

MORAL PANIC AND SEXUAL OFFENSES AGAINST CHILDREN

Anthony Thomson
Department of Sociology
Acadia University

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Introduction

It had all the appearances of a conventional sentencing hearing. The accused sat quietly in the front row of the Middleton Court House with his wife beside him, arm in arm. She gave him one last hug after the judge pronounced sentence: five years in a federal institution. Among the small group attending the hearing were two young teenagers, the daughters of the accused. When the judge handed down the sentence, they burst into tears and ran from the room.

The response was not uncommon. Only recently has the criminal justice system become concerned with some of the other victims of criminal prosecutions, the families of the convicts: Marriages are further strained and broken; children face greater risks of becoming wards of the court; families are forced more permanently onto the welfare rolls of the County.

While all of this was true in the Middleton case, it was the nature of the offense which made the scene bizarre. The man had plead guilty to multiple counts of incest with the two daughters. The daughters were the victims and, as the complainants, had brought the crimes to public notice. The sentence was intended to represent the revulsion of society for the wrong they had suffered. But the response of the victims revealed more complex undercurrents which the Court process had not acknowledged.

I had initially begun my study of the abuse of children in the Annapolis Valley of Nova Scotia highly critical of the criminal justice model which operated with implicit class biases and appeared to cause further victimization, of the victims themselves, their families, and even the offenders who were, in many cases, being sentenced to unofficially sanctioned abuse at the hands of other prisoners. It was these points which emerged so pointedly in the Middleton incest case.

Child sexual abuse is a very complex and --rightfully so-- a powerfully emotional issue. The focusing of public attention on this manifestation of patriarchal violence is the initial most significant step in the process of social transformation which will substantially reduce such victimization. But just as the roots of such abuse are buried deeply in the social and familial past as well as in the structures and practices of the present, so also is it important to recognize the contradictions and ambiguities of the social response to child sexual abuse. This paper deals with aspects of this re-discovery of child sexual abuse. Placed in the context of wider social phenomena, sexual exploitation in the Annapolis Valley, Nova Scotia, reveals some of the ambiguities involved.

The Re-discovery of Child Sexual Abuse

The main story about child sexual abuse begins with its re-discovery, that is, the social attention which is being given to this form of victimization. As many adult survivors of abuse are now

coming forward as current cases are being revealed. These tragedies have human faces. It is in the long term interest of victims to reveal their suffering and deal with the life-long psychological scars of exploitative fathering. It is in the long term interests of society to confront this hitherto private victimization. However, there are always other interests at stake, other often contradictory social responses. It is this, secondary story which I wish to explore. Once child sexual abuse is "re-discovered", many stakeholders emerge and intellectual cum political battles over conceptualization and social action result.

One response among sociologists and social historians is to focus on what may be regarded as the unintended consequences of the re-discovery of child sexual abuse: the emergence of a moral panic. This perspective has a degree of usefulness in the explication of how certain stakeholders come to re-define the victimization to suit their own social interests, and then advocate social policies which correspond with this conceptualization. The context within which local definitions are framed and actions taken is influenced by wider social forces.

As Elizabeth Pleck has shown from the perspective of social history, interest in family violence has been periodic in the United States. In the mid-1600s the Puritans of Colonial Massachusetts enacted the first laws against wife beating and "unnatural severity" to children.⁽¹⁾

In the late 19th century, societies for the prevention to cruelty to children were formed as part of the child-saving movement. The third major movement began in the 1950s and continues to the present.⁽²⁾ Family violence has gone through periods of criminalization and decriminalization. Pleck argues that a "social atmosphere favourable to the criminalization of family violence results from many factors, the most important of which is that family violence must be defined and perceived not just as a threat to individual victims but also as a danger to the social order." On the other hand, periods of decriminalization are associated with "the view that family violence is primarily a domestic matter",⁽³⁾ a private concern. The most important current struggle over social action is to make private violence a public matter while avoiding the conservatism inherent in defining this victimization in terms of the contemporary "social order" and, hence, primarily a matter of criminalization. It is this conservative consequence which is at the heart of a "moral panic".

In the view of historian George Chauncey,⁽⁴⁾ during the late 1940s and 1950s: "There was a sudden, an enormous emergence of concern about sexual violence against children and women." This concern, Chauncey claimed, was largely constructed by the press. Social historians refer to this process as the emergence of a moral panic, which may be defined as a situation in which a real social problem is magnified and distorted by exaggerated media exposure. This depiction is then taken to characterize a pervasive "epidemic", which is then utilized opportunistically by a dominant social interest group. The "panic" has consequences for how people understand their society, its problems and solutions, and how they shape their daily lives.

According to Chauncey, a sensationalized concern about child deaths in the 1950s created by the media, stimulated campaigns by community organizations demanding state action. As a consequence, about 15 states established Commissions to study the problem and to recommend new legislation. These Commissions, Chauncey argued, "served to ... institutionalize the panic." They went beyond mobilizing and perpetuating public concern; they channelled it into support

for specific programs which they advocated, programs which "increased the power of the state to intervene in sexual matters", ⁽⁵⁾ and consolidated the interests of the professional experts who carved out the sphere for their intervention. In the context of the growing participation of women in the work force and the impending sexual revolution, the panic about sexual abuse served to put a rein on women's independence, challenge alternative child care arrangements, threaten the display of intimacy between fathers and their children, and reinstate part of the state's control over sexuality.

Placing the moral panic on an academic foundation of research followed hard on the heels of the popular and media rediscovery of child abuse, a key component of the process of institutionalization. Research is used to establish, on a scientific basis, not just that a serious and new social problem exists, but that it is properly treated by professional agents of the state. In the U.S., the research of Henry Kempe and his associates made the "rediscovery" of child abuse a scientific fact. This served to legitimize state intervention, including initially an increase in social welfare spending, the development of an infrastructure of intervention, and changes in legislation.

Initially, this occurred in the context of the development of the "medical model" in corrections -- the view that offenders were sick and in need of treatment, and that an expansion of psychological and social counselling services were required for the realization of the ideal of rehabilitation. Essentially, the reform enterprise was being taken over by the relatively fledgling professionals represented by social workers and psychologists. These new professional "moral entrepreneurs" had to fight a battle on two fronts. Illnesses of male sexuality were treated by psychiatrists and subject to criminal prosecution.

