As we work for a "better future," what are we working for? Of course the answer is today's children.

Last October the South Carolina state Supreme Court upheld the criminal prosecution of pregnant women who use drugs.[1] The court was deciding the case of Corinella Whitner who in 1992 pleaded guilty to child neglect when her baby was born with traces of cocaine in its blood. Ms. Whitner, 33, was sentenced to 8 years in prison. After serving 16 months, she sought to have her conviction overturned on grounds that the fetus is not a person under child abuse laws.

In its October 27, 1997 decision, the South Carolina court affirmed that the fetus is a person and said, "The abuse or neglect of a child at any time during childhood can exact a profound toll on the child herself [sic] as well as on society as a whole."

"However," the court went on, "the consequences of abuse or neglect which takes [sic] place after birth often pale in comparison to those resulting from abuse suffered by the viable fetus before birth."

Prosecutors in at least 30 states have used various criminal statutes to bring charges of child abuse against pregnant women using drugs or alcohol. But only South Carolina, so far, has upheld such charges. Some states have successfully held that the fetus is a person under wrongful death laws (for example, charging a man with murder after he stabbed his pregnant wife and killed the fetus in her womb) but until now no state has said that a fetus is a person under child abuse laws.

Lawyers for Ms. Whitner said they would appeal the South Carolina decision to the Supreme Court of the United States. "If [a] fetus is a person, everything a pregnant woman does is potentially child abuse, abortion is murder, and women lose the right to make medical decisions on their own behalf during pregnancy," said Lynn Paltrow, who represented Ms. Whitner.

Ms. Paltrow said that the effect of the ruling would be to deter pregnant women from seeking prenatal care, for fear that their drug use might be discovered. Actually, under the South Carolina ruling, failing to get prenatal care could conceivably constitute child abuse, as could drinking, smoking, or knowingly ingesting other toxic substances during pregnancy.

If the South Carolina decision is allowed to stand, it could have far-reaching consequences for the pesticide industry, the waste incineration industries (medical, solid and hazardous wastes), metal smelters, coal-fired power plants, petrochemical processing plants, plastics manufacturers and other major emitters of dioxins, mercury, cadmium, or any number of other chemicals that can cross the placenta and harm fetuses.

For example, the NEW SCIENTIST reported November 22, 1997 (pg. 4) that "Millions of children across the world may have been mentally damaged after being exposed to low levels of mercury before they were born." NEW SCIENTIST cited a study of children whose mothers ate substantial amounts of fish.[2] At age 7, the children showed deficits in learning, attention, memory, spatial perception, and motor skills. "The children with increased exposure performed as though they were a few months behind for their age," says Philippe Grandjean of Odense University in Denmark. NEW SCIENTIST quotes an EPA [U.S. Environmental Protection Agency] report saying that an estimated 85,000 U.S. women of childbearing age have excessive exposures to mercury.

The mercury in fish comes 60% from burning coal and oil, and 36% from waste incineration, according to NEW SCIENTIST, The Electric Power Research Institute (EPRI) says it would cost up to $10 billion to fit power plant smoke stacks with filters to capture mercury, and they say it's just not worth it.

As the 20th century slinks to a close, the variety of hazards afflicting American children seems to be multiplying.

In late 1997, two new studies found that one in four (25%) adolescent girls in the U.S. has been sexually or physically abused or has been forced by a date to have sex against her will.[3]

A poll in late 1995, conducted by Kaiser Permanente, a health care company, and by Children Now, a children's advocacy group in Oakland, California, found that 40% of girls between the ages of 14 and 17 said they knew someone who had been hit or beaten by a boyfriend.[4]

In October, 1995, the National Center for Health Statistics reported that the proportion of obese children in the U.S. doubled during the last 3 decades. The study found that 4.7 million American children (10.9%) between the ages of 6 and 17 were overweight --up from 5% in the period 1963-1965. Most of the increase in obesity occurred during the 1980s, the study said,[5] Reason: worsening diet and diminishing exercise.

