Transforming child welfare: From explicit to implicit control of families

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Through a historical review of child welfare laws and policies between 1896 and 1992 in Norway, this article investigates the state control of families. The central questions in the article relate to the transformations in the forms of state control of families. The research on which the article is based has relied on a genealogical approach. The sources are comprised of previous studies focusing on the historical development of child welfare in Norway. The article argues that state control, from having been explicit in the late nineteenth century, has today become increasingly implicit and hidden. Indeed, the value granted to children's rights and equality has made opposition to state interventions in families difficult. I relate the transformations in state control of families to the affirmation of the norms of 'egalitarian individualism'. As Norway is amongst the first European countries to make child-centrism a hallmark of its social policies, these findings have implications for EU countries that may follow its path.

Keywords: child welfare; social policy; critical reflection; history; family relationships

Introduction

An exploration through history and culture shows that children and families have long been considered as a single unit. However, in the last decades, the status of children has changed within many European countries because of a growing acknowledgment of children's entitlement as well as of increasing knowledge about children's lives. Following the adoption of the UN Convention on the Rights of children in 1989, many European countries have modified their child welfare laws in order to incorporate new views of children as subjects of rights. Guaranteeing children's individual rights and securing effective interventions have become central concerns guiding both reforms of national child protection legislation and the redefinition of the duties of child welfare agencies.

While promoting and enhancing the position of the child within family, child protection laws at the same time tend to increase possibilities for state interventions in families and, in this sense, for control over families. Nearly four decades ago, Donzelot (1977) demonstrated how the state has controlled families through child welfare interventions. Other scholars have highlighted the tensions between emancipation and control in the field of child welfare (Ericsson, 2000; Hennum, 2010). However, the issue of the state control of families approached through the prism of the historical developments of child welfare has attracted little attention within social work research. By focusing more explicitly on the changes occurring over a century in the forms of state control of families, this article aims to expand findings of research on the historical transformations in child welfare (see Hering & Waaldijk 2005; Eydal & Satka, 2006; Skehill, 2007; Therborn, 1993).

In the article, I conduct a historical review of studies examining Norwegian child welfare laws and policies in a historical perspective. The question the article poses is which transformations have occurred in the forms of state control of families from the late nineteenth century onwards. International comparative studies have underlined that Norway has been and remains a leading country in promoting children's rights and equality. It was the first country to grant children born outside of wedlock inheritance rights (1915); to ban corporal punishment (1972) and to create a child's ombudsman (1981) (Therborn, 1993). Moreover, Norway is one of the countries that have gone furthest in adopting a 'child-centric perspective' in child welfare policies and practice (Skivenes, 2011, p. 154). Thus, Norway represents a valuable case for examining the transformations in the forms of state control of families over time.

Genealogical approach to transformations in state intervention in families

Foucault's (1971, 1984) concept of genealogy, more broadly about his history of the present,

has inspired the research on the transformations in state control of families as reported in this article. The term *genealogy* refers to a particular form of history accounting for the social and historical conditions in which discourses are formed (Foucault, 1971). Genealogy is one of the strategies that Foucault used in order to 'make the familiar visible' (Chambon, 1999, p. 54). It is distinct from a search for the origins and does not aim to restore an unbroken continuity, but instead emphasises discontinuities, breaks and brutal transformations (Foucault, 1971, 1984). Moreover, genealogy grants a central importance to uncovering relationships of domination (Foucault, 1984). Used here, the genealogical approach aims at making state control of the family through history visible. It will show how control changed from being open and clear to become obscured and implicit when the focus in child protection began emphasizing the individual child rather than the family or the parents as subject for state intervention.

As Villadsen (2008) has argued, genealogy focuses on 'historical moments when strategies of government and forms of knowledge are being questioned and transformed' (p. 95). As this article will show, some families are subjected to more control than others – and these are those considered as "deviant" by the law. This understanding of deviance changes through time depending on the knowledge base underpinning the law. With a child-centric perspective grounded in developmental psychology and attachment theory, the pathway leading to the assessment of a family as deviant in Norwegian society is shorter than ever.

