

Framing Public Interventions With Respect to Children as Parent-Empowering

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Parents need government assistance in order to promote their children's best interests.

Most parents try to act as fiduciaries for their own children, seeking to protect the child from dangers, to nourish their child's development, and to instill values and a sense of purpose in their child so that, as he or she matures, each child will be able to make sensible choices for his or her own life path.

Yet, not all parents always satisfactorily perform these duties. A variety of personal conditions may undermine parental efforts, some which may be blamed on the parents, and others not. These conditions include family poverty, ignorance, selfishness, personal crises, bad judgment, inattention to the parenting role, and so on. Outside forces may also interfere and overwhelm parental efforts. These include the child's peers, undesirable cultural and commercial influences, and so on. Further, parents may have a vision of what their child should be or become which does not best suit the sort of child they have, and as a result, they may unduly narrow their child's future opportunities.

To me, these parental shortfalls primarily show that parents often cannot do the child-raising job by themselves. The key message is that parents need help, not only from extended family members and the community at large, but also from government. For example, public regulation can increase parental power and authority over their children by preventing others from tempting children into self-destructive behaviors. The state can also provide information (or require others to provide information) that parents need to enable them to make good decisions for their children.

Moreover, government can provide resources that some parents lack. In all of these power-enhancing ways, government can help parents be better parents.

Too often, however, the state's role is framed in terms of reducing – rather than enhancing – parental power. In the name of “child protection,” government is called upon to step in where parents have failed by substituting collective or professional decisions as to what is best for children. Yet, policy-makers may be too quick to curtail parental power when further empowering parents would, overall, be best for children.

Furthermore, sometimes public policies are framed as “child protection” measures that, on closer analysis, can be better understood as parent-empowering.

Add to that this key point. It may often be politically easier to win the adoption of a policy when it is understood as helping parents to be good fiduciaries than when it is understood as overriding parental authority. After all, on most matters (apart from the question of costs), who can be against helping people be good parents? Isn't this something on which conservatives (the “family values” crowd) and liberals (who talk of “personal empowerment”) agree? By contrast, the constituency may be narrower for “child protection” measures, especially those that are seen to push a large share of parents around because “legislators know better.”

All of this implies that, not only the substance, but also the framing, of any specific policy initiative may be of great importance. Put differently, having a policy understood as helping large numbers of parents might facilitate its adoption when it would fail if framed otherwise.

In the next two sections I offer some brief examples to illustrate various points I have just made. Later on, I will examine two

particularly controversial topics – obesity in children and school vouchers – in order to more thoroughly explore the importance of framing in discussing policies that impact families.

II. Simple Framing Examples

I believe that several existing policies that, at first blush, may seem very different from each other, are all best framed as aimed at helping parents be better fiduciaries. Consider, for example, policies that 1) require that all television sets come with a “V chip” – that clever little technological device that is supposed to allow parents to prevent their children from viewing programs that the parents consider unsuitable; 2) require that products sold in supermarkets and drug stores that could be unexpectedly dangerous to children contain warnings that they should be kept out of the hands of children; and 3) provide food stamps to low-income families, enabling large numbers of parents to put food on the household table when the parents might not otherwise be able to do so.

These policies respond to different needs parents have in order to better serve their children: 1) the V-chip gives parents more *power* in order to help them better control their children’s behavior; 2) product warnings give parents more *information* in order to help them better protect their children from dangers at home; and 3) food stamps give parents more *resources* in order to help them better provide for their children’s needs.

Not every policy is sensibly framed as parent-enhancing, of course. Some policies clearly do take power away from families in order to help children, or to protect others from harm children might cause, or to liberate children from their parents.

For example, precluding children from marrying under the age of, say, 16, even if they have parental permission, is a child-protection

measure. Forbidding children from driving cars before they are 16 and licensed by the DMV, regardless of what parents think about any particular child driving at a younger age, is perhaps best thought of as a protection of others on the road (and nearby sidewalks). And enabling mature teens under the age of 18 to obtain abortions if they so wish, without either notifying their parents or gaining their approval, is an example of a policy aimed at helping to emancipate the young girl from her family. In all of these examples, parental authority is diminished.

