oppressive and strained social conditions they face within their personal lives outside of prison (Eljdupovic 2013:181). Despite the dismal conditions of correctional facilities, experiencing prison as shelter for incarcerated mothers can refer to both the physical roof over their head, including three meals per day, and also the sense of security it may provide from abusive partners for example.

For incarcerated mothers, it is perceived that “personal troubles of milieu” rather than “public issues of social structure” (Mills 1959:4) provides context for their engagement in criminal activity; with most offences stemming from actions conducted when engaged in the abuse of substances such as drugs and alcohol (Eljdupovic 2013; Eljdupovic and Jaremko Bromwich 2013:8). While incarcerated, reflection reveals an apparent distinction concerning how women previously engaged in substance abuse perceived their mothering “then” compared to “now” (Eljdupovic 2013:177). Mothers in Eljdupovic’s study comment that their previous engagement in substance abuse was the primary reason for what they believe constituted their “bad” parenting then, compared to their anticipated “good” vision of parenting when they were
released from prison (2013:177). Furthermore, these women also made reference to the idea of “parallel lives” while they were engaging in substance abuse; making reference to the way in which they were able to hide their substance abuse from their children, and in turn, claiming that their substance abuse was not having much perceived effect on their ability to mother (ibid.).

The majority of incarcerated mothers in this study also indicated past involvement in abusive adult relationships, where economic dependence made it difficult to leave (ibid.: 176,178). Eljdupovic comments, “providing food and shelter while experiencing abuse made them feel like better mothers than not having the essentials for their children” (ibid:178). The inability to be financially independent as lone mothers leaves women vulnerable to the dependence and potential abuse of a partner.

Many of these women report having experienced some type of childhood abuse themselves (Eljdupovic 2013:174). Eljdupovic discusses the impact of mothering from one generation to the next. Her interviews with incarcerated mothers unearthed the importance among these women to mother “better” than their previous generation (ibid: 178). It is apparent within the narratives, that no matter how poorly incarcerated mothers view their own mothering, they still view it more favourably and better than their own mothers’ (ibid). Eljdupovic recalls, “they (incarcerated women) oscillated between their ‘inherited’ model of mothering that they tried to reject, and the romanticized mainstream model, which the conditions of their everyday lives made impossible to achieve” (ibid:179). The notion of generational mothering is intriguing and highlights the lasting effects and role of socialization. Narratives derived from imprisoned mothers provide a glimpse into their life contexts and embedded dispositions of mothering.

Although physically removed from their children, most incarcerated mothers continue to self-identify as such and proceed to mother their children in “varying fashions,” sometimes
though years of separation (Eljdupovic 2013:173). Depending on custodial arrangements prior to incarceration and the reasons for incarceration, a mother may or may not have the opportunity to communicate and visit with her children while incarcerated. Maintaining a mother role while imprisoned proves to be difficult for many, and even unwanted by some (ibid:182).

It is possible, depending on the institution, that incarcerated mothers may have access to mother-child programs. There is however, tremendous variability in programs offered across the province and throughout the country, varying from institution to institution, and dependent on funding, security level, offences, and age(s) of the child(ren) (Derkzen and Taylor 2013:30). Programs and facilities include parenting programs, prison nurseries, and mother-baby units (ibid.). Benefits from such programs include lower rates of institutional misconduct and an overall decrease in re-offense rates for participating women (ibid.). While these programs have produced positive results, they have also been criticized. Eljdopovic argues that women participating in parenting programs are often made to feel as though they were “bad” mothers before incarceration, and through the education of developed parenting programs (arguably based on mainstream constructions and dominant discourses), participation becomes justified by assumptions that these women need to improve their parenting skills (2013:182).

Incarcerated mothers have become labeled “bad” mothers with regards to their deviant social actions towards the existing social norms within the field of mothering. While research in this area is severely limited, it is clear with what little has been completed, that incarcerated mothers navigate life for both themselves and their children, within a complex web of social strains.
THE MOTHER NEXT DOOR

Depending on where you live, and more specifically the type of living accommodation, the “bad” mother involved with child welfare is more or less likely to be your next-door neighbour. Swift and Callahan note that, “while it is true that all families could be the subject of a complaint about the care of their children, the chances of having a social worker knock at the door are much greater for some families than others” (2009:137). According to the most recent Canadian Incident Study of Reported Child Abuse and Neglect (CIS) using data compiled from 2008,15 69% of primary caregivers involved with child welfare live in apartments, community and band housing, shelters, or have no known residence, while only 31% of primary caretakers involved with Children’s Aid Societies in 2008 live in a house (CIS 2008).

The CIS provides major findings from research and data gathered across all provinces and territories, including Ontario. Beginning in 1998, followed up in 2003, with the most recent report based on data gathered in 2008—the CIS, established by the Public Health Agency of Canada, features the collaborative research efforts of multi-level government departments, university-based researchers, First Nations representatives (a new addition), and child welfare social workers. The CIS positions itself as part of a national program of surveillance under the Public Health Agency of Canada. The most recent report recorded 235,842 child maltreatment-related investigations conducted in Canada (CIS 2008:I). Thirty-six percent of these investigations were substantiated, referring to a decision based on a “balance of evidence” that child maltreatment was perceived to be “at risk” of occurring or had been found to have occurred (ibid:24).

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15 Information collected as part of the Canadian Incident of Reported Child Abuse and Neglect (CIS) is collected every five years—the last of which being collected in 2013. The time lapse between collection and the publishing of the report is approximately two years. The 2013 CIS is expected to be published and available to the Canadian public in fall 2015.
Using the information collected within the CIS 2008 data, the social characteristics of mothers involved with child welfare, can be further defined and placed within the broader social context. Much of the data is quantitative where information within the report was obtained from a standardized form filled out by a stratified sample of child welfare service workers, based on their personal case notes and subjective knowledge. The initial CIS report conducted in 1998 reported child maltreatment-related investigations for the year to be at 135,261; this number nearly doubles in the 2008 data (CIS 2008:1). The 2008 report suggests that there are several factors responsible for this dramatic increase including: “changes in public and professional awareness of the problem, changes in legislation or case-management practices, changes in CIS study procedures and definitions, and changes in the actual rate of maltreatment” (ibid.).

Ninety-one percent of the primary caretakers involved in child welfare cases in the CIS 2008 are women, 89% identified as the biological mother (40). This figure is significant for a number of reasons; first, it highlights that care work remains tied to traditional gender roles (Hill Collins 2009b; Swift and Callahan 2009). Women continue to be responsible for the well-being of their children, more so than their male partners (Hill Collins 2009b; Mandell and Wilson 2011; Swift and Callahan 2009). Despite perceived advancements in parental leave policy and the increasing social acceptance of men performing traditionally gendered care work activities, women remain socially charged with the primary responsibility of rearing and socializing children (Hill Collins 2000b; Mandell and Wilson 2011).

Second, with socially attributed responsibility comes socially attributed blame. As mothering practices become more expansive, meaning, as mothers become responsible for not only their children’s physical well-being but their cognitive, social, and developmental well-being, the charged responsibility to care for all aspects of a child’s life is both stressful and
exhausting (Mandell and Wilson 2011; Rogmanoli and Wall 2012). What’s more, access to capital is required to fulfil current societal expectations of intensive mothering (Hill 2012; Mandell and Wilson 2011; Romagnoli and Wall 2012; Vandenbeld Giles 2012). In neoliberal Western society, where individual competition is endorsed, mother-blaming serves as a generative scheme whereby the state removes itself from responsibility and places as much blame as possible in the lap of the mother (Romagnoli and Wall 2012; Vandenbeld Giles 2012).

Not only do women continue to be charged with the chief responsibility for care work, as demonstrated above, but care work remains undervalued in Western society (Mandell and Wilson 2011:31). Care work can involve both physical and emotional/cognitive components. Mothering as care work involves duties that take place inside and outside the home including: attention to meals, housework, dressing, bathing, financial management, transportation, and house repairs (ibid.). “Adequate” mothering, as evidenced in constructed and adopted intensive mothering ideologies, further refines expectations within such categories of care work; for example, it is no longer “adequate” to sign children up for sporting activities (providing the economic capital)—participation in coaching, cheering from the sidelines, and providing a team snack has quickly become the norm and expected from caregivers. Such refinement requires further time, energy, and emotional commitments (Rogmanoli and Wall 2012:175). Furthermore, hours spent on care work to one’s own family, is not assigned the same economic and societal worth as paid employment (Mandell and Wilson 2011:31).

Within the CIS, substantiated child-maltreatment investigations are classified into five categories: physical abuse (20%), sexual abuse (3%), emotional maltreatment (9%), neglect (34%), and exposure to intimate partner violence (34%) (CIS 2008:4)(See Figure 1). Sixty-eight percent of all substantiated cases are categorized as perceived neglect and exposure to partner
violence. Misconceptions concerning the context in which the majority of investigations occur are met here; the majority of women involved with child welfare are not physically abusing their children (Appell 1998; CIS 2008). It is also worth noting, that substantiated physical abuse cases that required medical treatment were 3% of physical abuse cases (.6% of all cases). The majority of physical abuse cases (not to down play the seriousness of physical violence of any sort) involved scrapes, cuts, and bruises (CIS 2008:4). This figure contradicts the common perceptions of both the severity of physical abuse experienced and that the “bad” mother always engages in extreme physical violence (Appell 1998:356). Whereas over two-thirds of all substantiated child welfare cases in Canada are characterized as neglect and exposure to intimate partner violence. Because neglect is a vague and newly constructed category, it will be the focus of discussion within Chapter Four with special attention to the construction of policy language. This discussion will highlight the prevalence of domestic violence within the family structure.

![Figure 1. Categories of Child Maltreatment](image)

*Information taken from the Canadian Incidence Study of Reported Child Abuse and Neglect 2008*
Hazen et al. (2007) explain the increasing trend within child welfare policy to categorize exposure to domestic violence (EDV) as child maltreatment (53). Amendments to the Child and Family Services Act in 2000 included the implementation of perceived risk assessment and introduced emotional harm to a child as maltreatment (Swift and Parada 2004:12). With these changes coincided the new classification of domestic violence as child maltreatment and the grounds for immediate investigation (Black et al. 2008; Swift and Parada 2004). With the backing of prior studies (Beeman, Hagemeister, and Edleson 2001; Wolfe, Crooks, Lee, McIntyre-Smith, and Jaffe 2003 cited in Black et al. 2008:395) highlighting the negative emotional and behavioural impact EDV can have on children, domestic violence once identified as adult conflict, is now considered grounds to intervene and potentially apprehend (Swift and Parada 2004:12). Prior to this change, unless children were harmed during a domestic violence incident that was reported to police, the CAS was not mandated to investigate (ibid.).

What’s more, the newly categorized EDV as child maltreatment has had a significant impact on women victimized in situations of domestic violence. Negative consequences of a mandatory CAS investigation in such cases, has led to an increased concern that victims of domestic violence avoid reporting instances where they have been abused, in fear of the potential apprehension of their children (Jenney et al. 2006; Swift and Callahan 2009; Swift and Parada 2004). The “duty to report” clause also implemented in revisions of the 2000 CFSA, has arguably strengthened the connections and knowledge shared within the child care professional community, however it has also created an atmosphere in which refuge from domestic violence, in shelters for example, is no longer without systematic consequences (Swift and Callahan 2009:139). Shelter workers express concern for the difficult position they face when mothers arrive with their children seeking refuge from a domestic partner (Swift and Parada 2004:12). In
her research on the intersection of domestic violence and child welfare from the perspective of those involved, Jenney et al. (2006) states, “the concern for mothers and many of the advocates who support them, is that mothers now not only have to cope with the impact of abuse on themselves, but they also have to worry about how child welfare will assess their ability to protect their children” (2006:2). A disconnect between the inclusion of EDV as grounds for investigation, along with potential apprehension, and the impact such reforms have on the decision-making process when women experience domestic violence, is evident and of imminent concern.

As will be discussed further in Chapter Four, many mothers that become involved with the CAS are not aware of the categorizations of child maltreatment and what constitutes “inadequate” mothering (Jenney et al. 2006:3). In instances of domestic violence, often the mother is unaware when she reports her partner or seeks refuge in a shelter, for example, that this record of the occurrence of domestic violence within the presence of a child may form grounds for an CAS investigation and possible removal of her children from her care. Jenney et al. (2006) comments to the effect that when women express their involvement in such a situation, some have been “warned by other women and professionals” that the consequences and risk involved in disclosing domestic violence are high, resulting in reconsideration of any decision to seek help (3). Mothers facing the harm of a violent partner then, have also become culpable for protecting their children from the “sights and sounds” of their experienced violence, an added stressor and potential barrier in seeking assistance (Swift and Callahan 2009:139).

Even though, as stated above, 34% of substantiated child welfare cases stem from exposure to partner violence, the category of “primary caregiver risk factors” within the CIS report offers further insight into the daily experiences of women involved with child welfare.
The following are the categories (and percentage of primary caregivers having experienced such) as recorded by the social workers involved with the report, in accordance to witnessed or perceived risk factors: alcohol abuse (21%), drug/solvent abuse (17%), cognitive impairment (6%), mental health issues (27%), physical health issues (10%), few social supports (39%), victim of domestic violence (46%), perpetrator of domestic violence (13%), and history of living in a foster home/group home (8%) (2008:5).

![Figure 2. Primary Caregiver Risk Factors](image)

*Information taken from the Canadian Incidence Study of Reported Abuse and Neglect 2008

It is clear that there is a lot to unpack here. But first, let’s continue to look at the predominant issue of domestic violence: up to 59% of primary caregivers (mostly women) have either been the victim and/or perpetrator of domestic violence. This statistic is clear—domestic violence is a rampant current problem, often experienced and witnessed within the family setting (Hazen et. al 2007: 45). This statistic only represents those cases that have been investigated by
child welfare service workers, and does not take into account those cases investigated by police or those left unreported. Partners inflicting multiple forms of violence on one another (also known as IPV – Intimate Partner Violence), whether under the influence of alcohol or drugs, having been socialized in such an environment themselves, or acting violently upon feelings of anger and frustration from few social supports or lack of problem solving skills, is an issue of concern that requires further research and greater social support and resources (Black et al. 2008; Hazen et al 2007). Domestic violence has, and continues to have, a significant impact on all members of the family (Black et al. 2008; Hazen et al. 2007; Jenney et al. 2006; Swift and Parada 2004).

What’s more, the risk factors experienced by women involved with child welfare defined above highlight the grim context in which they live and navigate life for both themselves and their children. The involvement of mental illness, substance use, and health issues combined with a staggering 39% of all mothers being evaluated as lacking social support, provides further context to the marginalization of the “bad” mother.

The prevalence and issue of substance abuse embedded in the landscape of mothers involved in child welfare is certainly real and of concern, however this is not the “norm” of all mothers; with the CIS (2008) reporting a perceived 17% to be engaged in drug/solvent use and 21% perceived as abusing alcohol (5). This issue of mothers abusing substances coincides with the increased and current raging concern within Canadian child welfare to address, label, and provide for children with Fetal Alcohol Syndrome (FAS) (Cull 2006; Swift and Callahan 2009). Appell further highlights, ““bad” mothers use alcohol, crack, or cocaine; their middle-class counterparts use alcohol or prescribed antidepressants. They may use illicit drugs too, but are
more likely to escape detection. Bad mothers are the mothers who get caught” (1998; Reich 2005).