On the one hand, the dominant professional group involved in the treatment of abusive men were psychiatrists. By the 1960s, however, the psychiatric model of sexual deviation was coming under severe criticism. The following definition was circulated by a forensic psychiatrist in a 1987 workshop: "Normal sexual behaviour" was defined as: "Behaviour whose goal is mutually pleasurable genital union with the opposite sex". "Sexual Deviation", then, was defined as: "Persistent preference for behaviour which has a goal other than the above". The document went on to explain the genesis of deviant sexuality as a result of a disturbance in the natural progression of sexual identity with the same sex parent. The document claimed that: "Deviant sexuality can be best understood as a defect in the normal process of psychosexual maturation." Deviant paraphilias, then, represent "immature sexual needs which are considered normal at earlier stages of psychosexual development, but are abnormal in a mature adult."⁽⁶⁾

According to this view, there is an absolute boundary between acceptable and unacceptable sexuality. On the one hand, there is implied a "need to control men's sexuality", the definition of the source of the problem; on the other hand, the mother in the family was given the burden of responsibility: "It was women refusing to be proper mothers who bred the sexual deviants who grew up to attack them and their children."⁽⁷⁾ In so far as this conception of sexuality and gender roles was the foundation of the professional response to child abuse, it served to justify certain types of intervention into families and reinforced traditional notions of gender, sexuality and developmental roles. Not all psychiatrists adopted this perspective which underlay the psychiatric model of intervention and counselling. Much of psychiatry became more focused on

the physiological basis of mental disorders and the accompanying search for drugs to alter hormonal level or otherwise induce by chemicals a change in the behaviour of clients. From a sociological point of view, this amounted to a turning to medicine and natural science and away from therapy and psychoanalysis. By default, then, many psychiatrists vacated the treatment field unless a clear mental illness was deemed to be present. Similarly, by default, this position lent indirect support to what appeared to be the corollary of the psychiatric model: criminal justice intervention.

The other significant front which was established by the moral entrepreneurs of treatment concerned the relationship with the legal and criminal justice systems. In the context of a moral panic, the rediscovery of a social problem is expected to lead to demands for further criminalization. However, this process is also dependent on the interests of the stakeholders. The advocates of the medical model argued in favour of decriminalization (with one exception which will be noted below). Many of the physicians, social workers and psychologists who dominated this phase of the institutionalization of the state response to child-abuse, were opposed to criminalization as the dominant mode of intervention. In most cases, they argued, imprisonment was counter-productive and the criminal justice system was both unqualified to handle family matters and the results of its intervention were harmful. Punishment of the parent rendered rehabilitation very difficult. It was considered important to save the child's home rather than break up the family, which would be one of the consequence of imprisonment. Charges were difficult to lay and difficult to prove given the generally private nature of the act and the concomitant absence of other witnesses.

The child's testimony was unsworn and, as had been the case for women attempting to prove a charge of sexual assault, had to be accompanied by corroborating evidence. The court process was adversarial, further imposing trauma on victims.⁽⁸⁾ In cases where charges were not laid, the decision of the physicians and welfare workers rested "in part on the beliefs that maintaining the unity of the family is of over-riding importance and that treatment and counselling are more effective ways of stopping these acts than seeking the punishment of offenders."⁽⁹⁾

Cases were then treated as mental health problems and the focus was the child's environment. In general, maintaining families intact was a priority, although resort to the court could be made in cases of child removal, to families which were deemed to be more appropriate. In short, the "dislike of arrest, prosecution, and punishment of abusive and neglectful parents arose from ... the emphasis of all parties involved, including the courts and police, on rehabilitating the abusive or neglectful family."⁽¹⁰⁾ Again, the social response justified certain types of intervention within the context of the assumption of normative familial relations.

As I noted above, there was one exception to the rejection of criminalization in this medical model. This exception made the required treatment more likely: laws were passed requiring that instances of child abuse be reported, either to the police or children's agencies, and in most cases to the latter. In effect, those who most readily adopted the medical model, such as physicians (to whom abused women turn most readily),⁽¹¹⁾ were made subject to legal penalties on the grounds that, by failing to report, they became accessories to the abuse. This acceptance of criminalization can be explained as a necessary move by the helping professions in the context of a struggle for hegemony over the field.

Like the psychiatric model, the medical model operated as a corollary to the criminal justice system while competing with it for relative influence. The medical model had not been applied in any systematic or comprehensive way to convicted sexual offenders. Mental Health clinics offered counselling and group support for victims and other family members. There was very little being done, however, with regard to offenders and there was an absence of institutional programmes for offenders who were incarcerated.

What needed redefinition was the relationship between the treatment and the justice models. Within the psychiatric model there was an informal alliance of the professionals and the justice system characterized by general neglect on the part of the police. In general, as much as possible, family abuse matters were handled by the physician or psychologist in private practice and not brought to the attention of the police. Especially in the case of small town police, who are more sensitive to the wishes of prominent citizens, but also not absent from the attitude of rural RCMP officers, there was a tendency to handle all domestic matters as informally as possible. Only in fairly obvious cases of abuse -- whether involving adults or children in the family -- would the police intervene.

This policy of neglect, which was based on the belief that family matters were private affairs and best left in the hands of physicians and professionals, was also extended to cases of child abuse, whether physical or sexual. In so far as sexual abuse of relatively minor sorts came to the attention of the police, there was still a tendency to agree to have it worked out informally in a way which would leave the patriarchal family intact. In one case, for example, a police officer described a situation involving a small store owner in a valley town who had molested his daughter. No charges were laid because he had volunteered to enter therapy to correct his problem, and because of the severity of the punishment, by which the officer meant the loss of his reputation and status in the community and, consequently, of his business.⁽¹²⁾

The medical model implies more public awareness of abuse and the removal of the veil of secrecy surrounding family violence. To this extent it is consistent with the needs of victims as well as the interests of criminal justice. However, the rediscovery of abuse pushed the social response beyond the boundaries of the medical model. This treatment model for "sick offenders" has never been widely accepted in public opinion. On the contrary, the moral panic over child abuse, engendered by massive media campaigns in the 1950s and 1960s, fostered a different image of the problem -- the image of the predatory male -- and more importantly implied that the problem was pervasive: all males were potentially at risk. In the words of Max Allen: "The child murder panic in the '50s ... is in many ways similar to today's, especially in the way a few terrible cases were used to make it seem that huge numbers of children were threatened by huge numbers of adults -- parents, strangers, and today, child care workers"⁽¹³⁾ and priests. It is in this respect that the "panic" results in demands for criminalization and punishment rather than treatment.

In this atmosphere another, more traditional, model was reinforced: the legal model, the model of punishment and general deterrence. The treatment professionals were not the only stake-holders; nor were counselling and treatment the most popular solution to widespread immorality of a criminal nature. The general public was obliged by law to report abuse. Widespread publicity and the media blitz, coupled with the criminalization of non-reporting, had led to an avalanche of

suspected cases. There was now a greater likelihood that the police would proceed to lay charges rather than handle the cases informally.

The Moral Panic Argument

In the United States in the early and mid-1980s, the media discovered child sexual abuse with a crusading zeal. Just as previously, local stories of the murder of children were made front-page news in national newspapers, many highly publicized sexual abuse cases received splash coverage. Shining the light of publicity into the dark shadows of private victimization is essential and the media was fundamental in the process. The result, in the 1980s, besides the great increase in reporting, was much genuine healing of abuse survivors as well as considerable overdue retribution. Inevitably, however, certain cases were sensationalized. In so far as they were regarded as the stereotypical form of sexual exploitation, helped determine the character of some of the reporting, and were used to demonstrate the degree of threat to the social order, a moral panic was also unleashed.

