The Maltreatment of Children from a Historical Perspective

Learning Objectives

Maltreatment of children is deeply entwined with historical values and perspectives. The concept of child maltreatment has been defined and redefined throughout history. Society is slowly evolving from viewing children as property, subject to the whims of the family and society, to at least recognizing that children may have rights of their own. Each period in history—as well as each culture—has a concept of how children should be treated.

CHILDREN AS PROPERTY

Early in history, children were seen as the property of their families—usually headed and ruled by fathers. Children looked to their fathers for their very existence. Fathers had the right to determine not only the manner in which their child was cared for but also if the child were to live or die.

Issues of Life and Death

Infanticide, or the killing of infants and young children, has occurred since early times. The Bible cites Abraham's intention to sacrifice his son, Isaac, to God. In early Rome, the father was given complete power to kill, abandon, or even sell his child. In Greek legend, Oedipus was doomed to death until he was rescued by a family retainer. In Hawaii, China, and Japan, many female and disabled children were killed to maintain a strong race without overpopulation.

Infanticide was practiced for many reasons. Like the Hawaiians, Chinese, and Japanese, some cultures saw the practice of infanticide as a means of controlling and regulating the population so that society's resources could be expended on the strongest and most valued. As in the case of Abraham, babies were offered to appease gods, and infanticide was in some ways associated with religious beliefs. Attempts to limit family size or ensure financial security were also used as rationales for killing children (deMause, 1998).

In early England, as in many other cultures, infanticide was an unwed mother's solution to her act of shame. A well-known ballad tells of Mary Hamilton, lady-in-waiting

to the queen, who had the misfortune to become pregnant by the "highest Stewart of all," ostensibly the queen's consort. As she bemoans her disgrace, the balladeer sings:

> She tyed it in her apron
> And she's thrown it in the sea;
> Says, "Sink ye, swim ye, bonny wee babe
> You'll ne'er get m'air o' me." (Friedman, 1956)

In Germany, newborns were sometimes plunged into frigid water to test their ability to survive. A similar ritual was practiced by some tribes of Native Americans. The child was fit to live only if he or she surfaced and cried. Records in England in the 1620s attest to the burial of infants murdered by drowning, burning, and scalding.

Issues of Dependence

Children were dependent on their families not only for their early existence but also for their later survival. The feudal system in Europe established a concept of ownership and articulated a hierarchy of rights and privileges. Children were at the bottom, and the children of poor families fared the worst. If parents were unable to support themselves and their children, the fate of the family was often the poorhouse. Poorhouses offered a meager subsistence, which often ended in death for the weaker members of the family.

In 1601, the Elizabethan Poor Law sought to give some help to families and children by dictating that relief must be offered to the destitute. The poor were separated into three categories:

1. The able-bodied poor—those who were considered capable and were, therefore, forced to work
2. The impotent poor—those who were old, disabled, or mothers, who were excused from work and for whom aid was provided by the state
3. Dependent children—those who were orphaned or abandoned and for whom aid was provided

The fate of children still depended largely on their family constellation. Able-bodied people were sent to work. In some cases, mothers and their children were provided for at home by contributions of food and clothing but never money. Education was not viewed as a right or privilege of such families (Popple and Leighninger, 2010).

For those who were not poor, children fared as their families saw fit. Still seen as property, some children were slaves to their guardians, performing whatever tasks were expected of them. Certainly, the family life of a farming culture required that each member take part. For most children, this arrangement was satisfactory, but some children were assigned jobs far beyond their abilities or were beaten or neglected.

The early United States saw the arrival of immigrants other than Europeans. African slaves contributed greatly to the economic development of the new country, not only in the South but also in New England. The children of southern plantation slaves owed their allegiance to their parents as well as the masters who owned them. They were thought of as property and had little control over whether they worked, were sold (often without parents or siblings), or were used sexually by those more powerful. In the North, black children were not exempt from almshouses until 1822, when the Quakers in Philadelphia

established the first orphanage for such children (Ambrosino et al., 2011; Popple and Leighninger, 2010; ten Bensel, Rheinberg, and Radbill, 1997).

Asian and Pacific Island immigrants came to the United States with their own values about dependent children. One significant value was that the family was involved with the care of the individual from the time of birth until death (Mass and Yap, 2000), which meant that dependent children were often absorbed into the ethnic community. Native American children were also generally regarded as the responsibility of the community. In addition, Hispanic children relied on extended family members or friends to supplement or substitute for parental nurturance.

Issues of Discipline

The subject of discipline has always been controversial. Many methods used in early Western culture would certainly be open to censure today. The philosophies of our forebears, however, differ from those of most modern-day societies. Not only in the home but in the classroom, corporal punishment was a means to mold children into moral, God-fearing, respectful human beings. Parents were expected to raise religious, dedicated, morally sound, and industrious contributors to the community. Obedience was the primary virtue to develop in children. Disobedience often carried significant fines; even older children were subject to such rules. An 1854 Massachusetts law stated,

> If any children above sixteen years old and of sufficient understanding shall curse or smite their natural father or mother, they shall be put to death, unless it can be sufficiently testified that the parents have been unchristianly negligent in the education of such children or so provoked them by extreme and cruel correction that they have been forced thereunto to preserve themselves from death or maiming. (Bremner, 1970, p. 68)

The schoolmaster or mistress was accorded the same right to use corporal punishment:

> School masters in colonial Boston were conscious of the need to maintain the great English tradition of "education through pain" and, if anything added refinements to the flagellant tools they had inherited from the old country. One Bostonian invented an instrument called a "flapper"—a heavy piece of leather six inches in diameter with a hole in the middle which was fixed to a wooden handle. Every stroke on a bare bit of flesh raised an instant blister. (Inglis, 1978, p. 29)

Theologian John Calvin was of no help to children in the treatment accorded them by their elders. Calvin spoke of breaking a child's will in the hope of saving the spirit from evil. Discipline was severe in the hope that children could be transformed into God-fearing individuals.

For a short period during the eighteenth century, the treatment of children improved. Philosopher Jean-Jacques Rousseau spoke of children as inherently good and encouraged educational methods that would enhance their positive development, not break their spirit (Lenoir-Degoumois, 1983).