The most recent CIS report also addresses the issue of perceived “household risk factors” conceptualized through indication of caregivers claiming social assistance (including employment insurance or other government benefits), living in public housing, moves within a 12 month period, and household hazards (including access to drugs, unhealthy/unsafe living conditions, and accessibility to weapons) (2008:5). Thirty-three percent of caregivers involved in substantiated cases were documented as having been on social assistance, employment insurance, or other benefits (ibid.). Those living in public housing accounted for 11%, while 30% had moved at least once within the last twelve months (ibid.). And finally, in 12% of investigations, at least one household hazard was recognized (ibid.). While it appears to make practical sense that household risk factors may involve hazards such as access to drugs, weapons, etc.—it appears that what constitutes a household risk factor within this national study is pre-constructed to include such elements as public housing accommodation and the number of household moves while others, such as food (in)security are left out. While there may be logical evidence for identifying elements such as household moves as risk factors, the CIS report fails to identify reasoning behind the inclusion of some factors identifying a household at “risk” and the exclusion of others. This sheds light and insight into the constructedness of definitions, what and who defines what is constructed as “risk”?

Whereas 91% of the caregivers involved in substantiated investigations are female—specifically calling attention to the gendered nature of care work—age remains a consistent factor relatively proportionate across the field. Contrary to stigmas and assumptions that mothers involved in child welfare are young (including teenage), evidence within the CIS-2008 report
emphasizes that mothers involved in substantiated child welfare cases vary across the ages identifying 30% under the age of 30, 45% between the ages of 30 and 40, and 25% over the age of 40 (40). In fact, mothers 18 years and younger comprised only 1% of the mothers involved with child welfare within the 2008 CIS report (ibid.). On the other end of the age spectrum, women involved with child welfare over the age of 60 years, also only depicted 1% of the landscape (CIS 2008:40). According the most recent CIS report, the “unfit” or “bad” mother involved with child welfare is most likely to be the biological mother between the ages of 22 and 50 inclusive (ibid.).

Another misconception concerning mothers involved with child welfare involves the public perception and label that these women are “feeding off or manipulating the system,” “lazy,” or on “welfare” (Vandenbeld Giles 2012:120). The CIS report documents 51% of primary caretakers to be engaged in full-time employment, 10% part-time employment, 33% social assistance/unemployment insurance/other benefits, 5% none, and 2% unknown (42) (See Figure 3). The majority of household income in substantiated child welfare cases therefore appears to come from full or part-time employment. Meaning, that the majority of mothers are not on social assistance, rather working outside the home participating in paid labour—bringing home a paycheque to assist in supporting the material needs of their family. What’s more, the category of social assistance (33%) also comprises unemployment benefits, family benefits, long-term disability, and child support payments, which arguably covers a range of support funding and does not depict a homogenous illustration of “social assistance” (CIS 2008:41).
The final issue that is of concern within the 2008 CIS report is the emphasis and over-involvement of Aboriginal women and children. According to the report,

Aboriginal children were identified as a key group to examine because of concerns about their overrepresentation in the foster care system. Twenty-two percent of substantiated cases (an estimated 18,510 investigations) involved children of Aboriginal heritage, as follows: 15% First Nations status, 3% First Nations non-status, 2% Métis, 1% Inuit and 1% with other Aboriginal heritage (CIS 2008:4).

While 78% of caregivers involved with child welfare cases within the report remain categorized as non-aboriginal – the report, while aiming to understand the involvement of Aboriginal populations, by language alone categorizes Aboriginal as the “Other.” By failing to identify races or ethnicities other than those identifying as Aboriginal, the report continues to problematize Aboriginal mothering.

**Aboriginal Mothering**

Aboriginal mothers and children remain overrepresented within both the Canadian and Ontario child welfare systems; with some provinces identifying involvement at a rate as high as
90%, as evidenced in Manitoba\(^1\) (CIS 2008; Blaze Carlson 2015). This reality is not a current trend, it is bound within past political decisions in Canadian history where Aboriginal women have long been labelled and deemed “unfit” to adequately mother (Cull 2006; Mzinegiizhigokwe Bedard 2006; Waterfall 2003). The experiences of Aboriginal mothering cannot be understood outside of the legacy and context of colonization (Cull 2006; Reich 2005; Waterfall 2003). The Aboriginal mother has long been characterized and constructed as “the bad mother, uncivilized and uncivilizing” (McGillivray and Comaskey in Cull 2006:143).

While time and space within this thesis does not allow for a thorough and rich discussion concerning the history of Canadian Aboriginal experiences,\(^1\) a brief focus on two major happenings within the past century alone concerning the intersection of Aboriginal mothering and child-welfare—the Residential Schools Movement and the “Sixties Scoop”—highlight the ever-present gaze, regulation, and scrutiny of the state with concern towards practices of mothering within Aboriginal communities.

State interference and scrutiny concerning the negative judgement placed on Aboriginal mothering is seen in mass numbers with the displacement of Aboriginal children under the Residential School Movement spanning across much of the twentieth century in Canada. The de-valuing of Aboriginal customs and practices was evident in the mass removal of children from their communities and reserves, shipping them away from their families to boarding schools throughout the country, where it was thought that aggressive assimilation including the

\(^1\) In Manitoba, Aboriginal children represent approximately 90% of all children in state care. In January 2015, the Family Services Minister announced that the province is shifting their focus from strictly protecting children in care to providing further preventative support for families (Blaze Carlson 2015). The Manitoba government says it is “re-vamping” its child welfare system, including the introduction of new legislation (ibid.). These changes come in light of recent government scrutiny after the high-profile deaths and attacks on Aboriginal teens in state care, including Tina Fontaine (ibid.).

\(^1\) For a more thorough discussion concerning Aboriginal mothering within the context of colonization see the work of Cindy Blackstock, D. Memee Levell-Harvard and Jeannette Corbiere Lavell, Randi Cull, Janice Swilto, and Jean-Paul Restoule.
transmission of religion, language, culture and customs of the white European-Canadian was necessary, in attempts to eliminate Aboriginal ways of life (Cull 2006; Emberley 2010). The Aboriginal mother, who ensured the continuation of future generations, was perceived as an enemy of the state (Cull 2006:144).

Riddled with serious issues of various child abuses and maltreatment, including neglect, sexual and physical abuses, the residential school system served as anything but the positive assimilation it claimed to be. What’s more, the removal of Aboriginal children from their families and communities has now been shown within various research studies (Cull 2006; Emberley 2010; Waterfall 2003) to have contributed to ongoing social problems experienced by some Aboriginal peoples, including issues with substance use and abuse, poverty, high suicide rates, sexual exploitation, and unemployment.

The “Sixties Scoop” is another prominent state intervention, headed up by Canadian child protection agencies, in the 1960s where “agents of the state” (social workers) freely entered Aboriginal communities without just cause or specific allegations, apprehended Aboriginal children, removing them from their parents, siblings, language, customs, and way of life (Cull 2006; Waterfall 2003). The mass apprehension of Aboriginal children in the 1960s speaks to “the dramatic impact a policy change can have on the lives of Aboriginal people” (Cull 2006:145). And furthermore, to the active role that the child welfare system played as an agent in the colonization of Aboriginal people (Waterfall 2003:58). The manufactured stereotype of the “unfit” Aboriginal mother, served as just cause for entering Aboriginal communities, legitimizing state intervention (ibid.). From a materialist perspective, it is alarming to note the impact and involvement of money, or funding, in this situation. According to Randi Cull, “acquiring funds was the primary catalyst for state involvement in the well-being of Aboriginal
children, not necessarily finding abuse and/or neglect;” referring to the government’s monetary exchange with child welfare agencies for each apprehended Aboriginal child “sold” to American adoption agencies (2006:145).

The state has been instrumental in socially constructing negative stereotypes of the “unfit” mother and its relation to Aboriginal women. The complexity of the negative stereotype that Aboriginal mothers are “bad” or “inadequate” is entangled with colonialism, involving past historical and political decisions concerning the manufactured ideology that Aboriginals were inherently “inferior” people (Cull 2006; Mzinigiizhigo-kwe Bedard 2006). This racist and egocentric position is captured in old Canadian government sessional reports, dating back to the early twentieth century, where Aboriginal mothers were blamed for the prevalence of tuberculosis and high rates of infant mortality within Aboriginal communities (ibid:143). Rather than acknowledging poor living conditions and lack of social supports experienced since colonization, Aboriginal mothers were deemed the source of the problem (Moffat and Herring in Cull 2006:143). Aboriginal mothers were portrayed as ignorant and unable to properly care for their children, in need of teaching through programs such as baby clinics set up by the state (ibid.).

The current landscape depicting the overrepresentation of Aboriginal mothers involved with Ontario child welfare cannot be taken out of context of the devastating and dark history of the treatment of Aboriginal peoples in Canadian history (Swift and Callahan 2009:139). It is argued, that the state’s manufactured stereotype and label of the “bad” or “unfit” Aboriginal mother, persists today. This ideological assumption that Aboriginal mothers lack adequate parenting skills, that a particular race is deemed “incompetent” or “incapable,” stems back to the valuation and persistence of white-western patriarchy and assimilation (Cull 2006:146-151).
While Aboriginal cultural differences are now at least being acknowledged and slowly implemented within utilized child welfare policy,\(^{18}\) including the decision to establish select Aboriginal-specific child welfare agencies (Waterfall 2003:60), the Canadian child protection system continues to serve as an instrumental element of assimilation and control (Cull 2006:144). The majority of gatekeepers within the field of child welfare remain white, middle-class professionals, perpetuating the infusion of Euro-Western values and beliefs within social work pedagogy and practice (Cull 2006:146). When Aboriginal mothers become involved with the Ontario child welfare system then, they arguably are “being measured and judged by the standards of the ideal, white, middle-class, nuclear family,” embedded within policy, institution, and the practices of gatekeepers authorized to make judgement calls (ibid.).

The pervasive and critical gaze on Aboriginal mothering continues. On a daily basis, Aboriginal women, especially those experiencing marginalization, must prove that they are “fit” parents under the scrutiny and observation of the state (Cull 2006:147). While Aboriginal mothering is neither universal or essentialist (Lavell-Harvard and Lavell 2006:2), research on Aboriginal mothering practices suggests that an Aboriginal emphasis on providing children with greater autonomy and independence, a more “passivist” approach, is misinterpreted as “overly permissive,” “lax”, “disorganized”, and even “neglectful” (Blackstock, Trocme, Bennett 2004:908). Blackstock, Trocme, and Bennett note that cultural misunderstandings and ignorance explain why neglect is one of the predominant reasons that Aboriginal mothers are investigated for abuse (ibid.). What’s more, gross neglect on the part the state towards Aboriginal peoples, which continues today, receives little scrutiny in comparison to the policing of Aboriginal mothering (Cull 2006:153).

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\(^{18}\) See “Part X: Indian and Native Child and Family Services” as well as Section 226 within the Child and Family Services Act.
Substance use and abuse within Aboriginal communities contributes to the justification and evidence used against Aboriginal mothers in substantiated child welfare cases. The prevalence of addiction compounded with the negative stereotype of the “drunken Indian” have made the concern of fetal alcohol exposure within child welfare agencies an issue of race, whereas research suggest that it is in fact, class and the socioeconomic status of the mother that serves as the critical factor in fetal harm from substance abuse (Nanson 808 in Cull 2006:152). The issue of substance addiction within Aboriginal communities has long been constructed as a racial problem. News stories highlight substance abuse problems such as glue and gasoline sniffing on reserves (Cull 2006:151). If in fact substance abuse is found to be more prevalent within Aboriginal reserves, how can a state that so readily scooped children from their homes without just cause less than sixty years ago, claim no responsibility for the social context and disadvantaged positioning in which marginalized Aboriginal mothers navigate? Why was it okay for the state to interfere then, but now stand back and place blame on the Aboriginal way of life or on the Aboriginal mother? One cannot ignore the complicated social context in which the decision to drink or use drugs takes place (ibid:152). Cull urges, “that until changes are made, Aboriginal mothers will be trapped in a circle of disadvantage that is very difficult to break” (2006:151).

In “Until Our Hearts Are on the Ground”: Aboriginal Mothering, Oppression, Resistance, and Rebirth, Memee Lavell-Harvard, along with her mother Jeanette Corbiere Lavell, reveal the systemic violence against Aboriginal women and their experiences of mothering (2006:4). Reflecting on the intersection of both her research and her own personal experiences Lavell-Harvard comments,

…the Aboriginal mother who adheres too closely to her traditions has historically found it difficult if not impossible to meet the standards of the
“good mother” as set out by the dominant patriarchal culture...I was firmly convinced that I had a bad mother (and I am sure all the “experts” would have agreed as they were the ones who convinced me) (2006:2-4).

The absence of Betty Crocker, fortified baby formula, cellophane, and Wonderbread for example, was experienced by Lavell-Harvard as being different from the norm (ibid.).

The state’s creation and manufactured stereotype of the “bad” or “unfit” Aboriginal mother ignores and conceals their strengths, achievements, and cultural positioning (Cull 2006; Mzinegiizhigo-kwe Bedard 2006). Jan Noel in her article “Power Mothering,” highlights the powerful and significant role Haudenosaunee (more commonly referred to as Iroquois) mothers play in their culture (2006:78). Haundenosaunee scholars assert that Iroquois female elders and clan mothers have long held powerful and valued positions within their communities; serving as primary providers and responsible for the distribution of wealth, including the management of food and shelter (ibid.:76). Noel comments that Iroquois settlements, some of which are located in parts of Ontario and Quebec, have a sustained history of reciprocal gender relations where male and female roles do not correspond with western constructed binaries (ibid.:78). It has been documented that Iroquois women have long participated in hunting, battle, and policy formation with the understanding that neither men nor women are to be excluded from any tasks or responsibilities (ibid.:84).

Mothering in Iroquois communities is also less individualistic than western neoliberal constructions. Mothering within the context of such communities is said to be more of a shared responsibility where aunts, uncles, and grandmothers for example, share and contribute to child rearing and care work (Noel 2006:78). Renee Elizabeth Mzinegiizhigo-kwe Bedard, an Ojibwe and Canadian scholar, finds that some of the most important mothers in Aboriginal communities
are women that partake in care work who do not have biological children of their own; it is common that family members adopt and care for children of various familial lines (2006:73-74).

Furthermore, Iroquois histories and cultural practices provide a “picture of empowered motherhood” (Noel 2006:87). The empowerment stems from the cultural appreciation and valuing of care work; nurturing future generations is given priority by all community members (ibid.:88). Lavell-Harvard and Corbiere Lavell illustrate that Aboriginal mothering continues to be “different” from that in dominant western culture; noting that mothering remains a source of empowerment for Aboriginal women despite generations of colonization, assimilation efforts, and abuse (2006:2). The empowerment attached to Aboriginal mothering, Lavell-Harvard and Corbiere Lavell comment, is a “sign of our strength and resistance” (2006:3).

