

FEATURE

The Case for Child Welfare Abolition

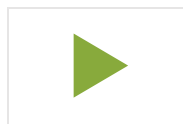


ILLUSTRATION BY VERONICA MARTINEZ

For decades, reformers have tried to fix our broken child protective services system. Is abolishing it an idea whose time has come?

ROXANNA ASGARIAN OCTOBER 3, 2023

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IN THESE TIMES

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EARLY LAST DECEMBER, *CBS SUNDAY Morning* ran a 12-minute segment about the harms of the child welfare system. The report led with the story of Vanessa Peoples, a Colorado nursing student and mother of three who became the subject of an abuse investigation after her two-year-old briefly wandered away from a family picnic. A stranger saw the child and called the police, despite the fact that Peoples, who is Black, caught up with her son shortly afterward. The call initiated an investigation from child protective services (CPS). A month later, a social worker made an unannounced visit to Peoples' home; when Peoples didn't immediately answer (because she was doing laundry in the basement), the social worker called the police, who ended up violently hogtying Peoples and charging her with reckless endangerment of a child. Peoples won a settlement against the city of Aurora for using excessive force, but she was still traumatized — and left with a criminal conviction that makes it difficult for her to find employment.

While Peoples' story had received media attention before, the CBS segment represented a watershed moment, decades in the making. One of the country's most-watched news shows, with nearly 5.5 million viewers, was talking about systemic problems in the child welfare system that have long been relegated to niche activist and academic circles. The child welfare system has always been a neglected newsroom beat, and what little coverage there is has typically been reserved for blaming protective services agencies after the death of a child.

It's hard to overstate how little mainstream news attention has been paid to other problems with the system, which critics say is more akin to law enforcement than social services, given its ability to surveil parents and hand down the ultimate punishment—terminating the legal bonds between parent and child. Families ensnared in the system lack many basic due process rights in navigating a punitive bureaucracy, and they typically don't receive a lawyer until the state seeks temporary or permanent custody of their child in court. Regardless, children often aren't actually made safer; the rates of maltreatment for children in foster care are abysmal, and research has repeatedly found that children who enter the system fare worse on multiple measures than children left in their homes.

But in 2020, in the wake of George Floyd's murder at the hands of Minneapolis police, that started to change. As protests erupted across the country, the idea of police and prison abolition moved from activist and academic circles into the mainstream media. For the first time, much of middle America

began arguing over questions of mass incarceration, the vast disparities in how communities get policed, and whether caging people actually makes anyone safer.

While watching the protests unfold, Dorothy Roberts, a law professor at University of Pennsylvania and author of two books on the harms of the child welfare system, became “increasingly concerned that family policing was absent from most calls to defund the police,” as she told a conference audience the next year. “Some activists,” she continued, “even recommended transferring money, resources and authority from police departments to health and human services agencies that handle child protection” —without recognition that those agencies fail and repress Black and other marginalized communities just as much as police do.

Within the world of social work, that issue was becoming a heated debate. In July 2020, responding to calls for social workers to become alternate first responders, Alan Dettlaff, then-dean of the University of Houston Graduate College of Social Work, wrote an op-ed in the *Houston Chronicle* noting that social work has its own abundant problems with racism, since social workers in the child welfare system already “over-surveil, over-police and over-remove Black children from their parents.”

At the time, Dettlaff, a former child welfare worker, was helping launch the upEND Movement, an organization whose high-profile members had an explicit founding principle, similar to the calls for police and prison abolition: The child welfare system shouldn’t exist. According to its founding salvo, the upEND Movement—based at the University of Houston—“works to create a society in which the forcible separation of children from their parents is no longer an acceptable intervention for families in need.”

It wasn’t the first time the argument had been made. In her 2001 book *Shattered Bonds: The Color of Child Welfare*, a foundational text about racism in CPS systems, Roberts had argued for a complete overhaul of the system. But 20 years later, her hopes for reform had dimmed. When she revisited the topic for her 2022 book, *Torn Apart: How the Child Welfare System Destroys Black Families—And How Abolition Can Build a Safer World*, Roberts reached the conclusion that the system should not be rebuilt at all, that what’s needed is a “radically reimagined way of caring for families.”

