

**PARENTING PRACTICES :**  
**COMPARATIVE STUDY OF 'IMMIGRANT PARENTS'**  
**AND 'AMERICA BORN PARENTS'**

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**ABSTRACT**

Immigrants who move to the United States generally face the difficulties of interpreting new laws and social norms (e.g., parenting norms), which may vary greatly from their inhabitant culture. Acceptable parenting practices are socially constructed religious beliefs, rooted in cultural context. What is satisfactory in one culture may be marked as child abuse in another. Thus, Asia immigrant parents are at endangerment for having their parenting practices defined as child abuse by mainstream culture. Defining child abuse in a multicultural society is difficult. In the court system, a cultural defense brings culture into the courtroom, questioning the intent in “abusive” cultural parenting practices, which ultimately effects the child’s wealth and education belonging to immigrant family. This paper offers mesmerism that alter the response of social services and the legal system to abuse cases involving immigrant families. Changes in education and policy can protect immigrant parents and families.

**\*Keywords: Immigration, parenting practices, religious beliefs, social work.**

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## Introduction

Parenting practice has been an increasingly important topic in the field of education given its great influence on student's academic performance and positive school behaviours (Fan, 2001). A growing body of evidence has emerged suggesting that greater parenting practice can result in beneficial outcomes such as higher grade point averages, better performances in reading and mathematics, reduced grade retentions and lower student dropout rates (Li, 2007; McKenna & Willms, 1998). This positive influence of parenting practice is believed to be applicable to all students in spite of diverse racial and ethnic backgrounds and grade levels (Kim, 2002; Jeynes, 2003; Yan & Lin, 2005). Thus, promoting parenting practice has been recognized widely by the North American urban school systems as a useful way to improve student's academic performance and narrow the achievement gaps between different racial and socio-economic groups (Huntsinger & Jose, 2009; Ji & Koblinsky, 2009).

The United States is becoming increasingly diverse, with more and more immigrant families arriving each year (U.S. Department of Homeland Security [USDHS], 2012). Immigrants face the task of learning the rules and norms of a new culture, which may vary greatly from their native culture (Fontes, 2005). Immigrant families bring to the U.S. the cultural reality of their original country, including parenting practices. Acceptable and unacceptable parenting practices are socially constructed beliefs and values. What behaviors and practices constitute child abuse vary greatly by culture (Korbin, 1981). Some immigrant families find themselves under investigation by Child Protective Services (CPS), or in court, for allegations of child abuse (Brelvi, 1997; Carlson, 2004; LaCayo, 1993; *State v. Kargar*, 1996; Zhao, 2002).

This paper will be organized in to three main sections. First, information will discuss current immigration statistics in the U.S., recent examples of immigrant parents faced with allegations of child abuse, and potential cultural disparities immigrant families face in the U.S. child welfare or legal systems. Second, the social construction of culture and norms will be discussed to gain an understanding of how parenting practices and definitions of child abuse are deeply rooted in cultural values and the use of a cultural defense in the U.S. courts and its relation to child abuse will be examined, including the cultural defense role in protecting children and determining intent in cases of child abuse. Finally, recommendations will be made that social service programs and social workers should distribute culturally sensitive information

to immigrant families that contains information about the U.S. legal system and overarching norms and values of mainstream U.S. parenting practices which immigrant families may encounter. Recommendations will also be made for social workers to adjust their interactions with immigrant families. Such efforts will protect immigrant parents and families from being torn apart.

### Immigration Statistics of USDHS

As per [USDHS] an estimated 11.4 million unauthorized immigrants were living in the United States in January 2012 compared to 11.5 million in January 2011. These results suggest little to no change in the unauthorized immigrant population from 2011 to 2012. Of all unauthorized immigrants living in the United States in 2012, 42 percent entered in 2000 or later. Entrants since 2005 accounted for 14 percent of the total. Fifty-nine percent of unauthorized immigrants in 2012 were from Mexico. Table -1 shows the description about period of entry of the unauthorized Immigrant population.

**Table 1:**  
**Period of Entry of the Unauthorized Immigrant Population: January 2012**

Period of entry	Estimated population January 2012	
	Number	Percent
All years	11,430,000	100
2005-2011	1,540,000	14
2000-2004	3,250,000	28
1995-1999	2,920,000	26
1990-1994	1,720,000	15
1985-1989	1,110,000	10
1980-1984	890,000	8

## Parenting Practices and the U S legal system

### Disagreeing beliefs of Parenting Practices :

To clarify how parenting practices of immigrant parents from Asia are misinterpreted as child abuse by mainstream American culture, consider the following cases: - In 2004, a Vietnamese family brought their 6-week-old infant to a routine visit with the pediatrician. The visit revealed fourteen bone fractures in the infant's body. Despite testimony from the child's pediatrician about what wonderful and caring parents they were, CPS removed the infant and her 3-year-old sister from the home while the parents were investigated for child abuse. It was discovered that the two children were sleeping on floor mats, a common sleeping arrangement in Vietnamese culture. The 3-year-old had been playing with the 6-week-old infant on the floor mats in such a way that it caused the fractures. After several months, the parents were reunited with their children (Carlson, 2004).

