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### **Child Protection as a Welfare Institution**

This paper presents how child protection functioned as a welfare institution in early state socialist Hungary. It looks at the legal regulation and the institutional practice of children's placement in state care for material reasons. I claim that the placement of children in state care for material reasons had an important role in alleviating poverty in the time period between 1949 and 1956. Hungarian sociologists analyzing the 1950s usually conclude that this time period was characterized by the disappearance of independent social policy making and with it all types of welfare work.<sup>1</sup> In fact there was a new approach to welfare that entailed securing the well-being of people through "efficient economic organization" and via "existing social institutions."<sup>2</sup> Employment became a social right and an obligation and welfare provisions were attached to being employed.<sup>3</sup> Officially poverty ceased to exist. At the same time as sociologists also noted, there were gaps between ideology and reality.<sup>4</sup> Children's placement in state care based on material reasons was a form of state care where parents were exempt from contributing financially to the costs of their children's upbringing. Families turned to this option in an attempt to strengthen their financial situation at a time when as I pointed out earlier, around seventy per cent of the population struggled with poverty. I show that in line with the introduction of an employment-based welfare system a major shift in the preconditions to children's placement in state care for material reasons took place in 1953-1954. Instead of parents and relatives' "financial inability" it became their "inability to work" that defined whether their children could be placed in state care free of charge. Ministries called for a strict evaluation of material abandonment cases and the post-war direct social support of parents with children in state care for material reasons was heavily restricted. Nevertheless, the number of children placed in state care in the country did not diminish significantly. The two-wage-earner full-time employment system marginalized some groups of women. Most clients, especially single mothers, faced poverty and a lack of

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<sup>1</sup> Ferge. *Fejezetek*, 39, 46.

<sup>2</sup> Haney. *Inventing the Needy*, 9.

<sup>3</sup> Haney. "Familial Welfare," 101-122.

<sup>4</sup> Haney. *Inventing the Needy*, 5.

employment opportunities. Expectations towards women's participation in wage work were also not matched by adequate child care facilities. The case files of children received by the Child Protection Institution of Budapest/Pest County between 1949 and 1956 reflect that in spite of the altered criteria for children's placement in state care for material reasons the composition of clientele remained the same.<sup>5</sup> Case workers' mediation between the unaltered need for support and the new state requirements are manifest by a tangible difference in the argumentation behind council decisions: the number of cases referring to financial inability decreased and references to parents' work inability, among them illness, increased. An altered definition of need, however, did not bring a practical difference to the social welfare of the Romani population. Evidence points towards anti-Romani discrimination in the practice of child protection.

### **1. From Financial Inability to Work Inability: A Shift in the Construction of the Needy in the National Regulation of Child Protection**

In line with the introduction of a new welfare model in Hungary regulations governing the practice of child protection also changed. Instead of relatives' financial inability that formed the basis of children's placement in state care since the early 20<sup>th</sup> century it became their "inability to work" that defined whether their children could be placed in state care free of charge. As a result of the ideology of full employment parents who were physically able to be gainfully employed, were from this point onwards not included among the needy.

Until 1953 and 1954, the precondition for children's material abandonment/ endangerment was defined according to the financial ability of their parents and relatives. State care for material reasons targeted children under fifteen who were foundlings, had no property and no relatives "liable for and able to provide for their upbringing and education," and this could not be secured by other relatives or "charitable persons and charity institutions or organizations."<sup>6</sup> Parents' and relatives' material "ability" was to be carefully examined before a declaration of material abandonment. Case workers were to investigate the living conditions of parents and the circumstances of children's home environment before making a decision about placement in state care.

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<sup>5</sup> The Budapest case files are from the institutional archives of the Budapest Municipal Special Service for Children's Protection [Budapesti Főváros Önkormányzatának Területi Gyermekvédelmi Szakszolgálat], the present-day successor institution of the former Child Protection Institution of Budapest/Pest County.

<sup>6</sup> Decree 2.000/1925 *MRT* 1925, 669- 670.

Change occurred when in 1953, “ability” to bring up and educate children was connected to wage work. In other words, parents worthy of financial support via the placement of their children in state care for material reasons was reduced to a temporary absence from paid employment. A year later, the guardianship regulations of 1954 stressed that placement in state care for material reasons could only take place if minors’ parents were “unknown, not alive or unable to work and neither parents nor other relatives liable for their upbringing were able to care for their upbringing and education.”<sup>7</sup> In line with the new welfare model that connected social services to employment great emphasis was put on the condition that “children of parents able to work” were not to be placed in state care for this reason.<sup>8</sup> Based on this new regulation, in early 1955, the Minister of Education called out for a strict separation of clients deemed worthy of their children’s placement in state care for material reasons from those who were not.<sup>9</sup> The order made it clear that “contrary to previous practice,” besides “orphans or children with unknown parents who did not have relatives liable for their upbringing” only children of parents “unable to work could be placed in state care for material reasons.”<sup>10</sup>

