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History and Definitions of Child Maltreatment

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August 21, 2011, *The Boston Globe* (Boston, Massachusetts): The popular sports website BarstoolSports .com can sometimes be raunchy but is hardly the place one would expect to find child pornography. But BarstoolSports.com attracted unwanted attention and criticism when it posted a picture of the 20-month-old son of New England Patriots' quarterback Tom Brady. The picture of a naked Benjamin, playing on the beach in Costa Rica, included references to the size of the boy's genitalia. Blogger David Portnoy was probably hoping to get a laugh when he posted the picture and comments, but many failed to find humor in his actions. Among those who were not amused were the Massachusetts State Police, who threatened Portnoy with legal action if he did not take down the picture (Vennochi, 2011).

September 12, 2011, *St. Petersburg Times* (Tampa Bay, Florida): Neighbors called police when they found a 3-year-old wandering the neighborhood at 1:00 a.m. The child's mother, who was arrested, admitted leaving the child alone while she went partying with friends in the entertainment district (*St. Petersburg Times* Staff Writer, 2011).

September 15, 2011, *The Philadelphia Inquirer* (Philadelphia, Pennsylvania): In the aftermath of the death of 14-year-old Danieal Kelly, Philadelphia's Department of Human Services announced an extensive reorganization plan. Danieal, who had cerebral palsy and could not care for herself, starved to death in her mother's home. She weighed 42 pounds and was found on a feces-stained mattress with maggot-infested bedsores on her back (Hill & Davis, 2011).

September 16, 2011, *Los Angeles Times* (Raleigh, North Carolina): Joshua Stepp, a former Army Infantryman who served in Iraq, is charged with first-degree murder in the death of his 10-month-old stepdaughter. Stepp admitted that he put a wet tissue in the baby's mouth in an attempt to silence her cries. He denied, however, that he raped the baby, maintaining that the injuries to her anus were a result of "vigorous wiping." He also denied that the killing was premeditated. His **post-traumatic stress disorder** (PTSD), he argued, would have rendered him incapable of planning the murder. He hopes to avoid the death penalty. (Zucchino, 2011)

September 17, 2011, *New York Times* (Atlanta, Georgia): Federal investigators announced charges against 72 people involved in an online network of pedophiles called Dreamboard.. Assistant Attorney General Lanny Breuer called Dreamboard especially graphic and horrific, with some images depicting violent intercourse with very young children. Approximately 600 people from around the world were members. The bulletin board kicked out members who did not post every 2 months and offered greater archival access to members who created their own child pornography. To date, 50 people around the world have been arrested, with more indictments and arrests expected (Savage, 2011).

The newspaper articles cited above represent a sample of the stories about child maltreatment that appeared across the United States during the summer of 2011. There is no reason to believe that this particular collection of news stories is in any way unique. Indeed, stories like these are reported in the nation's newspapers every day. It is important to recognize, furthermore, that news media accounts of child maltreatment are not representative of typical cases encountered by

the authorities. Most of the cases reported here are sensationalistic and newsworthy, to be sure. Most child maltreatment is not. Yet these five stories effectively illustrate the diverse forms of child maltreatment. And in these stories, we get a sense of what it is that we intend to study.

The August 21 story about the online posting of a picture Tom Brady's son, Benjamin, playing naked on a Costa Rican beach, effectively illustrates tension regarding definitions. Needless to say, there is nothing inherently exploitive about a naked child playing on the beach. At some point, however, pictures depicting children become inappropriate and eventually criminal. In this case, prosecutors chose not to pursue criminal charges. Yet, according to lawyer Harvey Silverglate (who is quoted in the Boston Globe article), they could have. Pictures that zoom in on child genitalia or draw attention to children's genitalia (as this story did) have led to criminal convictions in the past. Therefore, when blogger David Portnoy posted the picture and comments, he was, in Silverglate's words, in "dangerous territory" (Vennochi, 2011).

In many ways, the September 12 case of a toddler walking the streets while her mother partied with friends is hardly newsworthy. Indeed, this sort of thing happens all the time, although it rarely comes to the attention of authorities. Often when we hear the term *child abuser*, we envision an angry and violent person lashing out against an innocent and helpless child. Child neglect, however, is an act of omission rather than commission and is the most common form of child maltreatment. Sometimes children are neglected because parents do not know how to parent, do not have the financial means to be a good parent, or are consumed with personal problems that make it difficult to be a good parent. These various issues complicate matters in cases like the one above, because it is not clear whether the mother's behavior illustrates criminal indifference (which might mean she needs to be prosecuted) or whether she is simply an incompetent parent in need of social services and parent training (*St. Petersburg Times* Staff Writer, 2011).

The September 15 story of Danieal Kelly is beyond tragic. It is hard to fathom the degree of indifference that would eventually lead to this young girl's slow and agonizing death. The shortcomings of the child protection system are laid bare whenever a child who is known to child welfare workers is killed, and cases like this one have caused many to question our society's commitment to protect children from abuse. Many children fall through the cracks because an overburdened Child Protective Services (CPS) has difficulty keeping up with demand. In this particular instance, Philadelphia's CPS contracted out the case to a private firm, which was supposed to send social workers to check on Danieal and her eight siblings. Two social workers, who fabricated case notes about visits that never occurred, were convicted of child endangerment in the case. Danieal's mother plead guilty to third-degree murder charges and is serving a 20- to 40-year prison term (Hill & Davis, 2011).

Joshua Stepp (September 16) admitted that he was drunk. He admitted that he was frustrated that his wife had called him home from a bar because she needed to go to work. He also admitted that he killed his 10-month-old stepdaughter. He denied, however, that he raped the baby or that his actions were premeditated. The case reminds us just how vulnerable children are. Approximately 1,800 children die annually in the United States as a result of abuse and neglect, and approximately 80% of these children are under the age of 4 years (U.S. Department of Health and Human Services [U.S. DHHS], 2011). Children under 1 year of age are especially vulnerable, with a homicide rate three times higher than the population as a whole (Finkelhor, 2008).

In this book, we focus not on the sensational but on the common and often-accepted maltreatment of children. Newspaper and other media accounts cannot provide the depth of information

one needs to comprehend the complex nature of child maltreatment. In fact, attempting to understand the complexities of child maltreatment based primarily on anecdotal media accounts likely contributes to the acceptance of common myths associated with child maltreatment (see Box 1.1). If one hopes to understand the causes and consequences of child maltreatment in its various forms, one must examine the topic comprehensively and scientifically.

Box 1.1   Common Myths About Child Maltreatment

Child maltreatment is a topic that generates many opinions. These opinions, however, are not always well-informed. Without sufficient knowledge, people are likely to develop "commonsense" understandings that may not be accurate. Overly simplistic explanations for the occurrence of child maltreatment are sometimes repeated so often that they become accepted as fact (Gelles & Cornell, 1990). Some myths are often difficult to dispel partially because they contain elements of truth. Providing accurate information regarding such myths is one important role of the social scientist.

Myth 1: The Greatest Risk to Children Is Outside the Home

We have never hit our two children. We have never touched our children in sexually inappropriate ways. And while we are sometimes impatient and say inappropriate things, it is not likely that our behavior would be deemed verbally or psychological abusive by others. We believe our children are protected from harm in our home. It is inevitable, therefore, that we would perceive that they will face their greatest risks outside the home.

Although this may or may not be true for us and our friends or for you and your friends, as social scientists, we can say that *in general*, the greatest risk for children is within the home. In fact, if there is one point about which all experts seemingly agree, it is that the risk of victimization and injury is far greater at home than on the most dangerous city streets (see Gelles & Straus, 1988).

Perhaps the best way to understand this point is by envisioning our fears about crime and **violence**. What do we fear? Whom do we fear? Parents may fear that their children will be snatched from their bedrooms or from a playground. Women may fear that strangers will jump from behind bushes and rape them at knifepoint. Since September 11, 2001, many Americans may fear that they will be victims of further terrorist attacks. People may deal with their fears in any number of ways—perhaps by installing home security systems, buying guns, carrying pepper spray, or storing gas masks.

Because acts of random crime do happen, we know that our fears are not completely unfounded. It is important to remember, however, that the overwhelming majority of child homicide victims are not snatched from their homes or stabbed in city parks. In fact, approximately 50% of all homicide victims under the age of 10 are killed by parents. This number jumps to 60% for children under the age of 6. If we expand the list to include family friends and acquaintances, the percentages grow even higher (U.S.DHHS, 2011; Friedman, Horwitz, & Resnick, 2005). Almost 1,800 children die annually as a result of abuse or neglect, a number that most experts agree is a significant *underestimate* (U.S. DHHS, 2011). To put these figures in perspective, it might be helpful to remember that

approximately 3,000 people died on September 11, 2001, in what is one of the saddest days in American history. More than half that many children are killed by family members *every year*.

We could expand the analogy, of course, to include less severe forms of violence. This is where the issue of risk would likely become most clear. In the end, the conclusion is the same: What we fear and what we *should* fear are not always the same things. Child maltreatment in the United States is, perhaps more than society cares to acknowledge, a problem that most typically occurs within the family.

Myth 2: Child Maltreatment Is an Increasingly Serious Problem

Given all that we read and hear today about the increasingly serious problem of child maltreatment in newspapers, on television news broadcasts, and in news magazines, along with the frightening statistics publicized by some organizations devoted to addressing child maltreatment, it is tempting to assume that the **prevalence** of child maltreatment has reached an all-time high and is getting worse.