Other cultures had their own interpretations about discipline. Many (e.g., Asian/Pacific, Hispanic) stressed the dominance of elders or males who had the right to determine

how to deal with children. The strong kinship relationships of African Americans and the community responsibility inherent in Native American cultures indicated that the care and discipline of children were shared by parent figures.

CHILD LABOR

One of the earliest forms of child labor was *indenture*—a system in which parents apprenticed their children to masters who taught them a trade but who were free to use them as virtual slaves in exchange for room and board. Indenture began at a very young age and continued until 14 or 16 years of age for boys and 21 years for girls. Writings by historians, novelists, and social reformers show that apprentice masters could be cruel—concerned more for the work they could extract than for the development or abilities of their juvenile charges. Charles Dickens wrote of Oliver Twist's days as an apprentice to an undertaker. Exposed to death in its basic forms, fed very little, and chided and belittled by his master's older apprentice, Oliver thought he had little recourse. In fact, English society assumed he had inherited a good lot and one for which he should be most thankful.

Indenture and child labor were also issues in early United States. As the Industrial Revolution progressed, the practice of prematurely bringing children into the labor market began to be a concern. Children were brought to the colonies to work until they were 24 years old. Child labor was seen as an inexpensive boon to the labor market, since a child could be hired for less wages than an adult. Some jobs, such as chimney sweeping and mining, were suited to children's small bodies (Hindman, 2002; Mintz, 2006; Rose and Fatout, 2003; ten Bensel et al., 1997).

As the 1800s dawned in the United States, the role of children remained little changed. They continued to be the property of their parents, who could choose to beat them, neglect them, or send them out to work. As the population increased and society became more impersonal, assaults on children were more easily hidden.

In the late 1880s, the settlement house movement evolved. It contributed much to the future of children and their families and had a substantial impact on the reduction of child labor. The settlement houses became known through the establishment of Toynbee Hall, as a result of the influence of Arnold Toynbee in London. Inspired by the dedication of such an act, Jane Addams established Hull House in the Chicago slums. Hull House not only bridged the gap between new and more established immigrants, but it was the impetus for later reforms of benefit to children. One of Addams's special concerns was child labor:

> Our very first Christmas at Hull House, when we as yet knew nothing of child labor, a number of little girls refused the candy which was offered them as part of the Christmas good cheer, saying simply that they "worked in a candy factory and could not bear the sight of it." We discovered that for six weeks they had worked from seven in the morning until nine at night and they were exhausted as well as satiated. The sharp consciousness of stern economic conditions was thrust upon us in the midst of the season of good will. (Addams, 1910, p. 148)

Addams also described the dangerous conditions:

> During the same winter three boys from the Hull House club were injured at one machine in a neighborhood factory for lack of a guard which would have cost but

a few dollars. When the injury of one of these boys resulted in death, we felt quite sure that the owners would share our horror and remorse, and that they would do everything possible to prevent the reoccurrence of such a tragedy. To our surprise they did nothing whatever, and I made my first acquaintance then with those pathetic documents signed by the parents of working children, that they will make no claim for damages resulting from "carelessness." (Addams, 1910, p. 148)

Although Addams and her staff at Hull House fought hard for changes in these conditions, it wasn't until much later that laws protecting children from unreasonable labor were enacted.

In addition, African American children were largely excluded from settlement house programs and from the predominantly white Charity Organization Societies (Jackson, 1978). As a result, until legislation was later passed, there was little to protect them from being used as laborers.

SEXUAL VALUES, ATTITUDES, AND EXPLOITATION

Early History

The definition of *sexual exploitation* has evolved throughout history. Although we might today consider the values and attitudes of the past as exploitive, the fact remains that our current customs exploit children in other ways.

In ancient times, the child, especially the female, was considered the property of her father, to do with as he saw fit. His permission was required for all her dealings. She was something with which he could barter for lands and money. With the father's permission, a betrothal could be sealed by intercourse with the underage (under 12 years) daughter. Marriage of extremely young girls was not uncommon. Since early times, fathers paid dowries for the marriage of their daughters. When dowries could not be provided for all female children, some girls entered the convent, sometimes by the age of 9, to take their vows by age 13. Rush (1992) relates a prioress's confession that young nuns were treated like wives by the monks associated with the convent. The girls were threatened with excommunication if they told of this sexual exploitation.

Boys were not immune to sexual misuse in early history either. In Greece, pederasty (men using boys for sexual relationships) was practiced widely. Boys were taken for their attractive appearance, their softness, and their youth but were expected to show strength in battle. In fact, pederasty was the training ground for future soldiers. Most sons of noble families were actually compelled to take adult lovers, and in turn, the boys were protected and plied with gifts. The protector was teacher and counselor, accepted and approved by the boy's family (Rush, 1992). In early Rome, however, sex or sexual relationships were not seen as a means of elevating children, as in Greece. In Rome, the rape of a child was a humiliation rather than a means of owning a treasured plaything (Rush, 1992).

It was not until 1548 that any legal protection from sexual abuse was offered to children. In that year, England passed a law protecting boys from forced sodomy. In 1576, another law was enacted that prohibited the forcible rape of girls under the age of 10 (Conte and Shore, 1982, p. 22). In the 1700s, some educators warned parents to protect their children from abuse by supervising them at all times and by ensuring that they were never

nude in front of adults and in general suggested enforced modesty (Conte and Shore, 1982). This warning was one of the earliest indications that the larger society recognized children could be sexually exploited.

The Nineteenth Century

The rigid standards of the Victorian era also colored society's attitudes toward sexuality and children. Masturbation was vehemently condemned as being a precursor of insanity, growth retardation, and early death for boys; for girls, it was said to promote precocious sexual development, promiscuity, and nymphomania. Attempts to curb this practice of self-gratification were extreme—surgery to remove the clitoris, slitting the penis, or cutting the nerves of the genitalia in both sexes. With these measures came the message that children should not be seen as sexual beings.