In a case in Vermont involving allegations of physical abuse-- which would have some implications for the Annapolis Valley -- 90 state troopers "took custody of 112 children from homes" of members of the Northeast Kingdom Community Church "to have them examined for child abuse." This case involved primarily the systematic use of the "rod" to discipline children, and was a matter of physical abuse.

Subsequently, two very influential cases of sexual abuse received widespread publicity: In California, in March 1984 seven persons were indicted on what would eventually total 135 counts of child sexual offenses. The offenses were alleged to have occurred in the McMartin Pre-School. "The police announced they had 36 suspects as yet uncharged and no less than 1,200 victims of alleged abuse. Amid the hysteria, seven other infant schools in the immediate vicinity had to close."⁽¹⁴⁾ This set off a chain-reaction as day-care centres across the country were closed, children were questioned, and parents' groups were formed to protect children.⁽¹⁵⁾

In the McMartin Pre-School case, the primary suspect, Ray Buckley, was arrested on about 75 of these charges and spent "four years in prison awaiting trial."⁽¹⁶⁾ The result was to be, at the time, "the longest criminal trial in American legal history."⁽¹⁷⁾

In Jordan, Minnesota a convicted paedophile implicated other adults in the systematic, group sexual exploitation of children. Under the direction of a crusading Public Attorney who had the case of a lifetime, over several months, "25 people were charged with sexually molesting dozens of local children"⁽¹⁸⁾

The details revealed by the children in these two cases were lurid -- and they made for sensationalistic press. The children in the McMartin school "claimed to have witnessed devil worship in church, seen naked priests cavorting in a secret cellar below the school, seen one of the teachers fly, and seen abusers dressed up as witches."⁽¹⁹⁾ The children in Jordan, Minnesota had similar stories. They had also seen babies stabbed. Six children said they "had seen some children mutilated and murdered during sexual orgies."⁽²⁰⁾

In more than 100 cities in the United States, "children came forward with stories about sex abuse and associated visits to mortuaries, graveyards, crypts and cellars." Some "said they had been involved in rituals requiring the use and often ingestion of blood"; others "said they had seen human bodies being eaten" as well as "burned or cooked babies".⁽²¹⁾ Similar reports surfaced north of the border. In 1985 a Hamilton court heard that: "Young children were forced by their mother and other adults to watch murders, join in sexual orgies with the living and the dead in a graveyard and were then fed parts of the dismembered bodies".⁽²²⁾ The Hamilton case supposedly involved elements of satanism and claims of ritualistic abuse elsewhere in Canada continue to the present. For example, a case in 1990 which surfaced in Prescott, Ontario, involving about a half dozen related or acquainted individuals living in a public housing complex, featured unsubstantiated rumours of ritualistic violence and infant death.

Sensationalistic journalism contributed to the "moral panic" surrounding child sexual abuse and to the long-term consequences. It was in this kind of atmosphere that, in the United States, at the conclusion of a particularly gruesome case of child abduction and exploitation, the defendant was sentenced to 527 years in prison.⁽²³⁾

These cases and, more importantly, the way they were handled, were consequential. Day-care centres were closed; teachers became suspects and had to take steps to protect themselves. In some cases video-cameras were set up to monitor playrooms. In many ways, the result was a "witch-hunt" and the enemy could be anyone.

In Washington, D. C., an expert in the treatment of abused children testified that she suspected the existence of a wide network of "child predators", claiming "there was circumstantial evidence pointing to a conspiracy to operate day care centres as a cover for child pornography and the selling of children."⁽²⁴⁾

Congress added an additional \$25 million appropriation to Ronald's Reagan's Child Abuse Bill for the training of day care workers, but they added the requirement that such workers were to undergo background screening procedures.⁽²⁵⁾ The same investigations were to be undertaken for school bus drivers and others employed to work with children. Again, everyone who wants to work with children is suspect; everyone is obliged to prove that they are not guilty.

Furthermore, the panic was used to feed the anti-feminist backlash, despite the fact that many of the revelations and much of the impetus for the uncovering of the dark side of the family stemmed from feminist critiques of oppression in the family. Day-care, it was argued, was not just a poor substitute for a traditional family, but a dangerous one for the children. Women who worked outside the home made the abuse possible. Women who didn't work outside the home were equally responsible for not protecting their children. Inevitably, the major cases were dismissed. The McMartin case dragged on in the courts for six years until a jury acquitted the main defendants of most of the charges and a mistrial was declared on 13 remaining counts.⁽²⁶⁾ Complex issues were involved in the trial, including the reliability of child witnesses, the police mode of investigating, the admissibility of taped evidence, and the media exposure of the case.

In Jordan, Minnesota, only one couple was eventually brought to trial and acquitted. Everyone except the original paedophile was released. But jobs were lost, marriages broken, children sent

to foster homes or juvenile group homes, and custody was re-established only at considerable length.

Some Limits of the Moral Panic Argument

The "moral panic" argument, then, is used to emphasize the way a social phenomenon is manipulated by the press and utilized by stakeholders to maximize their interests. The media focus on the most sensational cases leads to a misinterpretation of the statistics of prevalence, with the assumption that the higher figures of victimization reflect the most serious incidents. While acknowledging that the foundation of a moral panic is located in actual victimization, "psycho-historians" argue that the sensational reports do not reflect the phenomenon as a whole. However, the opposite error is just as serious: to devalue the experience of abuse survivors by focusing exclusively on the most bizarre and unrepresentative cases, and the most obvious abuses of state authority in the prosecution of alleged offenders.

Much of the "moral panic" interpretation rests on the assumption that massive numbers of children were not at risk. Max Allen, on C.B.C. "Ideas" in 1985, quoted Anne Cohen, director of the U. S. National Committee for Prevention of Child Abuse, whose estimate of the prevalence of child sexual abuse suggested that 25 per cent of young women and 10 per cent of young men had a sexually abusive experience before the age of 18. He concluded, however, that these figures were "based on fact and embroidered by fantasy". According to Allen, who cited the Badgley Report (p. 133), the "most extensive survey undertaken in Canada of sexually abused children ... determined that there was evidence that one in 2,500 children had been sexually abused." Yet the Badgley Report came to a different conclusion on the basis of its review of the evidence and its own National Survey. The Report said that one in two females and one in three males have, at one time or more in their lives, been the victim of unwanted sexual acts. ⁽²⁷⁾

Karmen cites a 1985 U.S. national random telephone survey which concluded that 27 per cent of women and 16 per cent of men "were molested in some manner when they were children". ⁽²⁸⁾ In Finkelhor's study of New England college students, 119 of 530 females and 23 of 266 males reported incidents of sexual victimization. ⁽²⁹⁾ A study conducted by the Nova Scotia Advisory Council on the Status of Women of 1,600 high-school age females found that 18% reported physical assault by their boyfriends, 11% reported that they were sexually abused, and 32% had suffered emotional abuse. ⁽³⁰⁾