III. More Complex Examples that May Be Framed as Empowering Parents

In this section, I discuss policies that others might not frame as power-enhancing for parents, but which I believe are sensibly understood in this way.

A. Vaccinations Against Disease

Take, for example, the policy of requiring children to be vaccinated. Some may first think of this centrally as a child-protection strategy – forcing health-promoting measures on the child, regardless of the parent’s desires. But, with a bit more thought, one realizes that vaccinations are centrally required for diseases that are communicable, and so, the mandatory nature of this policy may be just as well understood as protecting others from harm that an unvaccinated child might cause them. Note that this policy is typically enforced by denying children access to school if they are not properly vaccinated – partially because of fears that they might become contagious and a menace to other children.

Yet, if one looks still deeper, one might conclude that, in its details, our current vaccine policy may be best framed as parent-

assisting. First, by singling out vaccines as “required” the state conveys information to parents as to the great importance of seeking this benefit for their child. Second, along with the “required” feature of the policy typically comes the free provision of vaccines for those parents with financial need – thereby enabling a subset of parents to obtain what they want for their children anyway but might otherwise not be able to afford. And finally, it turns out that those rare parents who actually have compelling reasons for not having their children vaccinated can often escape from what otherwise appears to be the mandatory feature of the rule – such as those parents whose religious beliefs preclude them from consenting to these vaccinations. Exemptions like this are best seen as parent-empowering because they are inconsistent with a strong commitment to child protection or the protection of others.

B. Fluoride Used to Prevent Tooth Decay

Our evolving approach to tooth decay in children also suggests some ambiguity in the state role or roles being promoted, and hence the opportunity for framing. Earlier on, fluoride was incorporated in toothpaste, and I view this change as helping parents be better fiduciaries. Armed with information about the benefits of fluoride, all parents had to do was get their children to brush their teeth with the right material in order to provide them with greatly enhanced protection against cavities.

What are we then to make of putting fluoride in the water? Earlier on, one might say that this policy is best understood as a child protection measure, forcing tooth decay protection on everyone’s children, regardless of how parents act. I assume that this policy of fluoridation of the water, in effect, only really provides substantial benefits for children of parents who neglect to (or choose not to) have their children properly brush with the appropriate toothpaste.

Yet, now that our society is awash with “pure” bottled water that does not contain fluoride, the picture is perhaps again different. Nowadays, parents can, in effect, choose how to provide teeth protection for their children – with tap water, toothpaste, or both. As a result, fluoride in the regular drinking water can now be understood as a convenient way for most parents to get what they want for their children – in short, as a parent-empowering policy, just as fluoride in the toothpaste was in the past. Consistent with this theme, notice that some rural communities that do not have fluoride in their water instead offer parents the option of having school personnel regularly provide their children with fluoride mouthwash.

C. Preventing Sales of Cigarettes to Minors

Consider next some policies that can be framed as enhancing effective parental exercise of the fiduciary role even if they might initially be seen by some as overriding parental autonomy on behalf of, say, child protection. These policies are best understood as providing the assistance that parents, as a group, want in order to help them protect their children from undesirable outside influences.

I have especially in mind here parents’ desires to protect their children from temptations and risks they encounter away from the home, although to the extent that outside influences increasingly penetrate the home, those too are relevant.

Consider, for example, the rule that precludes retailers from selling cigarettes to minors. I believe that this policy is an example of a state intervention that is best justified and defended as serving to enhance the role of parents as fiduciaries. I say this because, as I see it, the real point of forbidding sales of tobacco to children is to keep cigarettes out of the hands of children whose parents do not want them to smoke.

After all, this policy does not prevent parents from providing cigarettes to their own children; nor does it stop them from permitting their own children to smoke at home. Rather, it tries to assist parents who do not want their children to smoke by negating the enticements of tobacco sellers that confront children when they are out of the home and necessarily beyond parental supervision. After all, many junior and senior high school students go shopping or to and from school on their own. Parents understandably want help in preventing their children from making purchases of things the parents don't want their children to have. By enlisting retailers to the parental cause – that is, by threatening retailers with penalties if they violate the law – parents' control over their children's behavior is enhanced.