The Victorian era, however, was replete with contradictions. On one hand, society was undergoing unbelievable advances in industrial enterprise and scientific discoveries; it was a time of deep thought and analysis. Yet behind the closed doors of so-called God-fearing homes, sexual abuse apparently flourished. Child molesters, even those who took their interests outside the family, seem to have been well protected. Numerous revered men in the public eye were taken with the charms of little girls, some to the point of acting on their desires. William Wordsworth expounded on his admiration of nubile young girls, and at age 26, Edgar Allan Poe wed his 13-year-old cousin (Rush, 1992). Victorian morals viewed this union as scandalous, even though girls marrying at a young age had been a common practice. Lewis Carroll was well known for his interest in children. He is said to have had an entourage of whom he took nude photos. Biographers and critics have questioned whether his activities extended beyond taking pictures, telling stories, and playing games with the children (Lennon, 1972; ten Bensel et al., 1997).

Pornography and child prostitution also increased during the Victorian period. Men who dared not "prevail upon their wives to do their duty too often" and who shielded their children from explanations of sexuality thought nothing of frequenting child prostitutes in city slums. In the early nineteenth century, U.S. slave owners delighted in "breaking in" their young slaves or using them for breeding. Often, 11-, 12-, and 13-year-old girls were impregnated (Olafson et al., 1993; Rush, 1992).

Into this scene came a man who was to be the father of modern psychoanalysis. Sigmund Freud, a therapist in nineteenth-century Vienna, treated women who were diagnosed as having hysterical neuroses and exhibiting a variety of symptoms from compulsive vomiting, sneezing, and coughing to blindness, deafness, and paralysis. In the course of therapy, a large number of patients reported having been sexually abused at a young age. In response to this phenomenon, Freud (1966, p. 584) wrote, "Almost all my women patients told me that they had been seduced by their fathers. I was driven to recognize in the end that these reports were untrue and so came to understand that the hysterical symptoms are derived from phantasies and not from real occurrences."

Note, however, that in 1905, in the case of "Dora," Freud included a vivid description of the 14-year-old girl's seduction by her father and her subsequent use as a "pawn in [his] elaborate sex intrigues" (Herman, 1997, p. 14). From his account, the abuse obviously seems to have occurred so that it is difficult to believe Freud later discounted the

credibility of the situation (Rush, 1992). We will never know what caused Freud's reversal of his theories,[1] since he destroyed his notes and diaries. Certainly, his attitudes have had an influence on our current denial or reluctance to recognize the symptoms of sexual abuse in children.

The Twentieth Century

Over the years, literature has reflected a preoccupation with sexual activity and children. In 1955, Vladimir Nabokov's novel *Lolita* shocked the public and was banned from numerous bookstores and libraries. People's fascination with this type of story was obvious, and the book became a popular seller and later a movie. At age 12, Lolita is seduced by 50-year-old Humbert Humbert, who had become captivated with her. Unfortunately, the story perpetrated the belief that children—especially young girls—knowingly seduce older men, who are helpless to resist. As such, this novel—and later ones like it—likely provided rationalization for incestuous fathers and added to the misconceptions of the general public. *Greek Love*, by J. Z. Eglinton (1965), recounted love and sexual tutelage of boys by adult men and how such a relationship prepares boys for adult sexual experiences. Lawrence Sanders's *The Case of Lucy Bending* (1982) gave the impression of an adult abused by a disturbed child who had instigated the relationship.

It is clear that our current society harbors a contradiction in its view of children and sexuality. On one hand, we state that children should not be exploited sexually; on the other hand, child pornography thrives, both in print and on the Internet, and the courts are often more likely to believe molesting adults than molested children. Television commercials use nubile girls posed seductively. The Internet provides an excellent vehicle for perpetrators to contact children for sex. Such practices can only give molesters and children a mixed message about what society believes about sexual abuse and the sexual exploitation of children.

Newly immigrated cultures bring with them their own contradictory practices. For example, father–daughter incest is rare in India. Rather, an Indian father finds his power in his ability to offer a virginal daughter in marriage—hopefully, one that will improve her economic status. However, sexual abuse of young boys is not uncommon though rarely discussed. Indians often bring these taboos and attitudes with them as they immigrate to other cultures.

THE INCEST TABOO

History

In some form, the taboo against incest appears to be universal. Historically, prohibitions of marriage and sexual relations with one's immediate blood relatives are found even in early writings. In the Bible, Leviticus outlines those individuals whom one could

---

[1]Some theorists (e.g., Rush, 1992) attribute Freud's shift to personal experiences, whereas others (e.g., Meiselman, 1992; Olafson et al., 1993) suggest that collegial pressure was the primary reason.

not uncover: "You shall not uncover the nakedness of your father, which is the nakedness of your mother; she is your mother, you shall not uncover her nakedness" (Lev. 18:7). Throughout the scripture, sisters, granddaughters, stepsisters, aunts, and daughters-in-law are specifically cited as protected from sexual contact with relatives (Lev. 18:9–18). Marriage with particular individuals was also discouraged. This taboo may actually be the basis of current mores in the United States. The Greeks and Romans prohibited sexual relationships between cousins. Emperor Claudius of Rome married his niece, Agrippina, making uncle–niece marriages acceptable for a time (Weinberg, 1955). In Egypt, during the Pharaonic and Ptolemaic periods, brother–sister unions among royalty were not unusual, with Cleopatra's marriage to two of her brothers perhaps the best known. There is some indication that during their conquest of Egypt, Romans also saw sibling marriages as acceptable (Middleton, 1962).

Christianity and the early Catholic Church in Europe reestablished and strengthened taboos on incest and intermarriage. Historically, the penalties for incest ranged from severe censure to decapitation (in eighteenth-century Scotland). By the early 1900s, punishment through "penal servitude" or other types of incarceration were favored, and thus the offense became civil rather than religious (Weinberg, 1955).

Reasons for Taboo

Religious laws and legal writings have devoted much attention to the commission of incest. How did this taboo originate? Several possible explanations have been offered for the taboo of incest.

Biological

In *Ancient Society* (1877), L. H. Morgan suggested that incestuous marriages created defective offspring. His information appeared to be based on the experiences of animal breeders who discovered that constant inbreeding created a variety of physical and mental disabilities.

The biological theories of Morgan and his contemporaries were later discounted, however, on the basis of several factors and beliefs. First, geneticists argued that although one can create dysfunctional characteristics by inbreeding and thus giving more opportunity for recessive genes to combine, it is also possible to create superior individuals through the same process. Some breeders of animals practice inbreeding to produce a stronger and better species. Second, it is difficult to detect whether the inferior offspring are a result of weaknesses on the part of the founders of the strain or if the process of inbreeding is at fault. Third, since animals use little selection in mating, they would be extinct if Morgan's theories were true.