Differences between figures such as these and the one in 2,500 Allen chose to cite, he implied, amounted to a matter of definition. He claimed that: "The Canadian Human Rights Commission's definition of unwanted sexual attention includes leering or suggestive looks, sexual remarks or teasing, touching, brushing against, grabbing or pinching, all the way up to `forced sex.'" Using this definition, it is hard to imagine any female child who has not experienced first-hand the effects of sexist practices. The fundamental point is that unwanted sexual acts directed against children are pervasive and widespread. The actual prevalence of abuse depends on how it is defined and how it is measured. Among those one in two young women victims noted in the Badgley Report, there will be significant variations in the severity of the victimization and the frequency. Garabino found that estimates of the prevalence of child sexual abuse ranged widely, from six per cent to 62 per cent for females, and from three per cent to 31 per cent for males. ⁽³¹⁾

Peters, Wyatt and Finkelhor have estimated a rate of 25 per cent for females and 10 per cent for males, figures which represent all forms of sexual molestation.⁽³²⁾

Although not uncontested, there is widespread agreement about the harmfulness of sexual acts involving children, although the evidence from one study suggests that, among types of maltreatment, sexual abuse does not immediately come to people's minds. A national telephone survey of 1,305 Canadian parents and potential parents, commissioned by the Institute for the Prevention of Child Abuse (Toronto) in 1988 found that sexual abuse was rarely cited in response to the open-ended question: "How would you define mistreatment of children?". However, presented with a list of seven actions (from spanking, to using children for "purposes such as drug running", the activity which was regarded by most of the respondents (93%) as constituting maltreatment was "touching and fondling in a sexual manner".⁽³³⁾ In another study of U. S. police officers, the researchers presented their subjects with 20 vignettes involving different types and degrees of the maltreatment of children. The vignette which received the highest score, which was deemed to be "very serious" and one that the majority would "always report" involved what they defined as sexual abuse: specifically: "The parent and the child repeatedly engage in mutual masturbation."⁽³⁴⁾

Two points should be made about these statistics concerning prevalence. While questions of severity and frequency have some significance, even infrequent or less severe victimization does not occur in isolation from structural and social practices in society which oppress women and children. In this respect, "only once" is too much because of the power unwanted sexual acts have for reinforcing oppression. Second, aside from concern with the issue of prevalence and the difficulties of measuring victimization, sociological consideration has to be given to the uses to which statistics are put. Just as Allen under-estimated abuse in order to strengthen his argument about the "moral panic" nature of the response, so too Badgley's high-lighting of the frequency of "unwanted sexual acts" occurred in the context of the Report which was fundamentally punitive with respect to recommendations for the criminalization of sexual offenses.

In another respect, the prevalence itself is a powerful argument against criminalization -- it is too prevalent, too deeply rooted to be adequately dealt with through the criminal justice system. The problem of prevalence means that the criminal justice net could be cast very widely, ensnaring large numbers of victimizers. In itself this would produce a reaction against criminal prosecution, which would be strengthened by the inevitable charges of erroneous prosecutions and by the great difficulties of proving allegations in criminal court which, in the justice model, errs on the side of allowing guilty parties to go free. In this respect, moral panics engender their own backlash.

The Criminal Justice response in Canada

In the highly publicized U. S. cases noted above, which contributed to the moral panic response, the Courts proved unable to separate the truth from the embellishment. Even within its own terms the criminal justice response was inadequate for the protection of victims and the prosecution of offenders. But even prior to this denouement, the legal model had already been seen to be inadequate, in Canada as well as the United States. Initially, the legal model was hamstrung by the laws themselves. Sexual offenses in Canada, for example, ultimately derived

from the 1892 version of the Criminal Code, and were considerably out of date in an era when the state was to be removed from the bedrooms of the nation.

Changes in the laws on sexual offenses had originally resulted from criticisms stemming from the women's movement. In the most extreme example, the investigation of allegations of rape and the subsequent trials had further victimized the complainant. One consequence was to change the laws on sexual assault, for example, making them more gender neutral and stressing the element of coercion more than sexuality.

It was also apparent that the other sexual offenses similarly were antiquated. The public concern about offenses against children and sexual offenses, together with the real problems in law, led to an official response. The social concern about sexual abuse was to be further institutionalized by a Committee of Inquiry and subsequent legal amendments to the Code. What was at stake was the difficulty of obtaining a conviction. Increased publicity had to be accompanied by increased success in the apprehension and punishment of the perpetrators.

Just as there had not been only one medical response to the problem, there was also a difference of opinion among the legal experts -- definitions of stake-holders and their interests is complex rather than simple. The Law Reform Commission of Canada, for example, believed that incest should "'above all be a matter of social and psychological treatment; secondly, a matter of regulation by family and child welfare law; and only thirdly, a matter for the criminal law"' ⁽³⁵⁾

This was not the view that was subsequently adopted in legislation, however. On the issue of legislation, several steps were taken to institutionalize a Criminal Justice as opposed to Medical response -- or any other more holistic and community-based alternative -- to child sexual abuse. The advocates of the medicalization of the problem, then, are still struggling for recognition, for a larger space within the criminal justice definition of the solution.

In 1984 the Committee on Sexual Offenses Against Children and Youths, created by the federal government, and chaired by Robin Badgley, issued a very influential report. The report of this Committee argued that child sexual abuse was a "deeply rooted tragedy" with "complex dimensions", but then essentially argued for the deterrence model. Child molesters, the report suggested, had been treated too leniently "rather than being held accountable for their actions". ⁽³⁶⁾ Specifically, the Badgley Report noted, "The criminal law has an important role to play in punishing and ... deterring violations". ⁽³⁷⁾ The emphasis, then, was on punishment.

This tendency to demand more harsh penalties was also characteristic of the voice of various victim's groups. In their advocacy for greater punishment, these groups looked to the state as the proper avenging agent and campaigned for longer sentences and penalties which were more harsh.

Subsequent to the Badgley report, legislative changes were made to the laws on sexual offenses. In many respects, the resulting changes amounted to a compromise between the relatively harsh model clauses suggested by Badgley (for example, raising the age of consent), and the existing statutes. In some cases they were merely modified, for example, the provisions on bestiality, anal intercourse and incest. Others, however, were completely re-written. Specifically, prohibitions

against "touching", or "inviting to touch", anyone under 14 for a sexual purpose, were written into the Criminal Code. On the one hand, this is a very broad offense as defined. On the other hand, there is a wide latitude given to the Crown Attorney to proceed by way of indictment (which has a maximum penalty of 14 years) or by way of Summary Conviction, carrying a maximum penalty of 6 months and/or a \$2,000 fine. It is largely a matter of case law how the specific types of offenses are handled. The result, however, is that offenses were both simplified and broadened.

In addition, Bill C-15 (1987) made significant changes to child testimony. Again based on recommendations from Badgley, the special rules for the admissibility of children's evidence were set aside and children could give evidence in court based on their understanding of the difference between telling a lie and the truth. Video-taped evidence is potentially admissible, as well as other devices to screen the child witness from the view of the accused person during the court process. Some lawyers have argued that the legal profession has gone to the opposite extreme: from an inherent tendency to disbelieve children the agents of criminal justice seem willing to believe any testimony. And the new technologies are infringing on the rights of the accused to have a full cross examination of Crown witnesses.