In early 1996, the International Narcotics Control Board (an agency of the United Nations) reported that 10 to 12% of American boys between the ages of 6 and 14 are now taking the prescription drug methylphenidate (brand name: Ritalin) --a stimulant drug prescribed to control vaguely-defined attention-deficit disorders. Manufacture of Ritalin rose from 3 tons in 1990 to 8.5 tons in 1994, 90% of it prescribed in the U.S.[6]

The U.S. Public Health Service said in 1997 that children's illiteracy is a "major public health problem."[7] An estimated 40% of American children are poor readers and half of those have severe problems. If a child hasn't learned to read well by the third grade (usually age 9), most likely they will remain poor readers for the rest of their lives. "With that failure often comes a lifetime of disappointment and privation--and burdens for society," according to reading researchers. Among children identified as learning disabled in the third grade, 74% remain disabled in 12th grade, according G. Reid Lyon, chief of the National Institute of Child Health and Human Development within the National Institutes of Health.

Children of poor, urban families have the most trouble. A survey of the City of Baltimore found that an astonishing 89% of school children rated less that satisfactory on a standardized test of reading and analytic skills.[7]

In late 1994, the Carnegie Corporation released a 3-year study of U.S. children. The Carnegie report painted a bleak picture indeed. As the NEW YORK TIMES said at the time, "It is a picture of a United States that ranks near the bottom of the industrialized nations in providing such services as universal health care, subsidized child care and extensive leaves from work for families with children under age 3, despite recent scientific evidence that these early years are critical in the development of the human brain."[8]

More than half of women with children under a year old are working. "Many of their children spend most of each week in such poor child care that it threatens to harm their development," the NEW YORK TIMES said, based on the Carnegie report. "The quality of these young lives is deteriorating even as mounting
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Of America's 12 million children under the age of 3, one in four (25%) lives in poverty.[9] Ten million children live in families with no health insurance coverage.[10] According to the federal Department of Health and Human Services the "welfare reform" law passed by Congress and signed by President Clinton in 1996 will move an additional 1.1 million children into poverty.[10]

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During 1996, three long-term studies showed that children born to poor mothers and mothers with low IQs can "massively improve their intellectual abilities" if they are given high-quality education in the first five years of life.[11] And the benefits endure. Children who were given special attention early in life consistently performed better on math and reading tests at ages 8, 12, and 15.

One study, called the Carolina Abecedarian project, begun in 1972, gave children one-on-one attention in an all-day, year-round nursery school starting at age 6 months until age 5, with spectacular results.[12] Unfortunately, the cost per child of the Abecedarian Project is $6,000 per year, so only the well-to-do could afford such education, unless it were supported by public funds.

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In 1995, a study of 18 industrialized nations found that poor children in the U.S. were poorer than poor children in most other Western industrialized countries. Only in Israel and Ireland are poor children poorer than poor children in the U.S.[13] The study cited 3 reasons for the U.S.'s low standing (16th out of 18):

(1) disparities between the rich and the poor are greater in this country than in other industrialized countries;

(2) welfare programs in this country are less generous than in other countries [and this was before the 1996 "welfare reform" law was enacted]; and

(3) in the U.S., households with children tend to have lower incomes than the national average --a pattern not found in most other countries.

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During the economic recession of the early 1990s, the states raised sales and excise taxes, which fall hardest on people with low incomes. They also raised income taxes, which fall most heavily on the rich. After 1994, with corporate profits and the stock markets booming, states cut taxes --they cut taxes for the wealthy, without reducing the tax burdens of the poor.

From 1990 to 1993, sales and excise taxes were raised by $11.7 billion, and 98% of those taxes are still in effect today.

From 1990 to 1993, states increased income taxes by $8.2 billion, but since 1994 the states have passed income tax cuts totaling $9.4 billion, more than wiping out the early-90s tax increases on the rich.

In sum, the trend across the states in the 1990s is to shift taxes from the wealthy to the poor.[14]

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