At the same time, the University of Houston was becoming a locus of the movement as upEND brought prominent prison and police abolitionist thinkers like Angela Davis to speak. While many grassroots activists affected by the system had already embraced abolitionist ideas—either as parents who lost children to foster care or former foster youth—upEND represented the first mainstream academic organization echoing their call. The group turned heads across the fields of social work and family law, and graduate enrollment for social work at the University of Houston leapt more than 30 percent as students increasingly sought a progressive social work education.

Along with growing mainstream media attention to the injustices of the law enforcement and prison systems, a marked increase in critical investigative journalism about the harms of the child welfare system came after 2020. Where media once primarily covered CPS only in cases of horrific child abuse—a pattern that typically resulted in crackdowns, with increased removals of children from their parents—reporters began focusing on the overreach of the system itself, including unnecessary child removals, the systemic abuses of foster children, and harmful ties between medical professionals and CPS that result in wrongful family separations during children’s health crises.

Then, in 2022, came the CBS segment on Vanessa Peoples’ case, beaming these long-neglected issues into the homes of millions of viewers. Roberts and Dettlaff were each quoted extensively, explaining the punitive nature of the system and bringing abolitionist ideas to the most mainstream of audiences.

It seemed like the movement’s time had come.

Nine days after the program aired, Dettlaff was abruptly removed from his position as dean of the Graduate College of Social Work.

Too Flawed to Fix

Abolishing the child welfare system is a bold demand. After all, don’t CPS agencies save children from abuse? Who would protect them if those agencies no longer exist?

While CPS does intervene in cases of physical and sexual abuse, the vast majority of children involved in substantiated child welfare investigations—76 percent in 2021—experienced neglect, a catch-all term for children who aren’t getting their basic needs met, from going hungry to being picked up late from school. Underlying many neglect allegations is the fundamental problem of poverty. But when CPS intervenes in the lives of struggling families, it rarely addresses that root cause in helpful ways, such as helping families find stable housing. What support the agencies do provide, advocates say, is often coercive—such as mandating parents, under the threat of losing their kids, undertake an exhaustive tally of classes, drug tests and meetings that, for poor parents juggling work and childcare, are very difficult to complete. In some places—like Colorado’s Adams County, where Vanessa Peoples lives—parents have to pay for the services they’re made to undergo.

CPS also operates as a fundamentally racist system, according to decades of research. A [2021 review](#) of 37 studies found that Black children are disproportionately impacted every step of the way: They’re more likely to have their families investigated for abuse, more likely to have those allegations substantiated, and more likely to be removed to foster care. Once in the system, they spend more time there than others, are less likely to be reunified with their parents and less likely to be adopted out. One large [study](#) found that 53 percent of Black children nationwide experience a CPS investigation during

their childhoods. Black and Indigenous parents are also statistically more likely to be poor, and families in poor and non-white neighborhoods are reported to CPS at much higher rates than those from wealthier, whiter homes.

For decades, these problems led to calls to reform the system. After Dorothy Roberts released *Shattered Bonds* in 2001, she served on a task force established as part of the settlement of a case against Washington state's child welfare system, for inflicting emotional and psychological harm on foster youth shuffled from home to home. Nearly a decade later, the task force disbanded, having achieved few of its goals. Roberts came to believe that the small fixes they'd managed to make—such as better protocols for keeping siblings together and moving children around fewer times—only tweaked a system that was inherently racist and fundamentally flawed.

“I think the children's attorneys had good intentions; they wanted to end these horrible situations for children in foster care,” Roberts told me in a 2021 interview for my book, *We Were Once a Family: Love, Death, and Child Removal in America*. “And our panel had good intentions; we wanted to improve foster care. But it can't be fixed that way—it can't be fixed at all, is my conclusion.”

Dettlaff, who began his career as a CPS caseworker in Texas, had a similar path to abolition. In 2005, the Texas legislature directed the state's foster care agency to research racial disproportionality in its system. It was part of a larger wave of acknowledgement around the country that child welfare had an outsized impact on children of color, particularly Black and Indigenous children. Over the next decade, Dettlaff and other researchers published data on the prevalence of, and reasons for, the inordinate number of Black children affected by CPS and the negative outcomes they experience compared with white children.

