

Why False Beliefs Prevail: the Little Rascals Child Sex Abuse Prosecutions

One of the earliest applications of probability theory to a social issue was in 1837 by the mathematician Poisson in a treatise *Recherches sur la probabilité des jugements en matière criminelle et en matière civile*. The issue was that an accused person should not be condemned without complete proof of guilt, and the question was whether changing the size of the jury increased or decreased the probability that a guilty man would go free and an innocent wrongly condemned. How does a jury discriminate between truth and falsehood, and more broadly how do we determine truth and falsehood for beliefs?

Almost two centuries after Poisson, Raymond Boudon (1996) took up the neglected topic of false beliefs and gave it an unusual cognitive twist. If people adhere to false beliefs, it is not that they are irrational. It is because the reasons for their beliefs, though mistaken for a scientific observer, make good sense from their vantage point, given their knowledge and experiences and what others in their social circles believe. Because beliefs are public, they have the compelling force of a Durkheimian social fact. Those who question what everyone believes are sanctioned. Boudon also writes that the "criteria which make a set of reasons good are hard to define absolutely and should rather be defined relatively" (p. 148). That certainly tends to be the case in matters of justice where the prosecution and the defense argue the case for guilt and for innocence, and the jury decides who has the better reasons.

A puzzling occurrence in the USA in the 1980's has been allegations of mass child molestation in day care facilities, which were believed by parents, police, prosecutors, child protection workers, mental health professionals, the news media and the public. In time however, the accusations took on dimensions that made them more and more implausible; nevertheless many persisted in believing them. Some commentators attributed them to mass hysteria. I provide another explanation based on Boudon's cognitivist model.

The Little Rascals day care child sex abuse controversy in Edenton, NC, and the trials and appeals that followed in the ensuing years was one of many mass child molestation and day care sex abuse controversies and trials that put communities and the courts in turmoil in the 1980's and the early 1990's. There was a common pattern. Small beginnings: a parent is suspicious or anxious, and brings in the police and social services to investigate. The child does not say much, perhaps something about being "touched", it is vague. The adults believe the child is holding back, and agree to interrogations with child protection workers and therapists. Eventually the child admits molestation and a formal criminal investigation starts. The investigators believe that others in the day care could also have been abused, and more children are questioned. There are no eyewitnesses to the abuse, no physical evidence, medical examinations are negative or inconclusive, thus everything depends on the children's reports. The more the children are questioned and put into therapy, the more offenders they name and the more children they name as victims, and the more explicitly sexual and sexually perverse and bizarre the abuse and other events connected with them. Thus from one or two children and one offender who touched and fondled the case spins into dozens of adults victimizing many children in hundreds of acts of oral and anal sex, ritual torture of animals and babies, involving not just real persons and animals but television and comic book characters and fantastic settings.

Wakefield and Underwager put it thus (1988, p. 300):

"In instances where children are subject to intense and frequent questioning and further details are sought across a period of time the progression of the story goes from an initial 'touching' to fondling, to oral, genital and anal penetration, to some form of drug use, to pictures being taken, to monsters, to witches, or people dressed in strange ways and behaving in a bizarre fashion, to ritual killing of animals ranging from gerbils, birds, squirrels to bears, deer, lions, and elephants. The final step is some form of violence to children including torture, mutilation and murder. This common progression, noted from Alaska to Florida and Maine to California, suggests that repeated interviews tap into an ever deeper layer of fantasies children are known to have."

