

Advocates' FORUM

2011

A PUBLICATION BY STUDENTS OF THE UNIVERSITY OF CHICAGO SCHOOL OF SOCIAL SERVICE ADMINISTRATION



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ON THE COVER

The University of Chicago
School of Social Service Administration
Photographer: Lloyd DeGrane

FOREWORD BY ALEX KOTLOWITZ

When I was getting started in journalism, making \$110 a week as a reporter, my mother pulled me aside. “You know,” she said, “you could go back to school to become a social worker.” She was speaking from experience; in her forties, she had gone back to school to earn her social work degree. I considered her advice, and then stubbornly continued on with my writing (and my low wages). But in the end I have no doubt about it, I’ve inherited some of my mom’s sensibilities: her understanding that the only thing holding us together is a social compact, and it’s a compact whose foundation in these times is in particular need of maintenance. Some may look at social work as a benign profession, but I know better—from my mom, I suppose.

Here’s the best kept secret: social workers are subversive. I don’t mean that as a profession they upend the social order, but rather that they attempt to bring order to people and to places for whom life hasn’t been fair. I don’t mean this as some dime-store philosophizing, but rather to suggest that given the growing inequality in this country, the state of our schools, the treatment of new immigrants, the place of race, the neglect of the mentally ill (I could go on), our community isn’t doing well. Social workers know that better than anyone. They don’t feel compelled to shout about it, to order us around. They don’t lob diatribes. Rather, every day, they quietly go into our schools, into our neighborhoods, into our homes, bearing witness and fortifying the human spirit. They know.

For social workers, their centripetal force is empathy, the ability (and desire) to place themselves in someone else’s shoes, to be able to look at the world through the eyes of others. Social workers, more than anyone, understand that empathy is the thread that holds the social fabric together. It’s what connects us. It’s what binds us. Social workers imagine what it’s like to be a young African American on Chicago’s west side, or an undocumented worker trying to raise a child in Phoenix, or a daughter of a drug-addicted mother in Seattle. Social workers know the forces that bear down on the human spirit, and so better than anyone know what it takes to strengthen the soul.

Clearly, my mom failed in her efforts to lure me into social work, but she taught me the essential place of empathy. And she left with me with what I believe to be the essential notion guiding social workers: if the community isn’t doing alright, neither am I.

FROM THE EDITOR

Our increasingly diverse society faces a range of social issues and challenges, domestically and globally. The authors in this year's edition of *Advocates' Forum* address justice, empowerment, advocacy, and other themes at the heart of effective social work policy and practice. Readers are called to examine their individual potential to advocate for disenfranchised communities from Chicago to Haiti to Asia. The articles affirm the commitment of students at the School of Social Service Administration to work towards a more equitable global society, and, as Alex Kotlowitz suggests, to continually fortify the human spirit.

I would like to sincerely thank and recognize those whose hard work and dedication made this issue possible: Professor Virginia Parks, *Advocates' Forum's* faculty advisor; Daniel Listoe, editing consultant; Julie Jung, Director of Communications; Penny Johnson, Dean of Students; and Dean Neil Gutterman. Additionally, I would like to extend a special thank you to Alex Kotlowitz, who wrote *Advocates' Forum's* first guest foreword and affirmed the important role of social workers in our communities. Finally, I would like to extend a heartfelt thanks to the editorial board whose collective work shaped this edition of the journal in important ways, and make me proud to present the 2011 issue of *Advocates' Forum*.

Emily Oshima
EDITOR-IN-CHIEF

If you are interested in writing for the 2012 edition of *Advocates' Forum*, please contact Janet Li at: janetli@uchicago.edu.

FEEDING THE GHOSTS: EXISTENTIAL CONCERNS OF CLIENTS WITH CHRONIC DISEASE

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Abstract

This paper explores existential and spiritual concerns related to living with chronic disease, such as type 1 diabetes; its purpose is to support clinical social work practitioners serving clients who face these concerns. The paper cites the work of existential philosophers and therapists, contemporary Buddhist thinkers, and psychodynamic psychotherapists, tracing ways that existential dilemmas can manifest in the lives of people with chronic conditions. The view taken is that these dilemmas are universal, and that exploring them is an inherently therapeutic act. The paper concludes by discussing ways to support clients who might benefit from such an exploration of existential concerns.

Social work practitioners often assist people facing difficulties profoundly different from their own. At times, such problems can seem foreign and intimidating. This paper aims to support practitioners who help people with chronic disease. It seeks to reveal the connections between these clients' dilemmas and fundamental aspects of the human condition. The paper uses the example of type 1 diabetes because diabetes treatment presents a clear view of these concerns; its focus on controlling bodily processes that are essentially uncontrollable pushes sufferers of the disease to confront particular spiritual and existential concerns. This paper will argue that "facing into" such concerns can be enormously useful for both clients and practitioners. Following the convention of many who write about spiritual and existential issues, the first person plural is used.

CHALLENGES OF THE DISEASE

According to the American Diabetes Association, approximately 0.2% of children in the United States will develop type 1 diabetes before they reach adulthood; onset rarely occurs after age 35 (Hanas 2005, 15). Unlike type 2 diabetes, which is far more common, type 1 diabetes is currently neither preventable nor reversible, and appears triggered by complex environmental factors in people genetically susceptible (Eckman 2010). In people who have type 1 diabetes (referred to hereafter as “diabetes”), the pancreas ceases to produce insulin, which means that the body cannot process glucose—“blood sugar”—from food. Therefore, people with diabetes must inject insulin into their bodies daily. However, it is nearly impossible to calculate the precise amount that the body needs at any given time; even with careful treatment, blood-sugar levels can fluctuate widely during the course of a day, with a variety of deleterious effects on the body. Diabetes is life threatening. In the long term, complications can affect major organs. In the short term, the body will enter a coma if blood-sugar levels become too high or too low (Eckman 2010).

For people with diabetes, the crucial health goal is to maintain blood glucose levels that are within a relatively healthy range. This is referred to as being in good “control” (Hanas 2005). However, since glucose levels are affected by a variety of factors, including emotional stress level, physical activity, and innumerable variations within the body, even diligent monitoring and adjustment can fail to produce desired levels. Thus, while the goal of “control” is a difficult one even for those highly motivated, living with diabetes creates physical, psychological, and spiritual complications that can erode motivation itself.

The physical effects of blood sugar variation can include physical weakness, sweating, vomiting, confusion, and loss of consciousness. For people with diabetes, the frequent, sometimes daily, experience of being pulled into debilitating physical states can create a disturbing sense of dissonance: “I am supposed to be in control, and I am trying so hard, but I am still out of control.” This dissonance can result in a “weariness of the spirit” (Williamson 1997, 244).

This dissonance may also lead the sufferer to confront concerns that reach beyond the experience of diabetes. The human impulse to seek control and certainty inspires suffering, since life is continually turning up the unexpected and unwanted and, to a great extent, unrelated to will or action, forcefully exposes the reality of our vulnerability (Berger 2006). Since the disease may have its way, patients can suffer from feelings of impotence, “powerlessness and futility and a sense that nothing [can] change” (Berger 2006, 44). If “control” has to do with an individual’s ability to shape fate through action, certainty relates to an individual’s ability

to predict that fate. Chronic disease also foils this universal desire for a predictable future—initially because its diagnosis is often unanticipated, and later because its ongoing effects, large and small, may occur without warning (Hatfield 2006).

Of the many possible outcomes of diabetes, the most dramatic is death. Many Buddhist and existential thinkers assert that the fear of one's own death is a source of profound anxiety for all people, until it is faced squarely (Breitbart, Gibson, Poppito and Berg 2004; Beck 1993; Diggory 1967). While a *terminal* illness can push a person toward the difficult work of coming to terms with death, a chronic disease, like diabetes, creates, in some ways, a more complicated struggle (Berger 2006). On one hand, people with diabetes are told that they can live lives of “normal” length (Hanas 2005), and they are encouraged to work diligently to care for themselves in order to “live well with diabetes” (Syrkiewicz 2008). And yet, as one physician and spiritual thinker writes, “all acts of health carry [a] grayish, dark side to them, because they remind us what we most wish to avoid: illness and death are inevitable, and try as we might, we can never separate health from illness, nor death from birth” (Dossey 1991, 92). This statement speaks to a tension inherent in life with diabetes. Those with this disease live with the reality that without a regular administration of insulin they would die within days. They also know that the toll of diabetes upon the body can lead to death in a variety of ways. They must live with these profoundly anxiety-provoking realities, while nonetheless performing the implicitly hopeful “acts of health” that keep them alive.

Sigmund Freud (1922) famously described a universal “death instinct” that works in conflict with a “life instinct.” This is one way of describing what some psychodynamic thinkers have seen as a struggle that occurs within each person; one side pulls toward life, toward “goodness,” wholeness and unity, while another side pulls toward destructive forces like “ambivalence, aggression, sadism, and masochism” (Hatfield 2006, 87). Those engaged in performing routine “self-care” related to diabetes might experience an inner struggle between the pull of living and the pull of despair, destruction, and death.

RESPONSES TO EXISTENTIAL CHALLENGES

In considering the painful tensions described above, thinkers from across many psychological and spiritual traditions make one essential recommendation: face squarely the existential challenges of chronic disease. These thinkers assert that our avoidance of darker, threatening realities only perpetuates our fear and suffering. They say, move toward the realities of our non-control, the uncertainty of our fate, our self-destructive tendencies,

our intimate, inevitable relationship with death and even the most difficult aspects of existence can be experienced directly and accepted. As we become less involved in fearful avoidance, we discover a greater sense of freedom and more capacity to connect with others (Bennett-Goleman 2001).

For practitioners looking to incorporate such a perspective into their practice, it is interesting to note that thinkers from different traditions articulate these notions in distinct idioms. Pema Chodron, a prominent teacher within an American strain of Tibetan Buddhism, says that a certain “unreasonableness” can crop up unexpectedly in us, and might feel like fear, or sadness, or fury (1994). In response, she applies a principle she translates as “feeding the ghosts.” The practice is to find a way to welcome the ghost—the unreasonableness—by saying, for example: “Not only do I not want you to go away, you can come back any time you like” (Chodron 1994, 76). Chodron’s point is that even painful feelings are natural, and that we are best off facing and accepting what seems to be unreasonable.

The psychodynamic psychotherapists at WPF Counseling and Psychotherapy, an agency in Great Britain, seem to bring a similar attitude to their work with clients living with life-threatening illnesses. In weekly psychotherapy sessions, clients at WPF explore their experiences living with illness, including the feelings of shame, anger, and fear that may not have found expression elsewhere (Archer 2006). All clients have their own stories to tell about what it was like to be diagnosed, how those around them responded, and how they have found themselves feeling, thinking, and acting, over the years, as the experience of illness intersects with other experiences of their lives. As they explore these stories, clients commune with “ghosts”—the frustration and depression that gathers around their daily experience of disease. For clients, this work loosens some of the tensions trapped inside them and allows new, more satisfying meanings and experiences to emerge (Archer 2006).

Merle Mishel (1999), a social psychologist and psychiatric nurse, also approaches the issue of uncertainty and chronic illness as a process of orienting oneself anew. In the Mishel model, gradually embracing the experience of uncertainty initially leads to a period of “disorganization” in which basic understandings of self and of living are dismantled. Over time, for those whose context supports a process of “reorganization,” new understandings can emerge, understandings in which views of living are more complex, and are experienced as more meaningful and more satisfying (Mishel 1999). Mishel’s concept of “disorganization,” and its ultimate usefulness, is also echoed by Zen teacher Charlotte Joko Beck (2008), who discusses the importance of moments when life brings us what we least want—whether it is a diagnosis of diabetes or a particular instance of dangerously low blood sugar. She says that spiritual practice is not about

“succeeding,” but about “failure, illness, disappointment, and even agony, sometimes” (Beck 2008). In moving through such “failures,” and steadily attending to our inner experience of them, we can discover “the ability, instead of running, avoiding, covering, emoting, dramatizing, to just head right into that place of disappointment or whatever it is” (Beck 2008). Beck describes a kind of “courage” that develops through this turning toward difficult experiences (Beck 2008).