Tides shifted in the 2010s, in part because prominent conservative scholars, like Harvard's Elizabeth Bartholet, argued that focusing on racial disparities left Black children in greater danger of maltreatment. Funding for disproportionality research dried up; the agency tracking the Texas system was defunded and closed by 2018. Dettlaff was left discouraged: What was the point of all these task forces—working toward solutions, or just working to give the impression that something was being done?

Dettlaff, along with four scholars who had studied disproportionality with the nonprofit Center for the Study of Social Policy—Kristen Weber, Bill Bettencourt, Maya Pendleton and Leonard Burton—began reading prison and police abolitionist texts and discussing how similar structural inequities were actually baked into the child welfare system, rather than being a problem that could be reformed out of it.

In 2020, those meetings culminated in the creation of the upEND Movement, named for its goal to

upend the narrative around child welfare, to shift the focus from troubled parents to a troubled system.

“The way I think about it now,” Dettlaff says, “is that reforms ask the child welfare system to do the impossible. They ask the system to forcibly separate families in a way that’s a little bit less racist, a little bit nicer and a little bit more palatable to the general public. And that’s just not possible. Family separation causes harm every time. And until that ends, the system is never going to change.”



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An Abolitionist Vision

A common argument against abolition is that people who want to dismantle the child welfare system are all-or-nothing—that they can’t see the need for what child protection workers do, that vulnerable children will be hurt without caseworkers to protect them.

Some anti-abolitionist scholars even argue that Black families are disproportionately represented in the system because Black children are at greater risk of abuse, pointing to such factors as lower marriage rates in Black communities. As Naomi Schaefer Riley, a fellow at the right-wing American Enterprise Institute, argues, “If Black children are in greater danger of being abused or neglected than white children—child maltreatment is highly correlated with family structure, and two-parent, married couples are not evenly distributed across race in this country—then it is the job of the child welfare system to protect them regardless of the color of their skin.”

The truth is that, while research on abuse rates and racial demographics is mixed, the single strongest predictor of child maltreatment is, in fact, socioeconomic status—poverty, not race. What’s also ignored is how abuse findings are made by individuals with their own beliefs and biases.

Regardless, abolitionists understand that child abuse is real—many thanks to first-hand knowledge. Zara Raven, a Philadelphia-based abolitionist organizer, experienced abuse in her family home before she was removed to foster care. But Raven’s time in the system was also traumatizing and abusive; she was separated from her siblings and placed in a foster home that doubled as an office, where she says she was repeatedly sexually assaulted. She ran away as a teen and became homeless—like thousands of older foster youth do each year—and had engaged in survival sex in exchange for places to stay while she completed her high school degree. “I wasn’t given any choices at any point in this process,” Raven recalls.

Raven’s realization that she had suffered both interpersonal abuse—by her family—and state violence—in foster care—made her an abolitionist. “The state is not a tool that can create safety,” Raven says now. “Instead, the state is another instrument of violence that tends to re-victimize survivors of abuse.”

Other abolitionists, like Joyce McMillan, founder of the abolitionist group Just Making a Change for Families, note that the current system is overly focused on marginal cases, leaving caseworkers ill-equipped to recognize and handle more severe abuse. “The first thing [detractors] say is, ‘What about the children that really need help?’” says McMillan, who experienced the system firsthand when CPS temporarily removed her children in the 1990s. But in a bloated child welfare system that takes too many children into state custody, where social workers routinely juggle too many cases, more serious abuse often falls between the cracks. “So it’s not about ‘what about the children who need help?’—it’s about how to get the people who need help real help, and leave the other people alone.”

The abolitionists’ vision of an alternative is more nuanced than critics claim. They want to dismantle the surveillance and punishment aspects of the child welfare system—which research shows decrease neighborhood trust—and replace them with a robust support network that isn’t punitive. The idea is that, when people have their needs met, they are less likely to harm those closest to them, and strong

communities caring for children will provide better opportunities to intervene if and when harm happens.

“We need childcare collectives,” Raven says. “We need care teams. There’s not one single intervention, but one important shift in the conditions that we need is whole communities taking responsibility for the care of children and youth, and building relationships with young people, so that folks have safe places to turn to if they’re experiencing violence—and then we can listen to young people about how they want to respond.”

