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THE UN CONVENTION ON THE RIGHTS OF THE CHILD IS IMPLEMENTED (Part I)

It hasn't been ratified by the Senate. It isn't law. But it is being implemented in every Child Protective Services (CPS) agency nationwide.

The Convention on the Rights of the Child was adopted by the General Assembly of the United Nations on 20 November 1989. The United States is being criticized by children's rights groups for being one of only a few nations for not ratifying it.

England has ratified it. Now, the UN has been coming down on the UK for continuing to allow it's citizens to spank their children, demanding that spanking be outlawed. Is this what we want in the US?

Regardless of Senate ratification, we are unlawfully subjected to the mandates of the Convention by those agencies nearest and dearest to the hearts of parents, CPS.

For example: the Convention states “. . .the child should be fully prepared to live an individual life in society, and brought up in the spirit of the ideals proclaimed in the Charter of the United Nations, and in particular in the spirit of peace, dignity, tolerance, freedom, equality, and solidarity, . . .”

Does this mean that if our ideals as parents do not match the ideals of the Charter, then we, as parents are in violation of the Convention and could lose our children? And what is this line about solidarity? Solidarity with what belief or group? I'd venture a guess that this could change depending on whoever is in charge. I, for one, prefer rugged individualism.

Let's look at the articles of the Convention that are already implemented in our CPS agencies. Since the Convention has 54 articles, this topic will be addressed as a series of articles on this subject.

Article 2 gives the state's interests priority over the parents' rights. In practice, this is demonstrated by the state as they simply swoop in and take a child based on an anonymous report.

Article 3 (1) refers to the 'best interests of the child'. I keep asking all these child protection 'experts' what exactly are the 'best interests of the child?' I never get an answer. It can be, and it IS whatever the CPS caseworker tells the judge it is. The judge rubber stamps it. In one case, a girl was illegally removed from the home and the state provided this 15 year-old with an abortion against the parents wishes. In the same jurisdiction, at the same time, a caseworker removed a teenage girl from her parents on the grounds that they had taken her to get an abortion. Pardon my confusion, but which episode was performed in the best interests of the child?

Article 3 (2) requires the *state* to ensure the protection of the children with appropriate legislative and administrative measures. In practice, CPS agencies pay lip service to 'parents rights' as required by this article, but it is merely window dressing. Take the case where the Rodriguez children were removed from their home because their parents refused to put them on the dangerous drug, Ritalin. The state overruled the parents' rights to determine what medical treatment their children would receive.

Article 3 (3) establishes that the state provides adequate and proper institutional care for children. However, the state also gets to establish the proper care standards. Tell this to Cheryl

Barnes whose newborn son, Taler, was taken on false accusations and placed in a foster home where he was brutalized. He suffered broken ribs, broken hip, numerous bruises, lifelong brain damage due to shaken baby syndrome, and virtual blindness due to the foster parents gouging his eyes. This child was recently returned to his family at 19 months of age and weighing only 16 pounds. He arrived home severely malnourished and has gained 3 pounds in one week, now that he is being fed properly. Nobody has been held accountable for this institutional abuse, the agencies who provide it get to decide that Taler was not abused according to their standards. It is interesting to note that Taler was taken from his mother because she refused to apply for state Medicaid for him because she had private insurance.

Article 4 provides for the passage of laws and administrative procedures to protect children's rights. There is no provision for the rights of parents nor does this even recognize that most parents are devoted to protecting their children. This is exactly how it is being treated by CPS agencies in America. I have asked social workers two questions: 1) would you die for a child you are 'protecting' and 2) would you do your job for free? Parents will answer 'yes' to both questions. Social workers won't.

Article 5 mandates 'guidance' for parents and members of the extended community (the 'It takes a village (idiot) to raise a child' scheme) to help a child exercise his rights. Today, in public schools, children are being taught they have 'rights'. In our school district, CPS agents were in the school under the guise of the D.A.R.E. program, teaching that one of their rights was the right not to be spanked or punished. They handed out their business cards with the instruction for the children to call them if they were punished.