In 2002, in New York City, a Chinese immigrant beat her 8-year-old son with a broomstick because he was not doing his homework. The mother was acting within the realm of acceptable parenting for Chinese culture, but when the boy's teacher noticed the welts on his skin, she notified authorities. The mother was surprised to learn the American child abuse laws, and the family's two children were placed in foster care while she and her husband were investigated for child abuse (Zhao, 2002).

In 1990, a South American immigrant in Georgia was investigated for stroking her 4-year-old son's genitals in an effort to put him to sleep (LaCayo, 1993). The woman claimed this as acceptable behavior between a mother and son in her native culture. Charges against her were never brought, however.

These examples clearly illustrate the misunderstandings that arise when immigrant families parenting practices are interpreted by mainstream America as child abuse. What constitutes acceptable child rearing practices and what constitutes child abuse vary by culture. The occurrence of child abuse is universal in all cultures (Behl, Crouch, May, Valente, & Conyngham, 2001), but there is no cross-cultural standard that specifically defines child abuse (or proper parenting practices) (Korbin, 1981). This often causes a clash between mainstream culture and minority cultures. Likewise, minority cultures may misinterpret the mainstream

culture parenting practices. For example, some mainstream American parenting practices are considered child abuse by other cultures (e.g., requiring an infant to sleep in a separate bed or room than the parents, forcing the child to wait until a scheduled time to eat, and allowing and infant to cry himself to sleep; Korbin, 1981).

### Parenting Practices Norms and The Social Construction of Culture:

Berger and Luckmann (1966) discuss the reality of society as something that is socially constructed. Subjective and objective meanings are pieced together to build a framework of reality. Social interactions are merely a series of reactions; people react to one another by interpreting behavior and adjusting their own behavior accordingly. This constructs an interaction that is based on shared meaning. Individuals sometimes find it necessary to negotiate and bargain with others constructions.

The cultural meaning system of a society is a motivating force and, as such, it can be difficult to fully comprehend its impact on thoughts and behavior (Levine, 2003). For example, emotions and fears do not come from within individuals; emotions are something that society helps to construct, varying by culture (Nussbaum, 2000). A child is not innately born with a fear of spiders, but may be taught by her parents and society what attributes should be applied to spiders (such as creepy and scary), making them something to fear.

Just as with concepts of fear and death, parenting practices are socially constructed. Cultures construct the meaning of “proper” and “improper” practices for parents. Society imposes these constructs on individuals from the time they are children, creating deeply ingrained values and beliefs of what parents “can” and “cannot” do with or to their children. For example, Fumiko Kimura, a Japanese immigrant, took her 6-month-old daughter and 4-year-old son to the beach in Santa Monica, California, to commit *oya-ko shinju* (i.e., parent child suicide) after her husband admitted having an affair. Kimura was so overcome with shame that she felt she had no other choice for her and her children. Kimura was rescued, but her two children died (*People v. Kimura*, 1985). The Japanese community asked the U.S. courts to make her sentence light because Japanese law would treat the case lightly (Wu, 2003). Kimura was charged with

two felony counts of child endangerment and two counts of murder (*People v. Kimura*, 1985). Cultural practices (such as *oya-ko shinju*) are socially constructed beliefs that are perceived differently between cultures.

Another example, a cultural misunderstanding resulted in a case in which the children of immigrant Albanian parents were permanently removed from their home because their father was accused of molesting his 4-year-old daughter in public (Brelvi, 1997). In Albania, it is a social norm for parents to touch and fondle their children's genitals, mainly because the idea that someone would touch a child with ill sexual intent is so incomprehensible that all touching is considered natural and normal. There is no social construction of child sexual abuse (Brelvi, 1997).

Conflicts over acceptable parenting practices can easily intensify into the legal system. When conflicts surface, the courts and society must make decisions about culture and acceptability. The use of a cultural defense in the courtroom, and attempts at defining universal acceptable parenting practices, demonstrate the interlacing connections between culture and parenting practices, further illustrating the situation immigrant parents may face if their cultural practices are challenged by mainstream American society.

