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Report Preliminary Findings Workshop IEC on Administrative Detention

This is a documentation of the public preliminary findings workshop of the IEC on 18 January 2017. The English summaries presented in this document are translations of the original German or French texts.

Contents

Session A – Personal Accounts and Life Stories	2
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Session A – Personal Accounts and Life Stories

Panel moderator: Dr. des. Ruth Ammann, IEC Research Coordinator

Comments: Prof. Dr. Anne-Françoise Praz, Member of the IEC

B Comments and discussion report: Dr. Loretta Seglias and Deborah Morat

Guest presentation

Clara Bombach and Samuel Keller, Zurich University of Applied Sciences:

«D’Fürsorg isch minere Mutter weg gnoh worde». Herkunft und Zugehörigkeit ehemaliger Heimkinder

«They took my mom’s custody away». Family origins and social belonging of former foster care children

The presentation provides an introduction to the Sinergia Research Project (2014-2017) [«Placing Children in Care. Child Welfare in Switzerland, 1940-1990»](#), currently in progress. The focus is on Project 3B, «Life after foster care, Canton of Zurich, 1950-1990», which is being conducted by Thomas Gabriel, Clara Bombach and Samuel Keller, as part of the sub-project [«Institutionalisation of Children in the Canton of Zurich»](#). The data base is composed of biographical interviews of 37 persons – 20 men and 17 women – who had been placed in foster care homes in the Canton of Zurich between 1950 and 1990. Many of them were still small children when they entered the foster homes and spent extended periods there, often their entire childhood.

The presentation is structured according to the main stations in the lives of the former foster children, concentrating on the following major turning points and periods: placement in a foster home, life in the home, (impending) release from the home, and the consequences of those experiences in later life. Detailed consideration is given to the meaning of the terms «origins» (dictionary definition: family and social background; specific social, national, cultural background from which a person comes; point or place where something begins) and «belonging» (being a part or a member of, or having an affinity for, a particular group).

The presentation is built around a set of trenchant quotations from the interviews, which clearly illustrate how, in actual individual cases, life experiences bring about changes and value shifts in the inter-subjective meaning of the concepts of belonging and family origins. The four stages in the lives of the foster care children are presented chronologically, beginning with their placement in foster care, their time living in a foster home, their release from the home and, lastly, a summary presentation – based on certain hypotheses – of the course their lives took after spending their youths in foster care.

The experience of being placed in a home was perceived by many of the foster children as an abrupt change, accompanied by a feeling of being fully at the mercy of the all-powerful (representatives of) public authorities. Unprepared, and with many unanswered questions, the children found themselves confronted with a *fait accompli*, often leaving them with a feeling of helplessness and vulnerability. They also see their parents (and sometimes their grandparents) as experiencing those same feelings, as public officials strip them of their parental authority through the institutionalisation of their children. As a result, the children perceive their own parents' acts as being subject to outside control, to the objectives of the public authorities. These aspects of the way they experience their placement in foster care give rise both to a spatial and an emotional separation from their original families, which undermines their sense of belonging. The intervention of the authorities leads to a weakening of that sense of belonging. At this point, their future seems to them to be completely unforeseeable and uncertain.

Once they have entered a foster home, many of the children must go through the experience of being denied their individuality, while at the same time seeing their opportunities for contact with their parents, grandparents and siblings severely restricted. This is compounded by the fact the foster home tends increasingly to be considered as their (new) «family of origin», often giving rise to an acute sense of alienation. Simultaneously they may (overly) identify with the facts of their own lives, thus seemingly legitimising the discrimination and demeaning or abusive conduct that children in foster homes commonly experience.

In the logic of the authorities, preparations for leaving the home, or the actual act of leaving the home, are contingent on making certain that the financial and (living and work) arrangements for the juveniles in their charge have been completed. From the point of view of the authorities, this means that solutions are possible that would appear to be in contradiction with the original motives for institutionalising the children – such as returning the children unaccompanied to their original families. For many former foster children the

reaction of their families to their return or to the resumption of contact was experienced as being highly ambivalent or even as a complete failure.

«Does a foster child remain a foster child?» Around this question as to the future course of the lives of children raised in foster homes, the following hypotheses are offered:

First: The question of the family background of foster children was often doubly connected with feelings of guilt, shame and self-doubt (deriving both from the sentiment of having come from what the authorities considered to be an «immoral family» and from having been (re-) educated and disciplined in a foster home or reform school). These feelings receive confirmation and are reinforced throughout the lives of former foster children, in their personal relationships, in their contacts with employers and public officials, and through the regular confrontation with their own case files (which are treated as «facts»).

Second: In their later lives, whenever the issue of making a commitment to a long-term relationship arises, very many former foster children tend to adopt a highly sceptical attitude toward their social surroundings. One reason for this may lie in the self-defence mechanisms they develop in response to the confusing and hurtful experiences they go through both when they enter, and during their lives in, foster homes and reform schools, as a result of their family background and social status.