In addition to the overrepresentation of Aboriginal children and mothers in the Ontario child welfare system, we must also recognize the more general role that race and ethnicity play in child welfare.

Race and Ethnicity

A recent article published in the Toronto Star illustrates the extent to which race and ethnicity play a critical role in the depiction of Ontario Children’s Aid Society clientele. The December 2014 article came in response to recent Toronto CAS private presentations to police, educators, and black community members, sharing recently compiled data concerning the overrepresentation of black children and their families with the agency (Contenta, Monsebraaten, and Rankin 2014). The newspaper article notes that the Toronto CAS is one of only a few agencies in the province (there are 46 in total) that collect data pertaining to their clients’ racial and ethnic backgrounds (ibid.). While an established child welfare commission recommends that such data be collected by all agencies, the report notes that the Ontario government refuses to
mandate such collection (ibid.). Furthermore, the few agencies that do collect racial and ethnic
data are reluctant to speak to it (ibid.).

What is clear within the data collected and obtained from the Toronto CAS, is that
citizens of ethnic and racial minority are overrepresented within the Ontario child welfare
system. While the data obtained is from the Toronto district, such overrepresentation is believed
to be province-wide (Contenta, Monsebraaten, and Rankin 2014). Overrepresentation is
classified as involvement that exceeds the percentage of the population of such groups in a given
area. For example, 41% of the children involved with Toronto CAS in 2014 racially identified as
black, whereas the population of black children and youth under the age of 18 in Toronto is 8.2
percent of the total population of the city (ibid.). Moreover, the Toronto CAS data also reveals
that many black families involved are of Jamaican or Caribbean heritage, raising further
concerns about ethnic and cultural ignorance and misunderstandings (ibid.). An interviewed
Toronto CAS social worker provides an example of such misunderstandings in regard to the
mandated “duty to report” calls: A teacher believed a black student of Jamaican decent was
given an “inadequate” lunch of roti (a type of flatbread often filled with curry). The teacher
stated health concerns as the reason for the call and believed that the food being supplied from
home would not nourish the child (ibid.).

The disturbing landscape of involvement as evidenced in Toronto CAS’ revealing of
racial and ethnic data, highlights the prevalence of minority and marginalized surveillance.
Within the Toronto Star article, the executive director of the African Canadian Legal Clinic
believes that the same racial profiling occurring in policing operations occurs within the child
welfare system, claiming that black parents are profiled in a negative way (Contenta,
Monsebraaten, and Rankin 2014). Within the limited literature pertaining to both mothering and
the Ontario child welfare system, what is evident throughout, is the fact that mothers involved with Children’s Aid agencies across the province are disproportionately of colour, and include “indigenous, colonized, and immigrant” populations (Appell 1998; Swift and Callahan 2009). The disparity and disconnect of a representative landscape is clear and of great concern; a concern that Swift and Callahan note trends with that of the United States (2009:140). Swift and Callahan highlight a critical point that repeats itself throughout the limited available research—that while mothers of racial and ethnic minority are significantly overrepresented in the landscape of cliental, “they are no more likely than white parents to abuse or neglect their children” (2006; Contenta, Monsebraaten, and Rankin 2014). The importance of understanding how particular populations are surveilled to a greater extent than others within the Ontario child welfare system is pertinent.

In her book *Fixing Families: Parents, Power, and the Child Welfare System*, Jennifer Reich highlights the existence and prevalence of systematic racism within child welfare, and the extent to which racism shapes system processes and experiences (2005:23-24). Social work practices and informal processes such as worker-client ‘matching’ serves as an example. In Swift and Callahan’s research, an interview with an Ontario social worker reveals an informal strategy of worker-client ‘matching’ in accordance with culture and race. With concern and evident frustration, the social worker in Swift and Callahan’s study remarks,

> most of my clients were other people of colour from similar racial, cultural background as myself. The assumption is that somehow I will work better with this population than anyone else . . . And I can explain the North American cultural context in a way that will be palatable and they’ll understand and they’ll get it (2009:154).

This comment illustrates not only how race effects and shapes informal processes and internal practices (which arguably only become revealed within the work of independent researchers and
are excluded from reports such as the CIS) but the remark also relates back to the extent assimilation within dominant frameworks is expected to take place; deviance from such, is grounds for investigation.

Moreover, the Toronto Star article referenced earlier discusses the overrepresentation of minority groups in relation to experienced poverty. The article claims that poverty is the “strongest predictor” of child maltreatment rates (Contenta, Monsebraaten, and Rankin 2014). David Rivard, chief executive officer for the Toronto CAS states, “sometimes people don’t want to make the connection between poverty and child protection … but there is a correlation. That’s the reality” (ibid.). The “predictors” of involvement then, become both racially and class biased, providing evidence that the system casts and labels deviants as those failing to fall in-line with white, middle-class constructions of mothering.

A Class Act

The research is clear: mothers involved with child welfare are disproportionately lower class (Jaremko Bromwich 2013; Reich 2005; Swift and Callahan 2009; Swift and Parada 2004). Poverty is not gender-neutral as more women than men are adversely affected leading to the term: the feminization of poverty (Cull 2006:149). Thus the applied “bad” mother label greatly affects those in socially and economically disadvantaged positions. The overrepresentation of poor mothers involved with child welfare in both investigated and substantiated cases, draws attention to several key tenets concerning the make-up of the field of mothering; all of which highlight the degree to which institutional classism within child welfare takes place (Jaremko Bromwich 2013; Swift and Callahan 2009).

As intensive mothering continues as the “norm” in which mothers are expected to live up to, it is argued that this style of mothering requires access to middle-class economic capital
Intensive mothering is “highly demanding of “time, energy and money” and is “only possible . . . with both the material and personal resources that accompany middle-class advantage” including: “economic security, lengthier period of work leaves, stronger spousal support, the ability to hire help and a great sense of self-confidence and efficacy” (Fox in Romagnoli and Wall 2012:275).

In their study on young, low-income mothers in Ontario, Romagnoli and Wall (2012) highlight the extent to which dominant frameworks of mothering involve white, middle-class, intensive constructions; “for middle class mothers, social capital is enhanced by being intensive” (287). Tenets of intensive mothering are understood to be “child-centered, expert-guided, emotionally absorbing, labour-intensive, and financially expensive” (ibid.). Furthermore, society categorizes the “bad” mother as not fulfilling principles of intensive mothering, with those falling outside these norms and values identified as “risky” (ibid.:273-275). Group participants characterized as low-income in Rogmagnoli and Wall’s study, found it a struggle to participate in intensive mothering (2012:279). Recognizing the pressure to demonstrate practices of intensive mothering, mothers in the study admit to enacting degrees of performance, including appearing “well-kept” in public to avoid negative attention. This also involved finding creative ways to partake and stake claim within the field. For example, one participant in Rogmagnoli and Wall’s study mentioned that she took her child swimming at the local pool periodically (ibid.). Another participant refers to the purchasing of an educational toy as an extension of intensive mothering, as such involves the fear of a child falling behind intellectually (ibid.:275).

The link between economic capital and competency in parenting is very much blurred (Cull 2006:147). Cull (2006) notes that it is the “privileged nature of modern Canadian Society” that established the foreground and context in which mothering practices are being implicitly
evaluated with corresponding material conditions (147). Established Canadian child welfare agencies are not immune from this privileged perspective, and are found embedded with middle-class ideologies in institution, policy, and practice (Jaremko Bromwich 2013; Swift and Callahan 2009). This middle-class framework and standard, along with the increasing constructed narrowness of the “good” mother ideal, serves justification of the surveillance of the lower classes through child welfare (Appell 1998; Cull 2006; Romagnoli and Wall 2012).

Non-conformity as a result of limited material resources is challenged and highlighted by Swift and Parada (2004), specifically with mention to newly categorized understandings of neglect as child maltreatment (8). Reforms to the CFSA continue to disproportionately affect those living in poverty. It is “obvious that poverty rather than parental intentions can be the cause” for involvement with child welfare (ibid.:11). Conditions of poverty are difficult to separate from a mother’s ability to “adequately” parent, as individual mothers find themselves increasingly culpable for their positioning (ibid.). The consequences of labeling economically marginalized women as “bad” mothers relates to the notion of individual responsibility and blame, key principles of neoliberalism (Romagnoli and Wall 2012:273-274). What’s more, the neoliberal focus on risk management switches social attention and resources to mitigating risks from the provision of material support (Romagnoli and Wall 2012; Vandenbeld Giles 2012). In their research within Early Years Centres in Ontario, Romagnoli and Wall (2012) found that the social programming within the Centre had a neoliberal focus on educating mothers on how to be “good” parents, in keeping with intensive mothering and classed ideologies of motherhood (275). A focus on risk targeting, education, and surveillance is now the priority over providing material support, which Romagnoli and Wall’s study suggests was positively received by clients of the Ontario Early Years Centre when resources were distributed (2012:286).
SUMMARY

Understanding the landscape of “bad” mothers involved with the Ontario child welfare system is imperative in clarifying existing misconceptions, addressing systemic racial and class issues embedded in institution and practice, establishing and revising the current needs, programing, and expectations for involved cliental, as well as for reforming and communicating policy expectations, which are discussed further in Chapter Four. What’s remains clear however, is the applied and constructed “bad” mother label encompasses far more “than [what] warrants the name” (Ladd-Taylor and Umansky 1998:2). A neoliberal focus on blaming and condemning individual behaviours, rather than addressing and recognizing intertwining elements of social context, is of critical concern. From a sociological perspective, individuals cannot be fully understood without examining the existing social structure in which they navigate. Labelling perceived scapegoats, including the “bad” mother involved with child welfare, masks and postpones tackling current and significant social problems.

Women involved with the OACAS are more likely to occupy marginalized social spheres where they navigate life for both themselves and their children. These places include poverty and racial discrimination. This chapter illustrates that the majority of mothers involved with child welfare do not have equal access to the capital at stake within the field of mothering. This is found to be in juxtaposition to the degrees of capital required to fulfil normalized ideologies of intensive mothering. Current literature surrounding the topic of mothering within the context of Ontario child welfare is limited; research access to confidential clientele is difficult and often strained.

Themes standing out as categorical, but non-essentialist within the existing literature include monstrous mothers, the incarcerated mother, and the mother next door—all grossly
characterized by marginalized positioning. These sections within the chapter have been labelled as either singular (for example “the incarcerated mother”) or plural (“monstrous mothers”) for two distinct reasons; the first of which being, the identity of singular or plural represents the extent to which each group or classification is more or less homogeneous (making note that neither are monolithic). Monstrous mothers are presented and understood within the literature as outlaws, challenging not only social norms but what is perceived to be “inherent” and characteristic of women’s “nature” (bell hooks 2009; Ruddick 2009). A snapshot of Canadian news stories supports limited research, that the lives of mothers who murder reveal a lack of social support. Struggles with finances, relationships, or mental illness for example are kept private, in attempts to appear “adequate” and “normal” (Barr 2012; Blatchford 2012; McDiarmid et al. 2013; Newitz 1998). In comparison to “the incarcerated mother” and “the mother next door,” monstrous mothers occupy a variety of social positioning and access to capital. While most mothers whom have murdered appear to have struggled with seeking social support, class and racial factors are not as prominent and evident as they are within the other two classifications.

Second, while it is important to move beyond essentialist and monolithic thinking in scholarly research, such categorization has the potential to not only point out, but herald to authorized knowers and gatekeepers apparent shared social problems. This is the case with the incarcerated mother and the mother next door. If such social problems are very much apparent, prevalent and known, then why are practical solutions not being sought? If the majority of mothers involved with Ontario child welfare are struggling with poverty, why is there more of a focus on knowledge and risk management than providing material need?
Gender, class, race, and ethnicity all intersect when seeking to understand and reveal the landscape of “bad” mothers involved with child welfare. This chapter not only reveals the extent to which care work remains tied to traditional gender roles, but also highlights the extent to which past historical and political decisions continue to impact marginalized populations. A discussion surrounding Aboriginal mothering illustrates that Canadian Aboriginal mothers have long been constructed as “unfit,” in need of state surveillance and intervention (Cull 2006; Mzinegiizhigo-kwe Bedard 2006; Waterfall 2003). What’s often ignored however, are the strengths and empowerment Aboriginal communities attach to mothering practices, characterized and implemented by varying kin and members of the community (Noel 2006; Lavell-Harvard and Corbiere Lavell 2006). The pervasive and critical glare of the state continues to negatively impact Canadian Aboriginal families (Cull 2006:147).

The following chapter extends into the state’s construction and implementation of social policy and its specific impact on marginalized mothers. An analysis of *The Child and Family Services Act*, adopted and utilized within the province of Ontario, will be the site of analysis, specifically Part III entitled “Child Protection.” Language as a social construct is considered an essential element of social constructivism, and is much of the focus of analysis with relation to vague, ambiguous, and subjective terms embedded within the utilized policy (McComas 2014:99). Language thus serves an important function in receiving information and organizing meaning; the ambiguous and ill-defined terms within the Act allows for and promotes gatekeeper subjectivity, which most often remains intertwined with normalized ideologies of white, middle-class intensive mothering (Jaremko Bromwich 2013; McComas 2014; Swift and Callahan 2009). Moreover, recent policy reforms including: a focus on risk management, mandated “duty to report” obligations, and exposure to domestic violence now classified as child maltreatment,
endorse and fosters increased state surveillance, pertaining to mothering practices, and provides further grounds and criteria for labelling the “bad” mother. Drawing upon McRobbie’s material feminism and Bourdieu’s theoretical framework, relations of power involved in labelling mothers involved with child welfare as “bad,” are discussed. Within a post-feminist neoliberal climate, processes of symbolic violence are evident within the Ontario child welfare system. This is evident in the exertion of power gatekeepers employ when surveilling and assessing economically and racialized marginalized mothers struggling to fall-in-line with dominant-held ideologies of intensive mothering. Moreover, a brief comparative analysis between the Canadian and Finnish welfare systems, with specific concern to the valuation of mothering and child rearing activities, is presented. Suggestions for ideological shifts and practical reforms for the Canadian child welfare system, and Ontario specifically, are offered here.
Chapter Four: Policy, Power, and Precedence

Once identified as a “bad mother,” the system knows the woman as a collection of risk factors to be managed, a profile, which subsequently frames how the child protection mechanisms of the state will interact with her.

Debra J. Brown [2006:355]

INTRODUCTION

Constructing ideologies of the “bad” mother within child welfare policy and practice requires the normalization of generative schemes. Generative schemes serve to reproduce dominant-held ideologies of the field. Successful generative schemes (those accepted and adopted) are constructed to serve specific purposes. In the case of Canadian child welfare, normalized generative schemes serve to maintain class distinction and traditional gender roles. Bourdieu calls social science researchers to challenge the doxa of the field; to challenge what has become taken for granted. From a sociological perspective and Bourdieusian lens, the success of generative schemes can be understood as processes of symbolic violence (Bourdieu 1993:2). Symbolic violence is evident in the overrepresentation of marginalized mothers involved with Canadian child welfare.