Initially, then, there was a split in the jurisdiction between the "helping professions", who propose specific forms of treatment of the victim, and the criminal justice system, which operates to punish the perpetrator. But the medical model spoke as much, if not more, to the offender as it did to the victim. It is here that there were conflicting jurisdictions. The primary way in which the medical model had been incorporated into the criminal justice system had been within the institutions, through such programmes as psychological testing and classification as well as some counselling. There were two areas where the interests of the two agencies, the social and the criminal justice agents, overlapped.

First, there was the question of the initial interview of the victim. There were clear implications here for treatment of the victim as well as the prosecution of the offender. Second, there was the question of the treatment of the offender while under court order. The result has been the re-establishment of the alliance between the case workers and the police in which the legal model has hegemony and the medical model is grafted on.

Developments in Nova Scotia

Developments in Nova Scotia generally followed a similar pattern to those nationally and internationally. As had been the case in the United States, the initial professional group which claimed an interest in child abuse consisted of physicians, specifically at the Izaak Walton Hospital for Children. Two developments marked the initial institutionalization of the response to this social problem: the construction of an official Child Abuse Registry which listed those who were suspected of abuse, as well as providing general information on child abuse cases, and the development, as part of Family Services legislation, of a law which criminalized failure to report suspected abusers.

The provincial government initiated a wide-spread media campaign to publicize the law that those who had information about sexual abuse were legally obliged to report it, following a

public outcry resulting from a very well-publicized trial of a father and baby-sitter for the torture and murder of four-year old Teddy Machielson.⁽³⁸⁾ This touched off a province-wide increase in reporting. In Halifax, reported cases of sexual abuse against children rose from seven in 1982 to 111 in 1984.⁽³⁹⁾

Statistics from the Nova Scotia Child Abuse Register indicate that, between 1981 and 1985, the number of reported cases of child abuse increased from 45 to 237. Of these in 1985, 71 were male and 166 female. Among males, there were 77 types of abuse recorded (some cases may include more than one type) of which 24 (or 31.2%) involved sexual abuse. For girls, of the 172 types of abuse recorded, 123 (or 71.5%) involved sexual abuse. From 1981 to 1985, the number of sexual abuse cases increased from 9 to 147; the number of physical abuse cases increased from 41 to 93.⁽⁴⁰⁾

In the last five years the Service for Sexual Assault Victims in Halifax reported its workload has doubled. According to Carol Wackett of the Service has had, in the past year, 115 calls about children under age 16 who have been sexually abused and 222 calls from adult survivors of sexual abuse. According to the Director, Ann Keith, these figures are "just the tip of the iceberg".⁽⁴¹⁾

The "tip of the iceberg" image is frequently mentioned by social agency case workers who reconcile the relatively low (but increasing) reporting rate with the standard estimates of prevalence. In the Annapolis valley, one family services worker estimated that the proportion of children who have been abused in the Annapolis Valley was "at least 20%".

In the Annapolis Valley during the 1980s three unrelated events galvanized community forces around the issue of child abuse. They led to the institutionalization of a response team and subsequent treatment based on an alliance between social services and the police, but also to a group to defend the rights of family members with respect to private custody and control of their children.

In two successive years, a child was murdered by family members in married quarters on the Armed Forces Base in Greenwood. By a strange twist of fate, while different families were involved, the murders occurred in the same house.

The second occurred in 1984. On February 16, following a month-long investigation, 13 adults (including one woman) were arrested in Kings County and charged with 137 sexual offenses. Ten victims between the ages of 6 and 14 were interviewed by the R.C.M.P.⁽⁴²⁾ The case gained national attention and was dubbed the "Hillbilly Trial" because the offenders lived in a small community in the South Mountain of the Annapolis Valley. The social characteristics of the offenders -- in terms of socio-economic status, income and education -- helped foster an image of simple, backwoods, isolated family units in which deviant sexual norms had been developed inter-generationally.⁽⁴³⁾ In many ways, this image of the valley region as the home of isolated "mountain folk" who "didn't know any better" tended to persist. Sexual offenders were stereotypically described as having low social status and little education. That this abuse had just been "recently discovered" was a matter as much of truth as of wilful ignorance.

In the late 1950s, the western end of the Annapolis Valley was the subject of a field study which sought to discover the correlation or link between "sociocultural environment and psychiatric disorder"⁽⁴⁴⁾ and the sociocultural environment. Focusing on small communities in the area, the authors of the Stirling County study argued that the "residents of that area had long had a countrywide reputation for insanity, mental deficiency, crime, low standards of living, and general 'immorality' which in turn were attributed to inbreeding and biological inferiority."⁽⁴⁵⁾ Among the illegal activities which occurred in all areas studied, reference was made to wife-beating,⁽⁴⁶⁾ child-beating⁽⁴⁷⁾ and incest, although cases of incest, along with other forms of "sexual assault", were described as "[m]ore serious, but rare".⁽⁴⁸⁾ In one example, a man and his niece were described as co-habiting.⁽⁴⁹⁾ This situation helped account for the reputation of residents in the area who were claimed to exhibit "genetic weakness through interbreeding".⁽⁵⁰⁾

The Stirling County study concluded that there were more psychoneurotic disorders than expected, including various kinds of emotional stability, self-defeating patterns of consuming alcohol or drugs, of sexual promiscuity and, occasionally, of violence and theft."⁽⁵¹⁾ The study found that the key variable for psychiatric disorders was community rather than class. "[A]n individual has a high risk of psychiatric disorder if he lives in a Depressed Area, regardless of his own position of economic advantage."⁽⁵²⁾ In sum, poverty was associated with a prevalence of psychiatric disorder only when it operated at a community level along with other aspects of sociocultural disintegration.⁽⁵³⁾ In part this was attributed to the fact that "all households are affected by the derogatory name and attributes given them by outsiders and by the unstable and tenuous sociocultural environment in which they all live."⁽⁵⁴⁾

An Acadia Anthropologist claimed to have found evidence of incestuous relationship among some valley families in the last century, based on studies he was conducting on genealogies.⁽⁵⁵⁾ One anecdote current among criminal justice circles in the valley seemed to sum up the general attitude: sexual aberrations existed among the "mountain" folk and they were basically to be left alone unless they carried the practice outside their own immediate circles. This kind of isolationism, however, was being eroded from below. In particular, two developments increased the contact between small communities and the agents of social control. One was the consolidation of schools and the subsequent closing of the community-based, one- or two-room school house. The other was the implementation of the social services model which increasingly meant intervention in economically marginal households and families.

Under these circumstances, patterns of abuse which were inter-generational and inter-familial (as opposed to the quiet, private abuse of many families) were bound to come into the open.

The offenders bore the burden of the public revulsion of these types of crimes, heightened by the sense of moral panic which suddenly was having a local manifestation. Despite some elegant pleas from defence lawyers, the judiciary adopted an entirely punitive approach, stressing general deterrence and the need to demonstrate the revulsion of the community. These were, after all, pariah people and they were treated accordingly. From the police perspective, the letter of the law dictated that each offense was to be documented and for each at least one charge would be laid. From an informal handling of cases, the police had moved to adopt a legalistic response.

