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Dennis, Jr. was born addicted to heroin because his mother used the drug during her pregnancy.

Dennis was only two months old when he was taken to a hospital for injuries that indicated abusive treatment.

Then, a State child-protective service interceded with the court to have the child removed from his parents home for his own protection.

Only after their son was taken from them, did the parents enter an addiction treatment program. The father, 21-year old Dennis, Sr., got a job as a grocery store clerk; they found a new apartment that Elizabeth, the 23-year old mother, kept reasonably clean; and the family's future as a unit brightened. After sustaining their good behavior for a time, the parents petitioned

# child abuse

MAJ Herbert A. Denson, EN

the court to return their son. Although the state agency opposed this action, Dennis and Elizabeth were awarded custody of Dennis Jr., primarily because of a report issued by the drug treatment center citing their great improvement.

Two weeks after Dennis, Jr., returned home, the local police received a call reporting his death. Subsequent investigation revealed an enormous bruise that covered most of one side of the baby's face. There were cuts and other bruises—large and small, livid red to deep purple—over most of his body. The coroner decreed that death was caused by a large blood clot (subdural hematoma), apparently from a blow, that destroyed his brain.

The parents were jailed in lieu of \$50,000 bail. And, while still proclaiming their innocence, they were convicted of second-degree murder. This case, unfortunately, does not end there. Elizabeth was pregnant again. Her second son was born while she was still in jail. The parents never named this son. He was taken from them when doctors found that the baby was addicted to methadone, a drug his mother had taken to fight her addiction to heroin.

*The list grows . . .*

A baby was dropped into a pot of boiling water, which ultimately burned away the skin along his lower back, buttocks, and legs. Afterward, he was tied to his potty

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seat and placed in his crib where he died during the night. Reason? The parents claimed the child was a persistent bed wetter.

### *And grows . . .*

Mrs. M lived in a trailer court with her two-year old daughter while the father, an Army sergeant, was overseas. Neighbors reported that the daughter appeared to have been badly beaten. The case was referred to a criminal court, which later was forced to dismiss the case for lack of evidence *beyond a reasonable doubt*. Mrs. M returned home with the child. Three months passed with no outside involvement or follow-up. Then, one day Mrs. M killed her daughter. She was convicted to a short-term prison sentence.

### *And grows . . .*

Responding to a call by neighbors in an apartment complex, police found four small children half-starved, hysterical, and infested with lice. The parents were finally located: the father in a bar and the mother at work. Both were arrested and charged with gross neglect.

These cases are but a few of the ever increasing number of child-abuse or child-neglect incidents. Following a national survey to determine the extent of violence toward children in the home, Richard J. Gelles of the University of Rhode Island reported, in February 1977, that an estimated 1.2 million parents have used knives and guns on their youngsters.<sup>1</sup> Another 1.2 million have threatened their children with weapons. And about 3.9 million children between the ages of 3 and 17 have been kicked, beaten, or punched by their parents. Other sources report that over one million children suffer from some form of abuse or neglect.

Understandably, our society is perplexed by this relatively new phenomenon, which is proportionately reaching epidemic, maybe pandemic, levels. Just how new is maltreatment of children? There is some evidence to support the theory that the way children are reared in the Western culture readily lends itself to violent acts of abuse. If you will objectively observe the parent-child relationships of friends, neighbors, or even your own, you will immediately see an inordinate amount of yelling, scolding, slapping, hitting, spanking, and yanking.

Child-rearing patterns have a way of perpetuating themselves; they will be inherited by the next generation just as they were inherited from preceding generations. Drs. Brandt F. Steele and Carl B. Pollock, psychiatrists and professors at the Colorado Medical School, declared this theory of inherent cultural violence after studying 60 families for 5½ years.

