Heavy Hands
Physical abuse, neglect, and sexual abuse considered acceptable in ancient times

Infanticide: legally defined as murder of a child before first birthday

Code of Hammurabi: father had full control of children until they married; included right to sell children

Ancient Greece: acceptable to kill a crippled or unhealthy newborn (Aristotle recommended law to prohibit crippled children be raised)
In Roman Empire, infant allowed to live according to his or her potential to the family.

Birth to age seven was age of infancy; time before children had vested right to life.

Female children strained financial resources of father: justification for infanticide.

China: female infants openly killed until the late 1800s, usually by drowning.

Killing of female infants considered no different than abortion in parts of India.
Middle Ages

- Children’s right to live protected under Judaism & Christianity

- Commandment “Thou shalt not kill” linked to practice of infanticide

- Russian Orthodox Church defined women’s role as child-bearer

- Allowed to loan children to guests for sexual pleasure or rent them
Chancery courts in Britain granted control over general welfare and property rights of children.

Courts utilized concept of *parens patriae*, meaning “father of the people.”

Provisions not considered by history as protections, but control over children resistant to parental punishment.

Under apprenticeship system, children removed from their homes and placed into household of adults to train them in marketable skills.

Apprenticeship system not pleasant for children; long hours, poor conditions, abuse (sometimes leading to permanent disfigurement).
British Common Law brought to America
- Juvenile protection, poor laws, forced apprenticeship

“Stubborn Child Laws,” parents could kill disobedient child to death

*Ex Parte Crouse* (1838), Pennsylvania court held state has right to restrain and protect children despite wishes of parents

Most states adopted parens patriae standards
Refuge Movement

- Industrial Revolution used children in factories, mines, mills (long hours, dangerous, no protections)

- Significant periods of reform to protect children took place during first half of the 19th century:
  - The Refuge Movement
  - The Child Saver Movement
  - The Societies for the Prevention of Cruelty to Children

- Movement started when children jailed with adults in N.Y

- First House of Refuge opened in 1825

- Sixteen houses of refuge operated across the U.S. by 1860. Provided only shelter for homeless and throwaway children
Child Saver Movement

- Most successful grassroots effort in America
- Successfully instituted mandatory schooling
- State became source of parenting for those unable or unwilling to manage unruly children
- The Juvenile Court of Cook County, Illinois opened in 1899 (first juvenile court in America)
Discovery of Family Violence

- Policy response to family violence emerged in late 1870s
- Social service agencies for children learned of wife-battering when dealing with child abuse cases
- Family violence linked to alcohol abuse & poverty
- Family violence identified as problem confined to the lower classes
- Social service response was judgmental & prejudicial, with poverty determined as the common element of clients.
- Lack of effective legal remedies existed for family violence victim
Existing child protection laws from Colonial times rarely enforced

First documented child abuse case occurred in 1871.

- NY court petitioned to protect 8-year-old Emily Thompson by Henry Bergh of The Society for the Prevention of Cruelty to Animals (SPCA).
- The caretaker found guilty of abuse.
- In 1874 Mary Ellen placed in foster care (see image).
- Intervention on behalf of child in need of services was formally established due to Mr. Bergh
Important Concepts

- Battered Child Syndrome
- Endangerment standard
- Harm Standard
- Infanticide (know the history through present)
- Mandated reporting
- Neglect (most common form of CA)
- Parens patriae
- “Thou Shalt Not Kill” (who?)
- Refuge Movement
- Child Saver Movement
- Know sources of definitions and agencies collecting data
- Know types of CA
- Know outcomes of CA
- (any questions, ask our team members!)