The extent to which the problem of sexual abuse of children had been stereo-typed became apparent in the case of father/daughter incest in Annapolis County, discussed above in the Introduction. After hearing testimony at the sentencing hearing which essentially advocated the medical model of treatment and reduced punishment, the judge still imposed the tariff sentence of 5 years. Referring directly to the testimony which questioned the effectiveness of general deterrence, the judge commented: "I know that five minutes after I pass sentence, the word will go all over the mountain."⁽⁵⁶⁾ Not only was he assuming the general deterrence model, he was betraying a stereotypical view of the class of people who offended. It is interesting to note at this point that the treatment professionals (specifically, those at Fundy Mental health Clinic), expressed no interest in assisting these low status offenders, and a community psychologist took a similar stance.

In an unrelated, but concurrent incident, a man who had exposed himself to a young girl, and who had been sentenced to one year's probation, re-offended and was returned to court. The initial case, which happened just prior to the Mountain revelations, passed without a great deal of notice. However, while on probation the man was charged with having committed a similar offense and was given a fine in addition to the same amount of probation. In the context of the times and the larger case, however, this was regarded by many as insufficiently punitive. The Crown appealed, and there was a public demonstration of about 40 marchers outside the courthouse demanding greater punishment. The organizer of the action, whose daughter had witnessed the exposure, claimed that sex offenders "'don't get what they deserve'", but rather receive a "'slap on the back'." The demonstration, she said, was not specific to this one case but was aimed at all cases and meant to show that sex offenders needed to be jailed "'not put on the streets so they can do their jobs again'". She concluded that "'We shouldn't have to worry about our children on the playgrounds.'" In a revealing comment, the father of the abused girl stated: "'It's no longer something that's just happening in California all the time'". This comment, and the action which accompanied it, were indicative of the temper of the times and the orientation towards punishment of offenders.⁽⁵⁷⁾

The issue of child abuse, in its many manifestations, had emerged dramatically in a short space of time. The local paper put these three incidents together and editorialized: "Three separate incidents last week at the law courts in Kentville served to drive the point directly home that children living in a quiet, rural community are not nearly as safe and protected as most of us would like to think." The editorial summarized the three cases, dealt with on three successive days in the courts, and argues that "these matters" had "brought the whole subject of the treatment of children by some adults to the centre of attention of every parent in the county."

While these sentiments were sound, and reflected the re-discovery of child abuse, the thrust of the editorial was to emphasize the threat to the community's children by unknown assailants and to recommend criminalization and harsh penalties. The editor thought that locking the offender up and throwing away the key only solved the particular case. More important were the "many, many more adults out there... who do not get caught." The solution was, first, that "sentences against those who are caught must be stiff. These people must be made an example of to deter others who are just as sick", an interesting and inconsistent use of the medical analogy. In addition, the editor recommended educating children "that they should never allow themselves to be alone with an adult they do not know very, very well.... Parents must teach their children how

to avoid such people."⁽⁵⁸⁾ The problem with this stance is that it supports the stereotypical notion of the greatest threat being from strangers. The greatest risk, however, is precisely from those who do know the child very well.

The Social Services-Criminal Justice System Alliance and the Abuse of Parents

Even at the time, however, this was not the only school of opinion. Legal aid lawyers in the Valley involved in the major sexual abuse case argued in favour of the medical model and requested that punishment be tempered with treatment. In such cases, there were clear indications of the depth of victimization being imposed on the offenders from the process itself to the likely outcome of jail time. Few who were involved in this trial escaped without some trauma and for many there were serious questions arising about the efficacy and justice of the legalistic model.

The social services professionals, the advocates of the treatment model, took up the cause. Initially they formed a multi-agency Committee on Child Sexual Abuse which became involved in public education to dispel some of the misconceptions which were apparent in the community about sexual abuse and about the availability of treatment. The Committee was assisted by a legal representative at the Attorney General's Office who organized two multi-disciplinary workshops on the problem of child sexual abuse, helped to establish a province-wide advisory committee, and gave a high profile to a more holistic, treatment response to the problem which recognized the multiple traumas and multiple victims of the criminal procedure.

For reasons that were specific to the police, a new alliance was forged with social services. Basically, it meant the hegemony of the legal model with respect to offenders. Investigations were to be undertaken, charges laid, and cases pursued through the courts following the legalistic model. Furthermore, social services were not to pursue investigations independently, but were to involve the police. A protocol was established whereby a police officer and a social worker would respond to a complaint of sexual abuse and jointly conduct the investigation and the interrogation of the child.

At the other end of the legal system, once offenders were sentenced, then treatment would be made available. However, again an alliance was necessary. The treatment was to be mandated by the court. Attendance was to be part of the conditions of parole and failure to attend was to be grounds for revoking the parole.

There is one more social response, however, which deserves mention: the development of a group in support of family rights. The struggle is over who owns the children. The traditional pattern was for the children - along with other members of the household - to be the property of the dominating male. Subsequently, with the child saving movement and the welfare state, this view has been modified: the family has the custody of the child in trust, and performs this function ultimately at the behest of the state. But the state retains legal right to intervene and remove children in need of protection from the parents. In the Annapolis Valley, the catalyst for the formation of this group involved allegations of physical abuse against members of a commune in Waterville (Myrtle Tree Farm) which was associated with the North East Kingdom of God -- the group mentioned earlier which is centred in Vermont.

The incident involved one boy who was alleged, by a physician and by social services, to be the victim of physical abuse, specifically, excessive use of a "rod" to correct behaviour but also to inflict routine pain to help avoid sin. In addition, the child was said to be emotionally abused and subject to brain-washing, believing that he needed to be punished for the good of his soul. However, the case was complicated by a difference of opinion among professionals in the community. One physician said that the boy had been essentially brain-washed and that this amounted to emotional abuse. Another psychiatrist, however, claimed that the brainwashing the boy had experienced was no worse than that which he had experienced being brought up as an Irish Catholic, and claimed that there was no evidence of physical or emotional abuse.

On the strength of its suspicions, and the opinion of the professionals who defined the treatment of abuse, and an additional witness, the court ordered that the boy be re-assessed. The "cult" connections with the Kingdom Church and the practice of corporal punishment, most likely swayed the court. The order, however, went to the crux of the question of ownership, and the rights of the parents to discipline their child "within reasonable limits".

The parent and commune members refused to turn over the child and he was taken away from the commune to a location which they would not reveal. This appeared to be an issue of contempt of court -- a court order is a court order. The RCMP responded to the letter of the law and sent at least a dozen officers and eight cars to the commune to try to apprehend the child. It was reminiscent of the Vermont police, only on a graduated scale, a case of response to the moral panic surrounding the issue, as well as contributing to this particular mythology.

Inevitably, the exercise of the powers of the state to apprehend children and arrest parents, in the climate of moral panic, would lead to abuses by the agents of the state. In Kings County, the Myrtle Tree Farm case led to the formation of a support group for parent's rights, which supported the Waterville man in his defiance of the Social Agency arguing that the state had gone too far in its interference in the matters of the family. In essence it was a case of conflicting authorities; parent's rights essentially implied patriarchal rights. From this case emerged the Kings Hants Child Welfare Consultation Committee, reflecting a wide network of concerned groups, which is presently discussing potential amendments to the Social Services and Child Protection Acts.

