

Child Welfare Discourse in Western Cultures and its Implications to Child Protection Practice in Chinese Communities

Siu-ming Kwok

Abstract

The standard of “best interest of the child” is used in the Western legal system to focus attention on the needs and welfare of individual children. Such standard, nevertheless, connotes a myriad of definitions, applications and implications for parents and child welfare professionals (Pruett, Hogan Bruen, & Jackson, 2000). If varied interpretations of “best interest of the child” exist in Western culture, one could imagine this standard could hardly have normative consensus when applies to non-Western cultures (An-Naim, 1994).

Precisely, challenges of applying the best interest of the child standard to different cultures bring to the question of universal standards and cultural relativism (An-Naim, 1994; Parker, 1994; Skegg, 2005). Do we have a universal standard for child’s best interest in different cultures? Or, does every culture have its own way to express the best interest of the child standard in specific contexts? This paper examines the challenges of operationalizing the best of the child standard in specific cultural contexts, particularly the Chinese communities in Canada. These challenges involve value differences regarding the standard of the best interest of the child. The rights-oriented nature of this standard creates dichotomies between the parents and children (Roose & De Bie, 2008); and decontextualizes individuals from their cultural backgrounds (Trocmé, et al, 2005). Further, this paper identifies challenges associated with applying the best interest of the child standard to other ethnic minority groups; and suggests guidelines for sensitive practice of the best interest of the child standard with the Chinese communities in congruence with the existing laws and policies in Canada.