Even a cursory look at the history summarized in this chapter, however, serves as a reminder to us that history has not always been kind to children. Compared with children in the past, today's children are probably exposed to far less neglect and mistreatment. Even if we look back to the recent past, we are reminded that the "good old-fashioned whippings" that our grandparents may have received when they were young would probably not be considered an acceptable form of discipline by most Americans today.

It is true that the 20th century saw dramatic increases in the reporting of child maltreatment, but these increases likely reflected changes in professional and legal responses more than anything else. Data from more recent years suggest that child maltreatment rates have been declining. **Substantiated** cases of child maltreatment reached their peak in 1996 and have declined steadily since (U.S. DHHS, 2011). The Fourth **National Incidence Study** on Child Abuse and Neglect (NIS-4), found no increase in child maltreatment rates during the past 20 years (Sedlak, Mettenburg, Basena, Petta, McPherson, Greene, & Li, 2010). Furthermore, victimization surveys consistently indicate that essentially all forms of childhood victimization have declined in recent years (Finkelhor & Jones, 2006).

Importantly, individuals and organizations devoted to addressing child maltreatment should not be threatened by the possibility that rates are declining. One does not have to be convinced that a problem is getting worse in order to be concerned about the problem.

Myth 3: Risk Factors Always Lead to Child Maltreatment

It is tempting to assume that correlates of child maltreatment always (or typically) lead to child maltreatment. That is, it is tempting to assume that correlates are the cause of child maltreatment. It is important to remember, however, that the presence of certain **risk factors** may increase the probability of child maltreatment, but risk factors alone do not explain child maltreatment.

Two examples may help illustrate this point. First, the link between child maltreatment and low socioeconomic status is largely unquestioned, but this empirical connection should be interpreted with a degree of caution for a couple of reasons: (1) People who are poor and lack other resources

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may be more likely than those who are better-off to come to the attention of police and social service agencies and therefore are more likely to be represented in official estimates and (2) even if we acknowledge the statistical viability of social class as a risk marker, the evidence does not suggest that *only* poor families are violent or that poor families are *always* violent.

Family history of abuse and violence is also a commonly recognized correlate of child maltreatment. Studies have consistently found that abusive adults have been exposed to significantly more childhood violence than nonabusive adults (Egeland, 1993). As with socioeconomic status, however, one must be careful not to over-interpret these data. A childhood history of abuse is neither a necessary nor a sufficient cause of adult violence. At best, the data suggest that individuals who were abused as children or who witnessed abuse in childhood are more likely to be abusive adults. They are not predetermined to be abusive adults. In fact, the majority of abused children do not grow up to be abusive adults (Widom, 1989b).

Myth 4: Sometimes Child Maltreatment Just Happens, and We Should Not Make Too Much of It

Some believe that family members can be expected to lose control from time to time and that parents sometimes need to blow off steam. They may rationalize that a father who hits his son is not really violent; he just had a bad day at work and lost his temper. Or they may rationalize that a mother was justified in her violence because her kids were really acting up. Some people believe that such actions are inevitable—even natural—and are hardly worthy of serious societal reaction.

The ludicrous nature of the "it just happens" justification becomes clear, however, when one recognizes that stranger violence is not so easily dismissed (Gelles & Straus, 1988). When one stranger assaults another, we do not allow the assailant to dismiss his actions as a momentary loss of control, a need to blow off steam, or a reaction to a bad day at work. Nor do we allow the assailant to blame the victim. We are appropriately intolerant of stranger violence. According to Gelles and Straus, family members hit family members because they can. That is, because society has generally accepted the "it just happens" justification, the social and legal costs attached to child maltreatment are very low.

Myth 5: Minor Acts of Child Maltreatment Are Always Trivial and Inconsequential

Although we should be careful not to equate minor acts of violence with severe violence (Perrin & Miller-Perrin, 2010), it is not true that minor violence is always trivial and inconsequential. The potential negative effects of minor violence within the family, including **corporal punishment**, have long been the subject of debate. Many experts believe, for example, that corporal punishment leads to aggression in children and, in later years, to adult violence (e.g., Gershoff, 2002; Straus, 2001). Others challenge the research associating corporal punishment with negative outcomes (e.g., Baumrind, Larzelere, & Cowan, 2002). As we discuss in more detail in Chapters 9 and 10, social scientists are increasingly willing to condemn the use of legitimate violence largely because of the belief that such violence sometimes spills over into other forms of violence both within and outside the family (Straus, 1994).

Our goal in this book is to provide readers with accurate, empirically based information on child maltreatment. After completing the final chapter, readers should have a good understanding of the many different issues associated with child maltreatment, including definitions and estimates of the problem, the physical and psychological consequences of child maltreatment, the various theories that have been developed to explain child maltreatment, and policy recommendations aimed at stopping child maltreatment.

We begin this first chapter by considering the important questions of how and when child maltreatment came to be recognized as a social problem and how child maltreatment is defined. It is important to recognize that child maltreatment has not always been recognized as a social problem. Sociologists typically examine social problem histories and contemporary definitions from a social constructionist perspective, which focuses on the important role of societal reactions in the discovery of social problems. We consider this in the pages that follow.

Children as Victims

How vulnerable are children? For a variety of reasons, which are discussed in more detail in Chapter 2, this is a very difficult question to answer. Measuring child maltreatment is inherently problematic, first of all, because there is little agreement among those who gather data as to exactly what constitutes child maltreatment. Even if there were definitional consensus, however, the fact remains that most child maltreatment occurs behind closed doors. It is often hidden, unnoticed, or ignored. The victims most typically cannot speak for themselves. Child maltreatment that does not come to the attention of authorities is obviously not reported in official estimates computed by Child Protective Services (CPS), the U.S. Department of Health and Human Services (U.S. DHHS), or the Federal Bureau of Investigation (FBI). When researchers try to address the question of the frequency of child maltreatment by using **self-report surveys**, the information they gather is inevitably incomplete. Parents might be unwilling to speak frankly about their own behavior toward their children, adult victims may not recall or remember the details of childhood abuse, and abused children may be afraid to discuss the details of their victimization. And the most prominent victimization survey, the National Crime Victimization Survey (NCVS), does not even interview children under the age of 12. Given these numerous problems, any statistics on child maltreatment should be interpreted with a degree of caution. There is simply no way we can know with certainty how much child maltreatment exists in our society.

We do know, however, that children are vulnerable to violence and maltreatment. Sociologist David Finkelhor begins his 2008 book, *Childhood Victimization,* with the following statement:

> Children are arguably the most criminally victimized people in society. They suffer high rates of all the same crimes that adults do, plus a load of offenses specific to their status as children, such as child maltreatment. They are beaten by family members, bullied and attacked by schoolmates and peers, abused and raped by dating partners, and targeted by sex offenders in both physical and virtual realms. Childhood is indeed a gauntlet. (p. 3)

As Finkelhor (2008) reminds us, even if we can exclude the specific categories of victimization unique to children, we can still make a strong empirical case for the above statement. According to the NCVS, for juveniles aged 12–17 years, rates for violent crime victimization (e.g., rape, robbery,

aggravated assault) are two to three times higher than for the population as a whole (Finkelhor, 2008). Although homicide rates for children are not quite as high as they are for young adults (aged 18–24 years), they tell us something troubling about the vulnerability of children. Approximately 1,800 children die annually in the United States as a result of abuse and neglect. The vast majority of these children (80%) are under the age of 4 (U.S. DHHS, 2011). Most vulnerable of all are children under the age of 1, who have a homicide rate three times higher than the population as a whole.

Of course, once we add less visible, more accepted, and often intrafamilial forms of child maltreatment into the mix, the vulnerability of children becomes that much more evident. Estimating the problem, however, is far from easy. Over three million referrals of physical and sexual maltreatment, neglect, and psychological maltreatment come to the attention of CPS agencies annually (U.S. DHHS, 2011). In 2010, only approximately 500,000 of these reports were substantiated on investigation (i.e., CPS determined that the alleged abuse had likely occurred). Of these substantiated cases, the most common form of maltreatment was neglect (78%), followed by physical maltreatment (18%), sexual maltreatment (10%), and psychological maltreatment (7%). It is difficult to know what to do with these numbers from the U.S. DHHS, however. These are **official statistics**—i.e., cases that come to the attention of CPS and other community authorities. Even for the most serious forms of child maltreatment, including childhood homicides related to maltreatment, official statistics underestimate incidence rates. For less severe forms of abuse, the underestimation is even more dramatic. Therefore, while these numbers may be helpful in tracking reporting trends and types of maltreatment that are reported, they are largely useless as a measure of child maltreatment prevalence in society.

So, we return once more to the question we have asked several times, but thus far have failed to answer: How common is child maltreatment? Gilbert and colleagues (Gilbert, Widom et al., 2009) review several self-report studies from high-income countries and conclude that in general, child maltreatment rates are more than ten times greater than official rates of substantiated maltreatment. They estimate that in the industrialized West, approximately 10% of children meet legal standards of physical abuse, 10% are neglected, 10% are psychologically abused, and 15% are exposed to some type of sexual abuse.

The Developmental Victimization Survey (DVS), a study of approximately 2,000 U.S. children ages 2–17 years, suggests that 72% of children experienced some form of victimization in the previous year (Finkelhor, Ormrod, Turner, & Hamby, 2005b). It is important to note that the survey instrument used in the Finkelhor study—the Juvenile Victimization Questionnaire (JVQ)—employs very broad definitions of victimization, including being bullied or teased at school, witnessing fights, and various property victimizations (e.g., household burglaries). Yet even if we limit our scope to parent or caregiver maltreatment, we find that 14% of children experienced at least one incident of physical, sexual, psychological, or neglectful maltreatment in the previous year. (See Note #1 for definitions used by Finkelhor et al., 2005b.) The researchers concluded that "the current study confirms the pervasive exposure of young people to violence, crime, maltreatment, and other forms of victimization as a routine part of ordinary childhood in the United States" (Finkelhor et al., 2005b, p. 18).