Of course, practices that we now consider abusive generally have been accepted in the past as the normal exercise of parental rights, whether for economic or disciplinary reasons. It was not until the twentieth century that children were considered as anything other than the property of their parents. In ancient Rome, for instance, a man could sell, abandon, or even kill his child. Aristotle advocated that philosophy when he wrote:

*The justice of a master or a father is a different thing from that of a citizen, for a son or slave is property, and there can be no injustice to one's own property.<sup>2</sup>*

The pages of history tell of the now unthinkable practice of infanticide, which was usually committed to limit family size for economic reasons; to relieve financial burdens of unwed mothers; or make human sacrifice to the gods to ensure abundant crop growth. Children have been killed, abandoned, and sold into slavery by parents, who were unable to support them; by midwives and wet nurses greedy for money; and by rulers fearful of losing their power. Still other children have been mutilated to increase their appeal as beggars or freak performers.

How many times have we heard, or said ourselves, *Spare the rod and spoil the child?* This ideology is grounded in many cultures in which whippings or floggings were an accepted, even preferred, method of discipline. Laws during the colonial period in America demanded obedience from children. In Massachusetts and Connecticut, for example, a disobedient child could be punished by death.

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*. . . observe the parent-child relationships of friends, neighbors, and even your own—you will see excessive yelling, scolding, slapping, hitting, spanking, and yanking.*

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Laws protecting animals against cruelty were on the books long before similar laws for protecting children. In the late 1800's, Henry Bergh formed the *American Society for the Prevention of Cruelty to Animals*. His forceful and dynamic persistence was instrumental in introducing legislation that eventually made it a misdemeanor to abuse any dumb animal. He was relentless in his search for cases of animal abuse and he responded immediately to all reported cases.

One day in 1874, Bergh was approached by a woman named Etta Wheeler who asked for his help in an incident that she suspected involved abuse not of an animal, but a 9-year old girl. This girl was an indentured servant to a stone-mason's wife. When Bergh discovered the girl, she was not only half-starved but had great welts on her back caused by beatings with a leather strap. She was still bleeding where she had been gouged in the cheek with a pair of scissors. Mr. Bergh immediately took the girl from that house. He had to carry her away in a horse blanket because she was too weak to walk. When the case was presented at court, the judge was deeply moved; but his hands were legally tied by the defense lawyer, who reminded him that no laws existed to prevent cruelty to children. No longer able to bear the pathetically deteriorating situation, Henry Bergh stepped forward. He convinced the court that the child was a small animal. That animals were protected under the law. Therefore, the girl could be protected under the same laws. The foster parents were sentenced to a year in prison for *abusing a small animal*.<sup>3</sup>

Progress was still slow in securing rights for children and in passing laws to protect them. In fact, as late as 1971, the highest state court in Massachusetts reaffirmed the 1654 Massachusetts Stubborn Child Law. The court ruled *that children have no right of dissent against the reasonable and lawful commands of their parents or legal guardians*.<sup>4</sup> That law was not repealed until 1973.

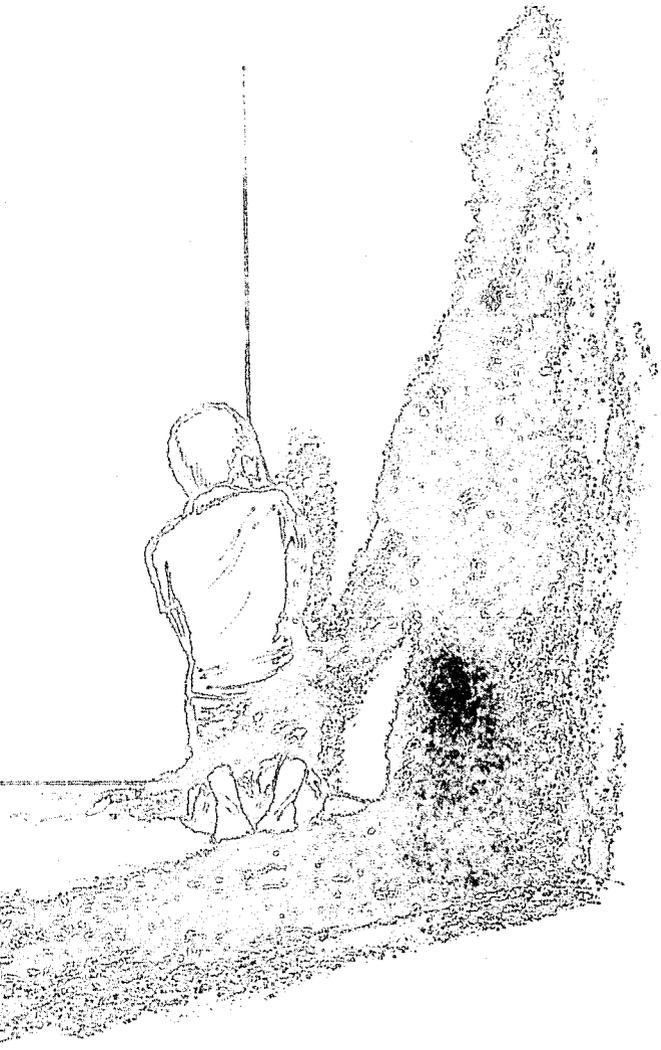
Perhaps we can better understand the reasons for this rule if we realize that some parents may feel threatened by judicial and legislative attempts to define the rights of children who need protection. Some parents may also be legitimately concerned that such attempts could infringe upon their rights to make decisions or to act for their children. The freedoms upon which our democracy is based demand that we exercise caution.