### **The social and Cultural norms Defense as Applied to Child Abuse:**

In the U.S. court system, the defendant has the option of submitting cultural evidence to help explain why he or she committed the accused crime (Lyman, 1986). This form of "cultural defense" is applicable when the defendant was raised and socialized in another country, where social and legal norms differ from those of American culture. If the defendant is able to prove that his or her actions were within reason and acceptability of his or her own culture, level of responsibility for the crime may be reconsidered (Lyman, 1986). The U.S. courts do not formally recognize the cultural defense (in contrast to defenses such as the insanity defense, which is a formally recognized defense); defendants are simply allowed to defend themselves by presenting cultural evidence that relates to their case (Hoeffel, 2006).

For example, in *State v. Kargar* (1996), Kargar, an Afghani immigrant, was charged with two counts of gross sexual assault for kissing his 18-month-old son's penis. Kargar defended the action of kissing his son's penis based on the acceptability of this practice in his native Afghani culture; it is a common way to show love for a child. Cultural evidence was submitted to defend Kargar's lack of malicious intent in kissing his son's penis. Krager was initially convicted, but the Maine Supreme Court vacated the decision.

In *People v. Wu* (1991), Helen Wu, a Chinese immigrant, was charged with second-degree murder for strangling her 8-year-old son directly after her own suicide attempt (from which she was revived). Wu, along with a Chinese cultural expert, argued that her actions were a sign of altruism, because a Chinese mother who leaves her child behind after committing suicide is seen as selfish. A cultural defense was used to explain the emotions Wu was experiencing at the moment she killed her son. Wu was initially convicted of intentional killing, but after reviewing cultural evidence, the appellate court reduced her sentence to involuntary manslaughter. Both *State v. Kargar* (1996) and *People v. Wu* (1991) are cases in which a cultural defense was successfully used to demonstrate lack of malicious intent. Cases that call parenting practices into question ask mainstream society to make decisions regarding the definition of acceptable parenting practices.

### **Guidelines for Immigrant Families and Social Workers:**

The guidelines are made to address the relate about over culturally based behavior which is considered child abuse in mainstream America. The first is to educate immigrants so they will be aware of the U.S. laws and customs. The other is for education and policy changes within the social work and legal systems.

### **Education for Immigrants parents about parenting practice:**

Immigrant families who arrive in a new country is undoubtedly disorienting and confusing for social and cultural norms about parenting practices. To relief their transition, steps could be taken to render immigrant families with information about cultural norms and parenting practices. It would be unjust to right way penalize immigrant parents for practices that are acceptable in their culture without providing them with any information about the new culture they are facing. It is not meant for this information to be culturally tough to immigrant families,

or to disbelieve their existing practices. Multiculturalism and cultural diversity are features that draw many immigrant families to the U.S., and are characteristics that many American citizens see as crucial to the concept of American society. Thus, the information would simply describe some of the overarching norms and constructs of U.S. parenting practices that immigrant parents will come in contact with through interactions with mainstream American culture.

In some countries, the government plays no part in parenting or family issues (LeVine & LeVine, 1981). As such, many immigrants would be surprised if their parenting practices were questioned. Immigrant families would be better prepared for an encounter with the legal system if they already had background knowledge about U.S. child protection laws and procedures, including the role the government plays in family issues.

A crucial message contained in these pamphlets and groups is the message that parents should familiarize themselves with the cultural parenting practices in the U.S. Because the U.S. does not support some practices (e.g., kissing children's penises), doing these behaviors in public puts them at risk of prosecution, even though such practices may be acceptable in their native country. Further, parents should be aware that their children may grow up to question these practices. As children become acculturated, they may learn that the U.S. culture considers such behavior abuse..

In sum, immigrant parents should be provided with education about the U.S. legal system and parenting norms. This will help parents learn the risks associated with their cultural practices. Ultimately, education will help parents make the decisions that are best for their families.

In addition to educating immigrant parents, changes within the policies and practices of social workers can help promote the well being of immigrant families. First, social workers who deal with immigrant families should seek education about cultural differences. Second, policy changes should alter social workers' approach to handling such cases. Third, social workers should take an active role in the legal system



**Roles of the Social Worker:**

If an immigrant family is faced with an allegation of child abuse, it is important that the social worker involved is properly educated about cultural differences in norms, values, and parenting practices. This knowledge will help the social worker be culturally sensitive to the family and their beliefs. Additionally, the social worker must be able to communicate to the family that their cultural beliefs will be respected throughout the investigation process. In some instances, this may require the aid of a translator. A recent study found that lack of knowledge about immigration status, mutual cultural misunderstandings, and lack of language access were immigrant families' greatest obstacles while working with a social worker during a child protection investigation (Earner, 2007). As a result of this study, multiple suggestions for social worker training were generated: increased awareness of community-based programs or support as an alternative to public benefits, collaboration with faith-based organizations familiar to immigrant families, and increased training in the immigration process and its influence on family dynamics (Earner, 2007).