If we take a step back from these numbers, we begin to get a sense of the scope of the problem. *The Fourth National Incidence Study of Child Abuse and Neglect (NIS-4)*, which relies on CPS reports and other professionals who are likely to witness abuse, estimates that approximately 2% of children are victims of child maltreatment in any given year. Because the NIS-4 reports only

child maltreatment that comes to the attention of authorities, it dramatically underestimates annual incidence rates. The DVS, on the other hand, is a victim survey and estimates that closer to 15% of children are victims of child maltreatment in any given year (Finkelhor et al., 2005b). Even the DVS estimate of 15% in a given year, however, is likely an underestimate because information was obtained in direct phone interviews of older children (ages 10–17 years) and caregiver interviews for younger children (aged 2–9 years). Under these conditions, we would fully expect underreporting. Given these various considerations, the estimation from Gilbert and colleagues (Gilbert, Widom, Browne, Fergusson, Webb, & Janson, 2009) that maltreatment rates are roughly ten times higher than those reported in official statistics seems reasonable, leading to the conclusion that approximately 20% of children are victims of child maltreatment in any given year.

As social scientists and advocates, we argue that these statistics offer sufficient reason to study child maltreatment. Children are the most frequently victimized age cohort in society, and for this reason alone the topic is worthy of our attention. For those who remain insufficiently motivated, however, we offer a more practical rationale: Child maltreatment is a significant causal factor in a number of personal and societal problems that affect American society, and preventing child maltreatment may help alleviate some of these problems.

As we will see in the pages that follow, victims of child maltreatment are more likely to have psychological problems, more likely to be poor, more likely to be criminal, more likely to have drug and alcohol problems, more likely to abuse their own children and spouses, and more likely to be revictimized later in life (Currie & Widom, 2010; Gilbert, Widom et al., 2009; Widom, Czaja, & Dutton, 2008). Especially troubling is the link between child maltreatment and violent criminal behavior. Although many factors contribute to violence in society, research has shown family influence to be perhaps the single greatest determinant of an individual's level of violence outside the home. Children who are abused or who witness abuse are far more likely to engage in violence themselves, both as children and later in their lives. In a 4-year **longitudinal study** of 1,000 adolescents conducted by the Office of Juvenile Justice and Delinquency Prevention (1995), 38% of youths from nonviolent families reported that they had perpetrated some type of violence; in contrast, 78% of youths exposed to maltreatment, violence by parents, or a general family climate of hostility reported having perpetrated violent acts. Widom and Maxfield (2001) likewise found that, compared with matched controls, being abused or neglected as a child increased the likelihood of arrest as a juvenile by 59% and as an adult by 29%. Although the relationship between childhood victimization and subsequent perpetration is far from perfect, there is every reason to suspect that childhood victimization plays a profound role in producing the next generation of violent offenders (Quas, Bottoms, & Nunez, 2002). Indeed, the adage "violence begets violence," although no doubt overly simplistic, seems generally true. If we can reduce child maltreatment, we could presumably reduce any of a number of social problems.

Child Maltreatment Within Families

Although it is true that most often the family is a safe place of sustenance and care, it is equally true that most child maltreatment occurs within families. Annually, parents are the perpetrators in approximately 80% of the substantiated cases, with mothers the most likely perpetrators in physical abuse and neglect cases and fathers the most likely perpetrators in sexual abuse cases (U.S. DHHS, 2011).

Why does child maltreatment most typically occur within families? One reason is that societal norms permit family aggression and sometimes even encourage it. There is, of course, considerable debate about the appropriateness of different forms of family aggression, and these various viewpoints are addressed in subsequent chapters. However, varying opinions concerning the use of corporal punishment notwithstanding, there can be little doubt that the more a society accepts aggression within the family as appropriate or inevitable, the less likely aggression is to be sanctioned by society, and the more likely it is that serious violence will occur (Finkelhor, 2008).

Levesque (2001) asserts that this implicit acceptance of violence within families begins with an idealized notion of the family that offers families rights and protections that are sometimes undeserved. The apparent reasonableness of this notion serves to "justify what otherwise could be construed as violent, abusive, and worthy of intervention. Much violence remains hidden and justified in families viewed as precious" (p. 5). Levesque suggests that this image of the family includes several beliefs: (a) that parental rights supersede children's rights and that parents can and should have control over the development of their children; (b) that family members will act in the best interests of children, who are not capable of caring for themselves; (c) that families rooted in traditional cultures are strong families, even though some of their cultural customs justify child maltreatment; and (d) that families have the right to privacy and autonomy, even though this right often results in harm to vulnerable members (this assumed right may also indirectly result in society's reluctance to provide social service assistance).

How Social Conditions Become Social Problems

Presumably, few would question our assertion that child maltreatment is a serious social problem. Television and the print news media routinely report disturbing stories of child maltreatment. The academic community has included coverage of the topic in textbooks on social problems and deviant behavior, and colleges and universities are increasingly offering specific courses on child maltreatment. In the past 20 to 30 years, several new journals related to child maltreatment have appeared, including *Child Abuse & Neglect*; *Child Maltreatment*; *Child Welfare*; *Journal of Child Sexual Abuse*; *Journal of Interpersonal Violence*; *Aggression and Violent Behavior*; and *Trauma, Violence, & Abuse*. Articles reporting on child maltreatment research have also become increasingly common in mainstream journals in the fields of medicine, psychology, sociology, social work, law, and criminal justice. In addition, numerous social movement organizations and federal agencies are devoted to researching and preventing child maltreatment (see the appendix for a list of organizations addressing child maltreatment).

Concern about child maltreatment has also increased around the world, and several international treaties explicitly include children in their discussion of human rights. The United Nations Convention on the Rights of the Child (UNCRC), unanimously adopted by the General Assembly of the United Nations in 1989, addresses many cultural, social, economic, and political rights issues relevant to children. The UNCRC focuses on four guiding principles: (a) non-discrimination, (b) the best interest of the child, (c) the physical and emotional development of the child, and (d) consideration of children's opinions and views in matters that affect them. The UNCRC also explicitly acknowledges the rights of children within the family, declaring that children should be protected from "physical or mental violence, injury or abuse, neglect or negligent

treatment, [and] maltreatment or exploitation including sexual abuse while in the care of parent(s), legal guardian(s) or any other person who has the care of the child" (Levesque, 2001, p. 7). With the UNCRC, the United Nations has essentially rejected cultural relativism as a defense, declaring that all U.N. member countries must eliminate any cultural practices or customs that contribute to the abuse of children.

It is worth noting that the United States, which played an important role in drafting the Convention, is one of only two U.N. member states that have not ratified the UNCRC (Somalia is the other country). Why the reluctance on the part of the United States? Part of the reluctance comes from the fact that some of the more specific restrictions in the Convention (for example, prohibiting the execution of children) are still debated in the United States. Another complaint is that the treaty undermines the rights of parents. For example, spanking advocates are concerned about Article 19 ("Protection from all forms of violence"), which calls nations to commit to nonviolent discipline:

> In terms of discipline, the Convention does not specify what forms of punishment parents should use. However, any form of discipline involving violence is unacceptable. There are ways to discipline children that are effective in helping children learn about family and social expectations for their behaviour— ones that are non-violent, are appropriate to the child's level of development, and take the best interests of the child into consideration. In most countries, laws already define what sorts of punishments are considered excessive or abusive. It is up to each government to review these laws in light of the Convention. (United Nations General Assembly, 1989)

For supporters of the treaty, the reluctance of the United States to ratify the UNCRC is one of the many examples cited by human/child rights advocates critical of the U.S. record on such matters.

The point for us, at least at this moment in the discussion, is this: The problem of child maltreatment is an increasingly universal concern, occupying a very high position on the social agendas of the United States and many other nations. In historical perspective, however, this concern is a fairly recent phenomenon. Indeed, even a cursory look at human history reveals that child maltreatment was a social condition long before it was recognized as a social problem. When and how did child maltreatment come to be seen as a social problem?

According to many sociologists, social conditions become social problems through a process of **social constructionism** (Loseke, 2003; Perrin & Miller-Perrin, 2011; Spector & Kitsuse, 1977). From this perspective, *societal reactions* are central to the process through which a social condition is redefined as a social problem. Societal reactions can come from many sources: individual citizens, religious groups, social movement organizations, political interest groups, and the media, to name a few. Through their reactions to particular social conditions, individuals and institutions play a crucial role in transforming public perceptions.

A social condition becomes a social problem when various interest groups actively engage in the process of raising awareness about that condition. The term *claims making* has been applied to the activities of such groups; it refers to the "activities of individuals or groups making assertions of grievances or claims with respect to some putative condition" (Spector & Kitsuse, 1977, p. 75). Generally speaking, the process begins when the members of an interest group, or ***claims makers***, express concern about a particular condition that they see as unacceptable. Claims makers may have vested interests in the outcomes of their protests, or they may be *moral entrepreneurs* engaged in what they see as purely moral crusades (Becker, 1963).

As the cause of a particular claims-making group comes to be recognized by society more generally, the social condition comes to be defined as a social problem. Social problems, then, are essentially discovered through this process of societal reactions and social definition. From this perspective, social problems come and go as societal reactions to given conditions and responsive behaviors change.