Finally, two questions remain open: Is there a potential problem in the highly formal nature of the procedures for obtaining reparations? Is it possible to address these issues within the framework of current official practice and, if so, how? The pertinence of these questions is illustrated on the example of current policy on reparations and the possibilities for applying for the payment of reparations. The requirement of producing written documentation, together with the process of reviewing the record, causes the applicants to relive the experiences they went through as children and adolescents, which become recurring themes that accompany them throughout their lives. This includes, for example, the experience that foster children have of not being believed (being told, «you're lying») and the risk of being stigmatised anew – among other things by being faced once more with the logic of bureaucracies (applications are submitted to anonymous, decision-making bodies that conclude their deliberations with the issuance of an order, and which have full decision-making authority). A second issue raised, in particular by the second question, is that of the constant challenge that results from the use of stationary child and juvenile welfare measures, that is, the challenge of being sensitive to the importance to the individual of the

issue of family origins and the sense of belonging in each case where such invasive measures are ordered, and when considering how to create viable future prospects for those who have been subject to such measures.

IEC presentation

Dr. des. Ruth Ammann, IEC Research Coordinator:

«Genau von dort weg ist der Teufel losgegangen». Stigmatisierungen in der Kindheit von administrativ versorgten Menschen

(«From that moment on, all hell started to break loose». Childhood stigmatisation of administrative detainees)

This presentation is based on our starting hypothesis that in many cases of administrative detention incidents of (perceived or imputed) juvenile delinquency were involved, and that a phase of delegitimation and official surveillance preceded the issuance of an administrative detention order. An initial analysis of the interviews we conducted revealed, however, that many of the former administrative detainees do not mention or recall any such incident of delinquency or any process of delegitimation when they were adolescents. What they do describe is the sense of already having had a stigma attached to them as young children, which took on concrete form very early on in their lives through their being administratively detained. In the following, taking as examples two blatant cases of children who experienced such a process of delegitimation, the presentation considers the social dimension of the phenomenon of stigmatisation: was the object of the delegitimation process the entire family, or just the children? And why was this so? What was the social function of the administrative detention order that ensued?

A close reading of the two interviews makes it clear that the stigmatisation of the children is not simply a reflection of the precarity of their original families. What we find, rather, is that stigmatisation of the children often takes place at a time when the family situation has already stabilised so that the families are beyond the reach of the public authorities for ordering any intervention. What is more, the children's good performance at school and their professional aspirations could even be interpreted by their teachers and by other social actors as signs of a potential for social advancement. The stigmatisation of the children by their teachers, according to the present hypothesis, was the expression of a diffuse sense of

social unease, which served as a motivation to drive the family back into a social status of precarity. It is thus argued that a sense of social unease in response to the fact that family's social rank had ceased to be unambiguous manifested itself in the stigmatisation of the children. The dynamics of this process also served to determine the social rank of the children, in that it later manifested in their administrative detention. As a result, by the time they reached adolescence the possibility of stable or even improved prospects for the future were already denied them.

Comments

In her comments, Prof. Dr. Anne-Françoise Praz underscores the importance of reports by contemporary eyewitnesses. Such reports, she explains, constitute an important body of primary sources, in that they reflect the perspective of people whose experiences have not yet been put down in writing. They provide vital insights into the traumatic nature of the experience of being institutionalised, an experience that, regardless of what happens in later life, leaves an indelible mark in the construction of an individual's identity. The first presentation of the day, she notes, makes clear the discrepancy that existed between the intentions of the authorities and the feasibility of actually realising them. Another important point, according to Dr. Praz, is the finding that the process of stigmatisation continued over generations. Certainly, the placement of children in foster care produced a stigma. At the same time, the life stories chosen here as examples also showed that the victims had certain alternatives available to them – for resisting the measures ordered by the authorities, for example. The people against whom such orders were issued, she points out, should not be seen as having passively accepted their fate: the struggle against stigmatisation is a lifelong battle. Dr. Praz takes special reference to the 1960s and the rise of the youth movement, observing that this created new opportunities for identifying with others and finding a sense of belonging. This phenomenon culminated in the 1980s with the establishment of «autonomous spaces», such as the «Rote Fabrik» in Zurich, which served, among other things, also to provide shelter to runaway teenagers. In her view, the «Foster Home Campaign» of 1971-1972 can be seen as a turning point in the history of foster care in Switzerland, although the period leading up to those changes had already begun in the post-war years. The youth movement, popularly associated with the protests of 1968, she recalls, initially got started in a just few big cities.

Discussion

In the discussion that followed, many of the former administrative detainees responded to what they had heard and talked about some of the things they themselves had experienced. Among other things, they spoke of the systematic process of alienation from their original families that resulted from the activities of the Pro Juventute foundation's «Association for the Benefit of Gypsy Children». A particularly painful memory was the moment of separation from their siblings. Another important point was the fact that the stigma of being a foster child, or of being institutionalised, remains with them, even if later, as adults, they were able to succeed in their professional and private lives. The process of stigmatisation, they explained, did not end with their release from the measures imposed, since those measures were always mentioned, again and again, in their contacts with public authorities, in criminal proceedings against them, for example, or in psychiatric reports. The problem of having been repeatedly subject to administrative measures, or of having been repeatedly placed in administrative detention, was also discussed. Attention was also drawn to the difficulties the victims still face today in gaining access to their case files, in applying for permits and in filing requests. Finally, a number of the participants emphasized the importance of making sure that the subjects raised in this discussion are also taken up by the IEC in its research.