D. R-rated Movies

The policy of having movies R-rated should be similarly understood, in my view. That is, this rating is meant to help parents by denying their children access to such movies unless they are brought to the movies by their parents (or other adults who are parental designates). To be sure, just like the sale of cigarettes to minors, these policies are by no means always effectively enforced. But, as I see it, the sentiment behind both policies is similar – assisting parents who do not want their children to be tempted in settings where parents cannot reasonably be expected to personally supervise their children's moment-to-moment behavior.

Notice that, if R-rated movies were like PG13-rated movies in that they merely provided a warning as to content, and cinema operators were permitted to admit unaccompanied children, then R-rated movies would only serve to provide information to parents (and perhaps an extra temptation to children). To be sure, providing information is another measure that can enhance parental performance of the fiduciary role. But it is the forbidden sale

feature of R-rated movies (like cigarettes) that I want to emphasize as properly seen as giving greater power to parents.

IV. Framing Controversial Issues

With this general overview in mind, I next will explore two very contentious matters, seeking to show that advocates of particular policies might be more effective in gaining their adoption if they can convincingly frame their proposals as parent-empowering.

A. Childhood Obesity

Consider first the problem of childhood obesity. In the past, say, 30 years the rate of childhood obesity in the U.S. has roughly doubled. Scientists and physicians are becoming increasingly aware of the serious long-term health problems that readily follow from obesity, including, most prominently, diabetes and high blood pressure. When Johnson and Nixon were our presidents, our nation was especially concerned about hunger, particularly childhood hunger; today the focus is largely on the opposite problem.

To be sure, we have not eliminated hunger in America, and sadly enough, some children who are obese also suffer from hunger. This can certainly happen in financially impoverished families that often run out of money (and food stamps) before the end of each month. I am talking about children who go hungry for part of the time, and yet are substantially overweight, probably from eating much too much at times when food is (or has been) available. Alas, falling into this pattern seems quite understandable – if you think you may go without later on, you might well get into the habit of gorging when you can; indeed, this behavior may be programmed into us from the time we were hunter-gatherers. Yet, even though lower-income children are disproportionately obese, it is well understood that childhood obesity is a problem that runs through all economic classes.

It is perhaps axiomatic to say that obesity is the result of taking in a lot more calories than are consumed through normal bodily functions and exercise. This leads to something of a “blame the other guy” mentality in which, for example, food and beverage makers point to the fact that kids today seem to spend so many hours in front of TVs, computers, and video games instead of riding their bikes or otherwise engaging in physical activity. For their part too, public health leaders often seem divided as to whether the problem is more importantly on the healthy eating side or on the healthy activity side.

More important to me, however, is the seeming effort by the food and beverage industry to frame childhood obesity as a problem of parental failing. The perspective being promoted is that everyone knows that obesity is not good for children, and so society should consider parents as being responsible for allowing children to become overweight. Clearly, this framing is pushed by food and beverage makers who are resisting being sued by parents on behalf of their obese children.

Yet, emphasizing that parents are responsible for childhood obesity also raises the possibility of a counter-strategy: framing proposed state interventions as intended to enhance parents’ ability actually to take responsibility for the obesity problem.

So far, most people in the public health community seem to respond narrowly within this “blame the parents” frame. For example, they respond that some parents actually don’t realize how dangerous obesity is for their children (especially perhaps if the parents themselves are obese – although in some families that fact could cut the other way). Moreover, they argue that in order to take responsibility for preventing obesity in their children, parents need to know more about how to do that. Both of these arguments point towards providing parents with more information.

This might call for at least two state intervention strategies that could be framed as parent-empowering: 1) parental education campaigns designed to help parents recognize the signs of childhood obesity and the risks associated with it; and 2) required disclosure policies that provide parents with knowledge about the calories and other features of the food they are considering feeding to their children. For example, many advocates are pushing to have fast food outlets disclose the calories, fat content, and other dimensions of the foods they sell. Advocates have in mind here the sorts of labels that now are placed on non-prepared foods that are sold in grocery stores. Their main underlying assumption seems to be that too many parents simply do not appreciate that fast food, for example, is typically far less healthy than are fresh fruits and vegetables, lean meats, and so on.

Food and beverage makers are not eager for mandatory disclosure regulation of this sort. They are apt to argue that, if parents demand this information, the market will produce it. And indeed, we have recently seen some fast food sellers come forward with increasingly accessible disclosures, even when those disclosures are not yet formally required by law. Whether this is a genuine market response or an effort to forestall tougher regulation is not clear.