Article 7 requires children to be 'registered' and if this is not done, the state can step in and do it. Parents in America are being told they are not allowed to take their newborns home from the hospital if they don't get a social security number and a birth certificate for him. Consequently, many more parents are choosing home-births to forestall what they perceive to be a violation of their rights and the rights of their children. Registration reminds one of the line we always see in movies of World War II; where the Nazi soldiers demand 'your papers'.

Article 9 loftily says children shall not be removed from their parents, *except* by competent authorities subject to judicial review. They list reasons such as abuse or neglect, but fail to define either. Our CPS agencies have the same authority, and they can define abuse or neglect however they wish because there is no legal, age-appropriate definition of abuse. Be forewarned - spanking is often defined to be abuse.

Article 9 (3) says children have the right to maintain personal relations with their parents unless it is contrary to the child's best interests. In practice, let's look at the Miller family, whose children were removed when a judge (who has 4 arrests of his own for drunk driving and possession) put mom in jail on a 4 year old DWAI for 30 days. The children were placed in foster care, contrary to Federal mandates to place them with relatives. After mom was released, the children were not returned because mom refused to plead guilty to Dependency and Neglect (D&N) charges.

After several months in foster care, on the pretext of sexual abuse allegations, the children were denied all visitation with their parents. They were told that their Dad was in prison; he wasn't. Two of the boys were drugged and placed in a psychiatric ward (one was only seven years old) to force a false disclosure from them. The boys have maintained the truth, and as a result, been denied access to their parents because it was 'contrary to their best interests.' It was really contrary to the best interests of the CPS agencies.

If the boys had not been isolated from their parents, it wouldn't have taken two years to expose the deceit by the caseworkers and therapists. The boys are still not home, and still not allowed to see their parents. A court-ordered psychological examination has revealed the Miller parents did not sexually abuse their children, and that the boys have been emotionally and psychologically abused in state care.

Article 12 (2) provides that a child's views can be heard, particularly in a court, but it is specified that a child's views may be represented by someone else. Thirteen year-old Veronica Schlosser wrote two letters to the judge explaining that her father never abused her, that she wanted to go home, and that CPS workers were pressuring her to lie about the abuse. Frustrated to the point of suicide over the fact that nobody cared to listen to what she had to say, she ran away from her foster home. Taking advantage of her escape, I video-taped her statement and disbursed it around the country along with her two letters and an article (see <http://www.parentsmarch.net> and click on August press release). Her Guardian ad Litem (GAL) never presented her story to the judge. Children are almost never allowed to speak to the judge when they are removed from their homes. They are at the mercy of their GAL who often never even talks them.

Article 13 allows the child to have freedom of expression, to seek, receive, and impart information and ideas of all kinds in any medium. This will prevent parents from being able to control what information their children have access to, such as objectionable sexual information in schools. There are increasing numbers of schools that are not informing parents of possible objectionable materials and curriculum in an effort to circumvent the requirement of obtaining parental permission. To object to any 'social engineering' curriculum actually puts the parents at risk of having their children removed.

Article 14 recognizes a child's right to freedom of thought, conscience and religion, with the admonition that the parents or guardian provide direction. It prevents parents from being able to require their children to participate in events or services; such as making the children go to church. It doesn't even require that the children object, it is satisfactory that the state objects on behalf of the children. Then the state can become the guardian and therefore, provide the direction, even if it is contrary to the parents' values.

In Colorado Springs, two little girls were removed from their home because mom and dad read the Bible to them every morning. CPS accused the parents of being overly religious and of not have the proper theological training to read the Bible to their children. The agency demanded that the parents be required to have a pastor present whenever they read the Bible. Fortunately, through an aggressive defense maneuver, the children were returned home within a week without any restrictions.