The major distinction between abolitionists and reformers is abolitionists’ insistence on changes that shrink, not grow, the system—similar to the recognition that flooding police departments with cash won’t solve police brutality. Called “non-reformist reforms,” these changes focus on increasing parents’ rights in the process and removing fewer children in the first place.

Some of these items are big-ticket goals, like the push to repeal the Adoption and Safe Families Act (ASFA). Passed in 1997, the law starts a clock the day a child is removed; if a child remains in foster care for 15 of 22 consecutive months, states are required to initiate the termination of their parents’ rights. The law was passed with the goal of getting more children who were languishing in foster care into permanent homes—with the understanding that those permanent homes would likely be adoptive families, not family reunification.

Advocates for parents involved in the system say that the issues they’re struggling with, often including substance use and housing insecurity, aren’t easily solvable on a 15-month timeline, particularly with the child welfare system’s punitive approach. In most Texas counties, for instance, lawyers for the Department of Family and Protective Services automatically file a petition to terminate parental rights immediately after a child is removed. Although they also create a service plan (putatively intended to reunite parents with their children), if any item on that plan isn’t completed within the federal ASFA timeline, or if parents misstep, the petition for termination is ready to go.

Abolitionists are also pushing for the rollback of mandatory reporting laws. Every state requires certain professionals—usually teachers, social workers and doctors—to report suspected child abuse or neglect. A few states, like Wyoming, Texas and New Jersey, consider every resident a mandated reporter.

At first glance, it’s hard to imagine how mandated reporting could be bad. Shouldn’t we all be responsible for keeping children safe? In fact, research reveals that mandatory reporting laws do not identify more abused kids and that the laws disproportionately affect poor and Black families.

“Mandatory reporting is about casting the net wide,” McMillan says. The training that teachers, social

workers and medical professionals receive as mandatory reporters is “vague and threatening,” leading to a “better safe than sorry” approach that inflicts more harm than good.

Some non-reformist reforms are already being implemented in state and local jurisdictions around the country—and not always where you’d expect. In September, Texas will start requiring caseworkers to inform parents of their rights at the beginning of an investigation, something activists call “family Miranda.” The state also banned most anonymous reporting of abuse and neglect to CPS, in an attempt to reduce the number of unfounded allegations made by ex-partners and others using the system as a form of harassment and retaliation. Nearly identical bills failed in New York this year amid pushback by New York City’s child welfare agency. But Texas passed both bills with bipartisan support and little fanfare, with the extremely conservative legislature viewing the issue through the lens of parents’ rights. This unlikely alliance—between the ideas of progressive activists and Republicans, each rooted in very different beliefs about family—has resulted in some conservatives using abolitionist language in support of limiting child welfare overreach.

“Having a child removed is one of the strongest police actions that we can take,” Texas state Rep. James Frank, the Republican author of the state’s new family Miranda law, told me earlier this year. There are abundant checks and balances for people facing criminal charges, Frank said, and rightfully so. “But child removal? It has due process, but not nearly as consistent.”

Then They Fight You

As calls for abolishing the child welfare system have gained steam, so too have ideological struggles among social workers, some also dating back to the transformational moment in 2020.

That summer, glowing media profiles of police-social worker crisis teams raised the possibility of increased collaboration as a way to reduce police killings of people experiencing a mental health crisis. Even former President Donald Trump echoed the reasoning when he signed an executive order that would incentivize more partnerships. “This is what they’ve studied and worked on all their lives,” Trump said of social workers. “We will have the best of them put in our police departments and working with police.”

Angelo McClain, then-CEO of the National Association of Social Workers, the country’s largest social work membership organization, wrote an op-ed in the *Wall Street Journal* celebrating how “social workers are playing an increasingly integral role in police forces, helping officers do their jobs more effectively and humanely and become better attuned to cultural and racial biases.”

But not everyone was on board. At the University of Houston, Alan Dettlaff viewed the prospect as short-sighted and further damaging to social workers' reputations in poor communities. "Social work has always had an inferiority complex—a feeling that we weren't recognized as a profession in the way we should be," Dettlaff told me. "And now, all of a sudden, some of the leaders in our profession were seizing on this moment ... jumping on this opportunity to be seen as the remedy for everything wrong with policing."