The Little Rascals in Edenton

Edenton is a small town of some five thousand people in Northeastern North Carolina. Its historic core fronts on the Albermarle Sound with streets lined by colonial homes. The town's leading families live in the historic neighborhood. In many families both parents worked full time, and sent their children to the Little Rascals day care which the Kellys started in 1986. People were friendly and close-knit; social gatherings were frequent; many were members of church congregations and participated in civic and educational activities. The Little Rascals case in Edenton, NC followed the national pattern: small beginnings, one alleged offender, touching and fondling, the children admit to little, but investigators and parents believe there is more, and the investigation expands. More victims are named, more offenders, the abuse becomes more sexually explicit and pornographic, the stories more fantastic, as happened elsewhere. There is oral and anal sex, sadistic acts against children and animals, disgusting acts involving urine and feces. Among the alleged sadistic and violent actions are throwing children around, hanging them up in a tree, cutting their neck with a knife, shutting up in a refrigerator, trying to drown in a swimming pool, trying to drown during boat ride, dropping down in a well and killing unspecified babies with knives and guns (Defendant-Appellant's Brief, 1992). The Little Rascals case results in seven indicted for sex abuse, six of them owners and/or employees at the day care, although many more offenders have been named by the children in therapy and interrogation sessions. Bob Kelly's trial lasted from July, 1991 to April 22, 1992. He was found guilty on 99 of 100 counts and sentenced to twelve life terms. In the second trial Dawn Wilson, the day care cook, was found guilty and sentenced to life in prison. Both Bob Kelly and Wilson's sentences were appealed. In the Appeals Court, the prosecution suffered a major setback on May 2, 1995 when a new trial was ordered for Bob Kelly and Dawn Wilson. According to the Appeals Court judges, the errors at the trial were so serious that jurors were improperly influenced in favor of the prosecution. The most flagrant error was the inability of the defense to review and study the notes and tapes of therapy sessions with the children from which the allegations of sexual abuse and all the other sadistic and fantastic acts originated, and the judge's refusal to examine these materials for evidence of the defendants' innocence, exculpatory evidence in legal terminology. Such denial was contrary to both state and US Supreme Court decisions. Four months later, the state Supreme Court upheld the Appeals Court decision. Throughout the seven years, all the defendants have insisted on their innocence and on several occasions refused the prosecution's offer to testify against other defendants in return for lenient treatment.

How false beliefs are created and why they are accepted as true

But if the Little Rascals was a tragic miscarriage of justice, how is it that many parents believed, and still believe, that their children were sexually abused, that people in Edenton and nearby areas believed and persist in believing the allegations, that the state went ahead with the prosecution, that a dozen children testified in court to being abused, and that the jury in two trials brought in a guilty verdict?

Outside observers have an explanation: it is mass hysteria, a moral panic of anxious parents, a witch hunt by zealous and ambitious prosecutors. I find these explanations wanting. According to the dictionary, hysteria is a "psychoneurotic disorder characterized by violent emotional outbreaks", and panic is a "sudden, overpowering fright, often without a cause". The parents and citizens of Edenton are the most normal of people, living the lives of white middle and upper-middle class residents of a small town. The belief in the sexual abuse did not suddenly crystallize, as in a panic, but grew over several weeks and months after the first allegations of sexual abuse. As for witch hunt, it is a search for a scapegoat after an unexplained harmful event, e.g. in the seventeenth century witch craze it was precipitated by an unusual, unexplained event such as still birth after a normal pregnancy or a sudden infant death. But in Edenton nothing unusual, frightening, or harmful occurred before the allegations to set off a search for a scapegoat. Witches were believed to use supernatural powers conferred by the devil for doing harm to humans, but in Edenton the motives of the accused were alleged to be financial gain from pornography and sexual depravity. To call what happened in Edenton "mass hysteria" is a colorful

way of admitting "we don't really understand what happened".

My explanation will show that ordinary people in Edenton became convinced of the truth of the sexual abuse allegations even though they were not true, and even though their false beliefs contradicted common sense and eventually outside public opinion and the decisions of the higher courts. In the 1970's and 1980's public opinion was alarmed by declining family values and family disorganization, including family violence, child abuse and child sexual abuse. Because both feminists and conservatives were equally concerned, the usual debate between liberals and conservatives did not take place, and the policies, laws, practices that developed on child abuse got insufficient scrutiny.

When child sexual abuse became a national issue, the medical profession, academic psychology and social science was just starting to study it scientifically and lacked some basic knowledge about it: how to detect it, how to measure its extent, what are reliable methods of investigating it, the victims' response to it, appropriate treatments, and the like. The legal profession lacked the experience with trial testimony of pre-schoolers and the admission of hearsay testimony by parents and therapists. Science and the law were still discovering the issue; meanwhile thousands of child sex abuse allegations had to be dealt with.