Similarly, Emmy van Deurzen (2002), an existential psychotherapist, asserts the potential benefits of turning specifically toward “existential anxiety,” which she describes as “that basic unease which we experience as soon as we become self-conscious and aware of our vulnerability and possible death” (61). If Beck speaks of courage, van Duerzen describes a “sense of being in charge of your own life” that can emerge only through facing directly into our feelings about death (184). Again, the idea is that our avoidance perpetuates a sense of helplessness, and that accepting and exploring our responses allows them to evolve.

IMPLICATIONS FOR SOCIAL WORK PRACTICE

For practitioners looking to apply these ideas to people with chronic diseases like diabetes, it is important to begin by appreciating the potential dangers. Armed with “spiritual truths” and assumptions about the ideal way for people to approach their experience of chronic illness, a practitioner might overlook the crucial particulars of the person before them—the client’s strengths, limitations, beliefs, desires, etc. As many practitioners agree, the client’s own internal process provides crucial guidance for therapeutic work (Casement 1991). In this understanding, the practitioner’s primary role is to create space for clients to think and feel their own way through their difficulties.

Many of the thinkers discussed above recognize that all people have the opportunity to work through existential crises, opening up the potential for personal transformation. Those with a serious illness, however, did not choose this “opportunity,” this “shape” for their personal journey. The pace is rushed, forced by the powerful reality of the illness. There is an opportunity to make space for the difficulties, to “feed the ghosts,” but this is delicate work. Spiritual practices and psychotherapeutic techniques offer tools for helping clients reckon with their inner experiences, but there is no real guidebook. Each person is unique. Times of despair are always possible.

Those with diabetes, for instance, are forced, by the nature of the disease, to balance these realities with particular caution. The daily requirements of self-monitoring and insulin injection mean that, though it

may be possible to allow oneself to “feel the feelings” that arise in the course of a day, there is little room for these feelings to influence behavior. People without serious illness can allow themselves, at times, to be overtaken by emotions that lead to unhealthy behavior choices. But for those with diabetes, every decision can have severe consequences, and these decisions must be made continually throughout the day. They may find themselves trapped between the desire to despair and the pressure to keep going, and painful feelings like resistance, rage, and despair can feel “caught,” because there is no real room to experience them fully.

The psychotherapists at WPF Counseling and Psychotherapy might frame this dilemma in terms of a “dual reality” that is ever-present for people with serious illness (Hatfield 2006). There is the ephemeral experience of thoughts and feelings *and* the reality of the body’s demands and effects. For practitioners who support clients struggling with this dual reality, WPF psychotherapists make particular recommendations. They suggest learning about the physical realities of the disease, in part from listening directly to those who live with that disease (Hatfield 2006). They also emphasize the importance of respecting the individuality of each client—never presuming to understand a client’s experience based on prior knowledge about what others have experienced in similar circumstances (Hatfield 2006).

These recommendations require practitioners to adopt a kind of humility in their way of relating to clients. Living with serious illness carries many experiences of relative vulnerability. Patients navigate power struggles within their relationships with doctors and other “support people,” including loved ones (Heschel 1964). Therefore, the social worker’s goal is not to push for a particular outcome, but to create a space in which clients can experience and create what feels right to them, what is most needed in their own process.

A practitioner’s humility should not be mistaken for passivity. Maroda (1998) argues that empathy and understanding are not sufficient when helping clients face, and alter, self-destructive behavioral patterns. Casement (1991) likewise describes the therapeutic process as a constant, often unstated exchange between client and therapist, in which the therapist must work diligently to remain receptive to the client’s reality. If willing to experience difficult emotions that clients may harbor but may not be ready to experience for themselves, the therapist may thus be an active holder of the “light,” of hope when clients are immersed in the “shadow” of the illness experience (Snowdon 2006). This need for “light” in the healing experience is echoed by Jon Kabat-Zinn (1994). A physician who brings Buddhist mindfulness principles into his work with people living with chronic pain, Kabat-Zinn writes, “The wounds are important, but so are our inner goodness, our caring, our kindness toward others, the wisdom of the body, our capacity to think, to know what’s what” (193).

This work requires practitioners to engage in diligent self-examination. They must be cautious that their unquestioned assumptions—about illness, about the goals of client work, about their own role—do not unnecessarily hinder the therapeutic process. Perhaps more importantly, practitioners must also be willing to explore their own responses to the dilemmas faced by clients, and their own feelings about these existential realities (Hatfield 2006). What is the practitioner’s relationship to uncertainty, self-destructiveness, illness and death? Clients are acutely attuned to that against which practitioners defend themselves (Foster 1998). The act of creating space for the exploration of “shadow” is, fundamentally, a shared one.

CONCLUSION

By recognizing the existential concerns that may be operating for clients with chronic disease, social work practitioners have an opportunity to work alongside clients in a powerful and moving process. At the same time, practitioners must recognize that the process belongs to the client. Clients face a range of interwoven concerns—physical, psychological, social, as well as spiritual. Some are related to the illness and some are not. Ultimately, the client alone steers her own process of experiencing, exploring, and meaning-making (Casement 1991). Practitioners can offer observations, queries, perspectives, but clients will choose what is best for them as they engage in an ongoing negotiation of their relationship to their own experience. When existential concerns arise, however, the social work practitioner has an opportunity to make space for these in the therapeutic process. Even if the practitioner has visited these concerns before, they appear in unique ways with each client and in each practitioner-client relationship. The appropriate stance can be an openness to what might emerge, even a kind of awe in the face of the client’s own mysterious process, and an ability to “attend . . . with an empty mind” (Coltart 1992, 10).

In some ways, existential concerns are never exhausted, never entirely “worked through.” As Paul Tillich (1952), the Christian theologian and existentialist philosopher, writes, “The basic anxiety, the anxiety of a finite being about the threat of non-being, cannot be eliminated. It belongs to existence itself” (39). For clients who have diabetes, as well as for practitioners, these questions are with us throughout our lives, troubling us, pushing us beyond our boundaries. They are concerns for a lifetime.

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ABOUT THE AUTHOR

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PROTECTING THE HUMAN RIGHTS OF UNACCOMPANIED IMMIGRANT MINORS

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Abstract

Each year, approximately 8,000 immigrant children under the age of 18 enter the United States without a parent, guardian, or legal documents. Without adequate access to legal resources or social services, many of these children will be returned to dangerous situations in their home countries. This paper argues that to protect the human rights of each child, it is critical to understand their circumstances and to determine their eligibility for legal relief. It demonstrates that social workers with an expertise in cross-cultural communication and advocating for the vulnerable can provide a critical voice for these children by uncovering their stories and fighting for their best interests.

The United States' immigration system can be confusing and complex for anyone to navigate, but especially so for immigrant children who arrive here without parents. Each year, thousands of unaccompanied minors arrive in the United States—through the U.S.-Mexico border, by boat, or at an airport—and, upon arrival, they are soon caught up in a dense web of governmental and legal actors. Unaccompanied minors are particularly powerless because of their dual status as immigrants and as children. As immigrants, a majority of whom are racial minorities in the United States, they may automatically be distrusted. Group characteristics can favor or harm a case for asylum, especially when the immigrant is not given ample opportunity to gain recognition as an individual with a unique story. As children, they are almost powerless to represent themselves in the myriad of legal contexts they face.

Within the chaos of interacting with shelter workers, government officials, immigration lawyers, and judges, social workers can serve as a vital component to come alongside the child and ensure that there is an advocate looking out for the child's best interests and basic human rights. With their

expertise in acculturation issues, cross-cultural competence, and knowledge of child development, the role of social workers in this context is to work with the legal and governmental actors who decide a child's fate. The social worker must speak out for the human rights of each child and ensure that his or her needs are being voiced. While accounting for the unique rights of children, social workers can utilize child welfare best practice principles to advocate for more humane detention standards and the provision of legal representation for every unaccompanied minor who is detained by immigration authorities.

THE HUMAN RIGHTS OF CHILDREN

The United Nations' 1959 Declaration of the Rights of the Child argued that "the child, by reason of his physical and mental immaturity, needs special safeguards and care, including appropriate legal protection, before as well as after birth." In 1989, the international community adopted the Convention on the Rights of the Child (CRC) to provide universal standards concerning the treatment of children. To date, the United States and Somalia are the only two countries that have not ratified this convention.

Human rights language attempts to articulate a set of principles whereby all people would be afforded the same legal protections and assurances of dignity. In the case of children, a human rights approach "rejects the presumption that children are entitled to only those rights that governments grant them, that the dominant culture will tolerate, or that the market will bear" (Ensalaco and Majka 2005, 2). Instead, the CRC outlines the rights inherent to the humanity of children, including the right to a family, a name, a nationality, and an education, as well as protection from abuse, abandonment, or neglect. Article 3 of the CRC states, "In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration" (OHCHR 1989).

While poverty and inequality hamper the development of children worldwide, protecting children's rights demands that nations adjust their budgetary priorities in such a way as to promote the safety, education, health, and nutrition of the children among them, as well as to establish safeguards to protect children from exploitation and abuse (Ensalaco and Majka 2005). The distinctive vulnerabilities of children make the basic rights outlined by the CRC and other human rights documents essential, as children are less likely than adults to be able to claim these rights for themselves and to speak out when their rights are being violated.

IMMIGRATION LAW AND THE TREATMENT OF MINORS

In 2009, there were at least 922,500 applications for asylum worldwide from people seeking protection outside of their country of origin. Of these, 18,700 of them, or four percent of total asylum claims, were lodged by unaccompanied and separated children under the age of 18 (UNHCR 2010). Although the number of unaccompanied minors trying to gain entry into the United States is small, the numbers are growing. In 2005, there were 7,787 unaccompanied minors detained by U.S. immigration authorities, up 26 percent from the previous year.

Children often flee their country of origin for the same reasons as adults: escaping war, fleeing persecution, or seeking reunification with family members (Kotlowitz 2006). Despite the demand being placed on governments to create frameworks for processing an influx of unaccompanied minors, nations like the United States have only recently made a distinction between the treatment of immigrant minors and the treatment of immigrant adults.

Governmental policies surrounding immigrant children have improved dramatically over the last 15 years, but they are still not sufficient to protect basic human rights. Despite policies that view the needs of the child as more important than the need to bar foreigners from entering the United States, accounting for children's particular experiences has rarely been used to help shape immigration policies (Nugent 2006). Until recently, immigrant families and unaccompanied minors were all housed in the same detention centers, with conditions akin to those of prisons. Maltreatment of unaccompanied minors was first brought to public attention in 1985, when a group of children filed a lawsuit (*Reno v. Flores*) against the U.S. Immigration and Naturalization Service (INS). The suit stemmed from an INS policy which limited the release of immigrant children to a parent or legal guardian, except in "unusual or compelling circumstances" (Nafziger 2006, 366). This policy kept children detained even when a distant relative or other adult was willing to be a guardian. The case helped to expose the inhumane conditions of detention centers and resulted in mobilization and advocacy efforts to change government policies. Settlement of the case included two stipulations: first, children should be treated with dignity and respect in recognition of their unique vulnerability as minors; second, children should be held in the "least restrictive setting appropriate to the minor's age and special needs" (Nafziger 2006, 370-371). Despite the implications of the settlement, it was not until 2002 that the government started to implement elements of those standards. The Homeland Security Act removed jurisdiction over immigrant children from the INS and granted it to the Office of Refugee Resettlement (ORR), an office with expertise working with child refugees.

The INS was unable to protect the rights of children because of a conflict of interest between being a guardian and being the police officer and prosecutor of those same children, making ORR a more suitable option to administer placement decisions (Nugent 2006). Transferring responsibility to ORR created more humane detention possibilities for immigrant children, with the establishment of shelters, group homes, and foster care families to house children undergoing immigration proceedings. Nonetheless, some unaccompanied minors continue to be housed in secure facilities, an exception that is written into immigration policy for “limited circumstances,” including times of influx and emergency, or when children pose a danger to others. In spite of this provision, 80 percent of unaccompanied minors detained in secure facilities are non-delinquent (Nafziger 2006).

The second piece of legislation enacted to improve the situation for immigrant children was the Unaccompanied Alien Child Protection Act (UACPA) of 2005. The UACPA reformed the release of children, loosened the requirements for potential guardians, prohibited the detention of unaccompanied minors in delinquent or adult facilities if they have not displayed violent or criminal behavior, and prohibited the unreasonable use of restraints, solitary confinement, or strip searches (Nafziger 2006). To date, however, the effectiveness of the UACPA in implementing these standards has yet to be measured. Without creating laws that outline the penalties for violating standards of the UACPA, the discretion of government officials will continue to dictate how immigrant minors are treated.