But it does seem clear to me that the food and beverage makers are eager to cabin regulation – if it occurs – to these sorts of informational measures. For example, they certainly don't want it made illegal to sell to minors things like candy, potato chips, and sweetened carbonated beverages – i.e., to put “junk” foods in the same category as cigarettes and R-rated movies. If a proposal as radical as this were to emerge, the food and beverage industry would likely try to frame it, not as parental-power enhancing, but as misguided child-protection advocacy by “public health fanatics”

– just as some regulatory controls over tobacco products have been attacked by industry as the agenda of “anti-smoking Nazis.”

Next consider childhood-obesity interventions far stronger than merely requiring information disclosures but which can also be framed as what parents (or most parents, or better yet, nearly all parents) want. Think first of the now increasingly common call to ban the sale of sodas in the schools. This initiative, it seems to me, can be readily framed as a policy aimed at helping parents do a better job as fiduciaries. After all, surely the case can be made that most parents are not eager for their children to consume unlimited quantities of sweetened beverages. But the realities are that, if schools have Coke, Pepsi, and the like in vending machines or in school cafeterias, then kids may well be tempted to drink much more than parents wish. Of course, parents can instruct their children as to what to drink at lunch and during the day. But in reality, parents cannot effectively control how their children act at school. Hence, preventing sodas from being sold at school could help parents achieve what they wish.

An even stronger policy initiative would bar students from drinking sodas at school, regardless of their source. To the extent that this would block students from bringing sodas from home and drinking them at lunch, this no longer seems easily framed as a policy of empowering parents as fiduciaries. After all, can't parents themselves control what their children take in their lunchboxes? By this way of thinking, a ban seems more a child protection strategy pushed by those who don't want children to drink sodas at school regardless of parental views. Yet, this latter line of analysis overlooks important realities. Suppose a ban on in-school sales mainly caused students (in defiance of their parents) simply to bring into school the sodas they bought from stores en route to school. In that case, a “no school sales” rule could be rendered almost meaningless. Moreover, it would likely be unworkable to ask school officials to determine soda source (i.e.

home-provided or not). Given those realities, a ban on drinking sodas in school could indeed be framed as helping parents to be better fiduciaries.

Think next about foods and beverages that are promoted in connection with children's TV programs. Most of these promotions would clearly be understood by adults as "ads." Yet studies suggest that many young viewers (certainly those under eight years of age) do not appreciate the difference between an ad and the program. Other promotions may come as paid product placements in the shows themselves, a marketing strategy that younger children are very unlikely to understand on their own.

Suppose, then, that parents as a group come forward and complain that these promotions are enticing their children to demand products to eat and drink that parents believe are bad for children. And suppose that parents argue that these commercial promotions are presented in a misleading way that undermines children's abilities to separate hucksters from reliable information providers. And suppose parents then push to have these promotions banned, or limited in quantity, or regulated in various other respects.

My central point here is that this sort of regulation of children's TV advertising could be framed as a means for helping parents to be better fiduciaries for their children. To be sure, TV advertisers would seek to reject this framing. They would likely argue that objecting parents already have within their power a clear solution to ads that are offensive to them: turn off the TV, or if need be, make their entire home TV-free. Moreover, they could point out that, with a sophisticated V-chip, parents who are motivated to control their children's access to programs with these ads could do so without being in the TV room.

Hence, if advocates complain about children's TV advertising, in a context in which parents are failing to curtail their own children's

access to the ads, the proposed policies likely will be framed by food and beverage companies as “child-protection” measures to aid hapless parents, rather than “parent-enhancing” measures desired by most parents. Of course, in many settings, “child protection” itself can be a politically attractive cause. Yet, if responsible parents are perceived as not really in need of help, government risks being framed as an officious nanny.

In support of their framing, food and beverage companies are likely to offer testimony from parents who say that they are simply uninfluenced by their children’s pleas to serve them certain food and drink products based on what the children see on TV; that they watch TV with their kids and laugh with them at the ads (perhaps using the occasion as a teaching lesson); or, that they reward their kids occasionally with things their kids want after seeing them on TV, but that they are well able to control their children’s overall diet. Put differently, when parents already have considerable power, proposed state interventions may be effectively framed as paternalistic measures that are aimed at a small number of “other” parents and that are unwanted by the majority. In short, it may be difficult to convincingly frame children’s TV ad regulations as what “parents” want.