As society moves away from the concept of the sacred right of parents to make life-or-death decisions, we must face and understand the other extreme; autocratic governments dictate that children belong to the state.

This view is typified by the mother who was questioned about injuries to her 7-year old daughter. The mother openly admitted hitting the child with a broomstick. After all, she was her daughter and it was nobody's business how she chose to discipline her. Abusive parents are not the only ones who cling to this view. For instance, some doctors question their own right to interfere in cases where parents choose to let a child die for lack of a blood transfusion. Parent's rights in child-rearing versus the child's right to life, liberty and pursuit of happiness is only one of the many facets of a

problem that is as complex as other controversial subjects, such as dignity-in-death and abortion. The consensus of most leading authorities, however, is that if a child is being denied his right to life, liberty, and the pursuit of happiness, he needs to be protected and he needs someone to intervene in his behalf. Adults in our society must not think they have an option regarding a child's right to humane treatment. Instead, adults have an obligation to ensure that right.

Finally, on 31 January 1974, the *Child Abuse Prevention and Treatment Act, Public Law 93-247*, was signed. This law established a *National Center on Child Abuse and Neglect*, within the Children's Bureau of the Office of Child Development, in the Department of Health, Education and Welfare. This Center provides national leadership by conducting studies and awarding demonstration and research grants to individuals, organizations, and states. Soon after the Center was established, the armed services published regulations to protect military dependents. In February 1976, Army



Regulation 600-48\* became effective. It established the *Child Advocacy Program* to be conducted locally by each installation.

### What are the solutions to child abuse?

Although we now have laws that provide a framework for action, solutions to child-abuse problems are still painfully slow. Why? The problem is complex and each person or group perceives it differently. Solutions are as numerous and varied as the persons, professions, and agencies presenting them. For example:

- Physicians see an immediate medical problem that must be diagnosed and treated.
- Social workers are interested in protecting children.
- Psychiatrists want to treat the parents, which is, at best, a long-range solution.
- Sociologists want only to study and record the social dysfunction.
- Moralists view any maltreatment as horrible and unnatural.
- Law enforcers see a criminal act and a need for punishment.

Solutions to problems in any one of these areas wouldn't do much to solve the overall problem. After much research, this author is convinced that a clear-cut, simple approach to the problem is impossible because ill-founded beliefs, conditions in management, relationships that are frequently misunderstood, and confusion about the bounds of parental discipline and other aspects still unknown.

Among the more common beliefs are:

- Child abuse and neglect occur only among the poor.
- Abusive parents are psychotic.
- Stepparents are the largest identifiable group of violators.