Violations of immigrant minors’ rights include physical abuse and, in particular, invasive medical testing. For example, the Department of Homeland Security (DHS) has the authority to determine who will be categorized as an adult based on unreliable dental and wrist bone forensics—a method that can err by a few years (Nugent 2006). In detention facilities, unaccompanied minors are subject to the discretion of law enforcement officials to interpret what is considered an unreasonable use of restraints and strip searches (Nafziger 2006). Continuing to lobby for policies outlining more humane treatment of unaccompanied minors will be ineffective without legal enforcement of standards promoting the best interests of the child. Although the UACPA offers hope for better treatment of immigrant minors, the manner in which government officials interacting with unaccompanied children have the freedom to use discretion that infringes on the welfare of the child fails to live up to the policy’s ideals.

THE ROLE OF SOCIAL WORKERS IN GIVING VOICE TO UNACCOMPANIED MINORS

While refugees have obtained legal status abroad prior to being resettled in the United States or elsewhere, asylum seekers seeking international protection often have little time to obtain refugee status in their country of origin before crossing international boundaries. Since many asylum seekers may nevertheless be eligible for resettlement based on persecution experienced in their home countries and a well-founded fear of returning, it is vital that their claims are listened to and addressed upon arrival in the United States. Compared to adults, minors are more likely to be involuntary immigrants. Susan Krehbiel, the Director of Children's Services for Lutheran Immigration and Refugee Service, states that unaccompanied minors often get "caught up in a transnational network that is so beyond their understanding" (Kotlowitz 2006). Rather than being provided guidance as to whether their case qualifies them to be granted asylum or another form of legal relief such as the T-visa for victims of trafficking or Special Immigrant Juvenile Status (SIJS), unaccompanied minors have no legal rights and are not provided with legal representation unless it is voluntarily given to them by social service agencies. Unless a pro-bono attorney or volunteer steps in to advocate for them, unaccompanied minors will spend months to years in detention, face a judge alone, or be unjustly deported.

After being arrested by DHS, unaccompanied minors are put under the care of ORR and confront administrative removal proceedings by the Executive Office for Immigration Review (EOIR), a division of the Department of Justice (DOJ). In these proceedings, the child faces a trained DHS attorney before an immigration judge, and as many as 90 percent of these children have no representation in court (Nugent 2006). It is a violation of basic human rights for the U.S. government to continue to claim that unaccompanied minors have no right to government-appointed legal counsel as non-citizens, especially when their age or language ability precludes them from comprehending what is happening to them. Failing to understand children's rights to asylum and the potentially hazardous situations they may have left behind in their country of origin is blatantly placing children into harm's way when they are deported. In one such case, a 16-year-old Guatemalan boy was deported despite his pleas for asylum and having an aunt living in the United States who had offered to take custody of him. Upon repatriation to Guatemala, he was killed by the gang he had tried to flee (Piwowarczyk 2006).

In addition to being provided with legal representation, children in the domestic child welfare system who have been abused, neglected, or abandoned are provided with child advocates, or *guardians ad litem*, in court

proceedings. These individuals act as a voice in court for children who may be unable to advocate for themselves. Although non-profit organizations and projects such as the Immigrant Child Advocacy Project in Chicago have emerged over the last decade to train volunteers to act as child advocates for unaccompanied immigrant minors, the majority of these children will never receive such support due to a lack of capacity. At the very least, *guardians ad litem* must be provided by the federal government for all unaccompanied minors if every child is to receive a fair trial. Advocates are needed because U.S. immigration policies give discretion to public law officials—from border patrol agents and detention workers to the judiciary—that can potentially excuse rigid interpretations of laws and disregard a child’s best interests. In this legal framework, social workers who are trained as *guardians ad litem*, or who work with shelter staff, are well positioned to act as a vital source of support for unaccompanied minors at risk.

The domestic child welfare standards that prioritize the safety, permanency, and well-being of the child can and should be translated into work with immigrant children (Detlaff and Rycraft 2010). Often these making decisions about housing unaccompanied minors do not have enough expertise in child development to make sound judgments about appropriate placements (Piwowarczyk 2006). Family reunification, the ultimate goal of domestic child welfare policies, is neglected when immigrant children are withheld from family members due to differences in legal status. While home studies are necessary in certain circumstances, the lengthy process of conducting home studies to investigate the suitability of a potential sponsor for a child lengthens the time children remain in detention and separated from friends or relatives. By providing an informed perspective on child welfare standards in the domestic system and how these standards may apply cross-culturally, social workers can provide recommendations to judges and shelter staff regarding reunification efforts.

While social workers may advocate on behalf of children at risk of deportation or extended detention, they can also ensure that children are empowered to act as their own advocates. Article 12 of the CRC provides that “States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child” (OHCHR 1989). In the court of law, however, there are many reasons why a child may not be granted an opportunity to express her or his point of view. With their expertise in interviewing children, counseling survivors of trauma, and establishing rapport with cross-cultural clients, social workers may be able to extract the child’s story and empower him or her to bring critical information into the court. Social workers are particularly attuned to people’s stories, with special interest given to relationships, circumstances, histories, tragedies, and losses (Kohli and

Mitchell 2007). By using the language of the CRC, social workers and lawyers can collaborate to write best interest letters to judges.

In addition to advocating for unaccompanied immigrant children and communicating their stories to the authorities, social workers can continue to be vital advocates for the economic rights of immigrants who arrive in the United States without money or resources. Children have little power in dictating what services they can and cannot receive, especially when they have no claim to citizen rights. For adolescents who gain asylum, having access to education, vocational training, and social services to support them in making the transition to adulthood is critical. A study conducted between 2001 and 2002 in the United Kingdom revealed a heightened risk of homelessness and unemployment for asylum-seekers who aged out of care and lost contact with social services (Kohli and Mitchell 2007). Social workers can help plan for the transitional services needed by youth about to age out, as well as help immigrant minors access the economic resources and social services they require.

CONCLUSION

Without the will to recognize that human rights apply to all children regardless of citizenship status, policies such as the UACPA will continue to be an ideal rather than a set of minimal standards. Providing legal representation and a *guardian ad litem* to all unaccompanied minors is one step towards protecting their rights. Social workers who have direct experience working with unaccompanied minors and with other undocumented immigrants must be a part of advocating for U.S. policies that will protect the human rights of these populations. Outside of their role as a direct social support and professional in advocating for the needs of an individual child, social workers can use their direct practice experiences to inform policy and to make recommendations to governing bodies such as ORR. The United States has started to recognize the distinctive needs of unaccompanied minors, but the provisions of relevant laws too often fall short of monitoring the multiple actors who are implementing decisions about what constitutes a child's best interests. Without proper legal representation and the support of a *guardian ad litem*, immigrant children will continue to be subject to unfair legal proceedings in which their voices are stifled.

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HAITI'S IDP CAMP POLICY: THE MANAGEMENT OF VULNERABILITY

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Abstract

The January 12, 2010, earthquake that hit Haiti was one of the largest humanitarian disasters in history. In addition to lives lost and people left disabled, the infrastructure of Port-au-Prince was destroyed. Over a year later, 1.3 million people are living under tents and tarps in camps run by international aid organizations. This paper explores the policy solutions being attempted within the camp system in the efforts to deal with the humanitarian crisis. In particular it critiques relocation, shelter improvement, and cash-for-work programs (CFW). It explores the policies, the role of elite donors, NGOs, and foreign governments that together “manage” and, at times, exploit a vulnerable population.

The January 12, 2010, earthquake that hit Haiti decimated the capital city of Port-au-Prince. Already suffering the problems of a high population density and extreme poverty, the city and surrounding areas became the site of one of the largest humanitarian aid interventions in recent history. At the center of the interventions are the many Internally Displaced Persons (IDP) Camps (Institute 2010), which face similar problems to other camps worldwide: insecurity, lack of adequate sanitation and protection from the elements, and increased dependence on the humanitarian system. A year later, these camps are still in place, with approximately 1.3 million people living in tents or under tarps.

IDP camps are responses to acute crises in habitation caused by war, genocide, or natural disasters. These camps are by no means uniform, with varying levels of sanitation, security, aid distribution, and proximity to resources outside the camp. This prompted a select group of non-governmental organizations, along with the Red Cross and the Red Crescent, to create the Sphere project and generate fundamental standards for humanitarian assistance (Sphere 2010). Ideally, when meeting Sphere

standards, camps can provide a space to conserve life and organize relief efforts. But when camps are in place for extended periods of time, are poorly managed or resourced, or are not backed by supports like health and employment services, they can end up violating the fundamental human rights of their inhabitants.

This is the case in Haiti, where conditions one year following the earthquake highlight the lack of effective policy regarding IDP camp management and possibilities for transition to a more stable and long-term solution. In a recent report released by the Institute for Justice and Democracy in Haiti (IJDH), follow-up surveys with families showed that conditions have worsened for those still living in camps. At the time of the survey, 9% of families stated they had received drinking water aid in the last 30 days, 21% said they lived in tents (which meant 79% were under tarps or worse), and three out of four respondents said someone in their family had to go an entire day without eating in the prior week (Institute 2010). These conditions show a clear failure to meet the Sphere standards for disaster management.

To mitigate some of the negative effects of camp life, cash-for-work (CFW) programs have been used to bolster the economic stability of families and ostensibly allow them to prioritize their most pressing needs. In addition to these short-term labor strategies for IDP camps, residents have also been encouraged to work in Haiti's resurgent apparel sector. Two policies have been implemented in recent months to try to solve the IDP problem: resettlement into other camps outside the capital, and the construction of transitional shelter units, or "T-shelters."

RESETTLEMENT POLICY

An example of relocation can be seen in the camp run by the American actor Sean Penn and his organization, Jenkins/Penn Haitian Relief Organization (J/P HRO). The camp is on the grounds of the Petion-Ville Golf Club, perched on a hill overlooking Port-au-Prince. It has over 60,000 residents, making it one of the largest in the country. In June of 2010, impending rains and the threat of mudslides lead J/P HRO to relocate some camp residents. J/P HRO staff and volunteers counseled residents about available options and what services would be provided at the new site. Those willing to relocate were provided with a tent and assistance moving to the new location, called Corail.

Corail is located about 30 minutes outside of Port-au-Prince by car. I visited as an inspector in 2010 and saw that it stands against a hillside, without trees for shelter from the hot sun, potable water, and many other necessary resources. The night before my visit a rainstorm had destroyed

tents and injured children. The location's lack of infrastructure meant various NGOs were in charge of providing all basic necessities. The NGOs involved included Oxfam and Save the Children, which are very large with good reputations, both with the ability to mobilize extensive resources. At that time, Catholic Charities and Oxfam provided water, a nurse's station, latrines, and there was also a school being built. The United Nations provided a security detail that included many female peacekeeping soldiers. Digicel, the largest cellular phone service provider in Haiti, was installing two solar charging stations for residents and a cash-for-work program (CFW) had residents digging long ditches intended to protect their tents from the kinds of rainstorms that damaged the tents and injured the children.

Resettlement practices can be more or less coercive, and in J/P HRO's case, only those willing to resettle were moved. But while Corail offered many services for the new residents, problems exist with it as a model for long-term development. For example, its CFW program demonstrates the need for substantive work, something far beyond digging ditches to divert flood rains. Not only were there simple construction projects, from concrete foundations and water cisterns, that would have better responded to residents' concerns about water entering the tents, additional work around the camp could have included tree planting for shade, agriculture work, the prevention of soil erosion, and even the building of a local water infrastructure. Furthermore, pay for such jobs needs to be consistent and reliable. When I visited the camp in August, Corail's residents told me they had finished work on the drainage system a month before, but had still not received compensation. But a fully functioning CFW program seemed less of a priority than working with the cell-phone company Digicel, which did provide a service free of charge, but also seemed intent on cultivating a client-base for the future use of their product.

