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What is happening in Edenton?

After PBS aired on July 19 and 20 "Lost Innocence: The Verdict", the public must be asking how two innocent people could have been indicted, tried and convicted for life in prison, and whether such a miscarriage of justice will continue to disgrace our state, and what can be done to stop this continuing tragedy. From the perspective of thirty years' lecturing, researching and writing about collective behavior, I will give it a shot though I do not claim to have understood the Little Rascals controversy in all its complexity and perversity.

I have heard people refer to the event as mass hysteria and a witch hunt. These are labels based on analogies, but are not an explanation. What, after all, is mass hysteria? Actually some of what has transpired in Edenton is well researched and understood. The human factors in jury deliberations and decisions have been thoroughly studied and written about by Hans Zeisel and his associates at the University of Chicago Law School. The juror who yields to majority pressure for a unanimous decision despite doubts about the defendant's guilt is a textbook case of the well-known Asch experiments on conformity in introductory psychology courses. The factionalism and enmity created by a morally ambiguous issue in a friendly, tight-knit community, and the breakup of friendships, the ostracism of the sceptics, the mounting accusations and recriminations, and much else are fully explained in such classics as James Coleman's Community Conflict. The total commitment, loyalty, and consensus demanded and achieved by the dominant faction and the silencing of the moderates is the subject matter of Irving Janis' Victims of Groupthink. But it is unnecessary to keep bringing up mainstream social science. We know from our personal lives, from novels and dramas, from history about anxious, caring parents who leave no stone unturned for their children's protection; zealous and ambitious prosecutors; professionals who for the sake of an ideological agenda violate the intellectual and ethical standards of their profession; key evidence carelessly recorded, destroyed and "lost"; rumors started on a suspicion that circle back to the originator as confirmed fact. All these and more have of course occurred elsewhere as well. But in most controversies, only some of these things occur. What is so unique in Edenton is that all of these things have occurred at the same time to the same people on the same controversial issue, and that is what has produced such an explosive mixture. In fact, the explosion has taken place. Call it mass hysteria if you wish.

Let me focus on the children's testimony, which is the heart of the prosecution's case. Why would they testify to sex abuse if it did not happen? The children first denied it. It took many therapy and investigative sessions, over many weeks, sometimes months, and pressure from both the therapists and their parents, before they admitted to sex abuse or seeing it. As long as the child denied, parents and therapists interpreted denial as proof of the abuse: the child must be so traumatized that he/she can't even talk about it. The remedy: more therapy, more investigation. Even

though the children have not been sexually abused, the therapists and parents thoroughly convinced them of it, and the emotional consequences for them for the rest of their lives might be ever bit as damaging as if they actually had been sexually abused. It has been made into a "reality". There was no way a child could ever convince the parents and therapists that no abuse had occurred. Thus the evidence was manufactured, and, incidentally, and tragically, some of these children are great risk of emotional damage from this "treatment".

In the drawn out and emotionally charged therapy, the children learned that by admitting to sexual abuse they would please and be rewarded by their parents and the therapists, instead of frustrating them and displeasing them by holding out. In the therapy sessions with the sexually explicit dolls, the children also learned the vocabulary and knowledge of sexual acts that they so convincingly demonstrated in court. The children who turned out not to be impressionable in the therapy, or whose parents were wise and lucky enough not to get mixed up with the prosecution, did not testify. It is implausible that some children did not see anything even though they were present with the others who were abused or witnessed abuse.

Why did parents suspect sexual abuse of their children at Little Rascal, and believe them even after they told of other fantastic events about the day care center and the defendants that no one believes? For the past two decades, the public has been exposed to newsreports on sexual abuse of children. Sexual abuse is believable because it does happen, and East Carolina is no exception. What the parents perhaps don't know is that child abuse studies have shown again and again that the most likely offenders are family members, close acquaintances, neighbors, baby sitters, and not day care staffers (cf. Murray Strauss and Richard Gelles' books, Intimate Violence and Behind Closed Doors: Violence in the American Family). Once rumors and allegations about sexual abuse at Little Rascals got started, apprehensive parents looked for behavioral symptoms in their children. And disregarding the advice of their pediatrician about nightmares, aggressive behavior, touching genitals and masturbation and the like being normal in child development in the pre-school years, they interpreted such "peculiar" conduct as resulting from sex abuse. The children were then taken into therapy, at no cost to the parents, with the results we all know about. Thus well-meaning parents got sucked into the prosecution, with tragic consequences for the children, themselves, parents, and especially the accused.

What would make me change my mind about a miscarriage of justice in the Little Rascals trials? Evidence. Some evidence, any evidence that did not come out of the mouths of children who had undergone the therapy/investigations. It is conceivable that one staffer molests children. But that seven engaged in some perverse compact - for there would have to be collusion among them for it to be covered up - that hundreds of sex acts worthy of a bordello could take place in a short three months in a building wide open to

the public, is beyond the bounds of credulity.

For the sake of justice and the seven wrongly accused whose lives have been irreparably damaged, for the sake of the reputation of the state of North Carolina, I fervently hope that the Little Rascals prosecution will unravel, as similar child sex abuse cases and day care cases have unraveled in the past couple of years. The April 19, 1993 issue of Newsweek reviews the national scene on this matter and reports how in many states both the legal and psychological professions are actively intervening to stop the risk of malpractice and abuse among their members and to educate the newsmedia and the public. It is time we did the same in North Carolina.

Yet even if reason and justice will ultimately prevail in the Edenton tragedy, as I believe they will in the appeal courts, nothing can undo the havoc perpetrated by the prosecution and the therapists. The defendants have had their lives totally disrupted, their reputations destroyed, their careers perhaps terminally damaged. They are facing financial ruin, not to mention continued mortification and suffering, and alienation by their children. No amount of compensation can rectify these wrongs. The children too have been through a frightening ordeal. Only time will tell how they and their parents will cope with the heavy psychological burdens of this sordid affair. It is a sad commentary on our society that the prosecutors and therapy professionals who are ultimately responsible for this travesty of justice will walk away scottfree. It is very important that they not be provided an easy way out based on legal technicalities in the appeals, and that they and the courts and the therapeutic community squarely face the miscarriage of justice. Only then can the citizenry of this state be assured that what happened in Edenton will not happen again.

Let me conclude on an upbeat note. Much as the dark side of human nature has been exposed at Edenton, so has its noble side: the family and close friends of the accused who are standing by them and caring for their children; the courage^{ous} young mother who refused the plea bargain of the prosecution; the jurors who have voiced their misgivings about the jury's proceedings and admitted yielding to the ~~others~~ ^{others}' pressures on the guilty verdict. Without their selfless, caring actions, the defendants would have no chance.