Within the Canadian child welfare system, there is an apparent disjuncture between the construction of social policies and the lived experiences of those they serve (Brown 2006; Swift and Parada 2004; Swift and Callahan 2006). While policy reforms occur periodically, reforms rarely address the current needs of marginalized mothers (Brown 2006; Romagnoli and Wall 2012; Vandenbeld Giles 2012). Rather, within Canadian child welfare legislature and policy there is a predominant focus on risk and knowledge management; mitigating future risks and educating those who fail to fall-in-line with dominant ideologies. In the case of mothers involved with Ontario child welfare, major legislative reforms have not taken place since 2000 (Swift and
Reforms occurring in 2000, as discussed further within this chapter, have created problematic barriers for mothers. Moreover, the construction of vague policy language, including “neglect,” is argued to permit a high degree of gatekeeper subjectivity (ibid.).

This chapter presents three key elements concerning the manufactured ideologies of the “bad” mother within Ontario child welfare: policy, power, and precedence. The section on policy analyzes the most recent language and reforms implemented within Part III of the Child and Family Services Act. This section challenges the normalization of gendered and middle-class ideologies embedded within the legislature, and presents the obstacles and barriers adopted reforms pose to marginalized mothers. Relations of power are discussed with reference to McRobbie’s material feminism and Bourdieu’s theoretical framework utilizing: habitus, economic and social capital, generative schemes, and processes of symbolic violence. These concepts are used to analyze the social relations of power between the intersecting fields of mothering and child welfare. Finally, the section on precedence highlights key differences between the Ontario and Finnish child welfare systems. The Finnish child welfare system, while not without its own internal areas of concern, is recognized for setting global precedence in the valuation of mothering and more broadly, the family (Forsberg and Kröger 2010; Walmsley and Tessier 2015). This section offers suggestions for both ideological shifts and practical reforms of the Ontario system gathered from my research visit to the University of Jyväskylä, Finland.

**POLICY**

The Canadian Constitution currently delegates child welfare responsibilities to provincial and territorial governments. Each province and territory operates independently with their own

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19 For more information see: Forsberg and Kröger 2010; Forsberg and Ritala-Koskinen 2010; Kuronen and Lahtinen 2010.
adopted legislation and governing agencies. In total, Canada utilizes seven different legislations (see Table 1) each with its own variations (for example, the age at which children remain under state care). The provinces and territories of Nova Scotia, Saskatchewan, Manitoba, Yukon, Nunavut, the Northwest Territories, and Ontario all use the *Child and Family Services Act* (CFSA). As governing legislation, the CFSA serves as the official legislative document in which gatekeepers within the field of child welfare including judges, police officers, and front-line social workers, draw upon in child maltreatment allegations and cases.

This section of the case study specifically examines Part III of the CFSA within the context of Ontario child welfare. Part III, labelled “Child Protection,” outlines when a child is in need of state protection. This outline, specifically Section 37(2), is frequently referenced within summary documents constructed for professional use. The policy section of this chapter examines two elements surrounding Part III of the CFSA: language and reforms. It is argued, that vague language construction allows for a high degree of gatekeeper subjectivity; the specific constructions of “neglect” and “inadequate care” are analyzed here. Furthermore, recent legislative reforms including “duty to report” obligations, “exposure to domestic violence” as child maltreatment, and mitigating “risk,” have contributed to an influx of child welfare investigations and substantiated cases (Brown 2006; CIS 2008).

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20 In the province of Ontario, the Ministry of Children and Youth Services is responsible for governing 46 independent Children’s Aid Societies (Wegner-Lohin, Kyte, and Trocme 2014:1).

21 While differences exist between legislature and policy, the term policy is referenced as the subheading of this section to reflect the language most commonly used within the field of child welfare.

22 While the CFSA is the only legislature used within the province of Ontario, Children’s Aid Societies may also refer to the *Ontario Child Welfare Eligibility Spectrum and Child Protection Standards*.


24 Summary documents are intended to inform professionals what constitutes child maltreatment. These documents are intended to assist in mandated “duty to report” obligations. For example, see Wegner et al. 2014.
Table 1: Canadian Provincial Child Welfare Legislation

<table>
<thead>
<tr>
<th>Province/Territory</th>
<th>Child protection legislation by province/territory</th>
<th>Government agency responsible for child welfare</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>British Columbia</strong></td>
<td>Child, Family and Community Service Act</td>
<td>Ministry of Children and Family Development</td>
</tr>
<tr>
<td><strong>Alberta</strong></td>
<td>Child, Youth and Family Enhancement Act</td>
<td>Ministry of Children and Youth Services</td>
</tr>
<tr>
<td><strong>Saskatchewan</strong></td>
<td>The Child and Family Services Act (CFSA)</td>
<td>Ministry of Social Services</td>
</tr>
<tr>
<td><strong>Manitoba</strong></td>
<td>The Child and Family Services Act</td>
<td>Department of Family Services and Housing</td>
</tr>
<tr>
<td><strong>Ontario</strong></td>
<td>The Child and Family Services Act</td>
<td>Ministry of Children and Youth Services</td>
</tr>
<tr>
<td><strong>Quebec</strong></td>
<td>Loi sur la protection de la jeunesse (Youth Protection Act). R.S.Q. c. P-34.1</td>
<td>Ministère de la Santé et des Services sociaux</td>
</tr>
<tr>
<td><strong>Nova Scotia</strong></td>
<td>Children and Family Services Act (CFSA) 1990</td>
<td>Department of Community Services</td>
</tr>
<tr>
<td><strong>New Brunswick</strong></td>
<td>Family Services Act, S.N.B. 1980, c. F-2.2</td>
<td>Department of Health and Community Services</td>
</tr>
<tr>
<td><strong>Prince Edward Island</strong></td>
<td>Child Protection Act, proclaimed April 2003, C-5.1</td>
<td>Department of Social Services and Seniors</td>
</tr>
<tr>
<td><strong>Newfoundland and Labrador</strong></td>
<td>Child, Youth and Family Services Act (CYFSA)</td>
<td>Department of Health and Community Services</td>
</tr>
<tr>
<td><strong>Yukon</strong></td>
<td>Child and Family Services Act</td>
<td>Yukon Health and Social Services</td>
</tr>
<tr>
<td><strong>Northwest Territories</strong></td>
<td>Child and Family Services Act</td>
<td>Department of Health and Social Services</td>
</tr>
<tr>
<td><strong>Nunavut</strong></td>
<td>Child and Family Services Act</td>
<td>Department of Health and Social Services</td>
</tr>
</tbody>
</table>


**Language**

Language is an essential element of social constructivism (McComas 2014:99). As a social construct, language plays a critical role in relaying information and organizing meaning (ibid.). When the construction of language is ambiguous, the reliance on subjective interpretation
is greater (Swift 1995; Swift and Callahan 2009). Within the CFSA, language plays a key role in defining what constitutes child maltreatment. This section concerning policy echoes suggested provisions within the 2015 Review of the CFSA, urging for the “modernization and clarification” of language within the Act (Ministry of Child and Youth Services 2015:2). The need to clarify language is brought up during the review process, as caregivers express difficulties understanding the current CFSA and what’s expected of them (ibid.). It is necessary that citizens understand the policies and legislatures that govern and affect them. The fact that many mothers who become involved with Ontario child welfare do not realize they have committed any fault, is problematic. Constructing an accessible and approachable CFSA is essential to ensuring caregivers are informed and comprehend their obligations.

From a feminist perspective, the language used in Section 37(1(a)) highlights the Act’s patriarchal lens, and contributes to the reproduction of gender inequality in care work. Section 37(1) sets up Part III by defining who is meant by the term “parent.” First and foremost, the “child’s mother” is listed (CFSA 1990). The “child’s mother” stands alone as the first descriptive category pertaining to the term “parent.” While the biological mother is most often the primary caregiver involved with child welfare (CIS 2008:40), it is argued that the gendered nature of the term “parent” within the Act, reproduces ideologies of mother-blaming. By listing mothers first, the Act positions mothers as the expected “parent” under scrutiny. The language and positioning of mothers within this section of the CFSA reflects historical, geographical, and cultural assumptions that women are the primary participants in child rearing activities (Douglas and Michaels 2004; Hays 2009; Krull 2011; Thurer 1994). It could be argued that this section of the Act merely reflects the data depicting parental involvement with child welfare agencies. However, I argue that the Act reflects cultural expectations and fails to set precedence with
regard to gender equality in child rearing. In the description of the term “parent,” the “child’s mother” should share the same level of expected responsibility for the care of the child as the “child’s father.” However there is no overt role or set of responsibilities and expected behaviour provided for the father in the Act.25

Two specific constructions that I would like to focus on are the construction of “neglect” and “inadequate care” as child-maltreatment, referenced in Section 37(2), Part III of the CFSA. As a recent reform put in place in 2000, the term “neglect” is met with much controversy within child welfare literature (Brown 2006; Swift 1995; Swift and Parada 2004; Swift and Callahan). Much of the controversy concerning neglect surrounds the lack of definition and the difficulty in distinguishing neglect from experienced poverty (ibid.). By failing to define what constitutes neglect, the current CFSA not only fails to provide a descriptor to citizens, but permits gatekeepers to rely on their subjective interpretation in determining who is neglectful (Brown 2006; Cull 2006; Swift and Callahan 2009). Debra Brown in her article “Working the System: Re-Thinking the Institutionally Organized Role of Mothers and the Reduction of “Risk” in Child Protection Work,” claims that policymakers “have yet to produce a clear and consistent definition of what actually constitutes maltreatment” (2006:353). A reliance on gatekeeper subjectivity to define neglect is problematic for several reasons. First, high degrees of subjectivity produce inconsistency in decision making (Swift and Callahan 2009:122). Many mothers involved with Ontario child welfare are aware of this assigned subjectivity, and voice their experienced stress in being moved from one social worker to another (Brown 2006; Swift and Callahan 2009). Second, front-line social workers in Ontario are ill-equipped to determine

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25 In a convoluted manner, the child’s father is referenced in Section 37(1(b)) as “an individual described in one of paragraphs 1 to 6 of subsection 8 (1) of the Children’s Law Reform Act, unless it is proved on a balance of probabilities that he is not the child’s natural father” (CFSA 1990).
and treat neglect due to limited resources, a lack of education, a lack of available support, and an increase in caseloads (Swift 1995; Swift and Callahan 2009). The decision to classify actions (or lack thereof) as child maltreatment or neglect should not rest to the degree that it does, on the subjective ‘expert’ knowledge of such gatekeepers (Brown 2006:356). Furthermore, Brown (2006) highlights the significant barriers that exist in trying to define neglect from an institutional perspective (357). She notes that a mother’s experiential knowledge surrounding care work is often ignored by case workers, claiming it is the normalization of dominant ideologies within accepted policy that organizes social work practice (2006:354-356). Aboriginal scholars and mothers Lavell-Harvard and Lavell support this view stating, “The language of the oppressor is inherently deficient when it comes to adequately describing our worldviews and values, much less the complexity of our experiences as Aboriginal mothers” (2006:1). As a result, future revision involving the “modernization and clarification” of language within the CFSA needs to include the experiential knowledge of mothers respecting variations in terms of ethnicity and indigenous status, race and class.

The difficulty in distinguishing neglect and failure to provide “adequate care” from experienced poverty is of imminent concern. As grounds for child protection, both failing to “adequately care for,” referenced in Section 37(2(a)(b)), and neglect, often reflect systematic constraints and dominant-held ideologies rather than the individual mother’s failures and personal problems (CFSA 1990; Swift and Parada 2004:11). By focusing on the individual parent, the effects of a social system that does little to support and nurture the family unit are ignored (Brown 2006:369). Many mothers involved with child welfare are considered ‘marginalized’ for the same reasons they are considered to be “failing to provide.” Barriers in accessing affordable housing, quality daycare, nutritious food, season-specific clothing,
transportation, social programming for substance abuse, mental health services, and so on, arise from systemic issues (ibid.:353). Mothers involved with the Canadian child welfare system, in any province or territory, cannot be seen outside of the broader macro social context in which they navigate life for both themselves and their children. Swift and Parada in their article “Child Welfare Reform: Protecting Children or Policing the Poor?” state, “If social justice and equity are goals, then child protection and its supporting apparatus must go beyond parental responsibility and deal with social and economic inequalities” (2004:16).

What does being at “risk” of neglecting a child’s needs look like? What constitutes “adequate” care? Left undefined within the legislation, the subjective interpretation of these constructs relies on the embedded dispositions of the front-line social worker, supervisor, and other professional gatekeepers within the field. With reference to what constitutes “adequate” mothering in Western society, it is argued (as discussed in Chapter One) that ideologies of intensive mothering have become adopted and normalized. Mothers involved with child welfare are therefore measured against ideological assumptions that mothering is “child-centred, expert-guided, emotionally absorbing, labour-intensive, and financially expensive” (Hays 2009:414).

The distance between marginalized mothers and the constructed norms and ideals surrounding mothering is significant. This distance, as will be discussed further in this chapter’s section concerning relations of power, involves access to both economic and social capital. Low economic capital for example, can prevent a mother from accessing nutritious food for packed school lunches, such as fruits and vegetables; which costs more than packaged snacks with high levels of sugar. What’s more, the preparation of fruits and vegetables for school lunches requires commitments of time and energy: washing, cutting, and packaging. Seasonally appropriate clothing such as snow pants, mittens, and rubber boots are expensive for many marginalized
mothers trying to cover the basic cost of shelter and food. Packed school lunches and seasonally appropriate clothing are mentioned here for a specific reason; both are highly visible and are surveilled within the classroom setting. This is significant, as teachers serve as one of the primary professionals reporting perceived “neglect” and “inadequate care” (Romagnoli and Wall 2012:286).

Furthermore, ideologies of intensive mothering require high degrees of social capital. With reference to Bourdieu, intensive mothering understands an availability of services to accrue or avail from “useful relationships,” impacting a mother’s positioning within the field (Bourdieu 1986:np). This can take the form of group membership for example, with playdates and support from other mothers, such as occasional child care and sharing resources such as baby clothes. Positive relationships with teachers outside the classroom is another example of the impact of social capital. A positive relationship with the school system is essential in accessing quality referrals and additional knowledge on how to navigate particular situations that may arise. This can include, for example, assistance with funding, and filling out forms, for extra help for a child experiencing learning difficulties or behaviour problems.

Access to social capital can be instrumental in accessing opportunities for social support. Maintaining a sustainable support network appears to be a significant barrier for mothers involved with child welfare (Brown 2006; Romagnoli and Wall 2012). The 2008 CIS report (referenced in Chapter Three) states that 39% of primary caregivers involved with Canadian child welfare are perceived to have few social supports (5). Combined with limited access to economic capital, marginalized mothers are more likely to experience difficulties in accessing existing social programs. Access to social capital is found to be extremely influential when mitigating involvement with child welfare services. For example, a police officer called to a
domestic violence incident in which the adults share group membership, may excuse the incident without formally reporting findings to child welfare. Situations may also avail where an investigated mother has access to legal services from a relative or friend. The resources that accompany this relationship may prove useful in avoiding determination of a substantiated case of child maltreatment.  