THE USE OF TRANSITIONAL SHELTERS

A handful of international organizations have installed thousands of transitional shelter units (T-shelters) in Haiti since the earthquake. The Open Architecture Network, an online open-source community started by Architecture for Humanity, wrote a report with in-depth case studies of each T-shelter model implemented thus far and with recommendations for how units could be improved. As of September 12, 2010, eight months following the quake, approximately 35,000 units had been constructed, primarily in Leogane and Papette, two areas just outside the capital and close to the quake's epicenter (Saltzman et al. 2010). Less than 5,000 shelters had been constructed in Port-au-Prince

itself. Many T-shelters use tarpaulins as siding, along with either wood or light gauge steel for framing. Furthermore, about half of constructed units have a concrete slab for flooring instead of bare dirt.

The Architecture for Humanity study determined that T-shelters have projected life spans of anywhere between one and eight years, with various upgrades capable of extending this potential (Saltzman et al. 2010). An obvious strength of transitional shelters is that they provide an immediate and tangible improvement over simple tents and tarps. For example, Cordaid, a Dutch international development organization, provided a 216 sq. ft. unit equipped with three doors, four windows, a concrete slab floor, various siding options and a minimum lifespan of eight years (Saltzman et al. 2010).

Nevertheless, the T-Shelters are in need of higher quality standards. Many of the models use tarps for siding, and recipients cited concerns with security, because prospective intruders can easily cut through the walls. Other concerns were the lack of hurricane straps to attach roofs and the need for adequate ventilation. Moreover, inhabitants also had a desire for more than one door and requested covered outdoor spaces to be included in future plans. Of the ten models surveyed, only one had an integrated latrine, another had a water catchment system, and none were provided with power (Saltzman et al. 2010). All models would be vastly improved with even minimal solar power capacity as well as individual or paired water catchment systems and composting toilets, such as those provided by Sustainable Integrated Organic Livelihoods (SOIL), would prevent the spread of disease and have the opportunity of offering fertilizer for small plots.

For families living in the towns of Leogane and Papette, the T-shelters do provide superior shelter to simple tents, but the key is that there is now a greater ratio of better shelters in relation to the population. Port-au-Prince is another story. As a percentage, there have been fewer T-shelters built because in the capital, space is at a premium and camp authorities are getting only month-to-month, informal agreements with landowners (Maloney 2010). Beyond the form and function of T-shelters, 40,000 units cannot house the 1.3 million people currently without sanctuary.

VULNERABILITY AND LABOR

Haiti's earthquake was smaller than the one that struck Chile a month and a half later, but it caused more damage and a much higher death toll. In addition to the abject poverty and the poor architectural standards that made many Haitians more vulnerable, a variety of factors created urban hyper-centralization in modern Port-au-Prince. Over the past couple decades, economic reforms and agricultural

initiatives have crippled Haiti's domestic food production and driven people to the capital in search of wage labor or domestic servitude.

In April of 2010, in the wake of the earthquake, the Interim Haiti Recovery Commission (IHRC) was established. According to United States Agency for International Development (USAID), the IHRC is comprised of Haitian and foreign government representatives, NGOs, and private companies considered top donors to the redevelopment effort who desired control over this process (USAID 2010). Haiti's reconstruction thereby fell under increasing control by outside actors (Delva, 2010). For example, the Haiti Apparel Center (HAC) is a joint project of (USAID) and the CHF International, a nonprofit development organization, to train Haitians for future work in the garment industry. The goals are to increase the marketability of Haitian wage laborers by providing sophisticated stitching skills as sewing machine operators, training 2000 workers per year (Stavropoulos 2010).

The ultimate objective is to entice apparel companies to the country. Thus, a U.S. government-funded project implemented by a U.S.-based NGO is laying the groundwork for the sweatshop industry to expand its frontier. For historical and cross-national comparison, in 1914 Henry Ford introduced his five-dollar, eight-hour day to factory workers in Dearborn, Michigan (Harvey 1989). Almost one hundred years later, a textile worker in Haiti makes the equivalent of three-dollars to work a twelve-hour day. The IDP camp inhabitants and their neighbors are lured into these jobs by the 60% unemployment rate and other coercive circumstances and yet cannot, on such wages, support their families or extricate themselves from their harsh living conditions.

Options for the camp residents remain bleak. President Préval discouraged continued aid being sent to IDP camps months ago so that camp dwellers would be less dependant on handouts from NGOs (Institute 2010). He advocates CFW programs instead. Common tasks for CFW workers are rubble removal, street sweeping, and clearing garbage from drainage canals. One year after the quake struck, the United Nations Development Program (UNDP) reported employing over 240,000 unskilled workers in these activities, and plans to expand the program with vocational and technical training, much like the partnership between IHRC and CHF International (United Nations 2011). In March 2010, CFW participants were paid \$100 to work 24 days a month, six hours per day (United Nations 2010). In sum, these CFW programs create temporary and contingent labor in Haiti while meeting the demands of international aid donors and capital investors. The dialectical nature between IDP camp policy and labor management strategy highlights the primary importance of these factors to Haiti's future development.

CONCLUSION

In considering the proposed solutions to IDP camps, we have seen tentative successes in moving residents from the most vulnerable areas of the country, constructing more stable forms of shelter, and providing provisional work for the unemployed. However, we have also seen that there are fundamental issues that have not been addressed by the policies implemented. Rather than persuade people to leave the camps by cutting off aid, policies should instead use aid money to decentralize the country and decrease the burden on the capital, Port-au-Prince. The resettlement and transitional shelter strategies need to be accompanied with investment in hard infrastructure (water, roads, schools, jobs) in other regions outside the capital. Regarding land tenure and property rights, the Haitian judiciary will need to be bolstered so that it can make the tough decisions necessary to foster responsible development.

Even if the policies themselves were ideal, they have not been implemented consistently or with the required funding. As of August 2010, only 20% of the \$5.3 billion promised to Haiti had been disbursed, and 23% of those funds had been committed (Institute, 2010). Haitian citizens have no recourse to hold global capital, and its gatekeepers in the IHRC, accountable for their actions, or for that matter, their inaction. In the meantime, the most vulnerable Haitians, those living in IDP camps, will need to be protected from predatory policies that might take economic advantage of a vast, dislocated population.

Camp residents are providing powerful counter narratives of Haiti after the earthquake. They question the validity and legitimacy of the presidential elections being conducted while they live under tents and tarps in the center of the capital. They also implicitly indict the regimes of global capital that come in many guises, usurping, they say, their dignity on a daily basis. What is at stake in the formation and implementation of humanitarian and redevelopment policies is not merely the right to adequate shelter, but also recognition of Haiti's sovereignty.

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CHINATOWN: THE NEOLIBERAL REMAKING OF CULTURE IN THE CONTEMPORARY CITY

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Abstract

Within the complexity of today's urban political economy, Chinatown emerges as a provocative and critical site to dissect how market, state, and community actors construct and negotiate the processes of neoliberalization to forge a new frontier in urban development. By engaging the narratives of Chinatowns in Chicago and New York City—historically rooted in resistance and community—a microcosm emerges for exploring the ways in which economic interests produce and repackage culture and tourism to elevate the prominence of the contemporary city. Strategies of resistance such as organizing and coalition-building will be examined.

Within the complexity of today's urban political economy, "Chinatown" emerges as a provocative and critical site to dissect the ways in which a particular presentation of "culture" and economics together shape the contemporary urban landscape in the United States. In this urban landscape, market, state, and community actors, within the framework of neoliberalism, work in the new frontiers of urban development: the cultural enclave. Neoliberal ideas and experiments, which emerged out of the decline of Fordism and the Keynesian welfare state in the early 1970s, operate forcefully under the assumptions that open, competitive, unregulated markets—liberated from all forms of state intervention—represent the optimal mechanism for economic growth (Harvey 2005). In this economic climate, Chinatowns are packaged for profit as the new destinations for leisure, tourism, and entertainment, predicated upon the economic value of culture, diversity, and multiculturalism.

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Neoliberal policies that emphasize unfettered economic growth seek to profit from globalizing U.S. cities by capitalizing on cultural enclaves, such as Chinatowns, and thus endanger the community of these cultural niches. This paper presents the challenges to these communities brought on by the marketing and selling of "culture." It explores how a "Chinatown" becomes transformed into a cultural product through two case studies. The first is the Chinatown neighborhood tour administered by the City of Chicago and the second is the Museum of Chinese in America located in New York City's Chinatown. Although redevelopment policies are powerful, the paper reveals that there have been opportunities for resistance through organizations in these targeted neighborhoods.

CHINATOWN

Chinatown has historically been a steady fixture in urban landscapes. New York, San Francisco, Boston, Los Angeles, Chicago; all have their corner known as Chinatown. The physical environment of a city's Chinatown has often been a highly contested site. On the one hand are the economic aspirations of developers who want to shape and sell the city's ethnic flavor to tourists and other residents; on the other hand are the needs of community members who live and work there (Liu and Geron 2008). To take just one example of how the idea of selling culture operates, in 1990, when the George H.W. Bush Administration used Houston as a site for the world Economic Summit, it deemed the city an "international city." A Chinatown redevelopment plan followed based on the notion that Houston conventioners would be attracted to the "world city" ambiance provided by a Chinatown development close to the convention hall and thus readily available to conference participants (Lin 1995).

The Chicago Office of Tourism follows such a pattern in its selling of its Chinatown neighborhood. It advertises a Chicago Chinatown neighborhood tour (part of a three-in-one package that includes neighborhood tours of Little Italy and Greektown) (Santos, Belhassen, and Caton 2008). There are two depictions of Chinatown at work in the neighborhood tour. One is exotic Chinatown, characterized by peculiar culinary encounters, colorful pagodas, ornamental tiles, ceramic vases, lion sculptures, and the generous usage of the color red (Santos et al. 2008). These "foreign" elements reinforce Chinatown and, as a corollary, its residents, as the exotic "other." The second image is the comfortable and convenient Chinatown, a part of Chicago, as indicated by the ease with which participants were guided through the neighborhood under the meticulous stewardship of the City of Chicago. The imagery of an exotic and distant Chinatown—reproduced in brochures, talking points from

tour guides, and comments exchanged by tour participants, who were often white and middle- to upper-middle class—reveals the position of the City of Chicago as a cultural broker and as an aggressive government apparatus that remakes culture for economic gains and tourist attractions.

The enduring and “othering” imagery of Chinatown illuminates the dynamics between past and present representations of Chinatown in the wake of heightened tourism in urban ethnic enclaves, as well as the role of the local government in reproducing that imagery. While Chinatown continues to function as a neighborhood foreign to American sensibilities (Santos et al. 2008), this case underscores how tourism, culture, and cultural products are central components to local economic development initiatives. The City of Chicago offers “ethnic” neighborhood tours to represent its culture and history, yet it also draws from the character of the neighborhood to manage and repackage ethnic identity as a commodity. Through these tours, the living public space—of the community and its neighborhood—becomes a space for the city’s commodification efforts and the easy consumption of a “foreign” culture, a space clearly demarcated by race and class lines.

In New York City, the Museum of Chinese in America was established a few years after the New York City’s financial crisis in the 1970s, which is often regarded as a moment of neoliberal experimentation, characterized by severe limitations on labor rights, the privatization of public assets, and cuts in social provisions (Harvey, 2005; Sze 2010). The expansion period of the Museum of Chinese in America coincided with the reinvention period of Chinatown after the 9/11 attacks, when the leadership of the museum sought to transform the institution into a community leader and a national model (Sze 2010). In this transformation, the museum’s focus and services shifted from meeting the needs of local residents to helping to create a marketable neighborhood for outsiders.

This shift is evidenced by the museum’s funding and relocation from a building leased to multiple Chinese American social service and arts agencies to a building six times the previous size and designed by a signature architect (Sze 2010). The majority of the total funds that the museum received were restricted to its neighborhood presence in the most material sense: to the renovation and acquisition of the new facilities that would draw outside visitors (Sze 2010). Around it, Chinatown residents and neighborhood stores faced an increased threat of displacement by corporate interests due to its proximity to expensive real estate in Manhattan’s Lower East Side. In this way, the museum was part of the neighborhood’s gentrification, where policies and patterns of reinvestment and development of an urban space opened it to a more affluent class (Peck 2005).

In this context, the Museum of Chinese in America evolved from a small neighborhood-based cultural organization in Chinatown to a midsize cultural institution of prominence. On the one hand it operated as a site of cultural history through its exhibitions and programs, and on the other it accommodated a gentrifying trend that was transforming the neighborhood from the space of a particular community to a more accessible space for investment, development, and growth.