The social constructionist perspective helps explain cross-cultural variations in definitions of child maltreatment. What is condemned as abuse in one culture is not always condemned in another. One widely discussed example of this is the Sambia of Papua New Guinea, who believe that the only way a boy can grow into manhood is by orally ingesting the semen of older boys and men. In other words, a boy becomes masculine, strong, and sexually attractive to women only by performing fellatio (Herdt, 1987). In the United States, such behavior is nonnormative and illegal, but for the Sambia, it is not. Perhaps in the future the Sambia might redefine this behavior as deviant, but for this social change to occur, claims makers would have to challenge the cultural practice. The practice will come to be perceived as a problem only if claims makers can succeed in redefining it as such.

The social constructionist perspective also helps illustrate how research is used in ongoing debates about social problems such as child maltreatment. Child maltreatment research is one of the most contentious areas of social science, and disagreements among scholars are often intense. Although one might hope that research findings could settle these debates, the reality is that the data that researchers collect are often interpreted differently by competing claims makers. Those on both sides in any given debate typically arm themselves with their own sets of empirical findings, which they espouse as the truth. From a social constructionist perspective, the nature of social problems and the facts about those problems are defined for the general public by the winners of such debates (Best, 2001).

The social constructionist perspective on social problems is important because it gives us a theoretical framework within which to understand the discovery, definition, and extent of child maltreatment in the United States and around the world. This perspective helps us understand what is recognized as a problem and how it came to be recognized as such.

It is important to recognize, however, what the perspective does not tell us. To conclude that a particular social problem is a social construction is merely to acknowledge that social problems, like all human knowledge, are "created through people's actions; everything we know is shaped by our language, culture, and society" (Best, 2001, p. 30). When we say that child maltreatment is a social construction, therefore, we are merely saying that the actions of people produced the concepts *child* and *maltreatment*. Unfortunately, some people may misunderstand, believing that to call child maltreatment a social construction is to suggest that it is false, fanciful, or arbitrary. No doubt there have been some fascinating examples of nonexistent (or nearly so) phenomena that have, to some degree, come to be seen as social problems.[2] But to assume that socially constructed problems are, by definition, not *really* problems or that people are not *really* harmed is to misunderstand the concept. A researcher who takes a social constructionist perspective merely acknowledges and examines the contributions of social processes to the creation of all knowledge.

Social constructionism, therefore, does not help social scientists distinguish what is real from what is unreal or what is right from what is wrong. This perspective should not be mistaken for

the extreme relativist perspective, which suggests that cultural norms supersede human rights. Indeed, just because a practice is culturally condoned does not make it right—a point the United Nations and other international claims-making organizations have emphasized increasingly in recent years (Levesque, 2001).

Discovering Child Maltreatment: The Historical Context

> *This history of childhood is a nightmare from which we have only recently begun to awaken. The further back in history one goes, the lower the level of child care, and the more likely children are to be killed, abandoned, beaten, terrorized, and sexually abused.*
>
> —deMause (1974, p. 1)

Discovering Childhood

According to Empey, Stafford, and Hay (1999), children have not always been valued and protected, and childhood has not always been seen as a special phase of life. They note that in previous times, children were "regarded more as small or inadequate versions of their parents than as sacred beings in need of special protection" (pp. 6–7). Contemporary conceptions of children and childhood—that children should be loved, nurtured, and protected from the cruel world—emerged only within the past 100 years. In many respects, therefore, childhood is itself a human creation, a social construction. Perhaps the most well-known treatise on the social construction of childhood is William Kessen's (1979) article, "The American Child and Other Cultural Inventions." Kessen's views, which he first shared in a 1978 address to the American Psychological Association, had a significant impact on the field of developmental psychology. Given that childhood is a cultural and historical construct, Kessen argued, the child is not a stable object of study, and developmental psychologists cannot treat childhood with scientific certainty.

Empey and associates (1999) identify three periods in the history of childhood: *indifference to childhood* (pre-15th century), *discovery of childhood* (15th to 18th centuries), and *preoccupation with childhood* (19th and 20th centuries). The harshness of life, high rates of disease, and the visibility of death all contributed to a general devaluation of life and of children's lives in particular. In addition, children were politically powerless, without independent status or rights; most societies thus regarded children as the property of their parents, who were allowed to treat their property as they saw fit. In some cases, parents probably viewed their children as economic liabilities—as little more than extra mouths to feed (Walker, Bonner, & Kaufman, 1988; Wolfe, 1991).

One illustration of the previous indifference to children as a group is found in the historical practice of infanticide, which some scholars maintain was the most frequent crime in all of Europe before modern times and remained a relatively common practice until about 1800 (Piers, 1978). Given modern-day conceptions of the importance of the parent-child bond, such widespread practice of infanticide[3] seems unbelievable; it also reminds us that this bond is, to some degree, culturally defined (see Box 1.2).

Box 1.2   High-Tech Feticide: Sex-Selective Abortions

Historians report that most human societies have practiced and condoned *infanticide* (the killing of one's infant, up to age 1) in one form or another. Prior to the 4th century, in Rome and Greece, infanticide was a legal and culturally approved solution to unwanted pregnancies. Children who were too big or too small, cried too much, had physical defects, were illegitimate, or were simply unwanted were often killed or abandoned. Female infanticide has been most commonly associated with patriarchal cultures, in which baby boys are prized because they are physically stronger and because only males can carry on the family name (deMause, 1974).

One way to estimate rates of infanticide is with sex ratios. Male-to-female ratios should be approximately 1:1. Certain human practices, however, can alter the ratios. Wars, for example, tend to produce low male-to-female ratios (because men are more likely to be killed), whereas infanticide tends to produce high male-to-female ratios (because females are more likely to be killed). By the Middle Ages, the practice of infanticide was no longer openly condoned, but with sex ratios of approximately 170 males for every 100 females in Europe in 1400 AD, it seems clear that it commonly existed. The practice continued there through the 19th century. In London, for example, dead babies lying on the streets were not uncommon as late as 1890 (deMause, 1974). In 19th-century China, male-to-female ratios were nearly 400:100 in some rural areas primarily dependent on farming (Ho, 1959).

In recent years, sex-selective *feticide*—killing a fetus—has become increasingly common. As medical technology has advanced and identification of the sex of an unborn child has become more reliable, parents have increasingly used feticide as a way to alter the gender balance of their family. In a tragic sign that patriarchy is alive and well around the world, it is overwhelmingly girl fetuses that are aborted. Two contemporary examples come to mind. In China, the cultural devaluation of females combined with a family planning policy that limits family size (commonly referred to as the *one-child policy*) has led to speculation of widespread sex-selective abortions. The one-child policy is hardly uniform across China as there are regional variations and numerous exceptions. Yet the demographic impact is impossible to deny. Because the Chinese policy often allows for a second child if the first child is a female, most of these selective abortions occur in second births. In a massive study of almost 5 million Chinese, Zhu, Lu, and Hesketh (2009) report ratios near normal of 108 males for every 100 females for first order births. For second order births, however, the imbalance increases to 143:100. In rural areas, the imbalance is especially dramatic and alarming, often more than 160:100. Whether the problem can be primarily blamed on culture or government policies is a matter of some debate. Regardless, it is a problem the Chinese government acknowledges and is attempting to rectify (Yardley, 2005).

Another contemporary example is India, where sex-selective abortions have been receiving worldwide attention in recent years. Male children are highly valued in India, partially because of the dowry that Indian families have historically paid when their female children are married. Rather than bringing another female into the world, parents are increasingly choosing to abort their female children. In the 1991 census, male births outnumbered female births 105:100. In 2001, the ratio had risen to 108:100, and in the 2011 census, the ratio had risen to 109:100 (Roy, 2011).

It is important to note that in both China and India, sex-selective abortions are illegal. However, the imbalanced sex ratios remind us that the practice likely remains very common.

Through the centuries, of course, the concept of childhood has evolved. The end result is that today children are more valued, more nurtured, and perceived to be more fragile than at any time in history. These changed conceptions have produced a variety of social policy changes; child labor laws, the creation of a juvenile court system, mandatory education requirements, and child protection laws. All, to some degree, reflect changes in the conception of childhood.

Discovering Child Maltreatment

In the 17th century, Protestant reformers in the New World had mixed perceptions of children, suggesting that children were valued gifts of God but also possessed wrong-doing hearts and were inclined to evil. The result was a preoccupation with both the need to nurture and protect children and the necessity to break them of their incorrigible nature (Empey et al., 1999; Rice, 1998). It was the Protestant reformers who enacted the first laws against child abuse. The Massachusetts Body of Liberties (1641) for example, prohibited parents from "any unnatural severitie [*sic*]" toward children (quoted in Pleck, 1987). However, because children were seen as innately inclined toward evil, the child protection laws were enforced only in those cases where the child was seen as completely blameless. The Body of Liberties, in fact, permitted the death sentence for any child over the age of 16 who had cursed at or struck a parent. According to Pleck (1987), there is no evidence that a child was ever executed for such insubordination, but the fact that the law existed illustrates the Puritans' intolerance of stubbornness and disobedience in children.

Many scholars trace the actual discovery of child abuse in the United States to the House of Refuge movement of the early 1800s. In large part a reaction to growing industrialization and urbanization, this movement was guided by the medieval principle of *parens patriae*—that is, the right and responsibility of the state to protect those who cannot protect themselves (Levesque, 2011). As a result of reforms brought about by the movement, children in the early to mid-1800s who were neglected, abused, or otherwise "on the road to ruin" were housed in one of the many state-supported institutions. The House of Refuge movement represents the government's first attempt to intervene in neglect and abuse cases (Empey et al., 1999).