Provincially another incident, this time in Cape Breton, brought the issue of parent's rights to a head. This was the Mrs. X case. On the surface, this incident is the opposite of what would be expected of the "moral panic" interpretation. In this view, the child is believable and the state will enter easily into prosecutions based on unfounded accusations. There has been, however, in Britain and the United States, a significant counter-response to the tendency to believe child victims and enter into prosecutions. According to Karmen, one half a million families every year in the United States are subject to investigations as a result of mistaken accusations. These take many forms, one of which has been termed the "sexual allegations in divorce syndrome".⁽⁵⁹⁾ In the Mrs. X case, the Children's Aid Society of Cape Breton took custody of two young boys from their mother. She had expressed fears that her sons were being sexually abused by their father when they visited him, the couple having been divorced four years earlier, in 1986.⁽⁶⁰⁾ She complained to the society, but instead of investigating, the agency charged Mrs. X with hurting the children by focusing on the allegations.⁽⁶¹⁾ Local officials dismissed her claims as unfounded

and damaging to the children. The boys remained wards of the Social Agency for 22 months and at one point came close to being adopted by a Nova Scotia family.

In February 1990, County Court Judge Simon MacDonald overturned an earlier Family Court decision giving the Children's Aid Society custody, and "recommended the community services minister look into procedures for the apprehension of children and investigations into allegations of child abuse."

The Minister ordered the review, undertaken over three months by Marilyn Peers, executive director of the Halifax Children's Aid Society, only after a newly-formed parents advocacy group, the Cape Breton Parents Rights Group, supported by women's groups and professionals, went public with concerns over the agency's operations".⁽⁶²⁾ The Report vindicated the mother and was critical of the guidelines for the investigation and handling of abuse complaints, and accused the supervisor and caseworker of "biased attitudes,... lack of sensitivity" of "the abuse of authority and the need for control". The Report recommended that the two workers be fired.⁽⁶³⁾ There were "major errors in professional judgement and violations of the Code of Ethics."⁽⁶⁴⁾

Basically, the workers saw the problem in terms of a problem "between divorced parents" to be dealt with through their respective lawyers. The caseworkers considered Mrs. X "aggressive, emotional and demanding", blamed her for making up the allegations, "for coaching the children" and emotionally harming them.

The Cape Breton Children's Aid Society responded by firing the Director (the supervisor in the case), and transferring the caseworker out of child protection. The Board agreed to replace the salary of Mrs. X for five years so that she can remain at home with her children. In the view of Barry Costello, the Executive Director of Family and Children's Services in Kings County, the "Society was very biased in its dealings with Mrs. X. The agency wanted to prove its preconceptions and then try to justify its erroneous conclusions."⁽⁶⁵⁾

Conclusion

The parent's rights movement is a very complex phenomenon. From my point of view it has both progressive and reactionary components. There are contradictory elements which need to be discussed.

Ultimately, the concern is over the legitimate rights of parents, children and the state. The thrust of this paper has been to argue that the social response to the re-discovery of child abuse, while generally being a socially progressive, indeed fundamentally necessary development, had some negative consequences on the way some people's perceptions of their world were shaped and on how their daily lives were affected. The way some have chosen to define the abuse of children has reinforced some of the traditional roles and images of both men and women. For men, it has been used as an excuse to back away from changes in the rearing of children which imply more male itamacy. By blaming women for allowing the abuse to proceed, it has added to the right wing back-lash which would have women retire from the public sphere.

The re-discovery has also provided opportunity for the state to intervene in private areas. Sexual offenses have been simplified and made more neutral, but they also have been broadened. Public opinion has been manipulated by powerful stakeholders into making demands for more punishment and the criminal justice system has responded by adopting a policy emphasizing formal charges and general deterrence. The main alternative perspective is punishment in the guise of treatment, still sometimes based on discredited psychoanalytic theories of sexuality and deviance, which are highly coercive and strengthen state control in the lives of individuals. The treatment mode operates under the hegemony of the criminal justice model.

What is particularly noteworthy is the relationship between forces of social reform and the state. It is within this context of the strengthening of the hands of the state over the lives of family members that a counter movement stressing "family rights" has arisen. This movement is a strange coalition of interests, including advocates of women's rights, of children's rights, and of the right of parental authority vis-a-vis the state. On the one hand, the movement shades into the religious right (advocating the sanctity of the family and the rights of the parents), as well as the political right -- opposing the interference of the state in private matters. On the other hand there is the children's rights movement, itself a strange combination of perspectives from well-intentioned liberals to child pornographers.

Social reform is highly fragmented. Progressive groups in one area, such as the protection of women, sometimes end up advocating state intervention and control. Groups which respond to state oppression sometimes include anti-reform elements. This is not just a matter of the complex or contradictory nature of the state, and of social coalitions. Fundamentally, it points to a crucial political absence: the lack of a broadly based political and social movement which is external to the state and is capable of addressing the range of social problems and issues from a perspective which is not limited to specific interest groups, whether based on race, gender or profession.

1. Elizabeth Pleck, "Criminal Approaches to Family Violence, 1640-1980", (p. 19). In Lloyd Ohlin and Michael Tonry (eds.) Family Violence: Crime and Justice; A Review of Research Vol. II. Chicago: University of Chicago Press, 1989.

2. Pleck 1989, p. 20.

3. Pleck 1989, p. 19.

4. George Chauncey, "Sex and Violence", CBC "Ideas", 31 October to 7 November 1985, (Montreal: CBC Transcripts). Chauncey's paper on the topic, presented in the summer of 1985 in Toronto, was entitled: "The construction of a sexual panic: Child murder in the '50s."

5. CBC Radio, "Ideas: Sex and Violence", 7 November 1985; Montreal: CBC Transcripts, 1985, pp. 20-21.

6. "Sexual Deviations or Paraphilias: Definitions and Concepts", discussion paper for Workshop on "Sexual Abuse: Reducing the Incidence and the Trauma", Dartmouth: Nova Scotia Hospital, 1989.

7. CBC Radio, "Ideas: Sex and Violence", 7 November 1985; Montreal: CBC Transcripts, 1985, p. 22.

8. Pleck 1989, p. 48.

9. Sexual Offenses Against Children, Vol. 1, p. 113. [Badgley Report].

10. Pleck, 1989, p. 49.

11. Paula Chegwiddden, "Research note on survey with battered women and social agency workers", unpublished paper, n.d., p. 13.

12. The police are also constrained by the need to satisfy themselves that a charge can be proven in court. In this situation, the complainants wish to maintain the family unit, in an improved state, were taken into account. There is still an implicit class bias. Middle class people are more likely to know about and to seek professional counselling. Such intrusions into private lives are seen as more voluntary than in the case of underclass families, which are subject to state intervention in more coercive contexts.