STRATEGIES FOR ACTION

In the wake of gentrification, community actors must strategically negotiate with powerful actors to craft just, innovative, and sustainable strategies that align with the interests of those who actually live in the neighborhoods undergoing rapid shifts. The role of the ethnic enclave within the neoliberal paradigm does not offer any ready-made solutions and strategies for actions aimed at long-time residents; however, a number of notable community organizing campaigns have successfully preserved the physical land and community integrity of Asian American ethnic enclaves.

One organizing strategy that has proven effective in resisting the conflation of culture with economic gains in ethnic enclaves is coalition-building. Advancing the continuum of organizing through community-labor coalitions, such as workers' centers, connects labor organizing with community organizing and amasses more political power. These coalitions enable community actors to increase their capacity to organize collectively against downtown developers or government actors who may continue to institute development measures inconsistent with pressing concerns from the community. Asian-American enclaves have been the birthplaces for the development of numerous community-based labor organizations, such as the Chinese Workers and Staff Association in New York, Asian Immigrant Worker Association in Oakland, and the Korean Immigrant Workers Alliance in Los Angeles (Liu and Geron 2008).

Building coalitions within an ethnic-specific community is also a key strategy to shore up collective resources. Boston's Chinatown, for instance, has 75 organizations concentrated within 25 square blocks (Liu and Geron 2008). The concentration and aggregation of resources support Asian-American activists and allies and provide opportunities for community members to serve on voluntary committees and boards. Community leaders in Boston's Chinatown also formed an unconventional, yet innovative, partnership with university researchers to address the constant pressure from downtown developers to build new and larger buildings. The utilization of data analysis contributed to the community's efforts to question the role of development and to demand accountability from economic actors by

generating more sophisticated studies of traffic injuries, scientific surveys of residents about environmental health, the measurement of noise levels, and physical and electronic mapping of data (Brugge and Tai 2002).

While the neoliberalization of modern cities has exacerbated the challenges for progressive urban movements, it has been suggested that the hostile climate for communities can also be seen as an urgent opportunity to foment urban protest on a global scale (Mayer 2009). The salient point here is that transformative organizing through collective action does not necessarily have to remain strictly situated within a particular locale. With the increased accessibility of social media and advanced technology, communicating, organizing, and building solidarity among similar stakeholders in today's globalized urban space offers a chance to address the deleterious effects of globalization in a truly concerted global effort.

A potential drawback to such community-based organizing is that as organizations expand and professionalize, they may increase their disconnection with the grassroots membership by seemingly maintaining the status quo. Due to possible tactical constraints of professionalized approaches, social movements and activists have a limited repertoire of innovative, transformative, and grassroots tactics that they could deploy, often encumbered by legal limitations of political activities.

Liu and Geron (2008) draw from the account of Asian Americans for Equality, which transformed from a grassroots and openly militant organization to a multi-million-dollar community development corporation in Manhattan's Chinatown. During several redistricting processes, Asian Americans for Equality, in order to achieve its desired electoral aims, shifted from aligning with disadvantaged communities of color, specifically the predominantly Latino area in the Lower East Side of Manhattan, to the elite business sector in downtown areas.

The changing nature and diversification of enclaves also pose critical challenges to organizing; for example, the priorities of Vietnamese and Cambodian enclaves, which emerged in the 1970s out of the war and displacement in Southeast Asia, might diverge from the interests of more firmly anchored Chinatowns (Liu and Geron 2008). The bureaucracy of many labor unions and the relatively nascent development of workers' centers also render forming community-labor partnerships tenuous. On transnational organizing, Mayer (2009) warns of the recent trends of non-governmental organizations shifting urban struggles into a depoliticized movement, which has been problematic in the struggles to push for democratic cities.

Ultimately, however, the greatest limitation to strategies of action is the hegemony of the neoliberal paradigm. As community actors engage in movement-building, the neoliberal agenda simultaneously and actively

works to supplant their vision and actions with neoliberal logic. Revisiting the professionalization and expansion of the Museum of Chinese in America highlights this tension. Whether the museum sought to professionalize and expand on its own accord is difficult to know. Whether the museum transformed from a cultural institution into a cultural product, further commodified and repackaged for consumption due to the explicit and implicit demands of its gentrifying neighborhood is worth exploring further. This example is symptomatic of the pervasive and dangerous power of neoliberal ideas and experiments to co-opt culture.

CONCLUSION

Chinatowns are deeply circumscribed within the neoliberal urban landscape, where public spaces are negotiated and reconstructed into privatized spaces and where culture and ethnicity are continuously reshaped and remade. The unresolved tension among state, capital, and community actors in the urban political economy is explored here in the microcosm of Chinatown, but the themes of culture, tourism, and co-optation are likely to correspond with patterns observed in the making and remaking of contemporary and global cities. This observation invites a critical discussion around the reproduction of culture for the consumption of an urbane class, which has assumed economic power. The most formidable challenge in strategizing for change lies in the neoliberal ideology that has asserted its global hegemony.

More encompassing strategies to address problems within the political economy of urban development must also pointedly hold accountable the roles of economic elites and the government in priming the urban landscape for the neoliberalization of cities. Given the scope of the analysis presented here, a tangible solution cannot be offered for deep societal transformation, but it suggests that community actors should be cognizant of the ways in which race and class complicate potential strategies for actions and systemic change in the backdrop of furthering the economic agenda of contemporary cities. Collective action has the power to be transformative, but its impact relies on community actors' abilities to navigate strategically the neoliberal terrain and to engage in a deeper analysis and a more reflexive visioning process of the ways in which community is constructed, maintained, and contested.

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THEORETICAL FORMULATION AND IMPLEMENTATION OF THE EARNED INCOME TAX CREDIT

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Abstract

The Earned Income Tax Credit (EITC) is one of the most respected antipoverty programs in the United States. In spite of its success, few studies have examined the political history of the EITC. This paper critiques EITC policy from President Johnson through President Obama, arguing that state-centered political theories best describe EITC's history of formulation and implementation. The paper concludes with a discussion of future challenges for antipoverty advocacy with an emphasis on tax reform strategies.

Social welfare programs seek to address a variety of problems that negatively affect health, education, and economic outcomes, among others. Collectively, these support programs are often referred to as the “safety net.” Some safety net programs specifically target social insurance (e.g., Social Security, Medicare), while others focus on transfers of resources like Food Stamps and State Children’s Health Insurance (Scholz, Moffitt, and Cowan 2008). Another strategy is to use the tax system as a device for reducing social inequalities. The current paper critiques one such program, tracing the formulation and implementation of the Earned Income Tax Credit (EITC).

The EITC is the largest tax-transfer anti-poverty program for the non-aged in the United States (B. Meyer 2009). Since its inception in the early 1960s, it has been shaped by and adapted to fit changing political contexts. State leaders involved in the distinct periods of policy legitimization, program expansion, administrative backlash, and political scrutiny make the EITC a fitting policy to be assessed using a state-centered political framework. In the most general sense, state-centered approaches

to policy formulation and implementation are based on strategic actions by appointed or elected state officials. These actors are not merely agents of societal interests, but possess varying degrees of autonomy that allow them to pursue institutional, career, ideological, and constituent interests. For example, of central importance in the case of the EITC is the role of state actors' interests. These can be politically pragmatic (i.e., reducing welfare rolls) as well as ideological (i.e., able-bodied adults should work). Additionally, for actors with experience in a specific policy area, their position as "experts" can direct the policymaking process by ensuring that their issue remains on the legislative agenda, for example (Skocpol and Ikenberry 1983).

In contrast to officials' interests, the interests of constituents—groups of citizens that interact with the state—had almost no role in EITC development. The public was largely unaware of the EITC and administrative education and outreach campaigns were ill-used. In spite of past disengagement, there is potential for constituent interests to take priority on the EITC agenda as more demographic groups become engaged in tax reform advocacy.

For the purposes of this discussion, state actors are a comparatively small group of individuals. Although committees worked on each version of EITC legislation, the present summary frames the policies and implementation as products of the president or party leader in a given historical era. In addition to simplifying the discussion, this is useful because it was an individual president who ultimately had to make the final strategic decisions as to how and when to include tax transfer policies in his welfare reform proposals.

EITC PROGRAM OVERVIEW

The EITC is a refundable tax credit that moves an estimated 4 million people out of poverty each year (Waldfoegel 2009). The EITC is a refundable tax credit, which means a family can receive the credit even if they have no income tax liability. Nearly all families choose to receive the credit as a lump sum as part of their tax refunds (D. Meyer 2009). Although poorly communicated to the public several times during policy formulation, the EITC has a conceptual simplicity: it subsidizes work by poor parents and transfers income to them.

The EITC has grown from about \$4 billion in 1975 (converted to 1999 dollars) to about \$32 billion in 1999; no other federal antipoverty program has grown at a comparable rate (Hotz and Scholz 2001). In 2007, 17 percent of all tax filers claimed the EITC for a total of \$43.7 billion (Kneebone 2009). The program is designed so that working more hours

(phase-in period) will cause earnings to reach a specific threshold (plateau period), at which point the rate of return begins to decrease (phase-out period) (Neumark 2009). For a married couple with three children (filing jointly in 2009): 1) the credit increases during the phase-in period until income reaches a peak of \$5,656.50 (45% of \$12,570); 2) the credit plateaus until earnings increase beyond \$21,420; and 3) based on greater earned income, the EITC begins to phase-out until earnings exceed \$48,279, at which point the credit is zero (IRS 2009).

There has been considerable debate as to the potentially adverse effects of each EITC phase and the number of hours that parents may choose to work. A phase-out rate of 21.06% would mean that a worker loses 21 cents of EITC credit for each \$1 earned above the threshold (Romich, Simmelink and Holt 2007). For this reason, some argue that the EITC incentivizes work only during the phase-in period and that once the threshold is maintained, an individual has no reason to work more hours. Because many contextual factors such as marital status, joint filing, and number of children have been shown to influence how many hours workers may choose to work, there is an entire field of economic modeling dedicated to examining labor supply issues and EITC (Ellwood 2000). Acknowledging that phase-in/out issues are still problematic, the temporary 2009 and 2010 Recovery Act adjustments increased the phase-out range for joint filers by almost \$2,000 (CCH 2009).

TIMELINE: HISTORICAL ERAS AND STATE ACTORS

In the 1960s, there were attempts to invent strategies for using the tax system as a device for reducing poverty, including helping low-income families whose tax bills were already at zero. Lyndon Johnson's administration designed what are called Negative Income Tax (NIT) alternatives. These applied negative rates to unused tax exemptions and deductions or made a negative per capita credit (Ventry 1999). President Johnson, who had made his Economic Opportunity Act (1964) one of the cornerstones of the Great Society Program, preferred explicit pro-work, rehabilitative policies in contrast to the NIT proposal (5). In response, his administration began exploring a second category of programs called Guaranteed Annual Income (GAI). These programs provided a minimum income floor under every family and did not incorporate a phase-out system (6). Johnson was even less responsive to GAI proposals, but eventually combined the two policies in one approach. Richard Nixon later tried to bridge the gap between work incentives and minimum benefit levels with his Family Assistance Plan (1969), which contained minimal work requirements. Although the FAP failed,

it set an important tone for the 1970s legislation: successful tax transfer programs must address *both* anti-poverty and anti-welfare goals (13).

Senator Russell Long offered an alternative to both NIT and GAI plans with his “work bonus” credit proposal in 1972. He wanted to direct benefits towards the “deserving poor,” seen as those willing to work. His “work bonus” foreshadowed the EITC structure as it rose to a maximum credit of \$400, declined at a 25% rate from \$4,000, and phased out at \$5,600 (13). “Work bonus” credit proposals passed the Senate but failed the House three years in a row. However, when the country slipped into a recession, Gerald Ford passed the Tax Reduction Act (1975) and Senator Long strategically inserted part of his proposal into the tax code. Jimmy Carter proposed his Program for Better Jobs and Income (1977) but had to drop it because of internal disagreements. However, the EITC had gained enough stand-alone legitimacy to remain in his larger platform. The following year, the Revenue Act of 1978 made the EITC a permanent feature of the tax code, setting the foundation for future EITC expansions (25).