Sexual Aversion

Meiselman (1992) discussed the theories of E. Westermarck and J. K. Fox. Despite a fundamental belief in the biological interpretation, Westermarck in 1922 suggested that another explanation could be that people who live together constantly develop a sexual aversion. This theory was later supported by Fox, who in 1962 used the example of children raised

in the Israeli kibbutzim. Thrown together from birth, these children seek sexual partners elsewhere.

Family Disruption

Family disruption was the basis for Malinowski's theory (1927) of the origin of the incest taboo. This anthropologist suggested that the family could not tolerate the ambiguity, blurred role definitions, and confusion of feelings brought on by the sexual involvement of its members. Interestingly enough, family disruption is considered today to be one of the major causes as well as one of the effects of incestuous behavior.

Multidimensional Theories

In *Incest*, Meiselman (1992) reported that in the 1940s, L. A. White contributed to the incest controversy, and G. P. Murdock created his own multidimensional theory. White contended that survival in early societies was difficult and often depended on ingenuity and cooperation with others. As language developed, people became better able to exchange goods and ideas with other cultures. Marriage with other cultures increased networks and enhanced the possibilities for survival. Intermarriage created isolation and reduced the number of individuals available for marriage outside the tribe, thus limiting the chances of networking.

Murdock later used White's theory but suggested that it be combined with the premise that family members had a repressed desire for each other and that the family itself had to preserve its stability by keeping confusion and sexual jealousy to a minimum. This stability was most likely achieved by prohibiting incestuous behavior.

Subsequently, a variety of theorists reemphasized the importance of the incest taboo to the family structure and suggested the influence of such a taboo on the child's development. As noted by Justice and Justice (1980), Talcott Parsons wrote in 1954 that the incest taboo helped the child develop autonomy and social roles necessary to eventually leave the family. Prohibited from having sexual relations with family members, the child must then seek others outside the family structure. Carl Jung also mentioned the incest taboo as part of the child's vital struggle for individualization. Freud also spoke of the necessity of the child giving up incestuous wishes in order to succeed and procreate outside the family system (see also Turner, 2005).

Legal and Social Prohibition

Today, marriages with blood relatives are prohibited by law in the United States. Individual states differ in prohibitions against marriages between cousins, stepparents, and stepsiblings. The penalty for breaking this cultural and legal taboo is a jail or prison sentence. Perhaps more powerful, however, is the social stigma attached. Culturally, Weinberg (1955, p. 31) describes the stereotype as having four components:

1. An inner revulsion to incest
2. Disgust with the participants
3. Perception that participants are mentally or emotionally abnormal
4. Perception of a disorganized or even absent family life

In fact, the taboo is violated in our modern society. Current studies support the idea that incestuous relationships are barriers to children's autonomous development. Incestuous families demonstrate disorganization and dysfunction suggested by early theorists.

RECENT HISTORY OF HELPING THE ABUSED AND NEGLECTED CHILD

So far, the historical perspective has not included the individuals and movements that preceded our current child welfare systems. One of the first organized attempts to protect children was the Elizabethan Poor Law. This law was enacted not so much for the children but for society to deal with the impoverished parents. Churches and communities were often expected to provide for children who did not come under the jurisdiction of the law.

Voluntary child welfare services sprang up in isolation during the seventeenth and eighteenth centuries. Convents, churches, and philanthropists led the efforts in early child protection, but the advocates for children did not always arise from the expected quarters of religious and humanitarian groups. From firsthand knowledge, Charles Dickens spoke up for child protection. At age 12, Dickens was sent from his family to a workhouse in London. His father was frequently in debtors' prisons, and his mother's rejection of him was a fact that would greatly influence his life and later writings. In 1838, he wrote *Oliver Twist*, a largely autobiographical novel about a young boy who goes from the poorhouse to apprenticeship and finally to live among a band of juvenile thieves. As Gardner (1980) reports, this book represented Dickens's first social protest and was to be followed by other novels concerned with abused, abandoned, and crippled children. By midcentury, Dickens's work had spread and was influential throughout the United States. In 1858, Dickens began his campaign for child protection with a speech supporting the Great Ormond Street Hospital for Children in London. He graphically detailed a neglected, dying child he had seen in the slums of Edinburgh. His oration had such impact that it was published as a pamphlet for distribution.

Several years after Dickens's speech, events were taking shape to transform the course of child protection. New York City was the backdrop for a scene featuring Henry Bergh, who was gaining much attention as the first president of the Society for the Prevention of Cruelty to Animals (SPCA). A writer, lecturer, and administrator, Bergh had so aroused the sentiments of community leaders in intervening in the maltreatment of animals that his efforts were known as Bergh's War. In the midst of this "war" came the case of Mary Ellen Wilson (Shelman and Lazoritz, 2003). In 1874, Mary Ellen lived with Francis and Mary Connelly and was the illegitimate daughter of Mrs. Connelly's first husband. On several occasions, a neighbor had observed the ill-clad 8-year-old shivering outside a locked door. But Mary Ellen's screams as she was beaten with a leather strap were more than the neighbor could bear. She reported her observations to Etta Wheeler, a church worker from St. Luke's Methodist Mission, who, not knowing where else to turn, took the matter to Henry Bergh at the SPCA.

Although most reports are that Bergh intervened on behalf of the SPCA, more recent sources quote Bergh as saying that he acted as a private citizen. Whatever his motivation, Mary Ellen was removed from the home, and Bergh's close friend, attorney Elbridge Gerry, was asked to prosecute. For Mrs. Connelly, the outcome was a year of labor in prison, and

for Mary Ellen, the result was the end of the abuse she had been suffering and eventual placement in the Sheltering Arms children's home.[2] For the nation, however, Mary Ellen Wilson's abuse set into motion an organized effort to combat child maltreatment. Thus, in 1875, the Society for the Prevention of Cruelty to Children (SPCC), under the leadership of Elbridge Gerry, began an impressive movement toward protecting children.