Probably, the most famous early court case involving child abuse occurred in 1874. Church social worker Etta Wheeler discovered that 8-year-old Mary Ellen Wilson was being beaten and starved by her stepmother. After unsuccessfully seeking help to remedy the situation from several sources, Wheeler took the case to Henry Bergh, founder of the Society for the Prevention of Cruelty to Animals. Mary Ellen was, after all, a member of the animal kingdom. A courtroom full of concerned New Yorkers, many of them upper-class women, heard the shocking details of Mary Ellen's life. She had been beaten almost daily and had not been allowed to play with friends or to leave the house. She had an unhealed gash on the left side of her face, where her stepmother had struck her with a pair of scissors. The jury took only 20 minutes to find the stepmother guilty of assault and battery (Pleck, 1987; Shelman & Lazoritz, 2005).

The case of Mary Ellen attracted considerable attention, and the resulting public outcry eventually led to the founding of the Society for the Prevention of Cruelty to Children in 1874 (Pagelow, 1984). This organization, and the larger child-saving movement of which it was a part, advocated for dramatic changes in society's treatment of children. Increasingly, child protection advocates argued that children need to be loved and nurtured and that they need to be protected by the state when their parents fail to do so. They argued, in effect, that parents should not have complete authority over their children (Finkelhor, 1996).

As Finkelhor (1996) notes, two social changes that took place during the 20th century directly contributed to the success of the child-saving movement. First, a large group of specialized professionals—nurses, social workers, school teachers and counselors, legal advocates, and family counselors—took on the task of protecting children. Second, as women gained more freedom in their personal lives and more power in the workplace, they felt more empowered to advocate for children.

Largely as a result of the claims making of child advocacy groups, many state legislatures passed child protective statutes in the early 1900s, criminalizing parents' abusive and neglectful behavior and specifying procedures for meeting the needs of abused and neglected children (Pleck, 1987). Although there was considerable movement toward child protection during this time, sociolegal reactions to the problem of child abuse remained somewhat sporadic. For example, no laws existed to make the reporting of suspected child abuse mandatory for certain professionals, so most such abuse remained unacknowledged.

In Europe, the 19th-century French forensic physician Ambroise Tardieu led the child protection movement (Labbé, 2005). Tardieu's work focused on the poor working conditions of Europe's children and the emotional and physical effects of these conditions. He also conducted a large empirical study, arguably the first of its kind, on the physical signs of sexual abuse in children. Unfortunately, according to Labbé (2005), Tardieu's work had little impact on the French medical community, and child maltreatment remained a largely ignored social problem until well into the 21st century.

The full recognition of child abuse as a social problem was not complete until the 1960s, when Dr. C. Henry Kempe and his colleagues first described the *battered child syndrome* and suggested that physicians should report any observed cases of abuse (Kempe, Silverman, Steele, Droegemueller, & Silver, 1962). Kempe and colleagues (1962) defined child abuse as a clinical condition with diagnosable medical and physical symptoms resulting from deliberate physical assault. This work was important not simply because the researchers identified and defined child abuse—indeed, child abuse had been identified and defined before—but because it marked the addition of the considerable clout of the medical community to claims making about the child abuse problem. When medical doctors combined forces with other professionals and advocacy groups already fighting for child protection, the movement rapidly gained momentum. Before the end of the 1960s, every U.S. state had created laws mandating that professionals report suspected cases of abuse.

It is important to note that the histories of other forms of child maltreatment discussed in this book mirror the histories of childhood and child physical abuse discussed above. Needless to say, sexual abuse, neglect, and psychological maltreatment only came to be recognized as problems after children came to be seen as in need of special protections. Indeed, the child savers of the late 19th and early 20th centuries had every intention of saving children from all forms of child maltreatment. And the first comprehensive child maltreatment law in the United States, the 1974 Child Abuse Prevention and Treatment Act (CAPTA), explicitly recognized each of the forms of child maltreatment discussed in this book, stating that child abuse is "the physical or mental injury, sexual abuse or exploitation, [or] negligent treatment of a child under the age of eighteen" (Binggeli, Hart, & Brassard, 2001, p. 2).

Defining Child Maltreatment: Understanding the Social Construction-of-Deviance Definitions

Just as the claims-making process is an important part of the history and discovery of child maltreatment, it plays an important role in how child maltreatment is defined as well. Indeed, as Best (1989) notes, "claims-makers do more than simply draw attention to particular social conditions. Claims-makers shape our sense of just what the problem is" (p. xix). Because competing claims makers disagree on exactly what constitutes abuse, any given definition is rarely accepted as objectively correct. The debates are important, however, because the winner essentially earns the right to define child maltreatment.

We see this process very clearly in the ongoing dialogue about what types of behaviors do or do not constitute physical abuse. Take, for example, corporal punishment. At present, hitting a child for the purpose of correction is not considered a crime as long as the child is not injured. Many social scientists argue, however, that corporal punishment is a form of child maltreatment and should be banned (e.g., Gershoff, 2010; Straus, 2010). As noted above, The United Nations Convention on the Rights of the Child (UNCRC) also strongly urges nations to condemn spanking. If these voices are completely successful in their claims making, then spanking could be criminalized in the United States, as it is in 29 countries (Gershoff, 2010). Other formidable forces, of course, are also claims makers engaged in their own moral campaign to preserve corporal punishment. Many argue from a Judeo-Christian perspective that spanking is God-ordained and beneficial to children: "He who spares his rod hates his son, but he who loves him disciplines him diligently" (Proverbs 13:24, New American Standard Version). Culturally, spanking is accepted, with 75% of Americans agreeing or strongly agreeing with the statement "It is sometimes necessary to discipline a child with a good hard spanking" (Smith, Marsden, Hout, & Kim, 2011). Although this percentage is lower than it has been in past years (down from 84% in 1986), clearly, cultural norms continue to support the use of corporal punishment.

The historical indifference to childhood sexuality—what we today would call sexual abuse—provides another fascinating example. Throughout history, sexual interactions involving children have been commonplace. These interactions have often been seen as appropriate; in some cases, they have been believed to be healthy for children. In his disturbing review of the history of abuse of children, deMause (1974) notes that the children of ancient Greece, especially the boys, were often sexually exploited. Aristotle, for example, believed that masturbation of boys by adult males hastened their manhood. Greek authors made reference to "adults feeling the 'immature little tool' of boys" (deMause, 1974, p. 44). Although it is not clear how common these practices were, their matter-of-fact depiction in the literature and art of the time suggests that they were not widely condemned.

Despite the dramatic changes that have occurred since this time, it is important to recognize that there remains contemporary debate as to what does and does not constitute child sexual abuse. One extreme minority perspective is that of the North American Man/Boy Love Association (NAMBLA), an advocacy organization that opposes "age-of-consent laws and all other restrictions which deny men and boys the full enjoyment of their bodies and control over their own lives" (NAMBLA, 2011). NAMBA is a fringe and largely inconsequential organization with very few members—hardly worthy of a lengthy discussion here. NAMBLA's claims, furthermore, can be

easily dismissed. Sex with children is wrong. We can likely agree on this point. But at the same time, we must acknowledge that there is much left to be negotiated. What is a child? What is sexual? On these questions there is likely to be far less consensus. Importantly, definitions of these things are not divinely ordained. They are negotiated, debated, and argued about—that is, they are socially constructed.

Because definitions are negotiated by competing claims makers, there is inevitable ambiguity. This ambiguity presents several problems for those of us charged with the task of studying violence and controlling abuse in society. Police, judges, prosecutors, and CPS workers must have definitions with which to work. Researchers, likewise, must operationally define child maltreatment. Clearly, if we propose to write a book on child maltreatment, we must also attempt to define our subject matter.

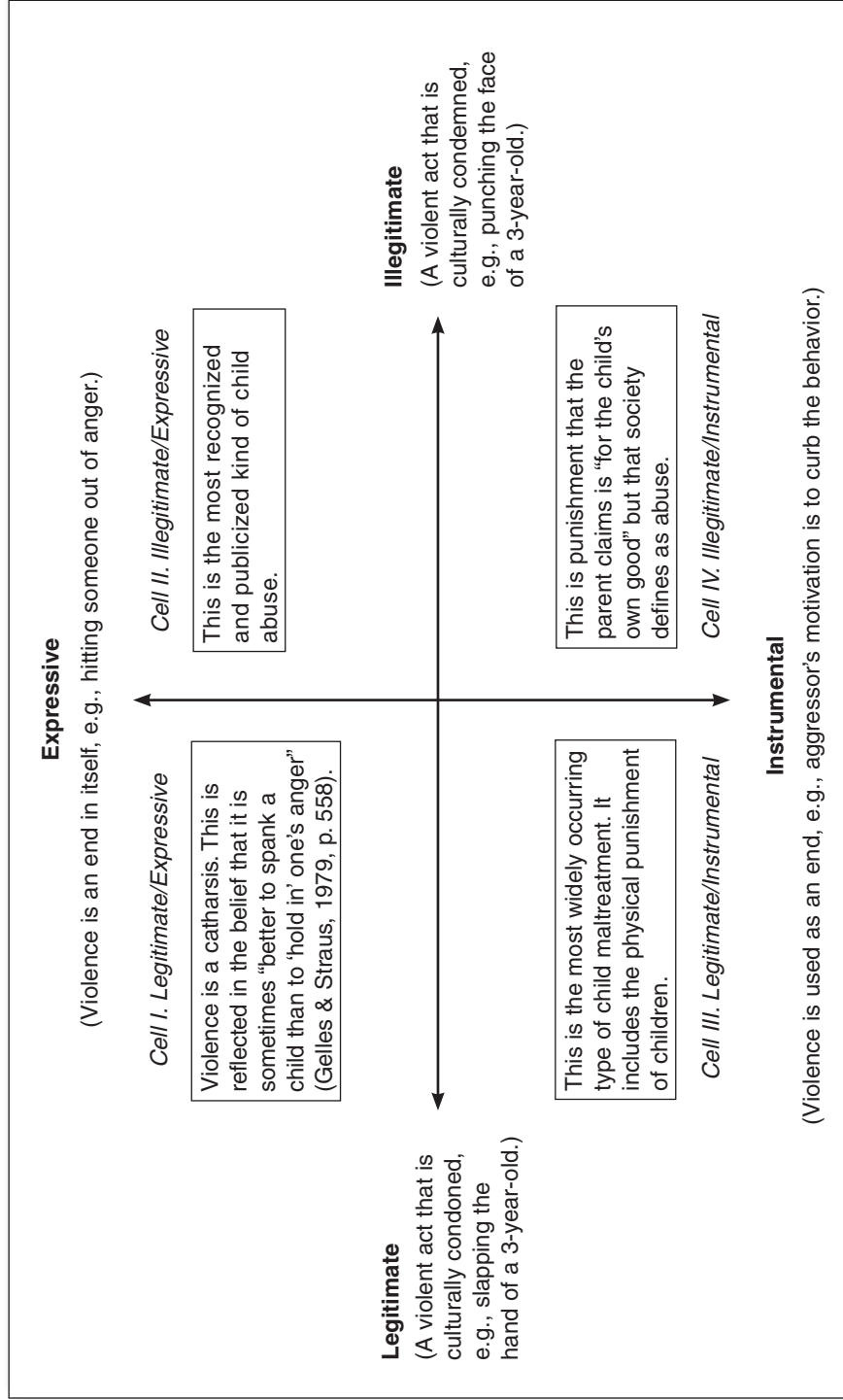## Parent-Child Violence: Four Conceptualizations