Facts do not substantiate these statements. Abused and neglected children are found in every level of society. The problem is not limited to any socioeconomic level, race, nationality, or religious group. Georgia Department of Human (DHR) Resources reported, for 1976, that 58 percent of all abused children were white; 41 percent were black; and 1 percent were orientals.<sup>5</sup> Other reports may show different statistics. And, some authorities contend that members of the same socioeconomic groups are less likely to report their own kind, thereby detracting from the credibility of their own reports. More affluent groups can afford private physicians and hospitals and thus avoid being reported.

\*When published, AR 608-1, *Army Community Service Program*, will supercede AR 600-48.

Conversely, economic deprivation, housing problems, unemployment, and racial pressures place the family in a stressful atmosphere where maltreatment is more likely to occur.

Contrary to popular myths, only about 10 percent of abusive or neglectful parents suffer from psychoses, neuroses, and character disorders.<sup>6</sup> The stepparent has helped establish this detrimental image. Again, from the 1976 Georgia DHR report, 37 percent of all child-abuse cases occurred in homes with both natural parents; 28 percent, in homes with single mothers; 15 percent, in homes with natural mother and stepfather; and 3 percent, in homes with natural father and stepmother.

The confusion, misconceptions and, in some instances, ignorance have compounded what would have been simple, easy to solve problems. A list of facts and generally accepted axioms would help the professional or layperson identify signs or symptoms of abused or neglected children and the general characteristics of abusive parents.

General characteristics of abused or neglected children:

- Evident, overall poor care.
- Welts, bruises, untreated sores, or other skin injuries.
- Injuries inadequately treated.
- Clothing that hides injuries—long sleeves, high necks, long pants.
- Different physical and emotional makeup from other children.
- Wary of physical contact when initiated by an adult, even if the adult contact involves another child, particularly one who is crying.
- Overly protective of their parent(s).
- Habitually truant; late or excessively absent from school. Parents frequently keep an injured child at home until the evidence of abuse disappears. Truancy indicates lack of parental concern or ability to regulate child's schedule.
- Find excuses not to go home.
- The sexually abused child lacks specific tell-tale symptoms of battering. Unless the child talks to someone, some indications might be sudden change in behavior and signs of emotional disturbance; for example, the child that cries easily or is overly nervous.

Parents who abuse or neglect their children may exhibit any of these general characteristics:

*continued*

- Isolated from friends, neighbors, and community groups.
- Restricted freedom because of newborn children.
- Fail consistently to keep appointments and discourage social contact.
- Overwhelmed by life's circumstances.
- Distrust everyone.
- Were themselves abused or neglected children.
- Want to please their parents and show them that they have well behaved children.
- Have low self esteem.
- Expect too much of their children and demand behavior beyond their years or ability.
- Exhibit a reversal of the dependency role.
- Reluctant to give information about their children's injuries or conditions.
- Fail to take children for medical care.
- Overcritical of children and often call them different or bad.
- Believe in harsh punishment.
- Seldom look at the child or touch it.
- Keep children confined in playpen or crib for long periods.
- Refuse to reveal their whereabouts.
- Fear losing control.

There is no particular set of characteristics that will positively identify a household in which children are abused. However, during a 1961 meeting of the American Academy of Pediatrics, Dr. C. Henry Kemple coined the term, *Battered Child Syndrome*. In his book, *Helping the Battered Child and His Family*, Dr. Kemple writes that, generally, three things must exist before parents will injure their child.<sup>7,8</sup>

*First*, the parent or parents must have the potential to abuse. This simply means that he or she must exhibit some of the traits characteristic of abusive parents.

*Second*, there must be the special child. One who is perceived to be different; who fails to respond as expected; or who really is different—retarded, too smart, or hyperactive.

*Third*, there must be a crisis or series of crises to trigger an abusive act. These can be either minor or major crises: washing machine breakdown, flat tire, mother-in-law visit, no heat, too many debts, lost job, or any other. It is important to note that crises only precipitate abusive acts, they are not the cause.