In the absence of proven knowledge, a child sex abuse industry of self-appointed "experts" based on pseudo-science filled the demand for training and informing child protection service workers, social workers, police investigators, prosecutors, therapists and others. They wrote books and manuals, organized workshops, conferences and seminars, became consultants to law enforcement agencies and school systems, and popularized pseudoscience in magazines, TV talk shows, and the popular press which had an insatiable demand for the sensationalized treatment of child sex abuse. Those who participated in the industry were convinced that they were in the possession of valid methods and knowledge, which they were using to save America's children, even though these methods and knowledge were contrary to science and to common sense. In Edenton, the prosecution and the investigators relentlessly labored to supplant common sense with false beliefs based on pseudo-science, they succeeded, and that is what accounts for false beliefs.

The hallmarks of pseudo-science are the refusal to have one's methods observed and evaluated by others, the use of unreliable methods (as when two qualified evaluators faced with the same data reach different, even opposite conclusions), use of methods that bias the evidence and the conclusion (as when the method suppresses evidence contrary to a hypothesis), and the use of knowledge based solely on intuition and personal experience that cannot be validated by experimental and impersonal methods of research. As convictions for child sex abuse increased in the 1980's, and as attention focused on bizarre developments in some high profile trials (the McMartin pre-school trials in Manhattan Beach, CA), the scientific, investigative and judicial methods used in child sex abuse cases came more and more under scrutiny and were found deficient. Eventually defense lawyers, in appeals, obtained rulings from judges that disqualified methods and evidence based on pseudo-science, and some convictions were overturned.

One manifestation of pseudo-science was the surge of child abuse reports, including child sexual abuse. Besharov (1990) reports that in 1976 there were 6,000 confirmed reports of sex abuse by Child Protection Agencies (CPA5) and 113,000 in 1985. There were thousands more of suspected cases that were unfounded after investigation. No one believes that an almost twenty fold increase in nine years is "real".

There was a lack of trained personnel and a lack of proven methods of investigation for small children, and there seemed to be a crisis of sexual abuse. Ofshe and Watters (1994, p. 10) write that "as the issue of child abuse grew into a political rallying cause, dispassionate analysis and debate was set aside while unadulterated advocacy on behalf of the children...was applauded". The federal government stepped in and lavishly financed the expansion of child protection services after 1974. The two most fateful developments in pseudo-science was "team" prosecution in child sex abuse cases, and a therapeutic approach over a forensic and scientific one.

The "team" includes social workers, law enforcement personnel, psychiatrists, psychologists, the

therapists of the children, medical professionals, the parents of the children, and of course the prosecutors. According to Wakefield and Underwager (1988, p. 22-23), the team is an "informal network of mental health and medical professionals who claim expertise in diagnosing and treating sexual abuse. This professional network is maintained by government units charged with handling sexual abuse. . Professionals not on the list are not used". All of it is paid by public moneys.

Team members get paid for serving on the team, and to stay on the team have to be a good team player. "There is a symbiotic relationship between prosecutors and social workers and treatment professionals and experts chosen willingness to 'certify' the existence of abuse is directly connected to their reliance on the prosecutors and social agencies for referrals", write two lawyers who have handled many child sex abuse cases (quoted in Wakefield and Underwager, 1988, p. XV).

Because many team members are mental health and psychology professionals, and because the concern of parents is for the well-being of their children, a therapeutic approach dominates the team investigation. The hallmark of therapy is that it matters not whether an abuse event is real or imagined; as long as the victim—patient believes it is real, it has to be treated. Subjective reality is as real as objective reality. For the law, it is of the utmost importance to distinguish real and imagined abuse, and methods that confound the two will lead to a travesty of justice.

The therapeutic approach to an investigation was emphatically stated by Dan Sexton, director of the National Child Abuse Hotline, in 1989, "I am not a law enforcement person, thank God, I am a psychology person, so I don't need any evidence, I come from a very different place, I don't need to see evidence to believe I don't care what law enforcement's perspective is, that is not my perspective. I am a mental health professional. I need to find a way to help survivors heal a trauma" (Quoted in Muihern, 1991, p. 145).

When those who are central to educating and training thousands of child protection workers and child abuse investigators hold such views it is bound to have consequences. "Rational, critical, scientific thought may decay under the pressure to give the help needed", write two veteran observers and researchers on child abuse (Wakefield and Underwager, 1988, p. XXI). Another researcher who studied many ritual abuse cases involving children writes that "front line child abuse investigators were usually social workers and therapists their concern was less to establish the validity or falsehood of allegations as to assume from the beginning that they were true and to help children heal emotionally by revealing atrocities" (Nathan and Snedecker, p. 146).