Using the Foucault's genealogical approach makes it possible to investigate how some knowledge emerges as hegemonic at some times, while not at others. Furthermore, this approach shows how every historical period or epoch produces certain kinds of knowledge. These understandings provide one way for viewing how knowledge production underpins transformations of child welfare, and how each important alteration marks the family unit and restructures power relations between parents and children.

Amongst the various pieces of legislation related to child protection, three laws stand out as implementing major reforms: These are the Act on the treatment of neglected children of 1896 (*Vergerådsloven),* the child welfare Act of 1953 (*Lov om barnevern*) and the Child welfare Act of 1992 (*Lov om barneverntjenester*). In addition to these three key pieces of legislation, the Norwegian children Acts of 1915 (*De castbergske barnelovene*), though not dealing with child protection in the strict sense of the term, have made a central contribution to child welfare through affirming children's equality and autonomy. All these laws have marked the historical path of Norwegian child welfare policies, and set the stage for the reforms of 1953 and 1992 built upon the values they promote. In this article, I use these four key pieces of legislation, as described in the secondary sources presented in the next section, as indicators of changes in the understanding of, and in the state intervention in, families (Chambon, 1999).

Taken together, these four laws constitute a series of discursive events that are both continuous (they can be found in today's discourses in child welfare) and discontinuous (each time, the new law deviated from what was established by introducing new elements in the discourses). For the sake of readability, the analysis of each period focuses on three main dimensions: (1) the legal changes and their implications for the forms of control of families, (2) the knowledge used by politicians for legitimizing child welfare interventions, and (3) social struggles and relations of domination.

Data

In exploring the historical pathway of Norwegian child welfare, I will rely on studies conducted by specialists within a number of disciplines focusing on child welfare in Norway. Central among those scholars providing in-depth analyses of the development of Norwegian child welfare have been criminologists (Dahl, 1978, in English 1985[i] ; Ericsson, 2000; Larsen,

2002), historians (Andresen, 2006; Haavet, 2006; Seip, 1987, 1994a) and jurists (Holthe, 1985; Sandberg, 2003; Stang, 2007). Though being secondary sources, these studies provide fundamental knowledge about the period they cover. This knowledge is basic and widely used when studying or investigating Norwegian children welfare and, in this sense, these sources may be considered as valuable data worthy to be analysed. In the article, this body of knowledge is treated as cultural and historical expression in line with a Foucauldian approach to knowledge production situated in time and space.

Analysing the transformations in state intervention in families will begin with examining the Act on the treatment of neglected children of 1896, marking the birth of a public child protection system in Norway, drawing on Dahl's (1985) extensive study of this act. Then the examination will turn to the Norwegian Children Acts of 1915, granting children born outside of wedlock the right to inherit from their fathers, relying mainly on Holthe's (1985) study but also on other studies (Le Bouteillec, 2003; Haavet, 2006). Next, I will examine the Child Welfare Act of 1953, granting new preventive duties to child protective services, using Larsen's (2002) book, complemented by the works of Seip (1987) and Andresen (2006). Finally, I will focus on the Child Welfare Act of 1992, which reinforced the legal protection of parents and children, drawing from Ericsson (2000), Larsen (2002) and Stang (2007). The analysis will show the enormous shift in forms of control as well as how control became less explicit in the course of a development beginning with a law aimed at combating criminality and ending with a law based upon (universal) psychological knowledge of child development.

Act on the treatment of neglected children of 1896

Dahl's examination of the 1896 Act on the protection of neglected children has understood it as an 'enterprise in crime control' (p. 18). She argues that the aim of the 1896 Act was to defend society against crime through focusing on delinquent and neglected children and youth. The aims of Dahl's study were twofold: On the one hand, it tried to show the emergence of criminology as resulting from the interplay between scientific processes and social and political processes. On the other hand, it was also aimed at revealing criminology's embeddedness in the Child Welfare Act.

According to Dahl, the 1870–1890 periods witnessed constitutional struggles. In 1884, the Liberal opposition took power and soon appointed two committees to prepare a new criminal Act. The committees' chair was Bernhard Getz, a conservative lawyer and public prosecutor and its main task to examine legal procedures in criminal cases, while its other task was to draft a proposal for a revised criminal code (Dahl, 1985). Getz's propositions regarding child welfare were first drafted as part of the reform of the criminal code. Getz's 1886 reform proposal included raising the age of criminal responsibility from 10 to 16 years and opening state reform schools for wayward youth (Dahl, 1985). The Penal Law commission approved much of Getz's proposals, but suggested treating the issue of 'neglected and morally depraved children' in a separate Act.