Reforms

The Child and Family Services Act was first implemented in 1985. Since then, reforms to the original Act have taken place periodically. According to the Ministry of Children and Youth Services (MCYS), the CFSA is to be reviewed every five years (Section 224 CFSA 1990). The reviews serve as “a way for the government to better understand how its laws, programs, and policies are experienced” (Ministry of Children and Youth Services 2015:1). It is argued however, that the need to “better understand” how the CFSA is experienced is overshadowed by the government’s need to “tighten up the law” and address internal problems (Swift and Parada 2004:3). In their discussion of Canadian child welfare reform, Swift and Parada argue, “Reviews describe mistakes, misjudgements, oversights, and uninformed practices by social workers, point to lax, vague, or misguided legislation, and identify communication problems within organizations” (2004:3). Mitigating state and organizational liability within public policy has become a priority within neoliberalism. The most current CFSA review published in April 2015, states that the outcomes of such reviews “will be taken into account” and considered when making future changes to legislation and policy (ibid.:6). The review predominately focuses on the “voices of children and youth,” and clearly positions them as the principal clients of child

26 Substantiated refers to a decision based on a “balance of evidence” that child maltreatment was perceived to be “at risk” of occurring or had been found to have occurred (CIS 2008:24).
welfare (ibid.:1). By solely emphasizing “how the Act could more broadly help improve outcomes for children and youth,” the review fails to position the voices and social contexts of caregivers as significant (ibid.). While the report claims to have collected a “diversity of voices and variety of perspectives” (ibid.), the voices and experiential knowledge of primary caregivers remain marginalized.

In 2000, significant amendments were made to the CFSA. Several key developments in the 1990s, including: high-profile inquests into the deaths of children either known or in the system, “widespread media coverage of child welfare issues,” as well as the increasing prominence of neo-liberal government agendas, resulted in reforms reflecting substantial ideological shifts within the field of child welfare (Cameron, Freymond, Cornfield, Palmer 2007; Swift and Parada 2004). This section examines three amendments made to the CFSA in 2000 that continue to have an impact on marginalized mothers: the expansion of the duty to report obligations to include public responsibility, the introduction of perceived “risk” of child maltreatment as grounds for state protection, and the classification of emotional harm as child maltreatment (which includes Exposure to Domestic Violence (EDV) as grounds for investigation). All three of these reforms reflect a neoliberal government’s objectives in reducing state responsibility, and positioning individual parents as culpable for their child’s well-being (ibid.:16).

Section 72 of the CFSA mandates that any person suspecting a child of being in need or at risk of needing state protection, must report their observations to the local Children’s Aid Society; this is referred to as “duty to report.” Failure to report a suspicion on reasonable grounds (Section 72 (4)(a) CFSA 1990) is an offence which carries a fine and/or imprisonment for up to two years (Section 72(6)(2) CFSA 1990). This extended duty to report expands on what was once solely the “duty” of professionals to include all members of the public. The expansion of
the obligation to report has increased surveillance of mothering: the duty to report serves as “an apparatus of [the] ongoing surveillance of families” (Swift and Parada 2004:13) Since its expansion, the number of reported observations has increased substantially (ibid.). Furthermore, the number of investigations resulting from unsubstantiated observations has also increased (CIS 2008; Swift and Callahan 2009). While not all investigations are substantiated, the effects of the increased surveillance on marginalized mothers is problematic.

When reports are made to Ontario Children’s Aid Societies, they are screened and recorded in computerized programs by intake protection workers. Numeric risk ratings are assigned to reported observations and intervention is determined based on the perceived severity and immediacy of the situation (Swift and Parada 2004:14). Reported observations reflecting concerns of “neglect” and “failure to provide adequate care” are more likely to relate to families living in poverty (ibid.). In this manner, “poverty rather than parental intentions” can be the cause of involvement (ibid.). Mothers struggling to perform or uphold dominant held ideologies are more likely surveilled; such mothers are perceived to be failing their children, and in need of ‘fixing’ (Reich 2005; Brown 2006). Moreover, when high risk ratings are assigned, the likelihood that files remain ‘in the system’ for continued observation are great (Swift and Parada 2004:14).

Alongside the duty to report reforms implemented in 2000, discourses of “risk” were also introduced into child welfare law. The focus on mitigating and managing the “risk” of child maltreatment came in response to the public scrutiny government agencies, including the CAS, experienced during high-profile child death inquests in the late 1990s (Cameron, Freymond, Cornfield et al. 2997; Swift and Parada 2004; Vandenbeld Giles 2012). It is argued that this introduction of “risk” within child welfare legislation, is more for the protection of child welfare
agency gatekeepers, and less for the protection of children and their families (ibid.). The introduction of risk reforms were also accompanied by an array of risk assessment tools including: the *Ontario Risk Assessment Model* (ORAM), *Ontario Child Protection Tools Manual*, *Child Protection Standards in Ontario*, and the *Ontario Child Welfare Eligibility Spectrum*. Presently, the *Child Protection Standards* and the *Ontario Child Welfare Eligibility Spectrum* are used by gatekeepers to assist in the assessment of clients. With the appointment of numeric scores and rankings, risk assessment tools are institutionally perceived to provide objective evidence that risk exists; masking the “worker’s subjective thoughts and judgements” (Swift and Callahan 2009:148).

For marginalized mothers, the introduction of perceived “risk” as grounds for child maltreatment is particularly significant. When we think of mothers being investigated due to reports of being “at risk” of maltreating their children, there tends to be a great distance between “those” mothers and “us.” White middle class women do not tend to believe that such a situation would ever happen to them, leaving the marginalized mother as the “other.” For example, those of us that have familiarity with the field of child welfare, realize the advantages of access to economic and social capital in negotiating the “system.” Furthermore, there is a swing away from generating empathy for the individual mother involved with child welfare, to an increased concern that her children need ‘saving.’ This disjuncture reflects the increasing neoliberal focus concerning the risks individual mothers pose, rather than the risks posed by poverty for example (Swift and Callahan 2009:149). It is easier to blame the individual mother’s “choices,” personal problems, and failures, than to address social inequalities. Swift and Callahan (2009) in their book “At Risk,” call for the *Child and Family Services Act* to include a wider social
responsibility, and highlight a need to address the social valuation of children and the family (16).

The last reform that will be discussed in relation to the impact on marginalized mothers, is the adoption of “emotional harm” as child maltreatment. While amendments to the legislature in 2000 do not specifically reference “Exposure to Domestic Violence” (EDV) as emotional harm, the risk assessment tools do. The 2008 Canadian Incidence Study of Reported Child Abuse and Neglect (CIS) documented 34% of all substantiated child welfare cases to be “exposure to domestic violence,” a rate shared with “neglect” as the largest categories of maltreatment (4). It is argued, that if EDV reflects a significant category of substantiated maltreatment, this category should be included and described within the CFSA. It is not enough for EDV to be classified as “emotional harm” within risk assessment tools alone. For this reason, women who report or seek refuge from domestic violence, are often surprised to discover that child welfare is notified and mandated to investigate (Hazen et al. 2007; Jenney et al. 2006; Swift and Callahan 2009).

As previously discussed in Chapter Three, EDV as emotional harm to children continues to have systematic consequences for women experiencing domestic assault (Hazen et. al. 2007; Jenney et. al. 2006; Swift and Callahan 2009; Swift and Parada 2004). Swift and Parada (2004) note, that “while this section appears genderless, it is generally mothers who feel the effects of it, since it is much more often they who are themselves at risk of physical harm from a partner and they who generally remain in charge of children at the point of separation” (12). Moreover, mothers experiencing marginalization are more likely to have a difficult time accessing support to leave an abusive situation. Many women face both financial and social strains in accessing

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27 See the Ontario Eligibility Spectrum for example.
help from domestic violence (Hazen et al. 2007; Jenney et al. 2006; Swift and Callahan 2009; Swift and Parada 2004). In Brown’s (2006) study involving interviews with women involved with Canadian child welfare, one participant comments how she approached child welfare for parenting help with her son’s aggressive behaviour (361). After her appeal for help, an investigation was started and identified the likelihood of domestic violence occurring within the home. Subsequently, the child was placed in foster care until the couple could repair their relationship in counselling, by their own means. Brown comments, “From the institutional perspective, the child needed to be protected until the parents learned to manage their frustration better. From the mother’s perspective, she needed specific skills to support her son but could not afford to acquire them” (2006:361). The participant’s situation in Brown’s study is not uncommon. Calling upon child welfare services for help does not come without its consequences, and mothers are increasingly becoming aware of this. Calls to Canadian child welfare services are on the decline from parents; most involvement is now prompted from investigations opened from information provided by the public and professionals. Caregivers feel that any admittance of struggle is perceived as failure, and the potential to have a surveilled file “in the system” is too great a risk, and may result in women losing custody of their children.

If domestic violence is so prevalent and correlated to substantial emotional harm in children, why is this systemic issue not reflected in the provision of social services? If more than one third of children in substantiated Canadian child welfare cases are witnessing domestic violence, and as a result being emotionally harmed to the degree that they need to be apprehended, why, as a society, are we not more collectively concerned? Furthermore, why are there more government-funded posters signaling pregnant women to abstain from alcohol for example, than there are those directing women to seek help from domestic violence? It is
apparent that domestic violence is a critical current issue facing Canadian families. This case study echoes the call from past sources (Hazen et al. 2007; Jenney et al. 2006; Swift and Callahan 2009) that something must be done. If EDV continues to be classified as child maltreatment, not only does it need to be implemented within the Act itself, but preventative and support services need to be accessible to all individuals involved. It is not enough to apprehend children, and leave mothers to their own limited means.

Legislative and policy reforms are necessary and serve a purpose. The Ministry of Children and Youth Services claims that the purpose of CFSA reviews are to better understand how the law is experienced and affects those they serve. Some of the suggested reforms within the 2015 review would benefit marginalized mothers, including the call for the modernization and clarification of language. Ultimately however, gatekeepers exercise the authority to reform. The reforms made in 2000 reflect neoliberal ideologies of individual responsibility, and distance the state and its governing agencies from public scrutiny. While a handful of legislative reforms occurred in 2006, it is the significant amendments in 2000 that continue to negatively impact marginalized mothers. Reforms to the CFSA need to occur more often to reflect the current experiences of those it serves.28

POWER

In this section, I bridge together the following elements of discussion presented thus far, to analyze relations of power within the intersecting fields of mothering and child welfare: ideologies of intensive mothering as they relate to manufactured ideals of the “good” mother, gendered care work, the experiences of marginalized mothers involved with child welfare,

28 Since 2006, significant reforms to the CFSA have not been made. In 2007, the Supreme Court of Canada reinstated the Child and Family Services Act as the governing legislature to be used by Children’s Aid Societies in Ontario.
elements of assimilation and control directed towards racialized populations, including Aboriginal mothers, vague policy language, and legislative reforms reflecting neoliberal agendas of risk management, surveillance, and individual responsibility.

Returning to the recent discussion of reforms to the *Child and Family Services Act*, Randi Cull highlights the degree to which legislation and policy reforms impact authority and practice:

In 2000, the Supreme Court of Canada ruled that child welfare agencies can apprehend a child in non-emergency situations, if it is believed that the child might be in danger. This ruling opens the door for “crystal ball” apprehensions; child welfare agents are provided the authority to “predict” whether abuse might occur. Onus placed on mother to provide evidence that the child is not in danger. With this court decision, the power differentials that exist between the state and clients of child protection services are magnified. The potential for child welfare agents to use this as a weapon against a parent is substantial (2006:150).

It is the existing power differentials between gatekeepers and mothers involved with child welfare that I wish to analyze in this section. Drawing upon McRobbie’s material feminism and with the application of a Bourdieusian framework, I address the following questions: What are the existing relations of power within the intersecting fields of mothering and child welfare? What role do gatekeepers (agents of the state) play in reproducing manufactured ideologies of the “bad” mother?

According to Bourdieu, all fields have an internally structured set of power relations (Jenkins 1992:85). Positions within each field “stand in relationships of domination, subordination, or equivalence (homology) to each other” (ibid.). Moreover, struggle within a given field occurs over access to the goods and resources which are at stake (ibid.). In his presentation and analysis of Bourdieu’s theories, Richard Jenkins highlights that for social science researchers, understanding the power relations within a given field, entails three distinct operations (ibid.:86). First, the overarching ‘field of power,’ referenced as politics (the dominant
field in society), must be understood as “it is the source of the hierarchical power relations which structure all other fields” (ibid.). Second, the ‘social topology’ or map of positions making up the field need to be analyzed (ibid.). The relationships between such positions provides context for understanding the existing competition, for the capital at stake, within the field (ibid.) And finally, the habitus’ of the “players” within the field must be analyzed (ibid.). This entails understanding the “interaction between habitus and the constraints and opportunities which are determined by the structure of the field” (ibid.). Throughout this section, these three operations will be addressed with concern to understanding how power relations impact manufactured ideologies of the “bad” mother within Ontario child welfare.

Female Individualization and Symbolic Violence

Within our Western neoliberal climate, the focus on individualization has also produced a specific focus on female individualization. By female individualization, I’m referring to McRobbie’s discussion of the post-feminist “spacial and temporal framing,” and reproduction, of the “female” habitus (McRobbie 2009:139). The habitus of the individual female, and their embedded dispositions, becomes the site of analysis within specific fields. In this case study, the habitus of the mother involved with child welfare is scrutinized as failing to fall-in-line with the dominant norms of the field. For McRobbie, female individualization involves “a process bringing into being new social divisions through the denigration of poor and disadvantaged women by means of symbolic violence” (ibid.:133). McRobbie re-casts Bourdieu’s concept of symbolic violence, “as a process which both forms and re-forms subjects in order that they can be brought into line with the needs of the dominant field” (ibid.:139). The individual female body then, becomes a site in which social re-ordering takes place (ibid.:134). By labelling an individual mother as “bad,” a mother that has “failed” to demonstrate or perform ideologies of
intensive mothering, the “bad mother” becomes a recognizable social type (ibid.). The label thus serves a convenient standard denoting social order. Further, the label of “bad” is categorized as “abject,” marking inadequacy towards the existing dominant social norms and demands of the field (ibid.:133).

Within this case study, the demands within the field of mothering are argued to be characterized by intensive mothering (Hays 1996; Hays 2009). Ideologies of intensive mothering require access to capital that is beyond, in most cases, what the habitus of the individual “bad” mother involved with child welfare is able to generate (McRobbie 2009:136). By establishing the norms of the field in terms of intensive mothering, it is argued, gatekeepers knowingly understand that some “players” will not be able to meet such standards. Furthermore, the dispositions and constraints of the individual mother’s habitus are then determined to be in need of change or adjustment (ibid.). The gendered habitus of the lower class mother then, thus becomes the site for understanding how “social inequalities are perpetuated as power relations directed directly at bodies and the ‘dispositions of individuals’” (McNay in McRobbie 2009:140).