It quickly becomes obvious that defining and assessing specific forms of child maltreatment constitute one of the most extensive and controversial areas of inquiry in the study of family violence (see Hamberger, 1994). One reasonable starting point in defining child maltreatment is with the word *violence*: "an act carried out with the intention of, or an act perceived as having the intention of, physically hurting another person" (Steinmetz, 1987, p. 729). To further illuminate the matter, Gelles and Straus (1979) proposed that family violence can be conceptualized along two continuums (see Figure 1.1). The *legitimate-illegitimate* continuum represents the degree to which social norms legitimize violence. Legitimate violence is an act that is culturally condoned (e.g., slapping the hand of a 3-year-old), whereas illegitimate violence is condemned (e.g., punching the face of a 3-year-old). The *instrumental-expressive* continuum represents the degree to which violence is used as a means to an end (instrumental), as opposed to an end in itself (expressive). Instrumental violence is an attempt to "induce another person to carry out or refrain from an act" (Gelles & Straus, 1979, p. 557). Expressive violence is essentially hitting someone out of anger and has no utilitarian value, except perhaps as a catharsis for the aggressor.

These two separate continuums create four distinct categories of violence. These four categories are reflected in the words of a young mother, who shares her views of discipline with family violence researcher Suzanne Steinmetz (1987):

> I've heard that you shouldn't spank when you're angry, but I can't agree with that because I think that's the time you should spank; before you have a chance to completely cool off, too. I think that the spanking helps the mother or dad as well as impresses the child that they did something wrong, and when they do something bad, they are going to be physically punished for it. You don't hit them with a stick or a belt, or a hairbrush, but a good back of the hand. . . . They remember it. (p. 729)

Think about what this mother is saying. She spanks her child, at least in part, because it is a catharsis—it helps her get the frustration out of her system (a presumably legitimate act, with an expressive motivation). She also spanks because she wants to impress on the child that he has done something wrong (an instrumental motivation). This mother also indicates where she draws the line between legitimacy and illegitimacy, stating that some behaviors (spanking with a stick, belt, or hairbrush) are not acceptable (Steinmetz, 1987).

Figure 1.1 Four Types of Parent-Child Violence

Expressive
(Violence is an end in itself, e.g., hitting someone out of anger.)

Legitimate
(A violent act that is culturally condoned, e.g., slapping the hand of a 3-year-old.)

Illegitimate
(A violent act that is culturally condemned, e.g., punching the face of a 3-year-old.)

Cell I. Legitimate/Expressive

Violence is a catharsis. This is reflected in the belief that it is sometimes "better to spank a child than to 'hold in' one's anger" (Gelles & Straus, 1979, p. 558).

Cell II. Illegitimate/Expressive

This is the most recognized and publicized kind of child abuse.

Cell III. Legitimate/Instrumental

This is the most widely occurring type of child maltreatment. It includes the physical punishment of children.

Cell IV. Illegitimate/Instrumental

This is punishment that the parent claims is "for the child's own good" but that society defines as abuse.

Instrumental
(Violence is used as an end, e.g., aggressor's motivation is to curb the behavior.)

A Definitional Starting Point

Figure 1.1 illustrates the definitional issues specific to child physical abuse. We could probably construct similar tables for other forms of maltreatment discussed in this book, but that would belabor the point. More importantly, it would get us no closer to defining our subject matter. In the end, we must have definitions. We therefore conclude this section with definitions of child maltreatment. Our discussion below will be brief and general, as these definitions will be examined in more detail in subsequent chapters.

In Box 1.3, we summarize the work of the Center for Disease Control and Prevention (CDC), which in its 2008 report, *Child Maltreatment Surveillance: Uniform Definitions for Public Health and Recommended Data Elements*, has taken on the difficult task of creating uniform definitions of maltreatment. Central to the CDC report is the notion that definitional ambiguity hampers prevention efforts (Leeb, Paulozzi, Melanson, Simon, & Arias, 2008).

Box 1.3   Center for Disease Control and Prevention Definitions of Child Maltreatment

Physical Abuse: the intentional use of physical force against a child that results in, or has the potential to result in, physical injury

Sexual Abuse: any completed or attempted (non-completed) sexual act, sexual contact with, or exploitation of (i.e., noncontact sexual interaction) a child by a caregiver

Psychological Abuse: intentional caregiver behavior (i.e., act of commission) that conveys to a child that he/she is worthless, flawed, unloved, unwanted, endangered, or valued only in meeting another's needs. Psychologically abusive behaviors may include blaming, belittling, degrading, intimidating, terrorizing, isolating, restraining, confining, corrupting, exploiting, spurning, or otherwise behaving in a manner that is harmful, potentially harmful, or insensitive to the child's developmental needs or can potentially damage the child psychologically or emotionally.

Neglect: failure by a caregiver to meet a child's basic physical, emotional, medical/dental, or educational needs, or any combination thereof

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Readers who wish to examine these details should consult the report (Leeb et al., 2008, p. 11).

The CDC report begins with the 1974 Child Abuse Prevention and Treatment Act (CAPTA), which defines child maltreatment as "any recent act or failure to act on the part of a parent or caretaker which results in death, serious physical or emotional harm, sexual abuse or exploitation; or an act or failure to act which presents an imminent risk of serious harm" (U.S. DHHS, 2011, p. vii). There are three acts of commission (physical abuse, sexual abuse, psychological abuse) and one act of omission (neglect) defined in the report. These are also the four main forms of child maltreatment discussed in this book.

Legal Definitions of Child Maltreatment

While the Federal Government establishes minimum standards for definitions of child maltreatment, all 50 states write their own laws using these federal guidelines. Since state laws vary, it is not feasible to discuss specific statutes here. Some discernible patterns, however, do appear. The laws on physical abuse, neglect, and psychological abuse tend to focus on injury outcomes and, as a result, are difficult to define clearly. In many ways, the definitional issues surrounding child neglect and psychological maltreatment are the most ambiguous of all. As with physical violence, definitions focus on harm done to the child (i.e., injury outcomes), yet with neglect and psychological abuse, the harm is rarely externally visible. As a result, the distinction between the legitimate and illegitimate forms of verbal punishment, for example, is far from clear.

In general, child sexual abuse laws tend to focus on perpetrator actions, which results in far less ambiguity concerning the legitimate-illegitimate distinction than with other forms of child maltreatment. Laws on sex abuse tend to include considerable detail about a variety of specific acts deemed illegal by the state.

The Co-occurrence of Multiple Forms of Victimization

One of the unfortunate results of dividing the field into four distinct forms of child maltreatment is that it contributes to the assumption that the topic can and should be compartmentalized. Professionals rarely approach the issue of child maltreatment from either a comparative or an integrative perspective. In comparison with the vast amount of literature that has accumulated within each of the subfields of child maltreatment, relatively little has been written about the interrelationships among various forms of family violence in general and child maltreatment in particular (Finkelhor, 2008).

In reality, of course, there is considerable overlap among various forms of family violence, so it is somewhat artificial and unnatural to continue to treat individual forms as separate problems. Some researchers have examined the co-occurrence of different forms of family violence within individual families, and some links are well established. Parents who are physically violent toward each other, for example, are also likely to be physically and sexually abusive toward their children, as well as neglectful (e.g., Hartley, 2002; Osofsky, 2003). Research on spousal violence suggests that 45% to 70% of children in violent homes are also themselves abused (McKay, 1994).

Both maltreated children and adults who report histories of child maltreatment are likely to suffer from multiple forms of abuse, including various combinations of physical, sexual, and psychological abuse and neglect (Higgins & McCabe, 2001; Hulme & Agrawal, 2004; Saunders, 2003; Stevens, Ruggiero, Kilpatrick, Resnick, & Saunders, 2005). Higgins and McCabe (2001), for example, have generally found a high degree of overlap between physical abuse and psychological maltreatment as well as between physical abuse and sexual abuse. Findings from the National Survey of Adolescents, which used a national probability sample, indicated that of the 831 adolescents sampled, approximately 17% were multiply victimized, experiencing both sexual and physical assault (Stevens et al., 2005).