Contrary to the prophets of pseudo-science, it is not true that there are in scientifically valid methods of investigation for child sex abuse, and it is not true that scientific method cannot distinguish fantasy from reality in child sex abuse. Yet there is a lag between our best knowledge and what the public, the media, the legal professionals and police, the mental health and CPS professions, believe and do, and that has tragic consequences. Had the parents in Edenton realized that the heart of the prosecution case rested on pseudo-science, fewer would have gone along with the investigation and the whole case would have collapsed.

The Investigations of Child Sex Abuse

In child sex abuse investigations there are seldom eyewitnesses, physical evidence (e.g. pornography on video tape), or medical evidence (as in physical abuse with cuts and bruises). Everything revolves on what the children tell, and thus child interviewing and interrogation are at the core. Also commonly used is a long list of behaviors and conditions which are supposedly indications that the child was abused. There are also pseudo— science "principles": children never lie—except when they deny that they have been abused; children don't tell because the offender has threatened them, or because they are repressing a traumatic experience; if children talk about adult sex one does not expect a child to know, it is proof of abuse; anatomically detailed dolls (ADDs) are useful tools to get children to talk about sex abuse and demonstrate what happened.

Any investigative and research method has to trade off two undesirable effects: false positives and false negatives. False negatives occur when a method does not discover what it is meant to discover or

measure, e.g. child abuse when it in fact happened. False positives occur when a method discovers or establishes an event that did not happen, child abuse when it did not occur. The methods of investigation that were routinely practiced in child sex abuse, including the Little Rascals investigation, generated a lot of false positives. How could that happen?

Wakefield and Underwager (1988) studied 109 audio and video interrogation tapes on 79 children from 14 states allegedly sexually abused and found that 65% of interviewer behavior potentially conveyed to children how to respond, through pressure, reward, modeling and closed questions, e.g. not letting the child play until she answered questions, telling him his parents will be proud if he told. What was stunning is how little the children actually said, and how much of what they said were "uh-huh" and similar noises to relentless questioning. "Our impression from the tapes is that when a child says nothing happened, the question is repeated again and again until the desired response is obtained" (p. 43). One thing the child learns in therapy is a lot about sex that ordinary children of that age don't know about. The children may come to experience subjectively the reality of sexual abuse even when it never happened. That is the very essence of a method that creates false positives.

One of the tenets of pseudo-science is to keep questioning children when they deny abuse. Yet Besharov, the first director of the NCCAN, writes "Some experts. . . claim that a child's denials are actually a sign that a child was abused...this is dangerously deficient" (Besharov, 1990, p. 91). He continues: "Some experts assert that 'children never lie'. But contrary to such rhetoric there is always the danger that a child's description of being maltreated is untrue. Like adults, some children lie, exaggerate, or fantasize." When should you doubt a child's statements? When "a careless interviewer implanted a distorted and untrue idea in the child's mind. . . a real problem is created when children are interrogated with leading questions" (p. 89).

Videotaping or audiotaping of the interrogation must be done so that third parties can evaluate adherence to scientifically accepted principles and common sense. Written summaries of interrogations can give a very different view of what the child actually admitted and how the interview went than the tapes. Wakefield and Underwager (1988, p. 63) compared tapes with written summaries: "We have found that reports of what supposedly transpired in an interview are often markedly different from what actually took place, which we later discovered when we view the videotape of the actual interview. Often interviewers ask a question or make a statement for which the child gives little response. After the question is repeated several times, the child may finally nod or answer yes. But in the written report, the child is presented as making the statement."

ADDs result in false positives. Originally they were used in therapy as toys and aids for helping sexually abused children deal with their experience; later they became tools in investigation. One study concludes "...dolls with breasts and genitals encourage some children to play in ways that many adults consider sexual. . . pre-schoolers will grab a pretend penis simply because it is there to grab, and put a finger in a doll's vagina in much the same spirit as when they explore the hole of any hollow toy" (Nathan and Snedeker, 1995, pp. 154-5).

Another common methods in pseudo-science to establish sex abuse impresses parents and jurors, and that is a huge list of "symptoms" that indicate abuse. Everything from bed wetting and nightmares to fears and aggressive play, excessive interest in sex, being uncooperative and uncommunicative, spending too much time on the toilet, virtually every behavior of a child about which a parent might be concerned finds its way on the list. About all one can say about these items is that they all have multiple causes, that they are associated with normal growing up.