Ronald Reagan’s 1981 Budget Act cut Aid to Families with Dependent Children (AFDC) by 17.4%, removed 408,000 families from welfare rolls, and increased the poverty rate by two percentage points (Ventry 1999, 27); however, the EITC survived these dramatic changes and actually expanded under Reagan’s Tax Reform Act of 1986. In other words, conservative state actors were identifying the tax system as both the problem and solution to the rising inequalities of the 1980s. George Bush (1990) and Bill Clinton (1993) both expanded the EITC, and as Clinton ushered in welfare reform (1996) the EITC found itself in a unique place. While large numbers of families had been removed from welfare rolls and placed on Temporary Assistance for Needy Families (TANF), the EITC remained a consistently supported program. It survived reports of fraud (B. Meyer 1999) and weakened credibility precisely because it was still consistent with the shift towards work-oriented welfare reform policies.

President Barack Obama’s 2009 Recovery Act included some significant changes over previous tax transfer legislation, such as the “Making Work Pay” tax credit and a new one-time cash payment to selected families. Furthermore, his version of the EITC provides a new benefit to the 8.2 million low-income working families with three or more children (one-fourth of which had income levels below the poverty line in 2007) (IRS 2009). But his strategy still emphasizes tax credits over direct programs, favors in-kind benefits rather than cash for low-income families, and focuses on work supports instead of assistance to non-workers (D. Meyer 2009).

Howard (1997, 145) highlights several interesting similarities between how the program was enacted in the 1970s and the various reforms that the EITC underwent in following decades: president proposes comprehensive welfare reform, including EITC expansion; proposal generates widespread

and intense opposition; proposal is defeated; president abandons welfare reform; tax committees later expand EITC as part of larger revenue bill; EITC passes with little debate or societal input. This pattern is fully consistent with the tenets of state-centered theories of policy formation and implementation. Policy is primarily made in absence of interest group influence (e.g., antipoverty advocacy, organized labor) and public opinion (Pierson 1996) and state actors (e.g., committee chairmen, president) strategically focus on furthering their interests (e.g., career, institutional) by using the inherent powers of the state (e.g., congressional majority, procedural technicalities in tax code) to translate their goals into political action (e.g., blocking welfare reform, EITC expansion).

These examples point to an irony in EITC history: although the policy continues to straddle two precarious political arenas (i.e., welfare reform and tax relief), its history of enactment has been largely unremarkable. As a small part of a larger revenue bill it had no hearings or provision-specific votes (Howard 1997). As a result, the EITC involved little input from constituents or debate from interest groups.

RECOMMENDATIONS

Over the last three decades, the EITC program has been applied to three main policy areas: tax, labor market, and antipoverty. Understandably, at times these various goals have conflicted with each other. How the credit is viewed depends on how much weight one gives to the appropriate role of the EITC in addressing social, economic, or political conditions. During different historical eras state actors often had to shift the focus of the EITC to respond to a purported social problem, be it “welfare dependency,” unemployment, or tax reduction. Because of this, state actors were frequently faced with limited windows of opportunity for how to re-brand the EITC and incorporate (or remove) it from their platform. The longevity of the EITC, bolstered by its place in the tax code, makes it very likely that it will continue to be a tax transfer program with which future administrations contend.

An interesting trend that creates an opportunity is the increasing number of states with EITC programs, of which there are now 22. These supplement the federal EITC (Neumark 2009), which means that the federal government could coordinate with state agencies to identify best practices for other states and counties developing EITC programs. For example, Wisconsin developed an EITC program with explicit reference to the higher incomes that are needed to keep families with three or more children out of poverty. Similarly, the Minnesota EITC includes a second phase-in range, developed to combat the fact that when many minimum-wage earners receive increases in wages or hours they lose cash assistance or

food stamps, and experience tax increases, the sum of which can make the family less financially stable than before (Hotz and Scholz 2001).

Another potential for rethinking the role of the EITC is reevaluating the criteria for receiving work support. For example, the temporary EITC expansions under the Recovery Act of 2009 targeted large families and are conservatively estimated to raise over 400,000 additional individuals above the poverty line (B. Meyer 2009). Similarly, Bernstein (2007) suggests that a basic-needs family budget is roughly 200% of the poverty threshold. The EITC should use this marker as an updated phase-out level. This would also help address the needs of moderately higher income families who may earn too much to qualify for other means-tested programs, yet still require a safety net. In addition to adjusting this threshold level, the actual phase out rate should be lowered in order to prevent benefits from decreasing too rapidly.

In addition to increasing the credit proportionately for family size and improving income cut-offs, EITC programs could also benefit from targeting families with young children. During the highly partisan childcare debates following the 1988 election, President Bush briefly proposed this as strategy to counter congressional Democrats' childcare supplements. Further research is warranted as recent evidence stresses the importance of addressing deep and persistent poverty experienced early in childhood. For example, Heckman (2006) specifically advocates for economic investments during early childhood. Family income in early childhood appears to be more influential for child ability and achievement, in comparison to investments in middle childhood and adolescence (Magnuson and Votruba-Drzal 2009).

Proponents of comprehensive antipoverty programs note that the EITC effectiveness can be increased by pairing it with minimum-wage legislation and closer alignment with family support measures such as childcare tax credits and the dependent care tax credit (Levitan et al. 2003). Innovative strategies in savings and investments are equally necessary to ensure that working poor families can build capital and increase the likelihood of remaining out of poverty.

The First Account program in Chicago offers one such model. The Center for Economic Progress provides free tax preparation for EITC-eligible filers and targets individuals without bank accounts. Filers are assisted in setting up free bank accounts and are eligible to have their EITC funds directly deposited. Data shows that these individuals were equally likely to be using their account compared to (self-selected) individuals that opened accounts after completing a financial education workshop (Mullainathan and Shafir 2009). The federal government can encourage the automatic transfer of EITC funds into bank accounts on a larger scale. This would reduce administrative costs by streamlining EITC dispersal, and also empower communities that traditionally have limited access to building capital.

CONCLUSION

The political narrative of the EITC offers a glimpse of hope in an increasingly contentious political landscape. For example, during the 1986 and 1990 EITC expansions, Republicans controlled the White House, and Democrats lead the House of Representatives, but in the midst of a gridlocked partisan environment, and centrist intraparty fractions in the Democratic Party, decisive legislative decisions were still reached. The political history of the EITC also holds lessons for advocates. Societal actors and interest groups were largely absent from tax reform discussions; however, organized labor, business, antipoverty, and children's groups have all advocated for EITC expansion at some point. It may prove useful for advocacy groups to remain abreast of tax policy given the reemergence of fiscal responsibility themes recently. If social change through tax reform has been a more palatable strategy than traditional welfare reform it is important for progressive groups to both anticipate challenges in this specific area and also frame antipoverty issues in appropriate terms.

Throughout the last 35 years, none of the various competing senators, presidents, committee chairs, or advocacy groups has ever let another group *claim* the EITC as its own. Using Howard's (1997, 141) term, the EITC's unique "ambiguity" as an open-ended tax expenditure allows a wide range of state actors to tie the program to a variety of issues, and defend it using moral, economic, social, or political arguments. As more groups stake particular interests in the EITC, a disambiguation process could occur and EITC policy could thus evolve in unforeseeable ways.

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SEX TRAFFICKING IN CAMBODIA AS A COMPLEX HUMANITARIAN EMERGENCY

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Abstract

This paper explores the history of humanitarian interventions that focus on prostitution and sex trafficking in Cambodia. It contends that Western influence in Cambodia both helped to create and now extend the problem, creating what the paper defines as a complex humanitarian emergency. The paper outlines the historical roots of the influence and then examines the ongoing humanitarian response, highlighting areas in which this response has maintained or exacerbated the emergency. It also addresses in a brief outline the implications for international social work practice.

Cambodia's recent history is devastating. In the four years that the Khmer Rouge held power in the country (1975-79), an estimated two million Cambodians were killed in what many consider a genocide (CGC 2010). The reign of the Khmer Rouge ended with the Vietnamese invasion and subsequent occupation of the country for more than a decade. During that time international intervention was precluded by Cold War politics. After the end of the Cold War, the United Nations Transitional Authority in Cambodia (UNTAC) was deployed to the capital city, Phnom Penh, in 1992. UNTAC aimed to create a peace agreement among warring UNTAC factions and reconstruct the Cambodian government (Widyono 2008).

Cambodian intervention thus took place during an era of the "complex humanitarian emergency," which evolved in the wake of the Cold War and became the lens through which most humanitarian crises were evaluated (Hyndman 2004). Whereas humanitarian emergencies had been seen as caused by a natural disaster, or an evil regime, the complex humanitarian emergency was defined as a crisis rooted in various causes, by various players, necessitating urgent international response. For the purposes of this

analysis, humanitarianism will refer not only to post-war aid for which it is widely known, but also for the subsequent on-going ethical imperative to reduce suffering (Calhoun 2008).

This paper contends that Western influences, specifically UNTAC's involvement in the creation of an environment conducive to sex work, played a profoundly influential role in the social construction of sex trafficking in Cambodia as a complex humanitarian emergency. It will explore the subsequent humanitarian response and its role in the international construction of sex trafficking as a locally caused social problem, highlighting areas in which this response has maintained or exacerbated the emergency, and close by considering the implications for international social work practice.

WESTERN ROOTS OF THE CAMBODIAN CRISIS

Documentation suggests forced prostitution grew during Cambodia's status as a French protectorate. While prostitution was never formally condoned, the only period in which it was successfully banned was during the Khmer Rouge dictatorship (Derks 2008). It is of note, however, that the entry of the United Nations Transitional Authority in Cambodia (UNTAC) marked a boon for the sex industry: the supply of Western troops seeking services greatly increased demand (Widyono 2008). In response to local complaints to the growth of prostitution, the UNTAC director suggested he had neither control nor responsibility for the behavior of his "hot-blooded young men" (Economic and Political Weekly 1992). The sex industry grew so substantially following the entrance of the UNTAC troops that when Cambodian Prime Minister Hun Sen was asked what UNTAC's legacy would be, he replied, "AIDS" (Richburg 1998).

It has been argued that this new consumer base, together with long-standing patriarchal cultural norms, provided prostitution in Cambodia the ideal environment in which to expand. Importantly, the notion of Cambodian men's broad acceptance of prostitution and the silent opposition among Cambodian women are thought to be deeply entwined within cultural gender norms, factors that are blamed for the maintenance of the sex industry beyond UNTAC's exit (Samarasinghe 2008).

By contrast, other scholars contend that Western politics—the politics embedded within many of the parties which comprise the UN—create an environment which could foster the sexual abuse of women by habitually defining elite groups (e.g., men) who demand obedience from weaker groups (e.g., women) (Nordstrom 2004). The United Nations' reconstruction efforts have a history of accommodating women only to

the extent that their generic intervention mandate allows. As a result, new policies fail to protect the women they profess to serve (Hyndman 2004). Citing her experience in Bosnia, journalist Lesley Abdela (2003) sharply refutes the notion of the discretely local construction of patriarchy in a transitional society, contending that the United Nations continually fails to include or consider women in the reconstruction of war-ravaged humanitarian sites. An oversight at best, an intentional imposition of chauvinism at worst, she suggests that the exclusion of women in reconstruction efforts systematically establishes, through the institution of new infrastructure and legal systems, an environment of gendered power differentials. With direct reference to Abdela's contention, Aoláin (2009, 1061) elaborates: "While the international presence is lauded for rescuing such societies from the worst of their own excesses, what is little appreciated is that such men also bring with them varying aspects of gender norms and patriarchal behavior that transpose into the vacuum they fill."

Accordingly, UNTAC did not include women in the formation of Cambodia's reconstruction. When UNTAC tried to encourage Cambodian women to vote in a new, male-dominated system, the women felt a common sentiment that "the UN may have had good ideas about women's participation in politics, but it did not practice what it preached" (Whitworth 2004, 71). UNTAC workers themselves noted the animosity directed at their efforts, citing Cambodian men's fury regarding troops' sexual assault of Cambodian women, and the men's exasperation that the perpetrators were not held accountable (Widyono 2008). That Cambodian men consistently and angrily objected to the exploitation of local women indicates that forced prostitution may not have been a culturally condoned phenomenon prior to UNTAC involvement.