The 1892 draft extended the target of the law to all children at risk of becoming criminals. Getz emphasised the state's responsibility for social defence: He argued that charity and love were insufficient to fight juvenile delinquency. Consequently, the state had to take responsibility for reform schools traditionally managed by philanthropic organisations. As Dahl notes, this emphasis on the state's responsibility for social control was not specific to Norway but was a broader European trend. Furthermore, she showed that the 1896 Act was based on new scientific ideas coming from abroad.

Getz included references to international developments in his bill, especially from within the field of criminology (Dahl, 1985). Criminology at that time borrowed its theories and its methods from the natural sciences. Moreover, it was much concerned with preventing the development of crime and improving human behaviour. Additionally, Dahl notes that Getz's proposal reflected both individual and social deterministic features: At the individual level, the source of crime was located in the child; at the social level, Getz located the origins of crime in poor living conditions.

Dahl (1985) relates the success of the reform proposal to the fact that the provisions of the 1896 Act satisfied the demands of two professional groups: lawyers and teachers. Not surprisingly, lawyers and prison officials received Getz's proposal with enthusiasm. They supported the crime prevention and social defence aspects of the reform. Moreover, the Act received the support of teachers. The latter professionals were unanimous on the need for segregating the so-called 'vicious or morally depraved children' (Dahl, 1985, p. 121) in order to render primary schools suitable for children from different social classes. The child welfare Act of 1896 offered a practical solution to this issue by specific institutions for youngsters defined as deviant. According to Dahl, the backing of lawyers and teachers contributed to support for the Act from both the Conservative Party and the Liberal Party.

The 1896 Act marks the emergence of new responsibilities for the state with regard to children. It emphasized the importance of upbringing rather than punishment in order to fight criminality and granted extensive powers to local child welfare boards composed of judges and non-professionals. These powers included the possibility of depriving parents of parental authority and of placing a child in out-of-home care, mainly reformatories. Children under school age, and 'mildly deprived' youngsters (as cited in Dahl, 1985, p. 99) could be sent to a foster home. Dependent on the choice of placement, the measure defined the norm breaker as either the parents or the child. Controlling children and families and protecting society from

undesirable members were the act's explicit goals while criminological knowledge operating by means of observation and classification of individuals (central mechanisms in disciplinary power) served as its foundation.

Norwegian Children Acts of 1915

The Castbergske Children Acts consisted of six laws proposed already in 1909 by Johan Castberg, but not voted until 1915 because of their radicalism. They introduced important changes in two main areas: at the economic and practical level, and at the level of family law. According Holthe (1985), these Acts first established both parents as responsible for their children's maintenance, moral education and instruction. This dual responsibility meant that both two parents had to share equally the financial cost related to the child's education. Moreover, the Acts made the authorities responsible for demanding financial contributions from fathers of children born outside of wedlock. The acts also provided for financial assistance to single mothers in case of fathers' insufficient resources.

Secondly, the Acts granted children born outside of wedlock the right to inherit from their father and to bear the family name of their father. Holthe (1985) points out that the inheritance clause represented the most controversial aspect of the Acts, requiring lawyers to re-think their practices in relation to children. Indeed, by relating inheritance rights to blood ties and not to the ties shaped through sharing a common place of residence, the Children Acts broke with the previous family concept based on the household (Holthe, 1985). They enlarged family ties outside of the household. By clarifying the rights and duties between family members, the Acts represented a central step in affirming the state's responsibility for children and for their status within family and society (Le Bouteillec, 2003).