Nonetheless, even here, creative framing from the other side may enable advocates to portray controls on children’s TV advertising as parent-enhancing after all. The strongest argument, in my view, starts with the idea that virtually all parents object to having their children taken advantage of.

To frame this argument successfully, advocates must convince policy-makers that: 1) advertisers are promoting products that children themselves cannot possibly decide are good (or bad) for their health; and 2) the sophisticated marketing strategies of the advertisers succeed in turning young children into today’s “whiners” (begging parents for certain products), and then into

future brand-loyal consumers. In support of these points, advocates should rhetorically ask: Why else would so many millions of dollars be spent on ads aimed at children who currently have little or no money at their personal disposal? My point is that, if children's TV advertising were successfully framed as misleading and unfair from the child's perspective, then a convincing case might well be made for enabling parents to shield their kids from those ads.

Perhaps advocates could cast children's TV ads as parallel to the problem presented when some children bully other children on the school playground. When playmates behave like this outside school hours, parents can perhaps be expected to intervene on their own – by keeping their children away from the bullies. But when this happens during recess or the school lunch hour, parents understandably believe they have a right to call on public officials to step in on the parents' behalf to protect their children. It is hardly sufficient for school officials to say that parents can take their children to a different school (although this is a last resort to which some parents may ultimately have to turn). Parents who don't want TV advertising to take advantage of their children may be able to frame their demand for help from governmental authorities in a similar way. And, as I have argued throughout, this framing may be key in winning the controls over TV ads that advocates are seeking.

B. School Choice (Vouchers)

Finally, I turn to the school voucher debate, once more seeking to demonstrate that at least certain proposals for expanding school choice may be best framed as enhancing parents' ability to be effective fiduciaries on behalf of their children.

These days the reality is that reasonably well-to-do parents are generally able to select schools for their children that they feel well

serve their children's needs. They do so primarily by deciding where the family will live and then enrolling the children in the local public school. Secondly, about ten percent of American families send their children to private schools, schools the parents presumably believe are better for their children than public schools since the family is paying for something that otherwise would be largely without financial cost. Both of these choices are clear examples of the exercise of parental power on behalf of children.

Yet, most working-class and financially-impooverished parents do not have the ability to make such choices. Instead, they are given what someone else has, in effect, decided is best for their children. If, instead of using public money only to pay for locally-assigned public schools, government were to provide all families (or, perhaps better yet, just low-income families) with scholarships they could use to obtain an education for their children at a much wider range of schools, this could be framed as parent-empowering.

All too often, in my view, proponents seek to frame school vouchers as a mechanism that, through the operation of market forces, would yield better-educated children for the benefit of employers or the nation as a whole (frequently resting the case for school vouchers on the relatively low level of academic achievement of U.S. children as compared with those of many other nations). Alternatively, many pro-voucher voices seem more concerned with framing this reform as teacher union-busting than as promoting children's education. So, too, opponents of school vouchers typically frame the issue as one of undesirably increasing the power of religion in American society, or of paving the way for hucksters to make money off the taxpayers, rather than addressing vouchers' potential impact on families who today do not have the power to choose.

For school voucher advocates to make greater headway, especially with liberals, I believe that both the campaign and the proposal details must credibly present the proposal as parent-empowering – and especially empowering the “have-nots.” After all, liberals typically see themselves as champions of low-income children and their families. Recall that it was Clinton Democrats who readily embraced “the end of welfare as we know it.” The ideology underneath that call was rooted in the notion of parents taking more responsibility for their lives by working in the paid labor force and, in turn, setting good examples for their children. For today’s low-income family, however, the school comes across to the child as an all-powerful institution that parents are largely helpless to change or influence. With a scholarship in their hands, parents would have a much greater opportunity to take responsibility and serve as a real fiduciary with respect to their child’s education.