In July 2020, Dettlaff wrote his *Houston Chronicle* op-ed. He noted social workers' problems with racism in family policing and argued that social workers collaborating with police "is absolutely not" what they should be doing. "We cannot continue to be complicit in what we know to be a harmful, racist institution."

The piece kicked off an internal storm at the University of Houston. Three members of the Graduate College advisory council resigned. One of them, retired social worker Beverly McPhail, wrote an email to the advisory council, saying that Dettlaff's argument should be made "behind closed doors within the social work profession, not trumpeted in news headlines."

Addressing Dettlaff directly, McPhail's email lamented that Dettlaff "could have taken this opportunity as Dean to practically write an unpaid commercial for our school." Instead, she continued, he "focused on the racist past of the social work profession and dismissed the police as too racist to work with."

The University of Houston conflict speaks to a longer-standing, more fundamental division that has existed within social work since its earliest days: Are social workers meant to help individual poor people fix their problems and improve their lives? Or do social workers have a larger mission to challenge systemic forces that oppress poor people in the first place?

Prominent early social workers advocated for social programs that addressed poverty on a systemic level, like the 1800s settlement house movement to support new immigrants and poor people in quickly industrializing cities, or New Deal programs like Aid to Families with Dependent Children.

But much of that early work was limited to helping white families. Jane Addams, who co-founded Chicago's Hull House, was, like many of her contemporaries, a eugenicist; Black people weren't allowed to live in the settlement houses that Addams' work inspired across the country. The New Deal's Social Security Act created welfare programs, but the laws systematically denied support to Black families at the state and federal level.

After World War I, progressive social workers who advocated for systemic solutions to poverty were branded as communists. "During the Red Scares, social work [as a profession] aligned with the government, and basically ratted out a bunch of social workers that were teaching about equality, fairness—things that the U.S. government was saying, 'If you say these things, you're a communist,'"

said Justin Harty, an assistant professor at Arizona State University who studies the history of social work.

History may be repeating itself. In many places, progressive social workers and academics are pushing to root social work education in abolitionist principles. Cameron Overton, who runs the master's social work program at Milwaukee's Alverno College, is attempting to build a completely abolitionist curriculum from the ground up—as far as he knows, the first master's-level social work program to do so. “I don't want this to be like diversity, equity and inclusion, where you take that one course on abolition, one course on cultural diversity,” Overton says. “We're infusing this everywhere in our curriculum.”

The program is admitting its first class of students this fall, and the titles of intro classes are telling, such as “Behavior and Unmet Needs” and “Clients are People.”

Elsewhere, abolitionist-minded social work students have encountered staunch resistance. Elena Gormley was a graduate student in social work at the University of Illinois Chicago when, as part of a group project in 2020, she and her classmates created a guide called “Alternatives to Calling DCFS [the Department of Children and Family Services].” The guide details the vague nature of “neglect” and how biases affect who gets reported to child protection agencies. It includes local resources, like food banks and childcare assistance programs, to contact on behalf of struggling families, as well as an ethical checklist for cases when calling protective services is necessary.

Gormley's group project got an A, and the guide was disseminated far and wide. It's even being taught in other social work programs. But when Gormley emailed the guide to her school's listserv, the university initiated disciplinary proceedings, charging that “the content of the email encouraged students to commit a crime, which could lead to harm or the death of a child if the suggestion were followed.” The official complaint calls Gormley's actions unprofessional and unethical and claims Gormley's “behavior indicates that she is unsuitable for the profession.”

Gormley spent five weeks defending herself against a litany of conduct violations, the threat of expulsion looming over her. She successfully fought the proceedings and graduated in 2021, but the experience was harrowing.

Still, Gormley points out that abolitionist framing is taking hold at the highest levels of decision-making. Jerry Milner, head of the federal Children's Bureau under Trump, publicly advocated for “radical change and wholesale replacement of the current system,” for instance.

“There is such a steep change now and it's coming from not particularly radical organizations,” Gormley says. “So I think it does behoove the entire profession to really look at, are there other ways we can do

this? Are there better ways we can do this to actually keep families safer and be more supportive?”

As industry leaders increasingly recognize that families should stay together whenever possible, it's clear that child welfare abolitionists are no longer on the fringe. But once an idea is taken seriously, its proponents become an actual threat.