The New York branch of the SPCC was eventually duplicated in Philadelphia and Chicago. The SPCC not only intervened in cases of child abuse and neglect but also advocated for child protection in a variety of arenas. Many chapters sponsored shelters for women and children who were in economic distress or victims of family violence. Later, the Boston chapter emphasized *family rehabilitation*, a new concept in protective services. This total family approach would eventually be the predominant philosophy of child protection agencies.

Dedication to this family-centered treatment was obvious from the White House Conference on Dependent Children in 1909. The conference supported the plan for a Children's Bureau, enacted in 1912, to oversee the welfare of children. The bureau did not, however, deal with individual cases of maltreatment but entrusted investigation and treatment of individual children to public agencies, thus diminishing the original strength of the SPCC movement (Smuts, 2005). Another organization dedicated to seeing that children's needs were met was an indirect result of this first White House conference. The Child Welfare League of America (CWLA), a product of Carl Christian's 1915 paper, proposing standards for services and aid provided to children, continues to exist today as one of the foremost advocates for children.

Although World War I temporarily diverted attention from child protection, as the nation braced itself for a different conflict, the American Humane Association added children to its list of concerns and continued to gather support from anticruelty societies from every part of the United States.

By 1930, the cause of children's rights and the treatment of abused children was revived in the Social Security Act that mandated "child welfare services for neglected dependent children and children in danger of becoming delinquent." Although intervention was mandated, the detection of child abuse and neglect was left largely to social workers. Physicians had not entered the war against child maltreatment, possibly because of an unfortunate diagnosis made in 1868 by Dr. Athol Johnson. This London physician observed repeated fractures in hospitalized children and misdiagnosed them as rickets, thus opening the door for almost a century of future misinterpretations.

In the mid-1940s, at Columbia University, a radiology professor, John Caffey (1946), noted that the x-rays of some infants demonstrated unexplained multiple fractures. He also noted an increased number of victims with subdural hematoma (a collection of blood under the skull). The case histories did not indicate any falls or events serious enough to

---

[2]Many wondered what happened to Mary Ellen after her much-publicized case. The Sheltering Arms was, in fact, a home for disturbed girls—not orphans like Mary Ellen. Thus, Mary Ellen became a victim of the system's mistreatment as well. Still concerned with her, Etta Wheeler, recognizing the inappropriate placement, petitioned Judge Lawrence to be Mary Ellen's appointed guardian. Lawrence allowed Wheeler to place the child with Wheeler's mother, Sally Angell, on a farm outside Rochester, New York. When Angell died, Mary Ellen continued to be raised by Angell's daughter. Years later, Mary Ellen's own daughter would write to the then director of SPCC, asking to know more of her mother's history (Lazoritz, 1990).

explain these medical findings. Caffey wondered if these traumas had been somehow in-flicted by the parents. He stated his suspicions:

> In each case unexplained fresh fractures appeared shortly after the patient had arrived home after discharge from the hospital. In one of these cases the infant was clearly unwanted by both parents and this raised the question of intentional ill treatment of the infant; the evidence was inadequate to prove or disprove this point. (p. 166)

Caffey's theory was supported by several other physicians in the early 1950s. Both Parton (1985) and ten Bensel et al. (1997) note that F. N. Silverman, along with P. V. Wooley and W. A. Evans, reported they had explored Caffey's work and felt there was strong evidence that parents were responsible for many of these injuries.

Physicians continued to study the phenomenon. In 1962, Dr. C. Henry Kempe, chairman of the Department of Pediatrics at the University of Colorado School of Medicine, and his colleagues published in the *Journal of the American Medical Association* the now-famous article entitled "The Battered-Child Syndrome." Kempe and colleagues used this syndrome to refer to a condition in young children who had apparently been victims of severe physical abuse, generally at the hands of a parent or foster parent. The condition has also been described as "unrecognized trauma" by radiologists, orthopedists, pediatricians, and social service workers. Kempe cited the age of the children involved as under 3 years and suggested that diagnosticians look for a discrepancy between clinical findings and historical data supplied by the parents as a primary indicator (ten Bensel et al., 1997). Although experts now include within this syndrome children older than 3 years, the difference between clinical findings and data supplied by parents is still thought to be significant in the identification of maltreatment. Kempe went on to establish one of the first child protection teams in 1958 at the Colorado General Hospital in Denver (Myers, 2011; ten Bensel et al., 1997).

The identification of the phenomenon by name and definition provided a means to publicize the problem. *Battered-child syndrome* was talked about by almost every professional concerned with children, and an increasing number of studies were undertaken to determine the magnitude of the problem. The studies conducted by Kempe and associates uncovered that in 71 hospitals, at least 302 cases of child abuse had occurred; 33 of these children subsequently died and 85 suffered permanent brain injury. Following Kempe's work, Vincent DeFrancis, the new director of the American Humane Association, discovered that in the year 1962 alone, 662 cases of child abuse were reported to the press (ten Bensel et al., 1997).

Further Efforts on Behalf of Children

The fervor of the 1960s caused professionals, who had not thought of child abuse as a problem within their particular domain, to recognize their need to be involved. Ray Helfer, a collaborator with Henry Kempe and a fellow physician, outlined the reasons that physicians in the past had been reticent to report abuse. Helfer felt that physicians were both unaware of their legal obligations and unable to recognize parental abuse because of close ties to the family (Richardson, 2003; ten Bensel et al., 1997). By the early 1970s, through the efforts of Helfer and others, physicians had been made well aware of their responsibilities to children and their families.

In 1972, the National Center for the Prevention of Child Abuse and Neglect was established with financial aid from the University of Colorado Medical Center. The purpose of this office was to provide a newsletter, engage in research, and offer training for recognizing and preventing child abuse to interested professionals.

By 1973, the need for a federal stand on the issue became obvious. The Child Abuse Prevention bill (S. 1191) was proposed on March 13, 1973, largely under the sponsorship of Senator Walter Mondale, chairman of the Subcommittee on Children and Youth. Ellen Hoffman (1978), primary author of the Child Abuse Prevention and Treatment Act proposal, was greatly influenced by C. Henry Kempe. Hoffman's proposal to establish a National Center on Child Abuse and Neglect under the auspices of the Department of Health, Education and Welfare (HEW) was in four parts:

1. The center would be responsible for research, establishment of a clearinghouse, and distribution of training materials.