In spite of the above efforts the overall number of children in state care in the country did not diminish significantly over the period between 1949 and 1956. Following 1949 unemployment did not disappear completely. In 1952, the reason for “the bulk of children placed in state care” was “parents' temporary difficulties, such as a lack of appropriate accommodation or unemployment.”<sup>11</sup> Employed mothers were also in a difficult situation, especially in the countryside due to a lack of child care facilities. In 1955, according to “strictly secret” data by the Central Statistical Office, “close to one third” of the 6.020

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<sup>7</sup> Decree 955-84/1954 of the Ministry of Education about the regulation of guardianship procedures [955-84/1954 O.M. sz. utasítás a gyámügyi eljárás szabályozásáról], *Tanácsok Közlönye [The Journal of Local Councils] (TK)* 2, 78 (1954), 909-924.

<sup>8</sup> The new method for the coverage of the expenses of state care was tied to parents’ employment. The expenses of care were settled at twenty per cent of the salary of relatives liable for the upbringing of the child. In case of two or more children in state care expenses could be settled under twenty per cent. If child support fees and expenses of state care were to be paid at the same time the two were not to exceed fifty per cent of relatives’ salaries liable for the upbringing of the minor. Guardianship Authorities responsible to enforce payment were entitled to directly order companies to withhold the required proportion of relatives’ salaries and pay them to the bank account of local councils.

<sup>9</sup> Decree 14/1955 of the Ministry of Education about certain issues related to the execution of decree 955-84/1954 of the Ministry of Education about the regulation of guardianship procedures [14/1955 O.M. sz. utasítás a gyámügyi eljárás szabályozásáról szóló 955-84/1954 O.M. sz. utasítás végrehajtásának egyes kérdéseiről], *TK* 3, 9 (1955): 90-93.

<sup>10</sup> Decree 14/1955 *TK* 3, 9 (1955): 90-93.

<sup>11</sup> *Egészségügyi és kultúrstatistikai jelentés, 1952*, 14.

children placed in state care were on material basis.<sup>12</sup> So far I showed that although the early 1950s are generally described in terms of the disappearance of social services the placement of children in state care for material reasons continued to exist as a form of poverty alleviation. In spite of state efforts to decrease the number of children in state care parents still used the option of material abandonment/ endangerment to place their children in state care free of charge. In the next section of my paper I show how the above described shift in the Hungarian welfare structure was constructive of gender and “racial”/ethnic differentiation in the institutional-level practice of child protection.

## **2. Support for Single Mothers via the Institutional-Level Practice of Children’s Placement in State Care for Material Reasons**

There was a variety of reasons leading to children’s placement in state care for material reasons. I use as basis to my analysis eighty case files of children received at the Child Protection Institution of Budapest/Pest County between 1949 and 1956. These files unveil that in spite of the legal shift in the criterion of children’s placement to state care free of charge, there was a large group of parents, especially single mothers, who turned to the option of their children’s placement to state care because they were not employed, had little and/or irregular sources of income, had no access to regular forms of child care or extended family networks able to support them.

Many of the children had an agricultural or industrial worker family background. A significant group of clients were single mothers and single mother-headed households. It is also clear that most of these single mothers were rather young. There were a high percentage of domestic servants among mothers and especially among single mothers. The effects of World War II were also tangible among my sample of families. Twenty-five per cent of all mothers were lone mothers, whose husbands either died or disappeared, or who were separated or were left by their husbands. In fourteen out of eighty cases (17.5%), children were orphaned with one or both of their parents dead. In most of these cases children were completely orphaned or had only their mother alive.

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<sup>12</sup> *Gyermekvédelem* 1955, 2.

The time periods children spent in state care for material reasons were in most cases not very long.<sup>13</sup> While a rather high proportion of these children (27%) were given in adoption the fact that children placed in state care for material reasons spent a short time there suggests that families used this form of child protection as a form of free child care. This is supported by statistical data on child protection that showed it was due to the “insufficient number of places” in child care facilities that parents were forced to place their children in the care of Child Protection Institutions.<sup>14</sup> While their children were looked after by the state single mothers could stabilize their material and employment situation.

### **3. “Racial”/Ethnic Discrimination in the Practice of Child Protection: The Exclusion of Romani Children from Placement in State Care for Material Reasons**

Institutional-level practice also shows that behind the neutral text of child protection decrees there was hidden anti-Romani discrimination present. Examples of institutional-level practice from two different cities in the country reveal that discrimination against Romani families and specifically Romani mothers influenced the restriction of children’s placement with their biological relatives. Other examples taken from Szabolcs-Szatmár County, Hungary’s most densely populated county by Roma, show that the shift to a new definition of need brought no difference to the social welfare of the Romani population. I demonstrate that neither the financial ability-based criterion of support nor the work inability-based form of support had backing in case of Romani clients by the local majority population and state officials. The new welfare system thus left the social inequality of Roma unaltered.