Part II

Having done an in-depth analysis of the opening articles of the U.N. Convention on the Rights of the Child (UNCRC) last month, I would like to broaden the scope of this discussion.

One of the important legal terms we need to know in relation to government authority over children is PARENS PATRIAE. Simply put, this is the right of the government to take care of minor and others who cannot legally take care of themselves. The UNCRC takes the same position as CPS agencies are practicing now - that this right, in practice, extends beyond protecting truly abused children to actually regulating parenting practices.

Of the 41 articles in Part I of the UNCRC, virtually all of them give precedence to the

rights of the 'states parties' or the government over parental rights. Often, these provisions will establish that the state has permission to give custodial authority to the parent, but does not recognize the rights of parents over the rights of the state. This is exactly how this principle is being practiced by CPS agencies across the country.

Under the UNCRC, states are allowed to intervene when permitted by law. But the child protection laws in this country are very subjective, and can be interpreted to mean anything. This means that if a social worker is opposed to spanking, spanking becomes abuse, and intervention is permitted.

Just as our laws lack an age-appropriate, objective definition of abuse, the UNCRC provides vague protections for the child that are not clearly defined and are subject to individual interpretation.

The UNCRC requires that children receive a certain standard of living. CPS agencies routinely remove children from parents who are poor or temporarily homeless instead of providing remedial services to keep the family together.

Mental and physical health treatment is mandated by the UNCRC, and forced upon American children by CPS agencies, even to their detriment.

Children are to be allowed access to the major media under the UNCRC. CPS agencies categorize parents who restrict their children's television viewing as 'too controlling' and use it as an excuse to remove the children from the home.

The UNCRC mandates that the child's education be directed towards the principles enshrined in the U.N. Charter, their definitions of diversity, environmentalism, and other non-academic principles. Home-schoolers and parents who object to non-academic subjects in America's classrooms are having their children removed by CPS agencies.

Under the UNCRC, children have the right of freedom of association. When parents object to their children hanging out with known gang members, the children have complained to CPS and have been placed in sympathetic foster homes.

The UNCRC mandates appropriate assistance to parents pertaining to their child-rearing responsibilities. In practice, if your child is taken by CPS, you will be ordered to participate in certain training and therapy sessions designed to 'correct' your inappropriate parenting practices, and you must often admit guilt to successfully complete the treatment and get your children back.

A child deprived of his parents through intervention is entitled to 'special protection and assistance by the state' under the UNCRC. That's what they get with CPS, much to their detriment.

As we can see, the ratification of the UNCRC by the Senate is really a moot point. Virtually every provision of the UNCRC is being practiced by CPS agencies nationwide. And because so many parents are so frightened and intimidated by CPS agencies, they refuse to assert their rights and the agency is free to trample the rights of the next hapless family who they ensnare in their dirty little trap.

What is so disturbing about this document is that so much attention is focused on the exclusive rights of the child. It is my assertion that the rights of the child cannot be artificially separated from the rights of the parent without severely damaging the family and each individual in the family. The issue shouldn't be about 'children's rights' or 'parents rights' but it should be about the rights of the family.

The institution known as the family has been around a lot longer than any government. It's members experience a bond that is unique and powerful. This bond serves as a protective

mechanism for all of the members of the family. It is not good to interfere with this bond without legitimate cause.

Who is best able to protect the child? In searching for the answer to this question, I have asked social workers two questions: 1) would you die to protect a child? and 2) would you do your job without pay?

I have never gotten a social worker to admit they'd die for a child or work for free, and I've asked every one I encounter.

But when I ask parents the same questions, they laugh and say "Of course I would die to save my child and I'd be a parent without being paid. That's what I do every day."

Can the government or the U.N. demonstrate this kind of protective devotion? Should they really be entrusted with the protection of our beloved children? I am convinced that the government makes a poor parent, no matter how good its intentions are. It's time to get the government out of the business of parenting, before our children grow up and become mere breeders for the state.