2. Demonstration projects to "prevent, identify and treat child abuse and neglect" would be encouraged by the provision of $10 million in 1973 and $20 million for the next four years to be used for grants and contracts.

3. To study the effectiveness of child abuse and neglect-reporting laws and "the proper role of the federal government" in assisting state and local efforts, a board, known as the National Commission on Child Abuse and Neglect, would be established.

4. States would be required to adopt specific procedures to identify, treat, and prevent child abuse and to maintain information and report to HEW on the efficiency of these procedures. States would also be required to cooperate with state health education and other agencies in the interest of coordinating the treatment of child abuse and neglect cases. Complying with these standards would protect the states' eligibility for certain funds under the Social Security Act.

Hearings for the adoption of this bill went on for four days in Washington, Denver, and New York. Slides of abused and neglected children were shown, and experts attested to the need for such a law. A witness who made a substantial impact was Jolly K., the founder of Parents Anonymous. She candidly described how she had at one time beaten her own children. What she did not tell the assembled group, however, was that she had been a victim herself of beatings, abandonment, and rape. Her testimony had a phenomenal impact, and in January 1974, the Child Abuse Prevention and Treatment Act was passed. This act mandated the reporting of child maltreatment, provided funds for research, mandated training, and made provisions for the treatment of child abuse and neglect. It was 100 years after Mary Ellen Wilson shivered on the steps of her foster home that the nation officially recognized the need to provide for all children like her.

The Child Abuse Prevention and Treatment Act, although perhaps the most far reaching, would not be the last legislation to influence services to abused and neglected children. The Adoption Assistance and Child Welfare Act of 1980 (P.L. 96-272) sought to prevent removal of children from their families by making "reasonable efforts" to keep families together or to unify families in a timely manner if placement could not be avoided. When reunification was not possible, this act mandated that the best permanent plan (often adoption) be sought.

Three years later, the Family Preservation and Support Services Act was passed as part of the Omnibus Budget Reconciliation Act of 1993 (P.L. 103-66), building on the previous legislation by expanding the services available to strengthen families as well as providing additional supports for children who must be placed outside the home (Jackson and Brissett-Chapman, 1999).

Professional Awareness and Response to the Movement to Protect Children and Families

As the movement to provide safe environments for children attracted more and more national attention, various professionals began to emphasize the importance of their discipline's involvement in intervention. Kempe and his colleagues led the way in helping fellow physicians and other medical personnel recognize the vital role they could play in detecting and reporting child abuse. The 1962 article "Battered-Child Syndrome" stimulated increased interest in the phenomenon, research, and programs within medical communities. In 1977, Kempe and several of his colleagues created the International Society for the Prevention and Treatment of Child Abuse and Neglect in an effort to

> to promote opportunities, facilities and organizations which will enable the children of all nations to develop physically, mentally and socially and in a normal manner . . . and in particular, to promote the protection of every child, in every country against all forms of cruelty and exploitation. (ISPCN, 2012)

This organization continues to support efforts in the area of treatment and research largely through the publication of the *International Journal of Child Abuse and Neglect*.

Sexual abuse was not widely studied until the late 1970s, when David Finklehor surveyed New England College students to determine if they had been sexually abused as children. About the same time, Diana Russell's study of 940 San Francisco women uncovered that 38 percent reported sexual abuse as children. As researchers looked for indications that children were being sexually abused, survivors began speaking out. Butler's *Conspiracy of Silence* and Brady's *Father's Days* recounted abuse perpetuated against children by their fathers.

Physician Suzanne Sgroi urged those in the medical community to pay closer attention to venereal disease in children as an indicator of child sexual abuse (1988). In 1983, Roland Summit, thought by many to be the initiator of our current understanding of the dynamics of sexual abuse, published his now well-known article "The Child Sexual Abuse Accommodation Syndrome," in which he outlined his theory of how children are affected by such abuse. Thus, sexual abuse, once a concept foreign to most of us, had become a household phrase by the 1980s and 1990s.

As society became more aware of the need to protect children from a variety of types of maltreatment, the importance of having schools involved became more obvious. In the early 1980s, the National Education Association commissioned Crosson-Tower, a former protective services worker and then an educator, to write a book to help to bridge the gap between schools and protective service agencies. *Child Abuse and Neglect: An Educator's Guide to Recognition, Reporting, and Classroom Management* (Tower, 1984) soon gave rise to a multimedia training package for educators. Since this time, schools have become significantly involved in responding to child maltreatment issues.

Other professions were also urged to enhance the training and knowledge of professionals. Publications began to address not only the medical, psychiatric, and educational professions but the criminal justice and legal arenas as well.

Professionals within community organizations, such as churches and civic groups, have also recognized the need for involvement. Increasingly, a variety of religious denominations are recommending or requiring that churches develop Safe Church policies to protect children who worship there (see Crosson-Tower, 2006).

Today, a glance at the book sellers' booths at any major child abuse conference confirms that much has been written for a variety of readers. In addition to texts, a variety of clearinghouses available through websites offers resources for professional and layperson alike.

The Child Welfare Information Gateway (http://childwelfare.gov) offers a wealth of information along with sites sponsored by the Kempe Center (www.kempe.org) and the American Humane Association (www.americanehumane.org). Prevent Child Abuse America (www.preventchildabuse.org) also helps to coordinate and circulate information on child abuse prevention. Currently numerous journals, including the *International Journal of Child Abuse and Neglect*, *Child Maltreatment*, and the *Journal of Child Sexual Abuse* serve to keep professionals better informed.

Professionals now realize that their strength in combating the problem of child abuse and neglect is through communication.