Increasingly, experts within the field of child maltreatment are recognizing the importance of examining the co-occurrence of different types of family violence and child maltreatment. The Centers for Disease Control and Prevention (CDC), for example, is committed to integrating efforts to prevent violence by seeking to understand the commonalities across various forms of

child maltreatment and family violence in terms of both causal factors and outcomes (Hammond, Whitaker, Lutzker, Mercy, & Chin, 2006; Whitaker, Lutzker, & Shelley, 2005). Indeed, the CDC also supports the Linkages Project, which is a research program designed to examine the relationships between various types of youth violence, including dating violence, peer violence, suicide, and family violence. The project examines the co-occurrence of these types of youth violence by focusing on factors associated with victimization, perpetration, and risk and protection (Hammond et al., 2006).

Child Welfare: Policy, Practice, and Prevention Issues

Because societal recognition of child maltreatment has grown over time, it is impossible to pinpoint exactly when this issue attained the status of a social problem. One could reasonably argue that, despite growing awareness between the mid-1800s and the mid-1900s, child maltreatment was not recognized as a full-fledged problem until the 1960s. With this recognition came the connected belief that society must intervene to protect children and prevent child maltreatment. Any history of the discovery of child maltreatment, therefore, should conclude with an introduction to the numerous policies and practices introduced in recent years to help prevent child maltreatment.

It is important to recognize at the outset that there is "no single entity called the child welfare system" (Levesque, 2011, p. 48). Federal law requires that states protect children and establishes child protection guidelines but leaves it up to the states to establish the specifics of their child welfare system. According to Levesque (2011), three federal statutes dictate this response. The first is the 1974 Child Abuse and Prevention Treatment Act (CAPTA), which requires that states implement **mandatory reporting laws**, appoint guardians ad litem (court appointed child advocates in court cases), and ensure confidentiality. CAPTA also defines child maltreatment (discussed above), thereby establishing minimum standards for state definitions. The second important piece of legislation is the 1980 Adoption Assistant and Child Welfare Act (sometimes referred to as the *Child Welfare Act*), which dictates that families should be preserved whenever possible. Finally, the 1997 Adoption and Safe Families Act (ASFA) mandates that states decrease their reliance on foster care and seek a permanent solution for maltreated children. AFSA specifies a timeline "when children must be reunited with their families, permanently placed with relatives, or placed for adoption" (Levesque, 2011, p. 49).

Child welfare policy is confronted with a variety of tensions. The first concerns the relative importance of **primary prevention** versus intervention. Primary prevention refers to efforts designed to prevent child maltreatment from occurring in the first place. Intervention refers to societal responses to child maltreatment after it occurs; such responses include programs to identify and protect victims and various treatment options for offenders and victims. There is also tension surrounding the competing philosophies: punishing offenders (a deterrence/justice approach) and protecting victims on one hand versus providing social support and treatment for offenders and needy families. Should society focus on protecting victims and punishing offenders or on providing treatment and services for needy families? The justice and protection response is reflected in a number of "get tough" policies—mandatory reporting laws, increased criminal sanctions, **community notification laws** (e.g., Megan's Law)—that have been implemented to identify abuse, protect victims, and punish perpetrators. Yet these programs often conflict with a societal

commitment to helping abusers and preserving families. For example, the debate about **family preservation** inevitably pits those who believe families can be preserved if needy (and abusive) families are offered services (Wexler, 2005) versus those who argue that child protection should supersede parental rights (Gelles, 2005).

History helps put the current issues in social policy debates in context. Once child maltreatment became fully recognized in the 1960s and 1970s, the most immediate and urgent concerns of authorities were the identification and protection of abuse victims and the punishment of offenders. Given the prior history of indifference toward child maltreatment, this policy emphasis on protection and justice seems reasonable. However, this response has often come at the expense of a societal commitment to primary prevention and efforts to help abusive families. With resources committed to identifying and investigating maltreatment, little is left for the support and services needed by vulnerable families. Nowhere is the tension felt more acutely than by CPS, which must continually work to reach a balance between these sometimes-competing goals (see Box 1.4).

Box 1.4   The Role of Child Protective Services (CPS)

Federal and state laws provide for the protection of children who are at risk for child abuse or neglect. Responsibility of child protection typically falls on the State Department of Social Services, variously referred to as the Department of Public Welfare, the Department of Human Resources, or the Department of Human Services. Regardless of the label, in most states, the Department of Social Services includes a division responsible for the protection of children, often referred to as Child Protective Services or CPS. When a child is identified as in need of protection by CPS, that protection may be implemented on either a voluntary or involuntary basis and may result in a child's remaining at home or being placed in some type of out-of-home care.

The U.S. Department of Health and Human Services (U.S. DHHS, 2011) distinguishes two roles for CPS: providing *preventive services*, which are designed to increase parental competence in child rearing and understanding of child development, and providing *postresponse services* (also called *post-investigation services*), which are designed to address child safety through the assessment of families' strengths, weaknesses, and needs. Preventive services generally include day care or respite care, counseling for children and parents, parenting education, home visitor services, homemaker help, transportation, and self-help or volunteer programs such as Big Brothers/Big Sisters, Parents Anonymous, and Parents United (Daro, 1988; U.S. DHHS, 2011; Wells, 1994). Postresponse services include individual and family counseling and in-home services in addition to foster care and court services (U.S. DHHS, 2011).

In recent years, CPS agencies across the United States have come under fire because of public perceptions that they are unable to provide adequate protection and services for children who have been reported as victims of maltreatment. According to the authors of one review of services for victims, "services to maltreated children and their families are increasingly nonexistent, inaccessible, or inappropriate" (Faver, Crawford, & Combs-Orme, 1999, p. 89).

Family Support and Training Programs

A teenager cannot legally drive an automobile without first receiving appropriate training and passing a test to obtain a license, but the same teenager can become a parent without any interference from the state. No doubt it has to be this way, but the fact remains that many who assume the role of parent are not adequately prepared to do so. In recent years, family support and training programs have become a common part of community efforts to enhance the knowledge and competence of new parents. Although these programs vary, many involve home visits with at-risk (i.e., poor, single, young) parents of newborns or expectant mothers (see Chapters 3 and 5 for family support and training programs). These contacts give the service providers opportunities to evaluate the home setting and to work with the parents in a safe, nonconfrontational environment. Such programs provide at-risk families with networks of support in hopes of preventing the social isolation that often contributes to abuse. The goals of such primary prevention programs typically include increasing parents' knowledge about child development, child management (including nonviolent approaches to child discipline), positive family functioning, and triggers of abuse (National Clearinghouse on Child Abuse and Neglect, 1998b). Sometimes programs also provide parents with help and advice on physical and mental health, job training, and treatment for drug and alcohol problems (Godenzi & De Puy, 2001).

School-Based Programs

School-based programs have obvious appeal because they are an inexpensive way to reach many children, teens, and college students. The most common programs target school-age children (aged 6–12 years) and emphasize primary prevention and detection of sexual abuse (Reppucci, Land, & Haugaard, 1998). Schools can also be suitable places for teaching young children about marital violence and for identifying children exposed to marital violence (Wolfe & Jaffe, 1999). (See Chapter 4 for a full discussion of school-based programs.)

Community Awareness Campaigns

One of the easiest and most cost-efficient child maltreatment prevention techniques is public education through advertisements and public service announcements. Many of the social movement organizations and federal agencies devoted to the child maltreatment problem see themselves, at least in part, as public educators. In the United States, for example, ACT (Adults and Children Together) Against Violence is a media campaign and training program designed to help adults handle anger and learn the skills necessary to teach young children nonviolent ways to resolve conflicts and deal with frustration. ACT attempts to impress on adults their important role in helping young children grow and learn in a positive, nonviolent environment. A similar program in Canada, the "Violence: You Can Make a Difference" campaign, uses the media to raise awareness about both child maltreatment and marital violence, provides tips on anger management, and provides information for abuse victims (Godenzi & De Puy, 2001).

Justice and Protection

The **deterrence model** assumes that the best way to prevent child maltreatment is to commit resources to police and CPS efforts to identify and apprehend offenders and impose harsher penalties for those convicted of child maltreatment. Harsh sanctions could be justified as both

intervention and prevention. When an offender is caught and punished, he or she is presumably less likely to commit the act again. This intervention effect is referred to as a *specific deterrent.* Harsh sanctions also have a more general effect on public perceptions. Perceptions that child maltreatment is costly should result in a decrease in the behavior. A society that harshly punishes child offenders should produce fewer child offenders. This is referred to as a *general deterrent* and is the ultimate justification for harsh penalties as a prevention strategy.

It is certainly reasonable to argue that, at least historically, criminal sanctions have been the exception rather than the rule. Many factors—family privacy norms, cultural tolerance of family violence, or the powerlessness of the victims—have contributed to the inconsistent response of the criminal justice system. Several policy changes in the past 40 years, however, have effectively increased the costs of child maltreatment. For example, every U.S. state now has laws mandating that professionals report cases of suspected child abuse. Initially, these mandatory reporting laws focused only on medical personnel, but the list of professionals required to report has grown in recent years, as has the list of abusive behaviors they must report. Today, doctors, nurses, social workers, mental health professionals, and teachers and other school staff are required to report any suspected physical, sexual, or emotional child abuse. Although mandatory reporting laws have indeed led to an increase in child maltreatment reports, they are not without their critics (see Chapter 9).