Dr. Eli H. Newberger, who is associated with the Boston Children's Hospital, says that the following statements generally are accepted among child abuse authorities:<sup>9</sup>

- A child diagnosed as abused or neglected runs a great risk of being injured again or of continued neglect.
- Protecting the child must continue to be the main goal of authorities, along with a program to help the family through its crisis.
- Traditional social casework alone cannot protect the child in his home environment. But, there are many social workers who believe that disrupting the family unit can be as destructive as the abuse itself, except in severe cases.
- Simply reporting a case to a public agency, which often has an inadequate number of trained workers may not be enough protection for the child.

- Being too aggressive in trying to elicit facts from parents about circumstances under which a child was injured may cause parents to distrust professionals, who may intervene later.

- Hospitalizing a child, who is evidently in danger, will allow authorities time to assess the home situation.

### **Punitive and therapeutic approaches to management.**

There is still disagreement among authorities about the best way to manage child-abuse cases, but the two most favored are the punitive and therapeutic approaches. For the punitive approach, maltreatment of a child is considered to be a crime for which the parent or parents must be punished. For the therapeutic approach, child abuse is diagnosed as an intrafamily relationship and treatment must be for the family as a unit.

Maltreatment of children is a crime in every state, specially covered under cruelty or assault clauses. But, as we learn more about the causes, there is a tendency nationwide to favor therapeutic rather than punitive measures for managing child-abuse cases. Other reasons for favoring a therapeutic approach are:

- Child abuse is very difficult to prove *beyond reasonable doubt* in a criminal court.

- The ordeal of a court trial may leave parents with a bitterness to be vindicated on the child.

- Fear of criminal prosecution may deter persons from taking an injured child to a doctor or hospital.

Using the therapeutic approach doesn't eliminate the need for law enforcement officers. Unfortunately, there always will be a need to investigate the more heinous cases and certainly those in which there is a death.

Because civil and military police stations operate 24 hours a day, it is natural that they receive reports of child abuse. How police conduct themselves when they respond to these reports is extremely critical to the successful outcome of the case. While some authorities think police intervention is detrimental to case management, the Law Enforcement Assistance Agency (LEAA) states that: . . . *based on field interviews and observations, there is no doubt that with a carefully selected staff, adequately trained and properly supervised, police response to child abuse calls can be extremely sensitive, nonpunitive, and flexible.*

To make certain of proper police response, teams trained in crisis-intervention procedures should be dispatched to the home. If such teams are not available, perhaps interdisciplinary teams—social worker, police

officer, and nurse—could fill the need.

*Our ultimate goal must be to break the vicious cycle of child abuse and neglect that continues from one generation to the next. But, there are immediate problems that we must respond to with sensitivity. Underlying social, economic, and psychological conditions must be improved.*

No one knows all the right answers, but continued awareness and education are two of our most effective tools. David G. Gil, professor of social policy at Brandeis University said:

*The basic question seems to be not which measure to select for combating child abuse, but whether American society is indeed committed to the well-being of its children and to the eradication of all violence toward them, be it violence perpetrated by individual caretakers or violence perpetrated collectively by society. If the answer to this question is an unambiguous yes, then the means and the knowledge are surely at hand to progress toward this objective.<sup>10</sup>*

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#### Footnotes

<sup>1</sup>Five Million Kids Abused, survey finds, Sunday Record, February 27, 1977.

<sup>2</sup>Child Abuse And Neglect: The Problem and Its Management, VOL. I, An Overview of the Problem, US Dept of Health, Education, and Welfare, Office of Human Development, Office of Child Development Children's Bureau, National Center on Child Abuse and Neglect, p. 2

<sup>3</sup>Whip Changed Animal's Fate, The Atlanta Journal and Constitution, December 26, 1976, Doane R. Hoag Random Time Machine Column

<sup>4</sup>Child Abuse and Neglect

<sup>5</sup>Long-Term Tragedy of Child Abuse, The Atlanta Constitution, November 26, 1976, Bill Shipp Column