13. CBC Radio, "Ideas: Sex and Violence", 7 November 1985; Montreal: CBC Transcripts, 1985, p. 21.

14. Alexander Cockburn, "Abused Imaginings", New Statesman and Society, 26 March 1990, pp. 19-20, p. 19.

15. Facts on File, 1984, pp. 268A1, 736C3-E3.

16. Alexander Cockburn, "Abused Imaginings", New Statesman and Society, 26 March 1990, pp. 19-20, p. 19.

17. Alexander Cockburn, "Abused Imaginings", New Statesman and Society, 26 March 1990, pp. 19-20, p. 19.

18. CBC Radio, "Ideas: Sex and Violence", 7 November 1985; Montreal: CBC Transcripts, 1985, p. 14.

19. Alexander Cockburn, "Abused Imaginings", New Statesman and Society, 26 March 1990, pp. 19-20, p. 20.

20. CBC Radio, "Ideas: Sex and Violence", 7 November 1985; Montreal: CBC Transcripts, 1985, p. 14.

21. Alexander Cockburn, "Abused Imaginings", New Statesman and Society, 26 March 1990, pp. 19-20, p. 19.

22. CBC Radio, "Ideas: Sex and Violence", 7 November 1985; Montreal: CBC Transcripts, 1985, p. 13.
23. Halifax Chronicle-Herald, 20 January 1984.
24. Facts on File, 1984, p. 737.
25. Facts on File, 1984, p. 983.
26. Alexander Cockburn, "Abused Imaginings", New Statesman and Society, 26 March 1990, pp. 19-20, p. 20.
27. Report of the Committee on Sexual Offenses Against Children and Youths (Ottawa: Supply and Services, 1984), Vol. 1, p. 177.
28. Andrew Karmen, Crime Victims: An introduction to Victimology 2nd Ed. Pacific Grove, Calif.: Brooks/Cole, 1990), p. 231. Karmen cites "Nationwide Survey finds widespread child sexual abuse" (1985) Crime Victims Digest 2 (9): 4.
29. Finkelhor (1979) cited in Ezzat A. Fattah, Understanding Criminal Victimization, Scarborough: Prentice Hall, 1991), p. 171.
30. Dian Day, Young Women in Nova Scotia: A Study of Attitudes, Behaviour and Aspirations (Nova Scotia Advisory Council on the Status of Women, Nov. 1990), p. 30.
31. James Garabino, "The incidence and prevalence of child maltreatment", p. 240. In Lloyd Ohlin and Michael Tonry (eds.) Family Violence: Crime and Justice; A Review of Research Vol. II. Chicago: University of Chicago Press, 1989.
32. S. Peters, G. Wyatt and D. Finkelhor, "Prevalence". In A Sourcebook on Child Sexual Abuse, ed. by D. Finkelhor et al., Beverly Hills: Sage, 1986. Cited in Garabino, p. 240.
33. "Survey of Canadian parental Attitudes", The Institute for the Prevention of Child Abuse Newsbrief, Edition # 3, January 1989.
34. Cecil L. Willis and Richard H. Wells, "The police and child abuse: An analysis of Police Decisions to Report Illegal Behaviour", Criminology, Vol. 26, No. 4 (November 1988), 695-715, p. 705. In general the study found that "Police are more willing to report child abuse in white than in black families... in upper class than in lower class families" (p. 698). With regard to the sexual abuse vignette, race had an impact on reporting (p. 704) while class had a "negligible impact" (pp. 704-705). The study concluded that: "Police are more likely to report a white parent than a black parent for ignoring a child, sexual abuse, and physical abuse." (p. 706). They attributed this to the normative expectation that black, and possible lower class families, would participate in these acts.
35. Badgley Report, Vol. 1, p. 122.

36. Badgley Report, pp. 38, 31.
37. Badgley Report, p. 57.
38. Jane O'Hara, et al., "The search for solutions to sexual abuse", MacLean's, 27 January 1986, p. 46.
39. Jane O'Hara, et al., "The search for solutions for sexual abuse", MacLeans, 27 January 1986, p. 46.
40. "Child Abuse Register -- Statistical Information for the Calendar Years 1981-1985."
41. Lois Legge, "Confessions of an abuser", Halifax Chronicle-Herald, 16 January 1991, pp. B1, B3.
42. Kentville Advertiser, 22 February 1984.
43. James Sacouman and Anthony Thomson, "The state vs. the South Mountain", New Maritimes, Vol. 3 No. 5 (Feb. 1985), pp. 4-6.
44. Alexander H. Leighton, My Name is Legion: Foundations for a Theory of Man in Relation to Culture, Vol. I of The Stirling County Study of Psychiatric Disorder and Sociocultural Environment, (New York: Basic Books, 1959), p. 5.
45. Charles C. Hughes, Marc-Alard Tremblay, Robert N. Rapaport and Alexander H. Leighton, People of Cove and Woodlot: Communities from the Viewpoint of Social Psychiatry, Vol II of the Stirling County Study of Psychiatric Disorders and Sociocultural Environment, (New York: Basic Books, 1960), p. 59.
46. Ibid. pp. 268, 282-283.
47. Ibid. pp. 268, 283.
48. Ibid. p. 270.
49. Ibid., p. 253.
50. Ibid., p. 249.
51. Dorothea C. Leighton, John H. Harding, David B. Macklin, Allister M. Macmillan and Alexander H. Leighton, The Character of Danger: Psychiatric Symptoms in Selected Communities, Vol. III of the Stirling County Study of Psychiatric Disorder and Sociocultural Environment, (New York: Basic Books, 1963), p. 357.
52. Ibid. p. 372. Emphasis in original.

53. Ibid. p. 372.

54. Allister M. Macmillan and Alexander H. Leighton, "People of the hinterland", in Edward H. Spicer (Ed.) Human Problems in Technological Change, (New York: Russell Sage, 1952); quoted in Charles C. Hughes, Marc-Alard Tremblay, Robert N. Rapaport and Alexander H. Leighton, People of Cove and Woodlot: Communities from the Viewpoint of Social Psychiatry, Vol II of the Stirling County Study of Psychiatric Disorders and Sociocultural Environment, (New York: Basic Books, 1960), p. 254.

55. Hugh Blackmer, personal communication.

56. In an informal conversation, a police officer recounted speaking to the judge about the case outside of the court prior to the trial. The judge asked the officer who was up next, and then what had he done. The judge's response to the charge -- incest -- was reported to be: "Well, that should be good for five years."

57. Kentville Advertiser, 22 February 1984.

58. Kentville Advertiser, editorial, 22 February 1984.

59. Andrew Karmen, Crime Victims: An Introduction to Victimology, pp. 232-233.

60. Halifax Chronicle-Herald, 11 December 1990.

61. Halifax Chronicle-Herald, 12 December 1990.

62. Halifax Chronicle-Herald, 11 December 1990.

63. Halifax Chronicle-Herald, 11 December 1990.

64. Halifax Chronicle-Herald, 12 December 1990.

65. Jennifer Mosher, "Child Service Group discusses implications of Mrs. X case", Kentville Advertiser, 5 February 1991.