Symbolic violence is evident in the expectation that women are to fulfill tenets of white, Eurocentric, middle-class versions of mothering. This is obvious in the state’s past and current treatment of Aboriginal mothers and their children in Canada. The Residential Schools Movement (1930-1996) and the Sixties Scoop (1960s) alone, highlight the ‘field of power’s’ authority in constructing classifications of “adequate” and “inadequate” mothering. By trying to “re-form subjects,” the state was instrumental in manufacturing ideologies that the Aboriginal mother, and Aboriginal way of life, was “unfit,” making their children in need of saving (Cull 2006; Swift and Callahan 2009; Waterfall 2003). It is argued, as presented in Chapter Three, that
the state’s manufactured stereotype of the “bad” Aboriginal mother, still persists today. In this regard, symbolic violence towards racialized populations is still prevalent. The current landscape depicting the overrepresentation of Aboriginal mothers and children involved with the Canadian child welfare system, is evidence that the Canadian child welfare system continues to serve as an instrumental element of assimilation and control (Cull 2006:144). Legislature reform and the resulting implications for social work practice, “have had and continue to have an instrumental role in creating and sustaining social, cultural, and economic inequalities in Canada, especially as they pertain to Aboriginal mothers” (Lessard in Cull 2006:148). Moreover, the focus on knowledge management, providing parenting and anger-management courses for mothers involved with child welfare for example, demonstrates symbolic violence through the expected reformation of subjects. Bourdieu notes, symbolic violence is “produced by indirect, cultural mechanisms rather than direct, coersive social control” (Jenkins 1992:104). The understanding, is that through the transmission of ‘expert’ knowledge, marginalized populations will be better able to understand what’s expected of them to avoid future involvement with the state. What’s clear however, is that with limited access to economic capital, marginalized mothers experience strain in achieving the goals of intensive mothering; knowledge transmission alone is insufficient. Furthermore, the “prioritization of financialization” within Canada’s neoliberal climate, does not promote and support material “handouts” to marginalized groups (Vandenbeld Giles 2012:113). McRobbie states that the discourses of neoliberalism involve a reduction in spending on social provisions, which “intensifies the difficulties” faced by marginalized women (2009:29). Social programming is continually being cut-back, with the onus placed on the individual for “reformation” by their own means (Brown 2006:354). With a neoliberal focus on female individualization, McRobbie notes that class differentiation is “played out around the
bodies of female victims” (2009:132). McRobbie provides the example of the young, single mother, perceived by the ‘field of power’ as a ‘mismanaged life,’ presumably “dependent on benefits” (2009:133-134). “As a seemingly recognizable social type it is assumed there must be many like her” (ibid.:134). In this way, McRobbie notes, social-reordering with relation to distinguishing class on the basis of labelling, takes place (ibid.).

**Maintaining Class Distinction**

What does the ‘topography’ of positions within the field of child welfare look like? How do such positions stand in relationship to one another? Mapping the “players”” positioning within the field reveals an internally structured set of power relations (Jenkins 1992:85). The field of Ontario child welfare encompasses an array of social positions. Gatekeepers, those with the assigned authority to determine who can be a legitimate player, occupy varying positions within the field. Gatekeepers within the Ontario child welfare system include: the Ministry of Child and Youth Services, policy makers, judges, lawyers, police officers, supervisors, and front-line social workers. What’s more, gatekeepers do not stand in a relationship of equivalence with one another. There presently exists a concerning disjoint between the Ministry of Child and Youth Services, as well as policy makers, and front-line social workers. While legislative reforms fail to incorporate the experiences of marginalized mothers, they also do a poor job at considering the role of front-line social workers who must implement legislation and policies. Brown notes, front-line social workers draw upon policy and protocols that are developed elsewhere (2006:356). The ongoing problems that social workers express including too many cases, the stress associated with decision making, and too few resources are not fully taken into account by gatekeepers in positions of domination.
What’s of imminent concern within this case study however, is the relationship between front-line social workers and marginalized mothers. As previously established, mothers involved with child welfare are more likely to be lower-class and of a racial minority (CIS 2008; Reich 2005; Swift and Callahan 2009; Vandenbeld Giles 2012). The social positioning of involved mothers is in subordination to front-line social workers. Moreover, as any child in need of protection is considered to be the client of child welfare, mothers are also perceived to be in subordination to their children. In this regard, within the field of Ontario child welfare, mothers stand subordinate to all other “players.” Melinda Vandenbeld Giles in her article “From “Need” to “Risk”: The Neoliberal Construction of the “Bad” Mother,” adds, “Since there are no services designated specifically for mothers who have had their children apprehended, these women are left with no social or financial support” (2012:129). When mothers involved with child welfare lose custody of their children, their legal identity as primary caregiver is removed by the courts (ibid.:125). This loss of role as primary caregiver often coincides with the loss of social services, including low-income housing and child-care benefits (ibid.129). Marginalized women should not be neglected when they are deemed “inadequate” to mother. It is imperative that social services be in place to uphold and support the entire family unit.

The closer (or relatively equivalent) the positions within a field, the more likely players have a shared habitus (Jenkins 1992:88). The habitus’ of authorized gatekeepers, and that of labelled “bad” mothers within the field of Ontario child welfare, differ significantly. Many gatekeepers, including front-line social workers, are socially positioned, at minimum, as middle-class. Middle-class gatekeepers have access to various capitals at stake within particular fields, including the field of mothering. Gatekeepers are most likely to prescribe to white, middle-class dominant-held ideologies of intensive mothering. This is obvious in their interpretation of
legislation, policies, and in turn, in their practice and interactions with marginalized mothers (Swift 1995; Swift and Callahan 2009). The authority delegated to gatekeepers, permits their knowledge to be classified as ‘expert;’ where the experiential knowledge of marginalized mothers is not recognized as having any value (Brown 2006:369). In comparison to gatekeepers within the field of Ontario child welfare, the habitus’ of labelled “bad” mothers is associated with poverty, racial discrimination, substance abuse, mental illness, abusive relationships, and a history of being in “state care” themselves (CIS 2008: Reich 2005; Swift and Callahan 2009; Vandenbeld Giles 2012).

The relationship between the positions within the field provide understanding for the existing competition of the capital at stake (Jenkins 1992:85). In her book The Aftermath of Feminism, McRobbie asks, in a competitive neoliberal order how do classes maintain their privilege? What “weapons” are at the disposal of the middle-class? (2009:125). Many front-line social workers in Ontario are white, middle-class, educated women. Moreover, many of these women are mothers themselves, participating in the same field of mothering they are policing. According to McRobbie, maintaining class distinction is an integral and key aspect of post-feminist neoliberalism (ibid.). Further, Bourdieu notes that players within the field are “concerned with the preservation or improvement of their positons” (Jenkins 1992:85). One “weapon” at the disposal of those in positions of domination is the “monopoly over technical and professional language” (McRobbie 2009:141). Those at the top of the hierarchy have the power to determine what constitutes child maltreatment. This is evident within Part III of the Child and Family Services Act (CFSA) discussed earlier in the chapter.

Another “weapon” at the disposal of middle-class gatekeepers is their assigned subjectivity in determining what constitutes “risk.” Alongside vague and ill-defined concepts, the
inclusion of “risk” management within the CFSA, has led to an increased reliance on gatekeeper subjectivity (Brown 2006; Cull 2006; Swift and Callahan 2009). Narratives of marginalized mothers reveal experienced stress with concern to inconsistency in gatekeeper decision making (Brown 2006:360). While risk management tools, such as the Ontario Child Welfare Eligibility Spectrum, are designed to provide greater consistency in determining what constitutes “risk,” the numerical attachments within the tools mask ongoing subjectivity (Swift and Callahan 2009:148). Moreover, the lack of transparency in the decision making process is also perceived as stressful (Swift and Callahan 2009:4-5). An economically and racially marginalized mother in Swift and Callahan’s research, “Lila,” investigated by Ontario welfare on accusations of “neglect,” fails to hear back from the assigned social worker after an investigation (ibid.:5). The mother assumes that reported observations were determined to be unsubstantiated, as it has been several months since the investigation took place. However, with no communication from the social worker or agency, she remains fearful that she is being surveilled, and that her case remains “in the system” (ibid.). Swift and Callahan comment on the situation,

There certainly is no level playing field [within child welfare] . . . We knew that a complex set of power relations associated with risk assessment allowed the social worker to enter Lila’s home, ask questions, and to fill out forms in ways unrevealed to Lila. Lila’s frustration and concern about the social worker’s visit reflect her powerless position in relation to the institutions that affect her life. She has been told little or nothing about the status of her ‘case,’ and she is in no position to ask, since she fears that asking might trigger more investigation (2009:4-5).

The inclusion of risk and risk management within the field of child welfare, has created further divides between marginalized mothers and child protection workers. Risk assessment serves as a “weapon” at the disposal of middle-class gatekeepers.
Within the field of Ontario child welfare, there exists significant distance and class distinction between “players.” The lack of shared positioning and habitus between gatekeepers and involved mothers produces class antagonism (McRobbie 2009:131). This class antagonism is evident in the successful schema to classify and label mothers struggling to uphold dominant-held ideologies of intensive mothering as “bad” and “inadequate.” Manufacturing “bad” mothers as “others” reflects class differentiation, and ongoing relations of domination and subordination within the field. Those in positions of dominance exert the authority to subjectively determine what constitutes “risk,” and subsequently with ill-defined terms, within legislature and policy, what constitutes child maltreatment. When gatekeepers perceive the individual “bad” mother involved with child welfare as a series of poor choices, rather than seeking to understand their marginalized social context, systematic issues of experienced poverty and substance abuse, for example, fail to be addressed.

**PRECEDENCE**

To varying degrees, and with varying historical, geographical, and cultural contexts, the marginalization of mothers persist across the globe. While Canada is often described as a remarkably developed nation in terms of universal education and health care, in comparison to some of its European counterparts, it is missing the mark in its provision of social services. As a nation, Canada is falling behind in providing social programming that supports all its citizens, specifically those in marginalized populations (Brown 2006; Walmsley and Tessier 2015). While Bourdieu calls social science researchers to challenge the doxa (taken-for-granted elements) of fields, it is also of significance, that suggestions for future directives and improvements be made.

According to the annual *Save the Children’s* “State of the World’s Mothers” report, Finland is setting global precedence in their valuation of mothering. Over the past five years,
Finland has consecutively ranked within the top 10 countries in the world to be a mother (in 2013 and 2014 Finland ranked number one, and in 2015’s report they ranked second) (Save the Children Federation 2015:10). In comparison, Canada has ranked in and around the 19th and 20th position over the past five years, in 2015 ranking 20th (ibid.:11). The rankings within the report are based on a combination of the status of the following social factors: maternal health, children’s well-being, educational status, economic status, and political status (ibid.:13). While the rankings do not specifically address the status of national child welfare systems, the valuation of mothering, gender equality, and care work is included.

Given the opportunity to travel to the University of Jyväskylä, Finland, this section presents a brief comparison of the Ontario child welfare system highlighted thus far, and the Finnish family service model. The following discussion reveals ideological differences in the provision of social services including the role of government, the role of the family, and preventative and protective services. While the Finnish system is not without their own internal areas of concern, they continue to serve as a key player in setting global standards for state-supported social services for families with children.

**Collective Responsibility and Preventative Social Services**

In Canada, neoliberal ideologies play an instrumental role in shaping the provision of social services available to marginalized mothers, and more broadly the family. Both the federal

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29 Lifetime risk of maternal death (Save the Children Federation 2015:13).
30 Under 5yrs old mortality rate (ibid.).
31 Expected number of years of formal education (ibid.).
32 Gross national income per capita (ibid.).
33 Participation of women in national government (ibid.).
34 For more information see: Forsberg and Kröger 2010; Forsberg and Ritala-Koskinen 2010; Kuronen and Lahtinen 2010.
and provincial governments continue to minimize their role of responsibility in assisting families with care work (Vandenbeld Giles 2012; Walmsley and Tessier 2015). Caregivers in Canada are increasingly finding themselves culpable for their children’s well-being. Moreover with the implementation of “risk” reforms with the *Child and Family Services Act* in 2000, parents in Ontario, in addition to being increasingly culpable for their children’s well-being, are also considered potential “risk” factors in their children’s lives (Brown 2006; Romagnoli and Wall 2012). The relationship between the state and parents is swiftly being characterized as one of conflict.

Under the guise of austerity measures, both federal and provincial neoliberal governments are cutting back spending in their delivery of social services (Vandenbeld Giles 2012:117). The results of such cut-backs have a significant impact on already marginalized populations, including those experiencing poverty. In Ontario, families are increasingly left to their own means to source quality child care, affordable housing, nutritious food, counselling services, and so on, from private markets (Walmsley and Tessier 2015:33). When sourcing services from private markets, social class and access to material wealth influences the quality and variety of services available. Meanwhile, the standards of caregiving expected from parents are increasing, as evidenced in the narrowing construction of the “good” mother (Ladd-Taylor and Umansky 1998:5). The state is instrumental in perpetuating manufactured tenets of intensive mothering, all the while unwilling to provide “adequate” social support to ensure all mothers have equal opportunity to access the capital at stake. An example of this, is the surveillance of student lunches within the classroom discussed earlier. With mandated “duty to report” provisions, teachers are vigilant in checking students’ lunches for nutritional value. It is not uncommon, for students living in poverty to bring, as an example, pop, sugary snacks, and
packaged foods. Fresh fruit, vegetables, cheeses, meat, and “peanut-free” lunch items, all items correlated with a nutritious lunch, are financially expensive. On the other hand, sugary items and packaged foods are not only readily available, but often the least expensive. How are marginalized mothers expected to live up to dominant ideologies, when structural constraints including poverty, prevent them from doing so?

Similar to other Nordic countries, Finland is setting precedence in their provision of a wide array of family social services (Forsberg and Kroger 2010; Walmsley and Tessier 2015). The first fundamental ideological difference in the delivery of social programming in Finland, is the government’s role as an active partner with families in raising children (Blomberg, Corander, Kroll, et al. 2010; Bjork and Kroger 2010; Walmsley and Tessier 2015). In Finland, there is an obvious collective responsibility in child rearing (ibid.). While Finland has high rates of taxation, there remains strong support for the broad range of available social programming (Walmsley and Tessier 2015:30). Examples of social programs include: an extensive public daycare system, free substantial hot lunches for students in all elementary and secondary schools, specific provisions for ‘father only’ parental leave, universal health care, a right to housing (“municipalities are required to provide housing to all”), treatment centres, and the world renowned Finnish Baby Box35 (ibid.:30-33).