As mentioned above, granting rights to children born outside of wedlock were at the core of these new acts. Analysing parliamentary debates, Holthe (1985) focuses on the arguments used in support of and against granting children born out of wedlock the right to inherit from their father and bear the family name of the biological father. She identifies arguments related to the institution of marriage, the protection of the family, the child's interest, and mother and father's interests. Whereas the opponents of the reform warned of the risks of destroying marriage, family and the moral order, those calling for reform claimed that by encouraging fathers to take their responsibilities for their offspring, this would contribute to reinforcing the institution of marriage. Further, the defenders of the law mobilised arguments related to gender equality, claiming that men and women should have equal responsibility for providing for their children. At that time, these arguments became part of the call for justice and equality centred around the questions of women's rights. Holthe also notes that both sides in the debate used the child's interest as an argument. They disagreed, however, about the meaning of the child's interest and how the latter should be balanced with other interests. Amongst the arguments used by the defenders of the inheritance rights was the idea that children born outside of wedlock were not culpable, and that a child had the right to know both parents.

Although it is clear that, as pointed by Seip (1994a), the protection of women and children was a central consideration, other concerns were involved. The Children Acts of 1915 reflected a preoccupation with national efficiency (Seip, 1987), social utility (Le Bouteillec, 2003) and quality of populations (Haavet, 2006; Seip, 1987). Moreover, Le Bouteillec (2003) argues that these children were viewed as a danger to the social order due to their exposure to moral dangers. She notes that the extension of inheritance rights to new groups of children was a way to integrate them into the social order.

In contrast to the previous law of 1896, this parliamentary bill was grounded in new statistical and medical knowledge. According to Holthe (1985), a survey on children's living conditions conducted by the Central Bureau of Statistics had previously demonstrated a higher percentage of infant mortality during the first year of life among children born outside of wedlock. Explanations proposed to explain this higher mortality were bad hygiene, inherited diseases and, above all, artificial nutrition, or, as Haavet (2006) puts it, 'the lack of mother's milk' (p. 195). Medical knowledge supported the idea that infant mortality could be prevented (Haavet, 2006).The reform proposal emphasised fathers' financial responsibility to allow mothers to stay at home in the period following the birth, so that they could care for their children and breastfeed them (Haavet, 2006, p. 193). Combining medical knowledge and state responsibility, the Children Acts reflected researchers' and social reformers' trust in the state's capacity to 'improve human and social life' (Haavet, 2006, p. 201) through education and rational means.

In Norwegian child protection history, these child welfare laws lined to Castberg's work represented a turning point in public welfare with their focus on children's living conditions and fathers' financial obligations. Nonetheless, a different reading of the values reflected in the Children Acts of 1915 gives a societal picture reflecting the ethos of the liberal segment of the dominant classes, of which Castberg was a member. With their emphasis on parental responsibility and sexual morality, the Acts also reflect the struggles between different segments of the dominant classes for a legitimate representation of family (See Lenoir, 2003). They targeted on the one hand, the individual bodies of fathers, mothers and children, and involved issues of sexual morals and breastfeeding, and on the other hand, the life of an entire population as reflected in the concern for infant mortality rates. Individual bodies and population represent two poles in the particular form of power that Foucault (1976) has labelled as 'bio politics', referring to power mechanisms aim at regulating and

controlling the bodies of individuals and entire populations. As mentioned, the new legislation was grounded in demographic statistics, allowing the counting and classification of children representing a form of knowledge typically associated with bio politics. The law targeted some segments in the Norwegian society, the unwed mothers and working class families, both considered as potential sources of unrest. The objective of protecting society against the moral danger these segments represented for children's morality was part of the reformers' goals, but this goal was not as explicit as in 1896. Instead, children's rights, interests and equality were the main justifications for the reform.

Child Welfare Act of 1953

The Castbergske children laws went unchanged until the 1950s when radical changes in legislation took place. In particular, these involved legislation focused on regulating biological ties between children and mothers and fathers and parental responsibilities, giving fathers economic obligations only in case of proven paternity and establishing the state as provider in case of unknown father or dead father. An additional equally significant change was represented by a new law regulating child protection, which is the subject of the following examination.

The year 1953 witnessed the first broad-scale reform of child protection since the Act of 1896 on the treatment of neglected children. In 1947, the Ministry of Social Affairs appointed a child protection committee charged with reconsidering existing child welfare legislation. This committee emphasized the need for rationalisation and coordination of child welfare and the government decided to assemble previous laws targeted at poor and vulnerable children into one unique piece of legislation. The resulting Child Welfare Act was passed in 1953. This contained two major innovations: prevention and family support. The Act's first paragraph emphasized the general preventative duties of Child Protective Services.