In addition, social workers should be taught to examine their own cultural biases and to confront myths and stereotypes they may have about other ethnic groups in order to be culturally sensitive when working with families (May, 1998). Classes and trainings should be readily offered to social workers in the areas of research and cultural sensitivity. For example, in 2007, a national videoconference workshop was held in San Francisco to discuss immigration and the child welfare system (Lincroft, Borelli, & Velásquez, 2007). Events such as this specifically address the needs of immigrant families and provide social workers with current information. In addition, the Public Health Agency of Canada published *A Booklet for Service Providers Who Work with Immigrant Families*. This 2001 publication outlined challenges immigrant families face when dealing with welfare officials and the police. National publications such as this can help distribute information to multiple areas of social services.

If an immigrant family is investigated for child abuse, the social worker needs to work with the family (with the aid of a translator if necessary) to determine the intent of the questioned parenting practice. Researchers have suggested that child welfare agencies implement written protocols for assessing immigration status and eligibility of services (Earner, 2007). Additionally, access to a translator to ensure clear communication is necessary (Earner, 2007).

Cultural evidence should be assessed by the social worker to gain a better cultural perspective of the situation. For instance, social workers should determine whether there is malicious intent, or whether the parents are simply demonstrating practices that are defined as socially acceptable in their native culture. If malicious intent is involved, proper legal actions must be taken as it would in any mainstream case of child abuse. If the parents are merely acting within the realm of their culture, and no malicious intent is involved, the same legal actions do not need to be taken immediately. The family could be mandated to work with a social worker, translator, and parent meeting groups to discuss how to respectively balance their parenting beliefs within the legal boundaries of U.S. law. A fine balancing act must be made between respecting a family's culture and respecting the government's right to protect its children. The social worker, translator, and parent meeting groups can work together with a family to achieve a balance. Ultimately, parents are not encouraged to simply "hide" their parenting practices; nor are they encouraged to fully give up their practices. Instead, they are encouraged to adapt their behaviors, if possible, so as to be within both their culture and the U.S. law.

The goal of these proactive measures is to keep immigrant families intact and out of the court system. Providing as much information as possible about social norms and U.S. culture before entry into the U.S. can give parents time to consider their own parenting practices and how they might conflict with U.S. laws. Culturally sensitive and culturally educated social workers and parent meeting groups can provide immigrant families with community support and a place to seek answers and advice. Ultimately, social workers should take steps to determine whether the case is truly "abuse" or just a cultural difference in parenting practices.

Social workers may argue that they are not legal decision makers, as are judges and legislators. Thus, some may feel that they should not decide what behavior constitutes abuse. However, this is ultimately a change in their role that is necessary to protect immigrants and their families from suffering legal injustices. If an immigrant parent is repeatedly reported as abusive (after multiple interactions with a social worker) the U.S. legal system will become involved. At this stage, the social worker's role would be to communicate to the family why the law is becoming involved, and the purpose behind the legal action.

## Conclusion

As American society becomes increasingly diverse, cultural clashes between different parenting practices are sure to arise. Many immigrant parents particularly educated parents are aware that raising children in a vastly different culture is bound to face challenges. Yet, few are clear about how such challenge arise in their family, what to expect and how to respond them. Research finds the present development paths of differences in parenting practice styles, particularly the specific communicative forms of love and care, between mainstream culture and immigrants native culture. Different cultures have different morals and values in regards to acceptable and unacceptable parenting practices. Unfortunately, for immigrant families, their parenting practices are scrutinized by mainstream American culture. Looking at culture and norms from a social construction perspective provides a framework for understanding the deep roots of culturally held beliefs.. The use of a cultural defense in the U.S. court system provides immigrant families with a way to let judges and jurors learn about their cultural background, and has important weight in determining the intent of a parent accused of child abuse. To prevent immigrant families from entering the U.S. court and child welfare system, information and resources should be offered to help immigrant families be aware of some of the overarching social norms and values of mainstream America. This information will help them understand what they might encounter and have time to consider whether or not their parenting practices put them at risk of being prosecuted, and whether they want to change their practices. Social workers need education and training so they understand the deep socially constructed roots of parenting practices. Policy changes that support tolerance will prevent unnecessary break-up of families. Changes in education and policy can protect families from being torn apart, while encouraging parents to consider the impact of their behaviors on their children. Such steps will best serve immigrant parents and their families.

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