If school choice proposals are framed in this way, liberals may also come to better appreciate that, in making choices to live in certain suburbs or to enroll their children in private schools, many parents today are deliberately acting to keep their children away from other people’s children – especially the children of the poor. Were those latter children’s families also empowered, that sort of flight and exclusionary practice could be reduced.

Of course, merely offering a scholarship may be insufficient to effectively empower lower-income parents. They might also need informational help – such as assistance from neutral guidance counselors as to what schools are likely to be better for their children. And they might also need help from government in weeding out corrupt and phony schools – such as by having financial audits, required disclosure of student achievement results, and the like become integral parts of the school voucher program. Moreover, some types of school voucher proposals should be exposed as mostly helping parents with means, rather than

genuinely empowering low-income families. But the core case for school vouchers for the poor, like food stamps and many other policies discussed here, should be framed (and debated) in terms of whether this policy initiative would help parents to be better fiduciaries than they are today.

In fact, some headway in this direction has been achieved in the past decade or so. While publicly-funded private-school voucher plans remain few and are available only in a small number of communities around the nation, there has been a significant expansion in public school choice for families who previously had little choice. I refer here to the charter school movement, the growth in statewide inter-district transfer programs, the embrace by many urban school districts of smaller “choice” schools inside the district, and the increase in the number of communities in which all (or nearly all) of the district’s public schools are thrown open to families who do not live in the vicinity of the local public school they prefer. All of these developments, in my view, are best understood – and best framed – as strategies to empower parents.

Moreover, giving greater school choice to working-class and low-income families may help diffuse controversies that now plague public schools, particularly those controversies involving parental ability to control some aspect of a child’s education. Many of those evangelical families who oppose the teaching of evolution in the schools might happily send their children to religious schools that teach “creationism” or “intelligent design,” if they only could afford those schools. Similarly, the battle over whether bilingual education classes or total immersion programs are better for non-English-speaking children could be resolved by empowering the parents of those children to decide what they think is the best educational approach given their particular family situation. And, finally, contentious arguments about whether sex education should be taught in schools or whether particular books should be

available to children in school libraries could be considerably muted if objecting families had genuine alternatives available to them.

Conclusion

The bottom line is this. Many people jump to the conclusion that proposed state interventions with respect to child-rearing must be motivated by those who seek either to benefit children in ways they think best, or to protect others from children, or to liberate children from their parents. This point of view seems to stem from the mistaken assumption that the best way to empower parents to take responsibility for their children is not to interfere with the family, and simply to leave parents alone.

By contrast, I have shown that there are several ways in which government can act to help parents better promote the best interests of their own children. Providing resources and information to parents are good examples that I think many would acknowledge.

But perhaps the most important point I have tried to make here is that government regulation of the world that is importantly outside of parental control, if properly framed, can also be understood as enhancing parents' power to be better fiduciaries.

To be sure, not all policies one can think of that could be framed as parent-empowering are going to be successfully framed as reflecting what "most/nearly all parents want." Imagine, for example, a movement to ban high school football on the ground that parents have concluded both that it is too dangerous and promotes violence among the participants – things that most parents surely don't want for their children. But, of course, many parents actually believe that playing football is, on balance, a good experience for their children. Hence, it would be a hard sell to convince most people that this proposal is appropriately framed as

enhancing parental power – especially if the school specifically requires parental consent before a student can be on the football team. Rather, this is much more likely to be seen as a paternalistic child protection effort, and as such, I suggest, it is less likely to gain public acceptance.

Independent teen access to contraceptives is yet another complicated issue. Is this a child emancipation policy? A child protection policy? Or a prevention of harm to other children policy? All three? But notice too how legislation blocking the direct sale or distribution of contraceptives to teens by schools, health centers, and pharmacies could be framed as parent-empowering because it is something that most parents favor. The claim would be that, just like cigarettes, these are products to which parents want to control their children's access. This example shows that governmental policies put forward as designed to help parents do a better job in raising their children need not be exclusively advanced by "liberals."

Nonetheless, the message I present here is perhaps best addressed to liberals. As I see it, they all too often approach and present policies concerning children on the basis of what they think is best for children, and they find it baffling and frustrating that everyone doesn't see it that way. But they might fare better politically (and better serve the well-being of children) if they examined policies in terms of their potential to enhance parents' ability to be the type of fiduciaries that most people think parents want to be.