THE EVENTUAL OUTCRY

The internationally based non-governmental organizations (NGOs) that followed UNTAC's presence initiated the outcry against the plight of sex workers in Cambodia. To their international counterparts, NGOs framed the issue in part by claiming that the emerging Cambodian government was too weak to address the problem. They then pressured international agencies to intervene (HRTFC 1996). Since cultural willingness is key to initiating social change (Nelson 1987), the paternalistic, uncooperative tone with which international groups highlighted the issue proved an immediate barrier to Cambodian society's acceptance of forced prostitution as a social problem. Thus, with the world's eyes now on a previously devastated and isolated country, the international outcry over what Westerners labeled "sex trafficking" fell on deaf ears in Cambodia (Derks

2008). As the first people to identify a problem often shape how others perceive it (Nelson 1987), the international movement to change forced prostitution in Cambodia without the cooperation of the Cambodian people set a strong precedent for the humanitarian responses to come.

By reinforcing the perception of the Cambodian female “victim,” internationally-based NGOs described all women in prostitution as “trafficked,” reasoning that most women are forced or coerced into the industry (Derks 2008). The NGOs then adopted an abolitionist view that no woman would choose prostitution as a career if any other options were available to her (Samarasinghe 2008). Cambodian studies often vehemently disagree, with some reports suggesting that up to 90% of sex workers freely chose prostitution as their best available job option (Agustin 2009). This divergence exemplifies the dissonance—the result of a lack of collaboration—between international aid workers and the local population. As international agencies exposed the plight of sex workers and the local Cambodians aimed to mollify the outcry, the involvement of, and high stakes for, opposing claims-makers allowed for biased, skewed interpretations of the situation in Cambodia (Linders 1998).

Spurred by the international attention paid to the vulnerability of women within Cambodia’s sex industry, global predators flocked to Cambodia for illicit sex (Samarasinghe 2008). According to the website Humantrafficking.org, in 2006, only three foreign sex tourists were convicted of prostitution-related crimes, despite an estimated 15,000 sex workers in Phnom Penh, of which 5,000 are estimated to be children. This has ravaged the region with sexually transmitted infections; Cambodia maintains one of the highest prevalence rates of HIV in Asia, and up to 40% of new infections in Cambodia are thought to be related to the sex trade (AVERT 2010). Cambodian men now patronize the sex trade as an apparent cultural norm; it is estimated that 70% of Cambodian men will have sex with a sex worker or trafficked woman at least once (Samarasinghe 2008). Furthermore, Cambodia has become not only a destination country for sex tourists, but a transit country, through which women are indeed trafficked en route to other locations (Samarasinghe 2008).

This demonstrates how globalization has created an immediacy with which an emergency surfaces and intensifies in a way not previously possible (Calhoun 2008). With roots of the problem stretching back toward French colonialism and profoundly exacerbated by UNTAC involvement, the Western influences which helped create the new sex trade in Cambodia were ignored, and Cambodians were alienated as the burden fell on their shoulders. Although the percentage of sex workers who are “voluntary” remains in contention, it is widely accepted that women in the sex trade endure life-threatening, cruel conditions that are virtually impossible

to escape. Thus, fitting with Calhoun's (2008) definition of a complex emergency, prostitution in Cambodia has many causes, has many actors, and compels an international response (84).

THE HUMANITARIAN RESPONSE

The prominent role played by NGOs in large humanitarian crises is now well recognized. The scale of the phenomenon is explained in part by the ease of entry into the non-profit arena—anyone can create an NGO and contribute to humanitarian efforts (De Waal 1997). An element of most NGOs' failure to collaborate with Cambodians on the issue of sex trafficking was surely the sheer volume of aid workers in Phnom Penh, which lead to a disjointed intervention of competing NGOs with similar missions. As NGOs compete for resources and rush to "rescue" the same "victims," many NGOs habitually develop a materialist agenda—constructing practice methods to attract profit—and are left with dysfunctional results (Cooley and Ron 2002).

The materialist agenda is in some sense essential for the survival of an NGO; the invocation of compassion (or pity) among distant donors is commonplace among agencies whose work does not necessitate media beyond the funding it procures (Boltanski 1999). NGOs may seek to exploit the stories from the women they serve, creating lucrative "trauma portfolios" through which supplies and donations are encouraged, establishing an economy of trauma (James 2010). Some scholars contend that even those who aim explicitly to avoid such exploitation inadvertently project their own perceptions onto victims to conform to preordained ends (Rajaram 2002).

Accordingly, global media portrayals of Cambodian sex workers consistently characterize the women as either "broken" or as victims, a portrayal which, through repetition, has come to seem like an absolute truth despite the little evidence to support the characterization (Derks 2008). Reductionist media headlines read "Girl, 6, Embodies Cambodia's Sex Industry," divulging the girl's name, the price for which she was sold into prostitution, and her HIV status (Rivers 2007). Simultaneously, local media portrayals of Cambodian sex workers depict the women as immoral and of little worth (Hill and Ly 2004). In other words, sex workers are either vilified as evil or silenced as naïve and helpless.

While the designation of sex workers as victims may reap immediate financial rewards from sympathetic donors, by resolutely assuming that all women within the sex trade were trafficked into prostitution against their will, agencies endanger the women who remain in sex work. Many Western NGOs who follow this intervention strategy, most notably the International

Justice Mission, boast sensationally of “brothel raids,” in which agencies collaborate with police forces to shuttle sex workers out of brothels and into temporary shelters. Many of the women are furious with their detention in these shelters and immediately return to sex work (Haugen 2005).

Moreover, in response to the steep increase in raids over the last several years, brothel owners have decentralized, scattering their workers in karaoke bars, massage parlors, and beer gardens (Derks 2008). Decentralization undercuts the protections that were once available to workers within a brothel, including medical care and dependable access to condoms (Agustin 2009). Other workers leave the relative safety of a brothel and find themselves in potentially life-threatening situations when entering customers' homes alone (Derks 2008).

In the creation of many NGO interventions (Derks 2008), individual women were used only to help the media sensationalism and thereby to support the mission of the NGO. Their testimony would only be used if it represented the “exemplary victim,” or the victim whose biological needs supersede others' (Malkki, 1996). The reduction of sex workers to voiceless bodies leads to one of the most stringent criticisms of humanitarianism: victims are diminished to “bare life” (Agamben 1998), an object of mere survival.

By reducing sex workers to mere bodies to be saved, such NGOs do not consider apparent violations of an individual's rights. Fittingly, interventions are targeted almost exclusively as rescue efforts with perpetrators left unpunished. The Cambodian Government has drafted sound anti-trafficking laws that would provide substantial protections to sex workers (US Department of State 2008). However, when police participate in “brothel raids,” brothel owners are not typically charged with crimes and the sex workers are often left unprotected, with little or no rehabilitation services provided to them (US Department of State 2009; Samarasinghe 2008). Indeed, police often arrest the sex workers themselves and charge them with illegal prostitution, assuming—distinctly contrary to NGOs—all sex workers are voluntarily working in prostitution (Samarasinghe 2008). The threat of arrest as a deterrent from work in prostitution is not only irrelevant if the sex worker has been forced into the job, but it also misdirects the blame for the behavior. Further, police harassment of sex workers is common, and women often report to NGOs that police have beaten them or stolen their earnings. Police brutality is so widespread that sex workers cite police harassment as their primary fear, not rape or violence within forced prostitution (Derks 2008).

It is clear, then, that when individually, empathically interviewed, sex workers reveal concerns that require more than a banal humanitarian approach, highlighting issues that could potentially be addressed through

legal advocacy, worker mobilization, and political processes. However, by resorting to strictly humanitarian efforts that silence the individual, this NGO strategy replaces law with charity (Agier and Bouchet-Saulnier 2004). Media representations, in turn, prolong the perception of a complex humanitarian emergency in which immediate humanitarian services are constantly needed, effectively relieving the government of addressing structural shortcomings. The government can contend, then, that more in-depth needs can be indefinitely bypassed in the interest of maintaining sex workers' "bare life." In other words, "Policy emphasis on sex slaves as 'victims of trafficking' limits the state's obligations toward them" (Davidson 2006, 83).

IMPLICATIONS FOR PRACTICE

Some contend that even if victims are provided the environment in which to speak, the Western humanitarian aid worker will not know how to listen (Rajaram 2002). A select few NGOs—acknowledging the presence of the false humanitarian "Western expert," whose role silences the women, the true experts (Rajaram 2002)—are ensuring that sex workers themselves are involved in crafting an anti-trafficking intervention (CACHA 2009). For example, some organizations using group interviews with sex workers have determined that the women interviewed urgently need safe family planning and abortion services (Delvaux 2003). Other organizations have employed a "participatory learning" model, whereby individual women in their program develop personal interventions while simultaneously attending group sessions in which broader interventions are discussed. While this program appears successful thus far, it utilizes an individualized social work model that is not financially sustainable for most NGOs (Busza and Schunter 2001).

An obvious complexity of involving sex workers in the intervention involves the available pool of participants to craft the efforts. "Rescued" women in shelters may be available to contribute, though it may be difficult for them to participate since violent reprisal for interference in the sex trade is commonplace (Haugen 2005). Women who are currently active within the sex trade and working from a brothel would require permission from brothel owners to participate, limiting their involvement and potentially jeopardizing their safety.

While traditional humanitarian anti-trafficking efforts respond to immediate crises, it may be beneficial to consider the reduction of suffering by means of long-term interventions. The imperative to relieve the suffering of those in immediate crisis is dominant, but taking a longer

view may allow for a broader scope in considering crises worldwide and recognizing emergencies as the rule and not the exception (Calhoun 2008). By acknowledging crises as the rule, humanitarian efforts can begin to look beyond distinct causes—too often incorrectly identified—and move forward toward integrative, locally involved preventive and rehabilitative measures.

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GAY-STRAIGHT ALLIANCES IN PUBLIC SCHOOLS: AGENTS OF EARLY ADOLESCENT ALIENATION

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Abstract

Gay-straight alliances (GSAs) are heralded for their role in providing safe spaces and social outlets for queer students in public schools in the United States. While this is true to an extent, GSAs fail to accomplish their mission of creating a culture of diversity and tolerance within their schools. Due in large part to macro-level heteronormative expectations, mezzo-level GSAs emphasize the ostensible difference between heterosexual teenagers and their non-normative peers, in preference to dismissing this falsehood. As influential sites of socialization, this paper offers an alternative strategy that schools might employ to foster an environment of inclusivity and mutual respect.

The intentional targeting, stigmatization, and marginalization of queer¹ youth in secondary educational settings recently garnered a great deal of media attention, albeit temporary, in the wake of a string of queer adolescent suicides. As with many high-profile events, the issue quickly faded from public consciousness and, consequently, never became the target of policymakers. Yet, for the past 20 years, many high schools across 27 states have created and established Gay-Straight Alliances (GSAs) whose primary missions are “to empower youth activists to fight homophobia and transphobia in

¹ “Queer” in the context of this paper includes those who identify as LGBTQIN: lesbian, gay, bisexual, bigendered, transsexual, transgendered, questioning, intersexed, or none of the above. Scholars and members of the LGBTQIN community use “queer” as a way of addressing all individuals whose behaviors do not conform to heteronormativity (e.g., Butler, 1990; Foucault, 1984; Miceli, 2005; Turner, 2000).

schools" (GSA Network, 2010). Since GSAs represent one of the only attempts to address homophobia in public schools, they provide the only micro-level model that might be used to inform future policy. Consequently, it is imperative to examine their effectiveness.

Accordingly, this paper challenges the efficacy and relevance of GSAs in secondary educational settings, especially as they relate to the early adolescent psychosocial crisis. It argues that while having benign intentions, these mezzo-level interventions may actually be exacerbating the notion that queer teens are somehow separate from their peers. If GSAs provide a mezzo-level education of heterosexuals and a micro-level empowerment of non-heterosexuals (Miceli 2005), these organizations can be shown to isolate and distance a particular group of adolescents from the larger, normative population. I will explore how this is problematic vis-à-vis the psychosocial theory of human development.