The Little Rascals investigation and prosecution

The prosecution in the Little Rascals child sex abuse case used pseudoscience to make its case: on methods of interrogation, on ADDs, on symptom lists, on the medical evidence, on team policing, on keeping its methods from public scrutiny. And to these it added its own unique stamp of promoting positive evidence of abuse while suppressing negative evidence.

People trust authorities (Dawes, 1994) and so did parents in Edenton. When they are not

knowledgeable, and on child sex abuse they were not, they trusted the authorities to be both knowledgeable and benevolent, helping the community cope with a serious problem. But the authorities fed the parents and the public only positive evidence of alleged abuse, and suppressed the contrary information. Thus parents and public got a biased reading of the evidence, and only a few realized it was biased.

How is positive proof amplified and negative disconfirming evidence suppressed? Consider the following. John and David, two friends in the day care, are both questioned. John says he and David were both molested, but David says it did not happen. The evidence is 50/50 on John, and 50/50 on David. They can't be both right. What now? If David keeps denying, he is dropped from the investigation, and the negative evidence on John exits with David. Meanwhile, John's parents are not told that David denies, and John's case goes ahead. From 50/50, the allegation has become 100% true. For this investigation to inevitably produce more victims of abuse, three things are necessary: 1. parents are told that their child was named by others as abused, but they are not told that their child was not abused according to still other children; 2. parents are told that denial by their child is a sign of abuse, and that therefore child should be questioned until he admits by therapists; 3. in some therapy sessions, the children do disclose even if they were not abused. If the investigators keep with this strategy, they will inevitably expand the investigation. Did the prosecution in the Little Rascals investigate in such a manner? The Appeals Court certainly was of that opinion. It was the principal reason the convictions of Robert Kelly and Dawn Wilson were overturned. The defense attorneys tried repeatedly with subpoenas to get access to the original data and recordings generated by the therapists' interviews with the day care children, to check for negative evidence (in the law called exculpatory evidence) on abuse alleged, e.g. John alleging that he and David were abused yet David maintaining it had not happened. The judge quashed the subpoenas, and refused himself to review the interrogation data for exculpatory evidence.

Some Edenton parents were skeptical when they witnessed the leading questions and other dubious methods used in the interrogations of their child, and said so in a documentary aired on television. There was no panic. Of the twelve trial children, not a single one admitted to abuse or molestation at first. But to get the parents to evaluate their children by the team therapists, some were told that their children had been "named" by other children as having been abused, and that a good, caring parent should get an evaluation by the team therapists. After the day care closed, many parents took the prosecution's advice. After all, would not daring, prudent parents want to have their child evaluated?

Some parents did not fall into line and had their children evaluated by independent therapists in other locations, and these all reported that there was no evidence of abuse. Parents were pressured by the prosecution: one mother reported that the Department of Social Services threatened her with negligence unless she sent her child to a team therapist because her child had been named.

Most parents became true believers. One of them tells why: ". . .when the children tell graphic details that they could not know unless these things had actually happened, we, as parents, couldn't help but believe them" (Defense Brief Appendix, p. 6). Another parent testified that since her child had not seen her parents having sex and had no access to television shows or movies with sexual scenes, the detailed sexual activities in her accounts must be due to her experiences at the day care (State Brief, p. 82). Parents are of course quite right that their children don't know anything about oral and anal sex and pornography, but because the parents do not know the research literature on how the interrogation and therapy sessions are a learning experience for children about sex and pornography, they conclude that the allegations must be true.

The state used very aggressive tactics to persuade the parents, the public and the jury about the reality of massive child sex abuse at the Little Rascals. The two to three page treatment summaries by therapists and pediatricians of the twelve trial children for use in cross-examination by the defense highlight the prosecution tactics. 1. Therapy over forensics: one child reports she and three others were shut into a refrigerator by Mr. Bob. Instead of questioning how this could be physically possible, the therapist writes: "there is no doubt that she has been involved in some of the more traumatic and psychologically