This passage obligated Child Protective Services to work towards improving children's living conditions and providing them with opportunities for development (Larsen, 2002). Moreover, the new legislation widened the range of assistance measures to families, including advice and guidance, economic support, registration in a kindergarten and family monitoring (Larsen, 2002; see also Andresen, 2006).

Relying on an analysis of the preparatory work, Larsen (2002) argues that the legitimation basis for state intervention shifted from the interests of society to the support of the parents in their parental responsibility and caring obligations. The project of fostering good citizens was not abandoned, but instead was dealt with in a more indirect way—that is, through the protection of the family and the provision of good living conditions for all children. The emphasis on the protection of the family in the preparatory work should be viewed in relation to the restoration of the male breadwinner position in Western societies following the end of World War II (Michel, 2011). In Norway, the implementation of social policies, notably child benefits in 1946, reinforced the male breadwinner model, supporting a strong family ideal (Andresen, 2006; Haavet, 2006). However, Larsen (2002) notes that this emphasis on the protection of the family was reflected neither in the Act's goals nor in concrete provisions enunciating the criteria of intervention. Indeed, the central focus of the Act was the child's interest, not the family's interests.

According to Seip (1987), the preparatory work for the 1953 reform involved a new knowledge basis. During the inter-war period, new ways of thinking grounded in hygienist and psychiatric doctrines had emerged to challenge the traditional moralistic attitudes towards deviant children based on religion and Puritanism (Seip, 1987). The key concept of this period according to her was the concept of 'care', and the new understanding of children's needs, grounded in medicine, psychology, psychiatry, psychoanalysis and pedagogy, emphasised stability and belonging (Larsen, 2002; Andresen, 2006).

The Norwegian Labour Party played a leading role in the preparatory work for this legislation (Larsen, 2002). Political disagreement concentrated on the location of the boundaries between parental and society's responsibilities and on the various roles lay people and different professional groups should take in decision-making. This act stipulated that a judge was to be involved only when coercion was to be used. While the Labour Party was opposed to having doctors as permanent members of the child welfare board in the communities, the Christian People's Party and the Conservative Party fought to maintain the place of traditional authorities — doctors and priests (Larsen, 2002). There was, however, a broad consensus shared by professional and political actors regarding the move from coercion to help. Larsen (2002) notes that despite the law's intention to emphasize help, coercive interventions did not disappear, but only became less visible. The 1953 Child Welfare Act in effect renewed the coercive provisions of the 1896 Act: this meant that when inadequate parental care resulted in damage or a danger to the child's health and development, a care order could be implemented (Larsen, 2002).

This new legislation reflected a change in the modalities of state control of families and the means of legitimizing child protection interventions. In contrast to earlier laws, it granted a larger place to in-home and voluntary interventions. Moreover, the legitimation of child protection interventions relied increasingly on helping families and preventing negative outcomes for children, rather than on defending society against moral danger. Thus, interventions in families involved less overt forms of coercion and more measures having the appearance of help, support and care. The affirmation of a new knowledge regime, revolving around psychology and related disciplines, provided a main support for the development of more subtle, and implicit, forms of control (Foucault, 1980; Hennum, 2010).

Child Welfare Act of 1992

According to Larsen (2002), the preparatory work leading to the Child Welfare Act of 1992 began in the late 1960s, but in what follows, for the sake of clarity, I concentrate on the period between 1985 and 1992, a period marked by various texts preparing the amendment of the new law. A central intention of this new law was to reinforce due process for both parents and children. This change was made by transferring the responsibility for taking decisions on care orders (that is, coercive out-of-home placements) to a court-like agency, *fylkesnemnda* (Larsen, 2002). At the same time, the new legislation widened the criteria for implementing a care order, making both an unacceptable care situation in the present and a risk of future damage to the child sufficient for justifying a care order, independently of each other (Larsen, 2002).

The emphasis on due process should not obscure the fact that the boundaries between voluntary interventions and coercive interventions tend to be blurred. Voluntary measures could in practice incorporate hidden forms of coercion (Stang, 2007). For example, the Child Welfare Act (1992) § 4-8 opened up the possibility of transforming a voluntary out-of-home placement into a care order, even though the conditions otherwise required for implementing a care order, such as neglect, were not satisfied (Stang, 2007). According to Stang (2007), decisions made according to § 4-8 for preventing the removal of a child in order to avoid serious problems for the child due to the breaking of the attachment bond to foster caregivers derive from considerations of stability, security and continuity of care. This was done in accordance with emphasis on promoting the best interests of the child as defined in § 4-1.