CHILD PROTECTION TODAY

Current Framework

A significant problem in child abuse intervention is the fact that there is no universally agreed-on way to define maltreatment nor is there just one framework used to understand the focal point at which intervention should be initiated or how this intervention should proceed. Brissett-Chapman (Jackson and Brissett-Chapman, 1999) expressed her concern over this issue by commenting that

> [the] no universal operational definition of child abuse and neglect, and the multiple and overlapping definitions challenge the very ability of professional helping systems to adequately and universally address the assessment of risks, the allocation of resources, the accurate assessment of the need for the child's removal from the family, or the opportunity to engage the involvement of other actors (i.e., neighbors, family, community institutions, allied disciplines) in ensuring that children are safe and adequately cared for. (p. 53)

Intervention ideologies can be broken down into three basic orientations: penal, medical, and social welfare (see Table 1.1). Each of these has a characteristic way of viewing the abuser, the act, and the type of intervention necessary. As you continue reading this text, it will be important to bear these differences in mind. As the field builds a more multidimensional set of intervention strategies, it is hoped that these views can borrow from and influence one another. Certainly, the ideal would be a universally accepted framework, but that is not something that appears to be immediately on the horizon.

Table 1.1   **Alternative Child Abuse Ideologies**

Framework	Penal/Legal	Medical/ Scientific	Social Welfare/Humanistic	
			(a) traditional	(b) radical
Presupposition	individual has free will	behavior is determined	(a) traditional	(b) radical
Definition	cruelty	battered-child syndrome	child abuse	child abuse
Attitude to problem	punitive; deviance is conscious defiance of rules; moralistic	results from forces beyond control of individual	compassionate; individual/family cannot cope with situation	relative but results from social processes
Social rationale	justice; due process; individual rights	cure; treatment of needs of the child	prevention; rehabilitation by adjustment	social liberation by reorganization
Focus of attention	act of abuse; deprivation	disease process, pathology syndromes	the person; family, social situation; "cycle of deprivation"	social processes, structural inequality
Tools	legal code, courts	medical expertise and technology	counselling, therapeutic relationships, social experts	social change
Conception of parents	responsible	irresponsible or not responsible	psychologically, emotionally, and socially inadequate	socially victimized
Stated purpose of intervention	punishment of guilt	treatment of dysfunction	personal, family rehabilitation, physical and emotional safety of child	equality and redistribution
Some practicing groups	police, judiciary	doctors, some psychiatrists	social workers; some doctors, e.g., pediatricians	some social workers and some sociologists

Source: From Nigel Parton, *The Politics of Child Abuse*, Table 1.2, p. 17. Copyright © 1985. Reprinted by permission of Macmillan London and Basingstoke (world rights) and St. Martin's Press (U.S. rights).

The Role of Child Protective Services

Contrary to the provision of services for maltreated children in the past, it is the child protective services (CPS) agency that currently serves the pivotal role in responding to reports of abuse and neglect. Depending on the state that it serves, CPS is known by a variety of titles, including the Department of Social Services, the Department of Health

and Human Services, the Department of Family and Children's Services, and others. The fact that this agency acts as a division of the state or county has both positive and negative points.

From the 1960s to the mid-1980s, CPS enjoyed relative autonomy, while also becoming an entity feared by parents for its ability to "take kids away." Despite this belief, CPS was largely dependent on the legal arm of the juvenile court to remove children. Only in a case of severe emergency or abandonment did CPS have the authority to place children for a specified period (usually 72 hours) while their parents were sought or plans were made for their welfare. (For those early years, see Crosson-Tower's *From the Eye of the Storm: The Experiences of a Child Welfare Worker*, 2002.)

Throughout the 1980s and 1990s, the role of CPS shifted in scope and emphasis. Part of the responsibility for the shift can be attributed to the Adoption Assistance and Child Welfare Act of 1980 and later the Family Preservation and Support Services Act (both mentioned previously). Weber (1997) suggests that there were several other underlying causes for the transformation in the role of CPS. First, there was a lack of consensus about the role of CPS, as parents whose children were removed began to protest through legal channels. Lawsuits argued that CPS had not had enough evidence to prove the need for removal, and this led to the formation of Victims of Child Abuse Legislation (VOCAL), a group that advocated for themselves and others. The court actions complaining of insufficient evidence forced CPS to hone its investigative procedures and ensure that the lawyers responsible for representing their contention that children needed to be better protected were better trained (Weber, 1997).

These events came to the attention of the media. Because the parents protesting their innocence saw media attention as a way to publicly plead their cases, whereas CPS was bound to silence by the agency regulation requiring confidentiality, the agency did not fare well in public opinion. When a child was finally identified as the victim of severe abuse or died, Weber (1997) suggests that the scenario was amazingly predictable. CPS was portrayed as a

> government agency with no public accountability which had not done its job of protecting children. The scenario was usually followed by a mayor's or governor's task force or blue-ribbon commission. One or more CPS staff members were then found not to have taken every reasonable action to protect the child; a reorganization of the CPS agency was instituted; the task force recommended smaller caseloads, more training and clearer policies; and elected officials provided the funds for CPS programs which might have been requested and denied earlier. (p. 124).

At the same time, as children's rights became more widely debated, advocates for children argued that injuring a neighbor could subject the perpetrator to criminal charges, while beating or abusing your wife or children would result in merely being referred to a protective agency. As a result, numerous states began to pass legislation making child maltreatment a criminal offense. The attention of the general public also focused on the phenomenon of the sexual abuse of children. Until the late 1970s, this type of maltreatment had rarely been discussed. Now, the call to investigate sexual abuse allegations began to far outweigh the reports of physical abuse and neglect (Weber, 1997).

The debates surrounding child maltreatment did bring three positive challenges: the search for risk assessment tools; the development of child abuse registers; and the formation of child protection teams. Risk-assessment protocols came about as an effort to

standardize the collection of information in maltreatment cases, with the hope of allow-ing CPS workers to make more effective decisions that would be more reliable if legally challenged (Righthand, Kerr, and Drach, 2003; Sameroff and Gutman, 2004; Weber, 1997). Child abuse registers sought to track abusive parents who might move from city to city or state to state. Those who were found to have abused children were registered in a central database that could be accessed by other concerned CPS staff. Knowing that abusers had been identified by CPS in other jurisdictions gave investigators support in their efforts to intervene with the abusive family or protect children who might come in contact with an abuser (Weber, 1997). Some of these registries met with controversy, but a number still facilitated CPS intervention in maltreatment cases.

Perhaps one of the most successful innovations for CPS agencies has been the use of child protection multidisciplinary teams. At a macro level, a multidisciplinary team is composed of a variety of community professionals, including medical, law enforce-ment, legal, and psychiatric/mental health representatives as well as other professionals who, using their own individual perspectives, aid CPS in their intervention with child protective cases. At a micro level, schools and other organizations have created school- and agency-based child protection teams to facilitate effective reporting of maltreatment situations.