ILLUSTRATION BY VERONICA MARTINEZ

Social Work's Existential Crisis

When University of Houston interim provost Bob McPherson announced the decision to remove Alan Dettlaff from his post as dean, in December 2022, many students in the graduate school were stunned. Some had chosen the University of Houston for its explicit abolitionist stance, and—according to letters student groups sent to the administration—none had been consulted or addressed prior to the dean's

removal. “Most people were blindsided—I was completely blindsided,” says Eve Ryan, then a student in the program who organized protests against the decision.

In the announcement, McPherson wrote that he’d removed Dettlaff “to better align the college with the university’s academic priorities, which include growing research expenditures and elevating the learning experience for all students.”

According to Dettlaff, McPherson told him the ouster was tied to more specific complaints, like Dettlaff’s decision to stop placing graduate students in local police departments and the district attorney’s office, which some faculty felt had damaged the school’s reputation. Additionally, McPherson claimed some faculty believed Dettlaff’s abolitionism was jeopardizing their grant funding—specifically, a federal grant program that pays for some students’ master’s degrees if they commit to work for child protective services upon graduation. (Dettlaff says there’s no evidence to suggest that’s the case and the “grant continues to be renewed every year.”) University of Houston representatives declined to comment, and McPherson did not respond to numerous requests for comment.

Dettlaff remains a professor at the university, but his removal as dean sent waves across the field, and his ouster wasn’t the only sign of backlash. Kristen Weber, another cofounder of the upEND movement, left her role at the Center for the Study of Social Policy in 2022, in part because she felt she couldn’t be as vocal in support of abolitionism as she wanted. Some philanthropic funders won’t support programs that use abolitionist language, Weber says, and other abolitionists in the field have been quietly pushed out or laid off.

In July, Angela Burton, a top advisor on child welfare issues to the New York state court system and an outspoken abolitionist, was scheduled to address Congress about problems in family policing but was denied permission to attend by her employers at the Office of Court Administration, who fired her when she pushed back. “This episode really shows the depth of resistance to change,” Burton told national child welfare publication *The Imprint*. “[T]here’s a recognition that this oppressive system is cracking, because the truth is being told about it.”

Justin Harty, at Arizona State, says the current political climate feels reminiscent of previous eras of backlash. “I think that, right now, we’re in the third Red Scare,” Harty says. “I don’t know how we’re going to move forward through this because I think a lot of social workers are scared.”

As discouraging as some of these developments are, they may represent a strange sort of success. For a movement that entered mainstream conversations just three years ago, there’s been a huge amount of engagement with abolitionist ideas across the profession. “I’ve never seen this kind of quick pick-up—and also quick attack,” says Weber, now at the National Center for Youth Law. “The backlash means

that we are somewhat successful in challenging the dominant worldview and really shifting things. And when you are challenging and shifting things, there's a scramble to maintain power and relevance."

Dorothy Roberts, who has studied the child welfare system from outside the profession of social work, is skeptical that a field so closely tied to a system could support its abolition. "To me, it's this larger question of whether it's even possible to transform social work into a socially just profession," she says. "Even the idea that social workers solve social problems is part of this carceral approach that social problems are caused by the people experiencing them, rather than people in power."

Roberts believes in increased support for people living through poverty, but also that, as long as social work remains bound to the government, that support will be tied to a carceral approach to society's problems. She argues that "a precondition of radical transformation—which we can see hope for in the ways that some social work students and others have challenged that ideology—would be to end this tie to government and free social workers to reimagine and implement a new vision."

Eve Ryan, who received her degree this spring, sees some social work jobs as less harmful than others, such as working for holistic legal defense offices like the Bronx Defenders, whose social workers are protected from mandatory reporting laws by attorney-client privilege.

But reducing and dismantling a harmful system is only a first step. In order for abolition to work, it needs just as much of a push toward non-carceral community supports—most importantly, actual investment in our social safety net, which has been systematically stripped to the bones.

"There are communities that have, on purpose, been destroyed and disinvested in, poisoned," Weber says. "And then we blame individual families for hurting or neglecting their kids, and we've created a legal scheme that makes it easy to remove those kids."

"I think some of the pushback is that, if you lose this narrative of individual families hurting kids, then you actually need to recognize and respond to these larger structural problems."

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