VIEWING HOMOSEXUALITY THROUGH A HETERONORMATIVE LENS

Five states and the District of Columbia now perform and recognize same-sex marriages and ten other states have adopted the separate-but-equal policy of same-sex civil unions. Those outside of the queer community, then, most likely situate queer individuals in a class that now enjoys equal rights and, consequently, equal participation and recognition in society. Although logically counterintuitive, *de jure* "equality" of a marginalized class does not ensure *de facto* integration of its members into society. For a simple example, one need only look to the popular media, where a very specific stereotype of the "gay man" (Caucasian, tall, slender, well-educated) and "lesbian woman" (generally, a militantly feminist woman) are reified and perpetuated.

In contrast, television shows that depict a no-holds-barred version of the queer lifestyle are often unsuccessful. For example, *Queer as Folk*, a series that ran on the premium HBO network from 2000 to 2005, was largely unsuccessful because its characters were unabashedly accurate portrayals of different personalities within queer society (specifically, within the homosexual male subculture). Consequently, the program did not conform to American culture's heteronormative values, ratings plummeted, and the show was canceled. In contrast, seemingly "queer friendly" shows that now appear on primetime television (ABC's *Brothers & Sisters* and NBC's *The Office* immediately come to mind) suggest a queer lifestyle that is both recognizably middle-class and heterosocietal. Queerness in the popular conscious has thus been boxed into a white, male, heteronormative

frame that excludes the LGBTQIN (i.e., the invisible) portions of the community.

Therefore, even in an era of superficial trends toward equality, queer adolescents' self-esteems do not seem to be improving; rather, a heterosocial expectation continues, purporting to define each young person's unique, individual sexuality. The discovery of one's non-normative sexual orientation is, in itself, an isolating experience (Westrate and McLean 2010). This, paired both with adolescents' psychosocial crisis of identity versus role confusion (Erikson 1963) and their compulsory attendance in a normative, institutionalized social setting, instigates a strong sense of unwanted solitariness and confusion. Compulsorily immersed within a normative environment, the psychosocial crisis with which these young people must grapple can be extremely overwhelming. Accordingly, just as schools have the obligation to recognize and to serve children from varying socioeconomic, racial, political, religious, and ethnic backgrounds, so too do they have the obligation to do so with regard to sexual orientation and gender identity/expression.

While queer adolescents face a distinct facet of self-discovery (i.e., a non-normative sexuality), it is important to understand that adolescence, in itself, is one of the most pivotal stages of human development. Consequently, both heterosexual and queer children share many similar experiences during this unique period of life. For example, the developing adolescent grasps fully, and for the first time, the concept of being an autonomous individual with a unique purpose and goals (Newman and Newman 2009). Since this is a period of great physical, emotional, social, and cognitive growth and change, many scholars (e.g., Newman and Newman 2009) posit that this period of life can be divided into two stages: (1) early adolescence, ages 12 to 18, and (2) late adolescence, ages 18 to 24. During both early and late adolescence, humans grapple with the psychosocial conflict of identity versus role confusion (Erikson 1963). Whereas early adolescents resolve the conflict through group identification, late adolescents do so through forging an individual identity (Newman and Newman 2009). The formation of these identities is the resolution and self-affirmation of one's prior developmental roles, many of which were explored during childhood, in which humans begin to experiment with various gender roles as early as late toddlerhood (Erikson 1963; Money and Ehrhardt 1972). The end of early adolescence results either in affirmation or rejection of the self by one's peers—and this is a fragile moment. With adequate support from parents, teachers, coaches, and close friends, the queer teenager can positively affirm and accept this identity.

When examining gay-straight alliances, then, one of the major concerns is that “gay-straight alliances will broadcast the difference between

gay students and straight students” (Schwartz et al. 2009). Thus, while the motive of these school clubs is to eliminate homophobia and to empower marginalized youth (GSA Network 2010; Miceli 2005), psychosocial theory and recent events show that early adolescents are not able to make this connection. The result is dangerous.

THE GAY-STRAIGHT ALLIANCE: A SITE OF SIMULTANEOUS AFFIRMATION AND ALIENATION

While the social science literature abounds with information about GSAs within the theoretical, sociopolitical context (see, e.g., Adams and Carson 2006; Blumenfeld 1995; Holmes and Cahill 2004; Miceli 2005), there is much to be desired in the realm of examining the effectiveness of gay-straight alliances in practice. According to the Gay-Straight Alliance Network (2010), these student groups are

powerful tools that can transform schools—making them safer and more welcoming for LGBTQ youth, youth with LGBTQ parents, and straight allies. ... GSA clubs become activist clubs that can educate teachers and students to improve the school climate.

McCready (2005) and Miceli (2005) liken student participants in GSAs to youth activists whose goal is to “challenge and destroy the heteronormative American culture” (Miceli 2005, 228). If one combines this idea with the fact that a queer teen seeks affirmation from her/his peers and mentors (McLaren 1995; O’Conor 1995), then it is plausible that GSAs are, in fact, sites of political power, asserting the agency of an oppressed group (Rofes 1995; Uribe 1995).

However, recent research suggests that early adolescents do not join GSAs to engage in discussions of systemic change; rather, they seek a group of like-minded peers who accept them for who they are. For example, Griffin and others (2005) explain that

for LGBT youth, being part of such a group can help them overcome persistent isolation and victimization in school. However, when the GSA is the sole agent for such activism, it is questionable how much systemic or even personal change can occur or continue. Without participation and leadership of other adults and students, addressing LGBT issues can become marginalized (180).

Furthermore, Holmes and Cahill (2004) note that well-organized groups of queer students who are interested in spearheading real change

go beyond formulating GSAs at their high schools. These students seek intervention at a higher level and often demand that administrators draft “nondiscrimination and anti-harassment policies and anti-homophobia initiatives” (54). In many cases, however, these administrators are reluctant to mind such requests, especially in geographic areas that are not sociopolitically diverse (McLaren 1995). Linking this to the early adolescent’s psychosocial crisis leads to a sense of role confusion and, ultimately, isolation. Whereas adults have the complete sense of self to fend against these adverse reactions, early adolescents have yet to develop such skills (Newman and Newman 2009). For many queer adolescents, the discovery of their sexual orientation and/or non-normative gender identity marks the first time that they have fallen beyond the purview of societal expectations (Sadowski 2010); it is the first time that *s/he* is deviant. Consequently, even the most outspoken adolescent, already feeling awkward and misplaced in the normative school setting, is likely to resign his/her efforts after facing this dismissal from school officials.

In fact, Adams and Carson (2006) find that queer students are more likely to face resistance from leadership figures within schools (i.e., teachers, counselors, coaches, and administrators) than from their peers. Moreover, Schwartz et al. (2009) explain that most resistance to the establishment of gay-straight alliances stems from parents, community leaders, and teachers, not from students themselves. Accordingly, the real issue lies not within the adolescents themselves, but rather within the intersection between the semi-hostile school environment and the potentially toxic home environment. Even if schools were to teach all of their students that an egalitarian society should embrace diversity, there is no guarantee that students’ peer groups and parents would promulgate or support these concepts in the home environment.

Therefore, it is plausible that gay-straight alliances may allow students to build a solid group identity (Erikson 1963) and an affirming sense of self (Newman and Newman 2009). However, while queer students might feel protected from heteronormative marginalization during their weekly GSA meetings, queer adolescents nonetheless remain vulnerable to experiencing violence in schools solely as a result of their sexual orientations or gender identities (Adams and Carson 2006; Weststrate and McLean 2009). The number of state-recognized gay-straight alliances is on the rise (GSA Network 2010), but so too are suicides among the very group that these organizations purport to aid (LGBTQ Nation 2010). This trend is curious and bothersome.

It is true that gay-straight alliances do, to some extent, create a space in which the queer student can form a strong fidelity to others with the same status. The most profound issue with these alliances is that they are only relevant for the hour-long, weekly session during which they meet.

Once students leave the safe confines of their meetings, they must face the hostility of and isolation from their peers with whom they will never fully identify. Since GSAs are the most overt and discussed assemblies of queer youth, the successful execution of their mission, “to fight homophobia and transphobia in schools” (GSA Network 2010), is imperative. Unfortunately, GSAs in the United States currently do not hold enough of a presence to support, affirm, or protect queer students. In fact, Miceli (2005) and Uribe (1995) find that these organizations are so stigmatized that many queer students do not participate in them. As social workers, social administrators, teachers, counselors, coaches, parents, and community members, we must do more.

A MORE EFFECTIVE INTERVENTION

Since the majority of opposition to GSAs and the queer student body comes from the adult role models of young people, the primary focus of public schools' efforts to ameliorate the detrimental effects that a heteronormative society has upon queer students should begin with parental education and dialogue (Sadowski 2010). Public middle schools and high schools have ample opportunities to engage such a dialogue with students' parents and guardians. This intervention could include, among other things, hosting guest speakers, having community open houses, discussing the importance of diversity at parent-teacher conferences or curriculum nights, and mailing educational materials to parents.

I add that public school faculty and staff should be required to attend annual training conferences that affirm their responsibility to be sensitive to the needs of queer students. Such training need not focus only on queer students, but rather its scope could include the entire gamut of the diversity and difference within the student body. I therefore advocate a multifaceted approach to deescalating the hostile environment that queer teens face on a daily basis: educating their adult superiors and role models in both the home environment as well as the school environment.

This intervention is most useful in middle schools and high schools (thus, at the early adolescent level) for two primary reasons. First, young people between the ages of 12 and 18 look to their elders for cues; as they near adulthood, they begin to emulate and exhibit many of the behaviors of their caregivers (Newman and Newman 2009). Accordingly, a student whose caregiver is hostile toward the queer community is likely to hold an antagonistic view of this group as well. Second, because early adolescents are struggling to form allegiance to a group (Erikson 1963; Newman and Newman 2009), they are less interested in changing the overall system of

oppression and more interested in finding people with whom they can identify and in whom they can confide.

Before any intervention of this kind is implemented, however, it is essential that the academy conduct more extensive research on the biopsychosocial needs of queer adolescents, owing to the current dearth of literature on the subject.

CONCLUSION

This paper has argued that a teenager's perspective of gay-straight alliances is one of forming a bond with like-minded peers. According to Erikson (1963), this identification with and fidelity to a group indicates a successful resolution of the early adolescent psychosocial crisis. However, the modern literature indicates that the costs of such an intervention far outweigh the benefits. Research has shown that GSAs are, in large part, ineffective at helping early adolescents avoid the "pathologies" of dissociation and alienation from their heteronormative peers and their parents (Newman and Newman 2009). By identifying a group of teenagers and thus making them "stand out" (Miceli 2005) from the rest of their peers, these interventions exacerbate the stigmatization of queer teenagers. Public schools, as the crucial institutions of socialization for the majority of our nation's young people, have two obligations to reduce this conundrum: educating teachers and reaching out to parents. The former stems from the notion that public schools must be sensitive to the needs of its constituents, of whom students form an integral part. The latter works in tandem with this first intervention and with the idea that change must happen both "inside" and "outside" of the classroom. That is, for change to occur, it cannot be limited to the school. Environments in which early adolescents spend the majority of their time need to shift from the heteronormativity and heterosexism that are so rooted in our society and instead nurture new messages and value systems. Through informative parent-teacher conferences, curriculum nights, and newsletters, parents and guardians would be encouraged to establish a respectful dialogue within students' home environments. Through sensitivity workshops, teachers, coaches, counselors, and other school staff would be trained in cultural competence and fostering a respectful atmosphere within the classroom. The aim of this intervention is to create two parallel environments in which both heterosexual and queer adolescents receive complementary messages. This is imperative, as research shows that adolescents who receive conflicting messages from both environments (i.e., the private and public)

are more likely to develop an oppositional pathology and worldview based in the rejection of “other-ness” (Newman and Newman 2009).

Before schools can attempt to change years of ignorance and misinformation, it is imperative that parents, guardians, and teachers reach a consensus vis-à-vis the importance of a heterogeneous, open society in the twenty-first century. To acquire this community consensus, it will be essential for schools to hold community meetings, to encourage parent participation, and to solicit feedback. Working from both within and outside of the classroom in this manner will provide the most effective avenue for moving toward progress.

This paper is a call not only to educators and parents, but also to policymakers, academics, and the general citizenry to reevaluate its attitudes toward these young people with distinct needs. If we are to move forward and advance a democratic society, we must begin to pay closer attention to this pressing, ever-relevant issue. After all, a teenager’s life and experiences do not exist to create “breaking news” or “tragedy” for merely one day.

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