Today, CPS agencies have the following functions:

- to receive reports of child maltreatment made by mandated reporters
- to screen the accepted reports
- to intervene directly in emergency situations
- to investigate alleged maltreatment cases
- to determine the risk to the child of maltreatment
- to make a disposition as to the likelihood of maltreatment and need for service
- to formulate case plans for cases
- to facilitate court intervention when necessary
- to provide case management
- to provide or contract for social services for families and children
- to facilitate out-of-home placement and supervision when necessary
- to make "reasonable efforts" to keep families together or reunite them
- to provide the least restrictive permanent plan for children who are unable to re-main at home
- to close cases and provide aftercare when needed (Myers, 2011; Weber, 1997).

Those envisioning the future of CPS agencies express concern that they will be forced, due to the severity and number of child maltreatment cases, to take on more of an investigative role, forcing workers to slight their social work backgrounds, which emphasize family treatment. In addition, with the increased emphasis on client rights, some fear that protective workers will be increasingly hampered in the roles of protect-ing children. Weber (1997) expresses the hope that CPS agencies will develop a way to offer more than one response as they enlist the support from and collaboration of other community agencies. Only through community efforts can children be truly protected from maltreatment.

Child Rearing, Maltreatment, and Public Opinion

How the general public sees child abuse and efforts to intervene has a significant influence on the support and funding of programs to address the needs of children. It is clear that the general public is concerned about children and child maltreatment, even if this concern does not always manifest itself through providing funds for prevention programs.

A 2003 study (see Public Knowledge LLC, 2003) on the perception of the public on parenting, child development, and child maltreatment sheds some interesting light on contemporary attitudes. The majority of those surveyed feel that life has gotten worse for children in recent years. In addition, when asked their opinion of teens and children, 71 percent of the respondents describe teens negatively, using such terms as *rude*, *irresponsible*, and *wild*, and 53 percent of adults and 58 percent of parents have negative views of younger children (p. 6). When asked to pinpoint the causes of such problems, the public asserts that the parents are responsible and complains that they are not "paying attention to what is going on in their children's lives" (83 percent call this very serious; p. 6). Although parents protest that they are teaching their children important values (97 percent say they are), the general public (61 percent) holds parents in a very negative light (p. 7).

Despite changing values, the majority of those surveyed feel that a significant contribution to poor parenting is the fact that mothers need to work outside the home. Eighty percent feel strongly that one parent should be at home with children. The public does not feel that a child is worse off only because both parents work, however. If parents take the time, it is possible to provide a healthy environment for their children (63 percent agree), and many feel a woman can be both a mother and have a career (71 percent; p. 11).

The researchers in the Public Knowledge study also look at people's perceptions of child development and conclude that the general public harbors numerous misconceptions in this area. Many feel that children will be "spoiled" if attended to too quickly. For example, a significant number of respondents (42 percent) feel that a 3-month-old baby will develop good coping skills if his or her cries are not immediately responded to (p. 15). Could this, these authors wonder, be a factor contributing to neglect?

When looking specifically at child abuse issues, most people equate maltreatment with physical abuse (55 percent), which is somewhat surprising, given the recent media coverage of child sexual abuse (only 9 percent mention sexual abuse, and 8 percent neglect). At the same time, a significant number (81 percent) of the general public believe that abusing drugs during pregnancy is a form of child abuse. In addition, 75 percent of people also feel that drinking alcohol, smoking marijuana (75 percent), and smoking cigarettes (57 percent) during pregnancy are also abusive to the unborn child (p. 19). When sexual abuse *is* mentioned, most respondents, not surprisingly, brought up the recent scandal in the Catholic Church (p. 23).

Americans continue to be conflicted about what constitutes abuse and what constitutes discipline. Many do not feel that spanking is abusive. Most parents feel they rely more on nonphysical discipline (e.g., grounding, time-outs), but many describe themselves as too lenient with their children, with 60 percent saying that how they respond depends on the circumstances, rather than consistency (p. 20). Might not concerns about leniency lead to increased physical punishment?

If people are asked what they feel are the causes of child abuse, 69 percent point to increased alcohol and drug use among parents, 67 percent to lack of parenting experience and skills, 64 percent to abuse of parents when they were children, and 48 percent to the presence of nonfamily members in the home (p. 25). Because most people see child abuse as a crime, the emphasis is on accusation, and criminal sanction, rather than education and support.

The attitudes held by the public today have a significant impact on the treatment of and prevention efforts for child abuse and neglect. It is clear that there is need for increased education and community awareness if CPS and communities are to join together in the protection of children and the provision of help for abusing families.

SUMMARY

The maltreatment of children is a long-standing problem. Since ancient times, children have been viewed as property to be sold, given, or exploited by adults. Throughout history, children have been overworked, prostituted, and physically maltreated for a variety of reasons. Severe beatings administered with religious fervor were inflicted to gain the child's salvation and to exorcise evil. Employers used children to further their own economic interests.

Despite the widespread sexual exploitation of children, the one taboo has been incest. The origins of this taboo seem to have been economic. An untouched female child was insurance for later barter with other tribes and cultures. Today, we also recognize the family disorganization that the breaking of the incest taboo creates.

There have been crusaders for children throughout history, however. Charles Dickens used his own painful background to speak out against child maltreatment. Then the case of Mary Ellen Wilson and crusader Henry Bergh set in motion a mechanism for the future protection of children. Bergh's efforts on behalf of Mary Ellen gave birth to the SPCC, which provides help for children even now.

The discovery by radiologists of multiple, unexplained fractures and the coining of the phrase *battered-child syndrome* in the 1960s added impetus to the child protection movement. In 1974, the Child Abuse Prevention and Treatment Act required that states intervene in abuse situations and provided financial and material resources to aid the states.

Today, we know that child abuse is seen from the view of three ideologies—penal, medical, and social welfare. From the social service perspective, child protective agencies are responsible for direct intervention from investigation and case management to case closure. These agencies can be hampered if there is not community and public support for their work. Toward this end, there needs to be more extensive community awareness and education.

References