In Finland, the government’s role of providing social programming, and partnership in care work, as well as their commitment to full-time employment and gender inequality is viewed positively by citizens (Walmsley and Tessier 2015:30). Moreover, in comparison to the

35 The Finnish Baby Box is a program provided by the state since 1938 that provides expecting mothers with a cardboard box full of baby supplies. The box includes: diapers, clothing, outdoor gear, books, towels, and so on. What’s more, the box itself can be converted into a little bed with the provided mattress. Expectant mothers can also opt for a cash grant (approx. 140 Euros) if the box is not wanted, however 95% of Finnish mothers opt to receive the box (Walmsley and Tessier 2015:32).
‘pendulum’ swing evidenced in provincial child welfare policy in Canada, a swing based on either a focus on the child or a focus on the family, the Finnish child welfare system adopts an integrated model of both a focus on the child and the family (ibid.). In their research trip to three Nordic countries in 2014, including Finland, Walmsley and Tessier from Thompson River University in British Columbia, Canada, explored differences between provincial child welfare models in Canada, and Nordic family service models. In their article “A Comparison of Nordic and Canadian Approaches” they state that in the Nordic countries, “[A] ‘family-focused’ approach co-exists with a ‘child-centredness’ principle within a framework of children’s rights” (2015:31). In Finland, family work is an integrated social service provided within the framework of the public child welfare system (Blomberg, Corander, Kroll, et al, 2010; Forsberg and Kroger 2010; Kuronen and Lahtinen 2010). This integrated model is characterized by a range of universal social welfare programs, including a focus on preventative social services (ibid.).

In addition to the ideology of collective responsibility within the Finnish social system, there also exists a focus on preventative social services. While protective services are still in place, the focus on preventative services delivered at the municipal level, is a practical approach to meeting the needs of the entire family (Forsberg and Kroger 2010; Bjork and Kroger 2010). This family service model seeks to address concerns before crises occur. In their article “Supporting Families: The Role of Family Work in Child Welfare,” Kuronen and Lahtinen highlight, “In Finland, and in other Nordic countries, extensive support for families and children is prioritized against more controlling measures, and state intervention is seen more as services and support than control and surveillance” (2010:69). The focus on preventative services in the Finnish model, is found to be in “sharp contrast to the legal-judicial model of child welfare common in Anglo-American countries” (Walmsley and Tessier 2015:30). In the legal-judicial
model of child welfare, social workers investigate and respond to claims of child maltreatment, “gathering evidence about neglect and abuse” for potential presentation in front of the courts (ibid.:30-31). “It is no longer necessary to demonstrate efforts to work with the family before proceeding to court” (Swift and Parada 2004:6). In the legal-judicial model, the child is considered the primary client, with decisions surrounding the need for state protection. In response to revised legislation, Swift and Parada highlight, “the principal of supporting the family unit is now considered secondary to the safety and protection of the child” (2004:6). In contrast, the Finnish family services model understands all members of the family to be clients of an integrated social welfare system. In this way, the needs of the entire family are addressed, and supports are provided accordingly. Examples of family supports include: professional help at home, practical assistance with child rearing and daily activities such as grocery shopping, maternity and childcare clinics, support groups, counselling and addiction services, and financial aid including home care allowances and transfer payments36 (Bjork and Kroger 2010; Forsberg and Kroger 2010; Kuronen and Lahtinen 2010).

There also exists a significant difference in the approach of seeking help. In the Ontario system, there is a tendency to avoid admitting struggle, as struggle is viewed as a fault and potential “inadequacy,” and is likely to prompt investigation (Brown 2006:358). There currently exists little room within the Ontario child welfare system to voice distress and need without negative consequences. In Brown’s research with marginalized mothers in the Canadian child welfare system, she comments,

36 Home care allowances refer to the cash allowances given to families for the daily care of young children. “In Finland, parents of children under three have been entitled to payments since 1985 if their child is not enrolled in public daycare” (Bjork and Kroger 2010:24). Transfer payments refer to payments provided to families living below the poverty line. Together with child allowances, transfer payments provided by the state are designed to move families above the poverty line to increase their standards of living (ibid.:19).
Sadly, the accounts of many of these women suggest that the need for intrusive measure could have been avoided if their requests for help had been answered sooner. Instead, once they had the label “bad mother,” their reduced credibility as experienced caregivers limited their ability to advocate on their children’s behalf. Mothers felt alienated from an unsupportive system rather than integrated into a responsive community (2006:369).

While a few women in Brown’s study contacted child welfare services themselves, most do not. The majority of contact takes place against the will of the caregiver, after reported surveillance triggers investigation. In comparison, 38% of the time, caregivers in Finland are the ones to initiate contact with their local social welfare system (Walmsley and Tessier 2015:32). In this way, Walmsley and Tessier note, the integrated family work and child welfare model asks, “What do you need?” (2015:32). What’s more, Finnish family workers and social workers are most likely to deliver services within the family home, providing service and help where required. It is not uncommon for Finnish family workers to work with one family several times a week.

In the 2015 Review of the Child and Family Services Act, two “overarching” themes for suggested reform emerge as relevant to this discussion: the need to focus on “Prevention and Support” and “Access to Services and Supports” (Ministry of Child and Youth Services 2015). These themes call for an emphasis on “prevention and support before resorting to more intensive intervention – or protection – based approaches” and the importance of “equitable access to high-quality, culturally appropriate and community-based services” (ibid.). Within the Ontario child welfare system, there is a clear need for quality, preventative social services. In order to make such changes however, an ideological shift must be made. In an age of austerity, within the framework of neoliberalism, cut-backs to social services are significantly effecting marginalized populations, this includes mothers involved with child welfare. Progressive reformation within
the Ontario child welfare system requires more than a legislative reform every ten years; significant change requires an ideological shift in the provision of social services and the valuation of all citizens, including marginalized mothers. While the Finnish social welfare system need not be romanticized, it is evident that the Finns are global leaders in their valuation of care work and universal access to quality services. They view child rearing as a collective responsibility and ensure the delivery of quality preventative services in efforts of minimizing state apprehensions.

**SUMMARY**

This chapter examines how ideologies of the “bad” mother are constructed within Ontario child welfare through the analysis of policy language and reforms, and existing relations of power. This section of the case study specifically examines Part III of the *Child and Family Services Act* within the context of the Ontario child welfare system. Within the CFSA, the construction of vague language, including “neglect” and “inadequate care” allows for a high degree of gatekeeper subjective determination. When the construction of language is ambiguous, the reliance on subjective interpretation is greater. Moreover, categorizing both terms, “failing to adequately care for” and “neglect” as child maltreatment (referenced in Section 37(2)(a)(b) of the CFSA), ignores the impact of poverty. Defining “neglect” from an institutional perspective ignores the experiential knowledge of mothers and their experiences in performing care work. Further, the gendered nature of the term “parent” is also of concern within the CFSA. Positioning the “child’s mother” first, as the expected caregiver under scrutiny, reflects cultural assumptions that women are the primary participants in child rearing, and fails to advance gender equality and family diversity in this regard.
While legislative and policy reforms are necessary, the analysis in this chapter reveals that reforms often occur in response to government and agency scrutiny, and reflect neoliberal ideologies of mitigating state responsibility within public policy. Significant reforms occurring in 2000, including expanded “duty to report” mandates, “emotional harm” as child maltreatment, and the perceived “risk” of child maltreatment as grounds for state protection, continue to have a negative impact on marginalized mothers. All three of the reforms highlighted position individual parents as culpable for their children’s well-being. Moreover, the focus on “risk” management within Ontario child welfare has produced an increasing concern that caregivers are to be considered risk factors in their children’s lives.

This chapter also addresses relations of power within the field of Ontario child welfare, and the impact such relations have on manufacturing ideologies of the “bad” mother. Using McRobbie’s material post-feminist lens, and the theories and methodological framework of Bourdieu, the relations of power within the field reveal mostly relationships of domination and subordination, and a lack of shared habitus between gatekeepers and marginalized mothers. It is argued, that the distance in positioning within the field creates class antagonism, as front-line social workers increasing use professional language and risk assessment tools as “weapons” in the process of symbolic violence.

Finally, the last section of the chapter outlines two key ideological differences between the Ontario child welfare system and the Finnish family service model: collective responsibility and a focus on preventative services. Recognized as setting global precedence in their valuation of mothering, Finland provides both quality, and a variety, of social programing available to all its citizens. Compared to Ontario, the Finnish family service model focuses on both the child and the family, providing family work services within the public child welfare system framework.
Chapter 5: Concluding Remarks

It is essential that we understand that child and family welfare systems manifest preferences about the complex representations of the relationships among state, community, family, and children. Child and family welfare mirrors these relationships, which are rooted in the historical, economic, and cultural underpinnings of society.

- Cameron, Freymond, Cornfield, and Palmer [2007:30]

Research pertaining to mothers involved with Canadian child welfare is limited. Meanwhile, what’s apparent in many of the sources I have drawn from, is the stated discretionary clause that truly “bad” mothers exist; with such research acknowledging that they do not “defend” these women. Referring to what this case study categorizes as “monstrous mothers,” this encompasses mostly mothers who severely abuse and neglect their children. While this research does not take a position of condoning the actions of these women, I have struggled with whether my thesis should make the same clause. Do truly “bad” mothers exist? With a heart for caring and working with children, it’s certainly not my lack of empathy for them as victims of such circumstances. I believe however, my struggle over whether to include such a clause, stems from my growing understanding of the influence social context and existing constraints have on the generation (and regeneration) of individual behaviour.

In Chapter One, I referenced Randal Johnson, who provided the introduction to Pierre Bourdieu’s work, *The Field of Cultural Production*, as stating “it is up to the analyst to establish through research what the specific interests of the field are and what strategies of accumulation (which may or may not be based on conscious calculation) are employed by the agents involved” (1993:8). As the “analyst” in this research, the specific interests of the field, as well as the strategies of accumulation, have been presented as class and racially biased, reflecting
normalized tenets of what sociologist Sharon Hays terms intensive mothering. While this case study has not provided an all-encompassing portrayal of mothers involved with the Ontario child welfare system, it has provided a glimpse into the social contexts in which many marginalized women navigate life for both themselves and their children. It has been my aim throughout this case study to ensure I not only challenge white middle-class standards of mothering but reveal how marginalized women are adversely affect by normalized dominant ideologies of “good” mothering.

Future directives for research in the intersecting fields of mothering and child welfare call for a focus on understanding how domestic violence is played out in the family structure, including research on necessary preventative and support services. While narratives of involved mothers prove challenging because of access, it is critical that the voices of marginalized mother be heard and relayed. Furthermore, having worked in the field of child welfare, observing intergenerational involvement, research in this area would prove beneficial in understanding and breaking generational cycles. After applying Bourdieu’s theories and conceptual tools to this project, I believe the same application could offer incredible insight into intergenerational involvement, providing an intricate balance of the psychosocial through his concepts of dispositions and habitus.

Finally, my research in Finland has removed me from my small geographical space in southeastern Ontario, and has allowed me the opportunity to understand how another culture perceives and values mothering. As discussed in the latter part of Chapter Four, the valuation of mothering and care work in Finland is evident in their provision of social services to both children and their families. While brief, my experiences in Finland have unveiled the impact embedded ideologies, held by both the state and its citizens, have on the quality and quantity of
social services. With this understanding, I have a renewed perspective on how ideologies are maintained and perpetuated. Under the guise of austerity measures and neoliberal agendas in Canada, social services are continually being trimmed back, and the impact of this on marginalized populations is of deep concern. The social construction of the dichotomy, stereotype, and label “bad” mother, as it pertains to marginalized populations, serves as a scapegoat for unresolved systematic social problems.
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Appendix A

Child and Family Services Act
R.S.O. 1990, CHAPTER C.11

PART III
CHILD PROTECTION

Section 37
Interpretation

37. (1) In this Part,

“child” does not include a child as defined in subsection 3 (1) who is actually or apparently sixteen years of age or older, unless the child is the subject of an order under this Part; (“enfant”)

“child protection worker” means a Director, a local director or a person authorized by a Director or local director for the purposes of section 40 (commencing child protection proceedings); (“préposé à la protection de l’enfance”)

“parent”, when used in reference to a child, means each of,

(a) the child’s mother,

(b) an individual described in one of paragraphs 1 to 6 of subsection 8 (1) of the Children’s Law Reform Act, unless it is proved on a balance of probabilities that he is not the child’s natural father,

(c) the individual having lawful custody of the child,

(d) an individual who, during the twelve months before intervention under this Part, has demonstrated a settled intention to treat the child as a child of his or her family, or has acknowledged parentage of the child and provided for the child’s support,

(e) an individual who, under a written agreement or a court order, is required to provide for the child, has custody of the child or has a right of access to the child, and

(f) an individual who has acknowledged parentage of the child in writing under section 12 of the Children’s Law Reform Act,

but does not include a foster parent; (“père ou mère”)

“place of safety” means a foster home, a hospital, a person’s home that satisfies the requirements of subsection (5) or a place or one of a class of places designated as a place of safety by a Director or local director under section 18, but does not include,

(a) a place of secure custody as defined in Part IV, or

(b) a place of secure temporary detention as defined in Part IV. (“lieu sûr”) R.S.O. 1990, c. C.11, s. 37 (1); 2006, c. 19, Sched. D, s. 2 (5); 2006, c. 5, s. 6 (1, 2).

Child in need of protection

(2) A child is in need of protection where,

(a) the child has suffered physical harm, inflicted by the person having charge of the child or caused by or resulting from that person’s,

(i) failure to adequately care for, provide for, supervise or protect the child, or

(ii) pattern of neglect in caring for, providing for, supervising or protecting the child;

(b) there is a risk that the child is likely to suffer physical harm inflicted by the person having charge of the child or caused by or resulting from that person’s,

(i) failure to adequately care for, provide for, supervise or protect the child, or

(ii) pattern of neglect in caring for, providing for, supervising or protecting the child;

(c) the child has been sexually molested or sexually exploited, by the person having charge of the child or by another person where the person having charge of the child knows or should know of the possibility of sexual molestation or sexual exploitation and fails to protect the child;
Note: On a day to be named by proclamation of the Lieutenant Governor, clause (c) is repealed by the Statutes of Ontario, 2008, chapter 21, section 2 and the following substituted:

(c) the child has been sexually molested or sexually exploited, including by child pornography, by the person having charge of the child or by another person where the person having charge of the child knows or should know of the possibility of sexual molestation or sexual exploitation and fails to protect the child;

See: 2008, c. 21, ss. 2, 6.

(d) there is a risk that the child is likely to be sexually molested or sexually exploited as described in clause (c);

(e) the child requires medical treatment to cure, prevent or alleviate physical harm or suffering and the child’s parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, the treatment;

(f) the child has suffered emotional harm, demonstrated by serious,

(i) anxiety,

(ii) depression,

(iii) withdrawal,

(iv) self-destructive or aggressive behaviour, or

(v) delayed development,

and there are reasonable grounds to believe that the emotional harm suffered by the child results from the actions, failure to act or pattern of neglect on the part of the child’s parent or the person having charge of the child;

(f.1) the child has suffered emotional harm of the kind described in subclause (f) (i), (ii), (iii), (iv) or (v) and the child’s parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, services or treatment to remedy or alleviate the harm;

(g) there is a risk that the child is likely to suffer emotional harm of the kind described in subclause (f) (i), (ii), (iii), (iv) or (v) resulting from the actions, failure to act or pattern of neglect on the part of the child’s parent or the person having charge of the child;

(g.1) there is a risk that the child is likely to suffer emotional harm of the kind described in subclause (f) (i), (ii), (iii), (iv) or (v) and that the child’s parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, services or treatment to prevent the harm;

(h) the child suffers from a mental, emotional or developmental condition that, if not remedied, could seriously impair the child’s development and the child’s parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, treatment to remedy or alleviate the condition;

(i) the child has been abandoned, the child’s parent has died or is unavailable to exercise his or her custodial rights over the child and has not made adequate provision for the child’s care and custody, or the child is in a residential placement and the parent refuses or is unable or unwilling to resume the child’s care and custody;

(j) the child is less than twelve years old and has killed or seriously injured another person or caused serious damage to another person’s property, services or treatment are necessary to prevent a recurrence and the child’s parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, those services or treatment;

(k) the child is less than twelve years old and has on more than one occasion injured another person or caused serious loss or damage to another person’s property, with the encouragement of the person having charge of the child or because of that person’s failure or inability to supervise the child adequately; or

(l) the child’s parent is unable to care for the child and the child is brought before the court with the parent’s consent and, where the child is twelve years of age or older, with the child’s consent, to be dealt with under this Part. R.S.O. 1990, c. C.11, s. 37 (2); 1999, c. 2, s. 9.