damaging activities of the day care. Being shut in a refrigerator would give any pre-school child strong feelings of helplessness and impotence". 2. Team investigation supplants independent evaluation: one boy's medical examination found "no evidence of scarring, tearing, or other lesions..." but the team physician nevertheless writes "history consistent with physical abuse" because the mother and therapist alleged abuse. 3. Negative evidence not accepted from child: the parents of a girl describe "little if any behavior indicators of sexual abuse", the child "will not talk about what happened", the medical examination is normal, but the team pediatrician wrote that "child hasn't been disclosing about events at school; will need therapy and follow-up", which then was done. 4. Pressure on parents: parents and child happy with the day care; at police interview girl did not disclose abuse, and she stayed at the Little Rascals. The family pediatrician found nothing beyond "a slightly enlarged vagina." The team medical examiner found no evidence of abuse. Nevertheless the parents were told that another child had named their daughter among the abused, and they decided to send her to one of the four team therapists.

Public opinion in a small town

Although the aggressive tactics of the prosecution account for parents cooperating with the prosecution, other factors came to play in the shift of public opinion about belief in abuse and in Robert Kelly's guilt. One resident wrote about it as follows:

"When the first set of parents began to believe that their children might have been sexually abused, the rest of the community denied it, and most parents turned their backs on those who were making the allegations. Later, as more parents became convinced that their children had been abused, those who still believed that the Kelly's were innocent were subject to extensive—if unspoken—pressure by other parents. ... Not everyone in Edenton was convinced that the abuse had actually occurred. As the case progressed and parents became angrier, they became less tolerant of people who still believed that the children were 'making the whole thing up'. The result was a very pronounced schism separating the 'believers' from the minority of 'nonbelievers'. Those who insisted the Kelly's were innocent were very quickly ostracized by those who believed the children".

The mood and opinion swing was of great importance for the prosecution. In a skeptical community, parents may be reluctant to have their children evaluated, or evaluated only by the state's therapists. They will not keep questioning their children, nor talk about the abuse with each other all the time. When the majority is skeptical, the parents are much more likely to believe their children's "denials", and are less likely to agree to investigation of their children.

When public opinion turned in favor of the prosecution, as it did in Edenton, everything changed. Parents talked about the abuse all the time. They compared with each other what they have heard and what their children and therapists were telling them, they put pressure on the doubters to have their children evaluated, they collaborated with the prosecution team, they questioned their children repeatedly and insistently, they were anxious and frightened and wanted to do the right thing for their children. Those who had been good friends with the Kelly's felt betrayed and angry. The children learned from the grown-ups that "Mr. Bob" and the other defendants were "bad" people, and they were more likely to disclose against these "bad" people. They also enacted in their play what they learned in the interviews and in therapy. Children's play and adult interaction spread abuse awareness and information. Contrary information stopped circulating when parents and their supporters viewed it as lack of support and cruel criticism of parents who were in pain and deserved sympathy. For non-believers it was easier to say nothing at all. The illusion of a vast and solid majority of believers was created, and disagreement became betrayal rather than insensitivity. Those in the middle, with a wait and see attitude fell silent. Fence sitters lined up with the majority. Fear silenced other doubters. False belief became a Durkheimian social fact.

In our system of justice, it is not the community nor public opinion, but a jury that decides guilt or non-guilt. But jurors are members of the community and are influenced by public opinion. The venue for the trial was moved from Edenton to another town, but the Little Rascals sex abuse allegations were well-known throughout the state and the details of the case familiar to the residents of nearby counties. The trial lasted 8 months, the longest and most expensive in North Carolina history, and left the jurors

exhausted. They had bonded and come to respect each other. They had decided to reach a unanimous verdict at all cost, and to avoid a hung jury. In interviews after the unanimous verdict, which took them three weeks to reach, some jurors explained their decision. Three went into the deliberations knowing Kelly was not guilty, and were stunned that the other nine believed he was guilty: "I was in a totally different courtroom" said one of the three doubters, "those who were so sure [of Kelly's guilt], what did they know I didn't?" Nine jurors believed the children's testimony and dismissed those parts that were implausible and fantastic as children's stories. One said, "the evidence was there; listen to the kids." That is what the parents in Edenton were saying. Unlike the McMartin jury, the Little Rascals jury did not get a chance to hear the audiotapes and view the videotapes, nor even read the detailed notes and transcripts, of the interrogations, which produced "the evidence". The defense of course brought in experts who explained that the methods used by the prosecution were pseudo-scientific, which the state countered by its team experts justifying the methods used. To the jurors and the public it was "their experts" against "our experts"; in the end such testimony cancels out.