Another important change relates to the status of the child. Ericsson (2000) showed that the 1992 Child Welfare Act, worked to provide children with the status of 'separate individuals with legally guaranteed rights' (p. 19). The new legislation affirmed the primacy

of the best interests of the child in all decisions (Ericsson, 2000; Stang, 2007). Moreover, the 1992 Child Welfare Act (§ 6-3) granted children above 12 years of age the right to be heard. The Child Welfare Act of 1992 clearly states the primacy of the best interests of the child (Stang, 2007). Although protecting society against dangerous children is no longer a legitimate ground to intervene, as Sandberg (2003) notes, the child's interest and the society's interest often coincide, so that considerations of societal interest are much involved with this act, in combination with the best interests of the child.

Additionally, the preparatory work during the 1980s retained the family treatment principle and reaffirmed the centrality of the family institution in society, emphasising the 'biological principle'. The biological principle entails that children should grow up with their biological families, and that, if they are separated, maintaining contact with their biological parents has a value in itself (Bendiksen, 2008: 164). However, according to Larsen (2002), later preparatory work and public documents downplayed the family treatment principle, and Ericsson (2000) notes that in the Child Welfare Act of 1992 psychological ties tended to take precedence over biological ones. More recently, the perception of children's needs of secure attachment ties resulted in 2012 of a public report on the protection of children's development. The Raundalen committee (NOU, 2012:5) not only underlined the ambiguities of the biological principle and contested the position of this principle as a basic principle of child welfare policies, but also stated the primacy of psychological parenting over biological parenting.

Psychology, especially developmental psychology, became a key component of the knowledge base of the Child Welfare Act (1992). A psychology-grounded understanding of children entails viewing them as emotional beings and vulnerable subjects in need, while parents, especially mothers, are defined as those responsible for the satisfaction of those needs (Burman, 2008; Hennum, 2010). Moreover, as Hennum (2010) points out, the emergence of

an alliance between a legal perspective and the now well-established, psychological understanding of children gave rise to a new form of parental disciplining based on universal standards for childhood and adulthood (Pence & Hix-small, 2009).

According to Larsen (2002), the reform of 1992 was the object of a broad consensus. She notes that all actors supported the shift towards putting greater emphasis on the child's entitlements as an independent individual and reinforcing due process for both children and parents. However, social workers were exceptional in their defence of using coercion to promote children's interests and the 'child's perspective'. Child welfare organisations, including the Norwegian union of child welfare workers (Norges barnevernspedagog forbund) and the Norwegian union of social workers (Norsk sosionom forbund), positioned themselves as the defenders of the individual child's interests; both argued that in cases where the interests of parents conflicted with that of the child, society had to side with the weakest part, i.e. the child (Larsen, 2002). This provides but one indicator of the important role child welfare professionals and their organisations played in the last phase of the reform work. Not only did they lobby for preserving child protection as a specific area of legislation, but also wrote their own proposals. Thanks to their ability to gain the support of parliamentary members from different parties, many of their propositions were implemented.

The Child Welfare Act of 1992 exhibits continuity with the previous Act of 1953, with its emphasis on the help, support and caring dimensions, and a broad consensus about state interventions in families which reflects social acceptance of state control of families. At the same time, the 1992 Act entails slightly different forms of power based on the child's perspective and a new view of the child as an individual with entitlements making control even more implicit. As Hennum (2010) has noted about divorce-related issues, the child's perspective represents an especially efficient discursive resource for silencing the controlling elements in child welfare. With the child as target for state intervention and subject for state

governance, the law of 1992 has paved the way for greater possibilities for indirectly regulating family life (Hennum 2010). Indeed, opposing arguments related to children's well-being is difficult, if not impossible.