Another justice and protection issue that has attracted considerable attention in recent years is community notification laws. The death of Megan Kanka in New Jersey in 1994 led to a variety of laws designed to protect families from convicted sex offenders who have been released from prison. Megan was killed by a child molester who had moved across the street from Kanka's New Jersey home. Angered that they had been uninformed, Megan's parents lobbied the federal government to pass a law that would require states to publicize the whereabouts of sex offenders. Their efforts paid off in 1996 with the establishment of "Megan's Law," which requires all states to track the whereabouts of sex offenders and to make the information available to the general public. Community notification laws are very controversial (see Chapter 9), in large part because of questions about whether the laws violate constitutional protections guaranteed to released felons.

Treating Offenders and Victims

Increasing the legal costs that offenders incur should lead to lower rates of violence. Yet what if perpetrators are not acting rationally? What if they have a psychological disorder and need treatment for their deviance?

The interest in treatment is part of a more general trend toward *medicalization*, in which deviant behaviors that have historically been defined as *sinful* or *bad* and requiring punishment have been redefined as *sickness* or *disease*, requiring treatment (Conrad & Schneider, 1992). This trend has been the source of some controversy because, taken to its extreme, medicalization suggests that the perpetrators of violence have little or no control over their behavior. How can offenders be punished for behavior over which they have no control? Most of the people who advocate for treatment, however, do not take the illness assumptions quite this far. In fact, it is very common for advocates to argue that child maltreatment perpetrators should be both punished and treated. The punishment communicates that violence will not be tolerated, and the treatment helps the perpetrators recognize why they are prone to violence.

There are numerous treatment responses for violent families and individuals, and many of these treatments are discussed in detail in subsequent chapters.

Coordinated Community Responses

Many communities have attempted to coordinate the implementation of a number of kinds of prevention and intervention strategies. Such a coordinated community response to child abuse prevention, for example, might include educational campaigns to raise awareness, in-home visitations of at-risk and marginally abusive families, school-based education on sex abuse, and treatment programs for victims and offenders. A truly community-wide effort of this magnitude would involve doctors, nurses, social workers, police, lawyers, judges, and others in the community willing to take an active role.

Summary

Our intent in this chapter, in part, is to impress on the reader the significance and prevalence of child maltreatment in U.S. society. The United States is one of the most violent industrialized countries in the world, and an unacceptably high proportion of this violence is directed toward children.

It is important to understand the history of child maltreatment as a social problem and the role of claims making in defining social conditions as social problems. History is filled with accounts of the mistreatment of children. The mistreatment of children began to receive serious attention during the child-saving movement of the mid- to late 1800s, and the research community essentially ignored the issue until the 1960s. The claims-making process is also important in the construction of definitions of deviance. Definitions of child maltreatment are subjective to some degree and always evolving. Words such as *abuse*, *assault*, *maltreatment*, and *violence* are commonly used in discussions of child maltreatment, but there is sometimes little agreement on exactly what these words mean. Their meanings are negotiated by claims makers, and the winners in these negotiations earn the right to define particular behaviors and estimate their prevalence. Definitions, however, are a crucial part of any research or social policy endeavor. Social scientific progress in the field of child maltreatment depends to some extent on a shared understanding of what constitutes child maltreatment.

Any history of the recognition of child maltreatment as a social problem is incomplete without a consideration of the prevention and intervention strategies that have been introduced to address this problem. *Prevention efforts* are attempts to keep child maltreatment from occurring in the first place, whereas *intervention strategies* are responses to child maltreatment after it occurs. To date, U.S. social policies have tended to emphasize intervention rather than prevention, and many of the intervention strategies have focused on protecting victims and deterring perpetrators from committing further violence.

Goals of the Book

We have many reasons for writing this book. First, we want to summarize the available research on the topic of child maltreatment so that our readers will gain substantive knowledge. In the process, we also want to challenge many common myths about child maltreatment (see Box 1.1). Second, we want to foster an understanding of the magnitude of the problem and the devastation it causes (see

Box 1.5). Finally, we hope that our book will help alleviate the problem of child maltreatment by providing practical information on prevention and policy and by motivating people to get involved. We trust that by providing numerous sources of information, we will help give students, researchers, social workers, psychologists, policy makers, and advocates who have an interest in child maltreatment a better foundation for their work. Just as we have felt compelled to write this book, we anticipate generating interest and concern among our readers. We hope that readers will find this exploration of the field of child maltreatment to be stimulating and worthwhile.

Box 1.5   Personalizing Research

Academic discussions of social problems have a way of depersonalizing those problems. Social scientists are trained to be scientific and to approach any given topic with a degree of objectivity. As a result, as you read this book, you may find it easy to distance yourself from the words on the page, to think of the victims and perpetrators discussed as mere statistics or participants in research studies. It is important to remember, however, that behind every research finding and every generalization there are real people. In reading the following chapters, don't forget that child maltreatment affects real victims.

The media accounts at the opening of this chapter serve as reminders of the human tragedy of child maltreatment. Each of these stories was unique enough or horrific enough to make headlines in the national press. There are, of course, thousands and thousands of other stories that never attract media attention. Behind each of these stories, there is sadness. In our own work, we often encounter terrible stories. Consider the case of Markus, a cute and precocious 7-year-old boy who went to live with his father and stepmother in 1990, after his biological mother abandoned him. Markus's father asked that the boy be admitted to the inpatient psychiatric unit of a local hospital because he and his wife were unable to keep him from running away from their home in the middle of the night. Markus's father admitted that they had sometimes resorted to shackling Markus to his bed so he would not run away. His stepmother also revealed that she and her husband had never really wanted Markus to move into their home but that they had to take him because his biological mother had rejected him. Young Markus had now been rejected by his mother, father, and stepmother. Imagine being 7 years old and facing the realization that your mother and father neither love you nor want you. No wonder he wanted to run away.

Markus's story never made the newspapers, and few people know of his struggles. We knew about Markus only because of our personal contact with him. We sometimes wonder what became of Markus. He came in and out of our lives, and we moved on to other matters. But for Markus, it was likely not so easy to move on. He would be about 30 now—a grown man. We can only hope and pray that he survived and made a life for himself. But even if Markus's life now includes success and happiness, we must acknowledge that the impact of his childhood experiences will be with him forever. Does one ever recover from parental rejection?

Discussion Questions

1. Why do you think families are violent?

2. It is often said that children in the United States are in more danger at home than on the streets of the most violent cities. How can this be so?

3. We assert that childhood is a creation of modernization and that children are more valued today than at any time in history. Is this is a defensible claim?

4. What are some of the advantages and disadvantages of conceptualizing child maltreatment as a social construction?

5. What claims making have you heard about child maltreatment?

6. How is child maltreatment defined? Who defines child maltreatment? Why is it important to examine the influence of claims making on definitions of social problems?

7. The definition of violence in this chapter is so broad that it includes culturally condoned child-rearing practices such as corporal punishment. Do you think it is reasonable to call spanking a violent act?

8. In your opinion, should policy focus on punishing abusive parents in the criminal courts or providing treatment and social support for abusive parents?

9. Do you have any perceptions about child maltreatment that have been challenged by anything you have read in this opening chapter?

Notes

1. *Physical assault*: "An adult in [the] child's life hit, beat, kicked, or physically abused [the] child in any way." *Sexual assault by known adult*: "An adult the child knows touched [the] child's private parts, made [the] child touch the adult's private parts, or forced [the] child to have sex." *Psychological or emotional abuse*: "An adult made [the] child [feel] scared or feel really bad by name calling, saying mean things, or saying they didn't want [the] child." *Neglect*: Adults in [the] child's life did not take care of [the] child the way they should (for example, by not getting [the] child enough food, not taking [the] child to doctor when sick, [or] not making sure [the] child had a safe place to stay)." (Finkelhor, Ormrod, Turner, & Hamby, 2005b, p. 23)

2. An example of this is the Satanism scare, which is discussed in Chapter 9. At the peak of the scare, claims makers argued—with some limited success—that Satanists had infiltrated the highest levels of government, had abused hundreds of thousands of children, and had sacrificed infants and virgins. Claims of a widespread satanic conspiracy even made it into mainstream journals. Most contemporary observers maintain, however, that the evils attributed to Satanism were largely imagined. That is, Satanism was just a social construction.

3. Some make a distinction between feticide (killing of a fetus), neonaticide (killing within 24 hours of delivery), infanticide (parental killing of an infant up to 1 year old), and filicide (the killing of one's child aged 1 to 18 years) (Palermo, 2002). For the sake of parsimony, we will use the word infanticide in this section but acknowledge that some of what we discuss could be more accurately described as either neonaticide or feticide.

Recommended Resources

Best, J. (2001). *Damned lies and statistics: Untangling numbers from the media, politicians, and activists.* Berkeley: University of California Press.

Daro, D., & Donnelly, A. C. (2002). Charting the waves of prevention: Two steps forward, one step back. *Child Abuse & Neglect, 26,* 731–742.

Gelles, R. J., & Straus, M. A. (1988). *Intimate violence.* New York, NY: Simon & Schuster.

Gilbert, R., Kemp, A., Thoburn, J., Sidebotham, P., Radford, L., Glaser, D., & MacMillan, H. L. (2009). Recognising and responding to child maltreatment. *Lancet, 373,* 167–80.

Finkelhor, D. (2008). *Childhood victimization: Violence, crime, and abuse in the lives of young people.* New York, NY: Oxford University Press.

Melton, G. B. (2002). Chronic neglect of family violence: More than a decade of reports to guide U.S. policy. *Child Abuse & Neglect, 26,* 569–586.