Local-level reports reveal that child protection authorities thought Romani families and mothers misused the option of placing children in state care for material reasons with their biological relatives. These cases demonstrate that the low proportion of Roma among children’s case files when placement was based on material reasons cannot be simply explained by referring to the national average of Roma among the Hungarian majority population. Strong anti-Romani sentiments contributed to the exclusion of the Romani population from support in this county in the period between 1949 and 1956 both prior and following the introduction of the new socialist welfare model.

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<sup>13</sup> Children’s files usually contained information about the recommendation and the placement of children in state care as well as the time when they were given back to their family members or given in adoption.

<sup>14</sup> *Egészségügyi és kultúrstatistikai jelentés, 1952, 2.*

Cases show that when the eligibility criteria for children's placement with their biological relatives grew stricter institution directors relied on what Sonya Michel called a "sub-policy" in the selection of needy clients. The prejudices and values of local authorities of child protection dictated who would receive this form of support.<sup>15</sup> Child Protection Institution directors' reports revealed that upon pressure by the Ministry to decrease the number of children in state care for material reasons directors' negative opinion about Roma, including their belief in the inappropriate parental environment provided by Romani families, led to terminating the state care of primarily Romani children. Knowing the history of Romani children's removal from their parental care and placement with "foreign foster parents" in Hungary, the distrust of families towards such forms of state care is not surprising. The assumption that Romani children would receive a better upbringing if removed from their biological relatives was in line with historical practice concerning the assimilation of the Romani population into majority culture and population in Hungary.<sup>16</sup>

Two unsuccessful local-level efforts in Szabolcs-Szatmár County targeting the support of Romani children in 1949 and in 1953 reveal that both the financial inability-based definition of families' need and the new, work inability-based construction of need left Roma without state-provided support. In both cases in spite of authorities' agreement about the deep poverty of the settlements and groups of Roma concerned, anti-Romani sentiments contributed to the exclusion of the local Romani population from the group of the needy deserving material support. County-level authorities used in fact this new work-inability-based definition of need to leave Romani families out of state support. Although mostly outside the state sectors of employment in the early 1950s, families in extreme poverty could not be supported by direct

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<sup>15</sup> Concerning mothers' pensions in the United States in early the 20<sup>th</sup> century Michel pointed out that "African American mothers were systematically denied benefits" although more of them would have qualified in terms of being heads of families than white women, see: Michel, 82. In making this argument she relied on political scientist Libba Gaje Moore's terminology, see: Libba Gaje Moore. *Mothers' Pensions: The Origins of the Relationship between Women and the Welfare State*. Ph.D. Dissertation. University of Massachusetts-Amherst, 1986.

<sup>16</sup>In the 18<sup>th</sup> century Habsburg Empire, Maria Theresa and Joseph II attempted to assimilate Roma into Hungarian peasantry by the prohibition of travelling, of wearing traditional clothes and speaking their language, and by pressure to take up occupations, such as road construction and agriculture. Part of this program was the forced removal of Romani children "for re-education as wards of the state," and children's placement with peasant foster families. In 1780 over 17,000 children were taken from their families but "within a few years nearly all of them ran away from their foster families and schools," see: Erin Jenne. "The Roma of Central and Eastern Europe: Constructing a Stateless Nation," in: Jonathan P. Stein (ed.). *The Politics of National Minority Participation in Post-Communist Europe: State Building, Democracy, and Ethnic Mobilization*. Armonk, New York: East-West Institute, 2000, 195.

financial aid any more following 1953 and 1954. At the same time the placement of Romani children in state care for material reasons was seen to contribute to work avoidance by Roma.

## **Conclusion**

In this paper I reviewed the legal changes in the criteria of children's placement to state care for material reasons and showed that from 1953 and 1954 onwards emphasis increasingly fell on parents' inability to work as a precondition to children's material abandonment/ endangerment. This change happened in line with a general larger shift in the Hungarian welfare system that connected social support to full-time employment in the state sector. Instead of financial inability need came to be defined in terms of work inability. In the field of child protection this led to the legal elimination of parents physically able to work from those supported by the placement of their children in state care free of charge. At the same time, case files also demonstrate that a shift in the legal regulation of child protection had an imprint on local-level practice. Prior to 1953 most decisions brought by local councils about children's placement to state care for material reasons claimed that parents had no or too little income to support their children. They argued that parents had only temporary jobs, or that, mothers, especially single mothers, who were domestic servants and factory workers could not return to their jobs because of their newborn child. Following 1953, the basis of claims-making shifted towards reasons that demonstrated clients' inability to work. The number of cases with ill parents grew threefold compared to the previous four years. The number of cases referring to temporary employment or no income decreased. Under pressure by the Ministry of Welfare to decrease the number of children in state care local case workers' prejudices against Romani parents manifested. Examples from Szabolcs-Szatmár County targeting the support of Romani children in 1949 and in 1953 further underlined that Roma were included in neither the financial inability-based definition of families' need nor the new, work inability-based construction of need. This shows "racial"/ethnic differentiation underlying the construction of deserving parents in early state socialist Hungary.

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