Concluding discussion

This article has used the Norwegian case to exemplify transformations in the forms of the state's control of families. What can we conclude from this overview of the transformations of child welfare in Norway since the late nineteenth century? In summarising those developments, I have resisted the temptation to construct an artificial continuity between the four historical scenarios I have examined (Foucault, 1984). Indeed, the historical development of child protection laws and policies in the Norwegian society does not reflect a linear evolution (Larsen, 2002). This is probably not a characteristic confined only to Norway as a modern state.

The modalities of state interventions in families, and hence the forms of power involved, have significantly changed over the course of the twentieth century. From being part of criminal law and poor law, child protection regulations have been assembled in an autonomous piece of legislation. This constitution of child protection regulations as an autonomous law makes the connections between child protection, the prevention of delinquency and the management of the poor much less explicit. Moreover, the shift of emphasis from societal control to the well-being and rights of the individual child has contributed to effectively silencing certain of the controlling elements in child welfare.

Political forces and professional actors behind these legislative changes have varied during the past century of legal reform. In 1896 and 1915, conservative and liberal forces played a leading role. In contrast, the Labour Party played a central role in the post-war reforms of child protection regulations. In 1953 and in 1992, all political parties agreed on the

state's right and duty to intervene in families. Given that broader political democratisation leads to greater legitimacy of state intervention (Slagstad, 2001), it is conceivable that greater democratisation of political life has at the same time contributed to the wide acceptance of state intervention in families.

This has created a paradoxical situation. On the one hand, the Norwegian society is proud of its high level of democratisation, even though some of its citizens, namely, parents, have been the subject of great state scrutiny and have lost their own power in contrast to their empowered children. As the Children Act of 1992 requires, all agencies and individuals in contact with children have a duty to report to child protection services deviance in parental care. Yet, deviance and children's interests as moral phenomena are rarely discussed.

In the entire period under study, both social sciences and the humanities have served to legitimize increasing intervention in families using as their main rationale a set of beliefs in rational and positivistic knowledge. Nonetheless, over time, knowledge regimes have changed their content and form. In the late 1800s and early 1900s, the hegemonic knowledge regime justifying state intervention in families in the late was structured around criminology, statistics and medicine. In contrast, in the post-World War II period, reforms of child welfare law have drawn from a knowledge regime much influenced by psychology. As this discipline's production of knowledge about individuals supports more sophisticated and less overt forms of control, the shift from criminal science and statistics to understandings of our psyches has tended to become a precondition for transforming aspects of state control of families as discussed in this article.

From the late nineteenth century, a new principle of order has emerged, a principle described in Norway and elsewhere as 'egalitarian individualism' (Gullestad, 1992, Therborn, 1993). This principle was reflected for the first time in legislation in the 1915 Norwegian Children Acts. I have argued that the transformation in the forms of control of families was

concomitant with important changes in the nature of the social order, the emphasis on children as independent subjects entitled to care, and equal opportunities for development. These I maintain have worked to make the controlling elements in child protection covert. Beginning with the 1915 Norwegian Children Acts, Norwegian laws have reflected norms and discourses of egalitarian individualism. As individuals gradually internalised these norms and discourses, the control of families became increasingly implicit. Indeed, the value given to children's equality and autonomy now justifies intervening in families for a multitude of reasons. I would contend that, whereas in familialism, which focuses on the family unit, family is '*le principe de toute chose* (the principle of everything)' (Lenoir, 2005, p. 202), egalitarian individualism has constituted children as 'the principle of everything'.

That help and control go hand in hand is a well-known phenomenon within child protection. However, in Norway, a country renowned for promoting the values of equality, individual independence and tolerance, the current professional discursive formation and significant parts of social research on children emphasise viewing children as participants, hearing children's voices and valuing the child's perspective, all while masking the very real controlling elements in child welfare.

The article has shown that the state control of families, far from being explicit, has become increasingly implicit and hidden. Indeed, the emphasis on children as independent individuals has made opposing this control increasingly difficult to do. These findings have important implications for social work. Indeed, in Norway, social workers have played a leading role in promoting the child perspective and social work research seems to follow the same path. Thus, there is a need for research critically examining the implications of the child's perspective. Moreover, the analysis of Norway has a broader relevance as EU countries today may be following the same path without being fully aware of the

ramifications of child-centrism for state control of families. The consequences of child centrism and implicit state control of families, i.e. adults, is yet to be investigated.

[i] In the rest of the article, I will use the English version from 1985.

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