In the end, the three hold-outs in the jury were worn down. Two had serious medical conditions and were concerned that the stress in the deliberations would seriously affect their health. They "gave up", without changing their belief in Kelly's innocence. The third, a young man, bowed to "social pressure". The Edenton parents rejoiced as their beliefs were validated by the jury verdict.

Conclusion

There is child sex abuse, in families, in day care. Yet the spectacular mass child molestations of the 1980's did not occur. Why, then, were they believed?

There were four principal actors in the child sex abuse dramas, and each had its own interests, points of view, and methodology for getting at the truth and for seeing justice done. Mental health and child protection professionals were advocates for the children and therapeutic in method. The parents were concerned about what might have happened to their children and wanted the offenders punished. Law enforcement wanted offenders brought to justice and convicted, and potential offenders deterred. The courts required that guilt be proven beyond reasonable doubt in a fair trial.

When family violence and child sex abuse became national issues, research on the topics was limited and not widely known. There was a shortage of staff to investigate allegations and the criminal justice system was inexperienced in handling them. The federal government funded a crash program to increase law enforcement and social services capacity in child abuse matters. Advocacy and therapy got mixed with forensic procedures. Especially in the domain of child questioning intrusive and suggestive techniques generated false positives: abuse disclosures when they hadn't occurred. The number of allegations increased twenty-fold in a decade.

With the public and the news media intensely concerned, law enforcement had to act. Child sex abuse was a peculiar crime. Unless the children disclose and testify, there is no case. And to get at the children, the parents have to consent and cooperate with the investigation.

Parents hesitate; they have doubts; they do not panic, nor are they swept away in a mass hysteria. In Edenton, the prosecution uses four tactics to overcome the parents' doubts. The first is investigative methods, especially intrusive questioning, which will get some children to disclose even when they haven't been abused. The second is to circulate only confirming, but not disconfirming, evidence of abuse among the parents. The tactic creates the illusion that the case for molestation is overwhelming when in fact it could be quite weak. The third tactic is team investigation which creates the illusion that independent evaluations are made by independent professionals and experts. Yet team members share information and the prosecution's viewpoint and interest, and there is contamination of judgment, not independent confirmation. The fourth tactic is to conceal the method of investigation, e.g. the children's questioning, behind a veil of secrecy. With these tactics the prosecution wins over enough parents for a full investigation. Parents are not experts on child abuse, and trust the authorities. Pseudoscience can be made plausible. It happens all the time.

The investigation however gets trapped by its own logic and methods that inevitably increases the

number of victims, the number of offenders, the number and perversity of the sex crimes, and the fantasy component of the allegations. Why then does the case not fall apart as it becomes implausible? Why don't the parents and the public become doubters? Why does not the prosecution become skeptical?

Actually some prosecutors do become skeptical, and some parents do become doubters and drop out, and some couples even divorce because of their different beliefs, and some news media do become critical. But enough believers stay the course; the false beliefs that have been created and spread by the investigation are accepted. What is fantastic and implausible is dismissed as "children's stories"; the case goes forward. Community controversies on explosive issues create a dominant opinion and sentiment—support the children and the parents in their beliefs and their pain—which silences doubters and raffles the fence-sitters and indifferents. A huge majority appears to support the allegations and the prosecution, and it becomes a self-fulfilling belief.

The trial(s) is the final act of the drama, and here much depends on the competence and knowledge, and of course fairness, of the trial judge, the resources of the prosecution and the defense, their competence, and the extent to which similar trials in the US have resulted in rulings on what is and is not scientific method in child sex abuse investigations and trials.

Time works for the defense. Though slow, academic research in premier universities and institutes, using the scientific method, does test the claims of pseudo—science and separates the chaff from the wheat. These academic experts and professionals advise prosecution and defense in trials and testify in court. In these debates and controversies judges learn to distinguish between pseudo-science and valid investigative methodology. Their judgments and rulings are then read by the legal profession, and influences the actions and strategies of prosecution and defense. The law works, but it works slowly. In the meantime there have been miscarriages of justice. In the Little Rascals, as in the other mass molestation trials, there were only losers. The greatest losers were the wrongly condemned; then the children; then their parents; finally the public, and justice itself.

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