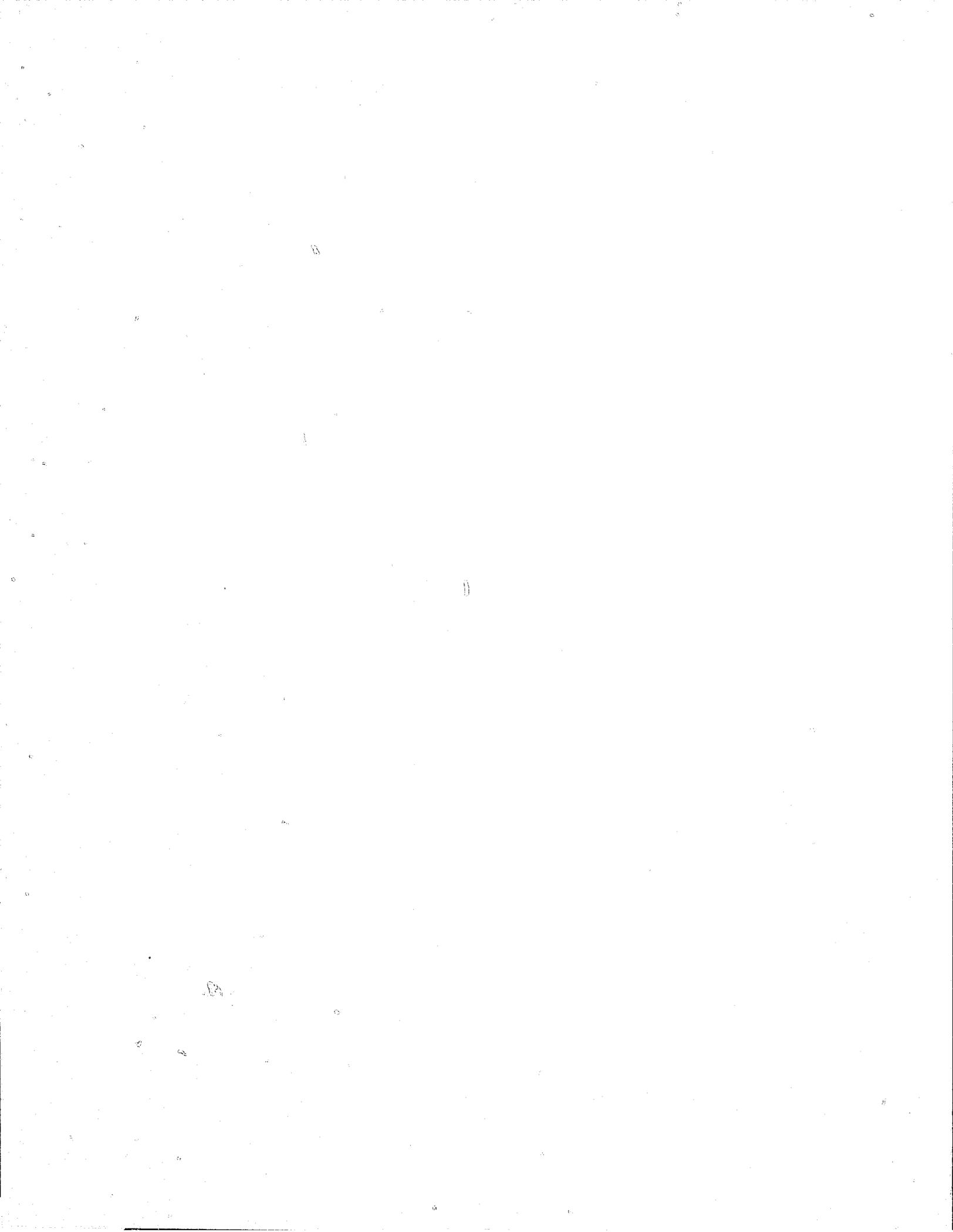
<sup>6</sup>Child Abuse and Neglect, p. 12

<sup>7</sup>Long-Term Tragedy of Child Abuse

<sup>8</sup>Richard S. Johnson, The Child Beaters: Sick but Curable, National Observer, March 24, 1973

<sup>9</sup>Theodore Irwin, To Combat Child Abuse and Neglect, Public Affairs Pamphlet No. 508, 1974, p. 19

<sup>10</sup>Irwin, p. 28



**END**