Best interests of child

3) Where a person is directed in this Part to make an order or determination in the best interests of a child, the person shall take into consideration those of the following circumstances of the case that he or she considers relevant:

1. The child’s physical, mental and emotional needs, and the appropriate care or treatment to meet those needs.
2. The child’s physical, mental and emotional level of development.
3. The child’s cultural background.
4. The religious faith, if any, in which the child is being raised.
5. The importance for the child’s development of a positive relationship with a parent and a secure place as a member of a family.
6. The child’s relationships and emotional ties to a parent, sibling, relative, other member of the child’s extended family or member of the child’s community.
7. The importance of continuity in the child’s care and the possible effect on the child of disruption of that continuity.
8. The merits of a plan for the child’s care proposed by a society, including a proposal that the child be placed for adoption or adopted, compared with the merits of the child remaining with or returning to a parent.
9. The child’s views and wishes, if they can be reasonably ascertained.
10. The effects on the child of delay in the disposition of the case.
11. The risk that the child may suffer harm through being removed from, kept away from, returned to or allowed to remain in the care of a parent.
12. The degree of risk, if any, that justified the finding that the child is in need of protection.
13. Any other relevant circumstance. R.S.O. 1990, c. C.11, s. 37 (3); 2006, c. 5, s. 6 (3).

Where child an Indian or native person

(4) Where a person is directed in this Part to make an order or determination in the best interests of a child and the child is an Indian or native person, the person shall take into consideration the importance, in recognition of the uniqueness of Indian and native culture, heritage and traditions, of preserving the child’s cultural identity. R.S.O. 1990, c. C.11, s. 37 (4).

Place of safety

(5) For the purposes of the definition of “place of safety” in subsection (1), a person’s home is a place of safety for a child if,

(a) the person is a relative of the child or a member of the child’s extended family or community; and

(b) a society or, in the case of a child who is an Indian or native person, an Indian or native child and family service authority designated under section 211 of Part X has conducted an assessment of the person’s home in accordance with the prescribed procedures and is satisfied that the person is willing and able to provide a safe home environment for the child. 2006, c. 5, s. 6 (4).

Note: Despite the proclamation of the Statutes of Ontario, 1999, chapter 2, section 9, section 37 of this Act, as it read before March 31, 2000, continues to apply with respect to any proceeding under Part III, including a status review proceeding, that was commenced before March 31, 2000. See: 1999, c. 2, ss. 37 (5), 38.

Section 72

DUTY TO REPORT

Duty to report child in need of protection

72. (1) Despite the provisions of any other Act, if a person, including a person who performs professional or official duties with respect to children, has reasonable grounds to suspect one of the following, the person shall forthwith report the suspicion and the information on which it is based to a society:

1. The child has suffered physical harm, inflicted by the person having charge of the child or caused by or resulting from that person’s,
   i. failure to adequately care for, provide for, supervise or protect the child, or
   ii. pattern of neglect in caring for, providing for, supervising or protecting the child.
2. There is a risk that the child is likely to suffer physical harm inflicted by the person having charge of the child or caused by or resulting from that person’s,
i. failure to adequately care for, provide for, supervise or protect the child, or
ii. pattern of neglect in caring for, providing for, supervising or protecting the child.

3. The child has been sexually molested or sexually exploited, by the person having charge of the child or by another person where the person having charge of the child knows or should know of the possibility of sexual molestation or sexual exploitation and fails to protect the child.

**Note:** On a day to be named by proclamation of the Lieutenant Governor, paragraph 3 is repealed by the Statutes of Ontario, 2008, chapter 21, subsection 3 (1) and the following substituted:

3. The child has been sexually molested or sexually exploited, including by child pornography, by the person having charge of the child or by another person where the person having charge of the child knows or should know of the possibility of sexual molestation or sexual exploitation and fails to protect the child.

See: 2008, c. 21, ss. 3 (1), 6.

4. There is a risk that the child is likely to be sexually molested or sexually exploited as described in paragraph 3.

5. The child requires medical treatment to cure, prevent or alleviate physical harm or suffering and the child’s parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, the treatment.

6. The child has suffered emotional harm, demonstrated by serious,
   i. anxiety,
   ii. depression,
   iii. withdrawal,
   iv. self-destructive or aggressive behaviour, or
   v. delayed development,

and there are reasonable grounds to believe that the emotional harm suffered by the child results from the actions, failure to act or pattern of neglect on the part of the child’s parent or the person having charge of the child.

7. The child has suffered emotional harm of the kind described in subparagraph i, ii, iii, iv or v of paragraph 6 and the child’s parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, services or treatment to remedy or alleviate the harm.

8. There is a risk that the child is likely to suffer emotional harm of the kind described in subparagraph i, ii, iii, iv or v of paragraph 6 resulting from the actions, failure to act or pattern of neglect on the part of the child’s parent or the person having charge of the child.

9. There is a risk that the child is likely to suffer emotional harm of the kind described in subparagraph i, ii, iii, iv or v of paragraph 6 and that the child’s parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, services or treatment to prevent the harm.

10. The child suffers from a mental, emotional or developmental condition that, if not remedied, could seriously impair the child’s development and the child’s parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, treatment to remedy or alleviate the condition.

11. The child has been abandoned, the child’s parent has died or is unavailable to exercise his or her custodial rights over the child and has not made adequate provision for the child’s care and custody, or the child is in a residential placement and the parent refuses or is unable or unwilling to resume the child’s care and custody.

12. The child is less than 12 years old and has killed or seriously injured another person or caused serious damage to another person’s property, services or treatment are necessary to prevent a recurrence and the child’s parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, those services or treatment.

13. The child is less than 12 years old and has on more than one occasion injured another person or caused loss or damage to another person’s property, with the encouragement of the person having charge of the child or because of that person’s failure or inability to supervise the child adequately. 1999, c. 2, s. 22 (1).

**Note:** On a day to be named by proclamation of the Lieutenant Governor, section 72 is amended by the Statutes of Ontario, 2008, chapter 21, subsection 3 (2) by adding the following subsections:

**Reporting child pornography**
In addition to the duty to report under subsection (1), any person who reasonably believes that a representation or material is, or might be, child pornography shall promptly report the information to an organization, agency or person designated by a regulation made under clause 216 (c.3). 2008, c. 21, s. 3 (2).

Seeking out child pornography not required or authorized

(1.2) Nothing in this section requires or authorizes a person to seek out child pornography. 2008, c. 21, s. 3 (2).

Protection of informant

(1.3) No action lies against a person for providing information in good faith in compliance with subsection (1.1). 2008, c. 21, s. 3 (2).

Identity of informant

(1.4) Except as required or permitted in the course of a judicial proceeding, in the context of the provision of child welfare services, otherwise by law or with the written consent of an informant, no person shall disclose,

(a) the identity of an informant under subsection (1) or (1.1),
   (i) to the family of the child reported to be in need of protection, or
   (ii) to the person who is believed to have caused the child to be in need of protection; or
(b) the identity of an informant under subsection (1.1) to the person who possessed or accessed the representation or material that is or might be child pornography. 2008, c. 21, s. 3 (2).

Retaliation against informant prohibited

(1.5) No person shall dismiss, suspend, demote, discipline, harass, interfere with or otherwise disadvantage an informant under this section. 2008, c. 21, s. 3 (2).

Ongoing duty to report

(2) A person who has additional reasonable grounds to suspect one of the matters set out in subsection (1) shall make a further report under subsection (1) even if he or she has made previous reports with respect to the same child. 1999, c. 2, s. 22 (1).

Note: On a day to be named by proclamation of the Lieutenant Governor, subsection (2) is repealed by the Statutes of Ontario, 2008, chapter 21, subsection 3 (3) and the following substituted:

Ongoing duty to report

(2) A person who has additional reasonable grounds to suspect one of the matters set out in subsection (1) or to believe that a representation or material is, or might be, child pornography under subsection (1.1) shall make a further report under subsection (1) or (1.1) even if he or she has made previous reports with respect to the same child. 2008, c. 21, s. 3 (3).

See: 2008, c. 21, ss. 3 (3), 6.

Person must report directly

(3) A person who has a duty to report a matter under subsection (1) or (2) shall make the report directly to the society and shall not rely on any other person to report on his or her behalf. 1999, c. 2, s. 22 (1).

Note: On a day to be named by proclamation of the Lieutenant Governor, subsection (3) is repealed by the Statutes of Ontario, 2008, chapter 21, subsection 3 (3) and the following substituted:

Person to report directly

(3) A person who has a duty to report under subsection (1) or (2) shall make the report directly to the society, a person who has a duty to report under subsection (1.1) shall make the report directly to any organization, agency or person designated by regulation to receive such reports, and such persons shall not rely on any other person to report on their behalf. 2008, c. 21, s. 3 (3).

See: 2008, c. 21, ss. 3 (3), 6.

Offence

(4) A person referred to in subsection (5) is guilty of an offence if,

(a) he or she contravenes subsection (1) or (2) by not reporting a suspicion; and
(b) the information on which it was based was obtained in the course of his or her professional or official duties. 1999, c. 2, s. 22 (2).
Note: On a day to be named by proclamation of the Lieutenant Governor, section 72 is amended by the Statutes of Ontario, 2008, chapter 21, subsection 3 (4) by adding the following subsections:

Same

(4.1) A person is guilty of an offence if the person fails to report information as required under subsection (1.1). 2008, c. 21, s. 3 (4).

Same

(4.2) A person is guilty of an offence if the person,

(a) discloses the identity of an informant in contravention of subsection (1.4); or

(b) dismisses, suspends, demotes, disciplines, harasses, interferes with or otherwise disadvantages an informant in contravention of subsection (1.5). 2008, c. 21, s. 3 (4).

See: 2008, c. 21, ss. 3 (4), 6.

Same

(5) Subsection (4) applies to every person who performs professional or official duties with respect to children including,

(a) a health care professional, including a physician, nurse, dentist, pharmacist and psychologist;

(b) a teacher, person appointed to a position designated by a board of education as requiring an early childhood educator, school principal, social worker, family counsellor, operator or employee of a day nursery and youth and recreation worker;

(b.1) a religious official, including a priest, a rabbi and a member of the clergy;

(b.2) a mediator and an arbitrator;

(c) a peace officer and a coroner;

(d) a solicitor; and

(e) a service provider and an employee of a service provider. 1999, c. 2, s. 22 (3); 2006, c. 1, s. 2; 2010, c. 10, s. 23.

Same

(6) In clause (5) (b), “youth and recreation worker” does not include a volunteer. 1999, c. 2, s. 22 (3).

Same

(6.1) A director, officer or employee of a corporation who authorizes, permits or concurs in a contravention of an offence under subsection (4) by an employee of the corporation is guilty of an offence. 1999, c. 2, s. 22 (3).

Note: On a day to be named by proclamation of the Lieutenant Governor, subsection (6.1) is repealed by the Statutes of Ontario, 2008, chapter 21, subsection 3 (5) and the following substituted:

Same

(6.1) A director, officer or employee of a corporation who authorizes, permits or concurs in a contravention of an offence under subsection (4) or (4.1) by an employee of the corporation is guilty of an offence. 2008, c. 21, s. 3 (5).

See: 2008, c. 21, ss. 3 (5), 6.

Same

(6.2) A person convicted of an offence under subsection (4) or (6.1) is liable to a fine of not more than $1,000. 1999, c. 2, s. 22 (3).

Note: On a day to be named by proclamation of the Lieutenant Governor, subsection (6.2) is repealed by the Statutes of Ontario, 2008, chapter 21, subsection 3 (6) and the following substituted:

Penalty

(6.2) A person convicted of an offence under subsection (4), (4.1), (4.2) or (6.1) is liable to a fine of not more than $50,000 or to imprisonment for a term of not more than two years, or to both. 2008, c. 21, s. 3 (6).

See: 2008, c. 21, ss. 3 (6), 6.

Section overrides privilege
(7) This section applies although the information reported may be confidential or privileged, and no action for making the report shall be instituted against a person who acts in accordance with this section unless the person acts maliciously or without reasonable grounds for the suspicion. R.S.O. 1990, c. C.11, s. 72 (7); 1999, c. 2, s. 22 (4).

Exception: solicitor client privilege

(8) Nothing in this section abrogates any privilege that may exist between a solicitor and his or her client. R.S.O. 1990, c. C.11, s. 72 (8).

Conflict

(9) This section prevails despite anything in the Personal Health Information Protection Act, 2004. 2004, c. 3, Sched. A, s. 78 (2).

Note: On a day to be named by proclamation of the Lieutenant Governor, the Act is amended by the Statutes of Ontario, 2008, chapter 21, section 4 by adding the following section:

Action by organization receiving report of child pornography

72.0.1 (1) An organization, agency or person that obtains information on child pornography under subsection 72 (1.1) shall review the report and, if it reasonably believes that the representation or material is or might be child pornography, it shall report the matter to a society or a law enforcement agency, or to both as necessary. 2008, c. 21, s. 4.

Annual report

(2) The organization, agency or person shall prepare and submit to the Minister an annual report with respect to its activities and actions relating to information it obtains on child pornography, and the Minister shall submit the report to the Lieutenant Governor in Council and then table the report in the Assembly if it is in session or, if not, at the next session. 2008, c. 21, s. 4.

See: 2008, c. 21, ss. 4, 6.

Duty of society

72.1 (1) A society that obtains information that a child in its care and custody is or may be suffering or may have suffered abuse shall forthwith report the information to a Director. 1999, c. 2, s. 23 (1).

Definition

(2) In this section and sections 73 and 75, “to suffer abuse”, when used in reference to a child, means to be in need of protection within the meaning of clause 37 (2) (a), (c), (e), (f), (f.1) or (h). 1999, c. 2, s. 23 (1).

Duty to report child’s death

72.2 A person or society that obtains information that a child has died shall report the information to a coroner if,

(a) a court made an order under this Act denying access to the child by a parent of the child or making the access subject to supervision;

(b) on the application of a society, a court varied the order to grant the access or to make it no longer subject to supervision; and

(c) the child subsequently died as a result of a criminal act committed by a parent or family member who had custody or charge of the child at the time of the act. 2006, c. 24, s. 1.