

## EFFECTS OF SEPARATION ON YOUNG CHILDREN: IMPLICATIONS FOR FAMILY COURT DECISION MAKING

by Peter Ernest Haiman, Ph.D.

Often I have served as an expert witness for parents in family court. Recently, I watched helplessly as the court made a decision I knew would exacerbate, if not cause, child abuse and additional trauma to a two-year-old child. The mother was the primary caregiver, and it was to the mother that the child turned for comfort when in distress. The father was emotionally unstable, which he took out on his wife and daughter. Yet the judge supported placing the girl with her father on a trip to Canada for four weeks. This was much too long a separation from the primary caregiver. Yet the mother's attorney did not object. Nor did this attorney advocate in court for an expert witness to provide information about attachment research and the effects of visitation schedules on young children, as the mother had requested. This attorney never took the side of the child or showed empathy for her. This attorney and the opposing attorney spoke in private with each other for some time before the hearing began, and during the hearing they focused only on the needs of the parents.

This problem is not new. For decades, judges, attorneys, and even mediators have been making decisions that result in the ill-advised separation of very young children from their parents or other primary caregivers. Usually these decisions are based solely on the needs of the adults involved. Not enough consideration is given to the short- and long-term impact this separation will have on the child. Yet decisions made by courts can have a wide range of deleterious effects. Research has demonstrated that when young infants and toddlers are kept from developing a secure attachment to a primary caregiver, these children can experience this as traumatic. Some children develop a stutter; others have learning problems. These effects can continue throughout the life cycle (Graham, Heim, Goodman, Miller, & Nemeroff, 1999). Adolescents can have problems with authority, delinquency, attention deficits, shyness, and depression, among other issues. When they become adults, these individuals can present a variety of problems that interfere with their ability to maintain stable and enduring love and work relationships.

In this brief article, we are going to look at some relevant research from the child development literature, and at the effects of separation from the point of view of the infant, toddler, and preschool child. It is at this stage of life that the root of the problem lies.

### **Developing a Secure Bond**

During the first year of life, the infant bonds with its primary caregivers. We now know that the quality of this attachment affects right brain growth. This is significant because the right hemisphere of the brain is responsible for processing information related to our social interactions and emotions. Moreover, most right brain development occurs within the first two to three years of life. Thus, from an emotional standpoint, the most essential task of the first three years of life is the creation of a secure attachment between the infant and its primary caregiver, who is usually the mother. This bond is built through the consistent interplay of a highly complex and sophisticated, but purely emotional, communication taking place between the primary caregiver and the child. Studies have demonstrated that the manifestations of right brain growth and development that occur within the first two to three years can last a lifetime (Schoore, 2002).

Children who grow up feeling secure in their primary relationship will undergo normal emotional development. They will be equipped to handle constructively most traumas that may occur, either during childhood or later in life. According to neuropsychologist Allan Schoore (2002), “security of the attachment bond is the primary defense against trauma-induced psychopathology.”

On the other hand, children who are subjected to disruptive separation at an early age lack this secure foundation. This lack interferes with the development of the right side of the brain. You might wonder if they will simply outgrow any damage that might have occurred. Unfortunately, this is usually not the case. Research has shown that children who do not develop secure attachments with a primary caregiver during the first years of life later are unable to calm themselves down; they are more likely than are secure children to overreact to stimuli. Insecure children have less impulse control, less ability to tolerate stress, and less ability to tolerate frustration than do individuals who have experienced a more secure childhood (Toth & Cicchetti, 1998). They also are more at risk for anxiety, depression, aggression, violence, suicide, and substance abuse. In my opinion, one of the most socially significant effects of insecure attachment is the fact that these individuals lack the ability to empathize. Well-known

psychiatrist Alice Miller (1990) has written about how this inability can be passed from generation to generation within families.

### **The Pain of Separation**

What happens emotionally within a youngster when that child is taken away from his or her parent or caregiver? How has the research on human development helped us explain a young child's verbal stutter or a toddler's approach-avoidance behaviors? These can be understood as symptoms of the same underlying dynamic.

All youngsters possess a strong intrinsic motivation, a strong wish to verbally express themselves. When undue separation is imposed on an infant or toddler, in that child's eyes, this need for verbal self-expression is overpowered by feelings of loss and fear. This is how the child experiences undue separation. The child can feel forcibly silenced as a result. The child feels a powerful need to say something, but at the same time feels this need must be forcibly repressed. This conflict causes the stutter.

When an infant or youngster has been away from a primary attachment figure, such as the mother, he or she yearns to have the mother back. The child naturally rejoices when the mother returns. If, however, the child feels that the mother has been gone too long or has been away too frequently, the child's reaction will be mixed. At first, the child shows happiness at the reunion. Very soon, however, the youngster's behavior will change. The initial smile will disappear and the child will not even look at the mother he or she missed so much. The child will turn his or her back on the mother. Concerned, and frustrated because she has been the best parent she knows how to be, the mother approaches her child and attempts to reestablish a loving physical connection. The mother will go to her young child. She will try to pick her child up and establish a rapport with her youngster. It is not unusual for a child in this situation to resist the mother's attempts, to struggle and turn away, and to hit the mother or in other ways attempt to punish her.

Why does the infant turn its back on the mother? Why, now that the mother has finally returned, will the toddler begin without apparent reason to hit the mother he or she loves?

In each case, the youngster's behavior is saying the same thing: "I am totally dependent by nature. I am attached emotionally to you. It is from you that I learned I can trust to get my love and to get all my needs met when I need to have them met. I feel you were doing what a good parent is supposed to do: be there consistently and reliably for me so I can learn to trust in you. I won't be able to trust myself unless I learn to trust in you first. But then something bad

happened. You were gone when I needed you. You were away when I needed to be held. You were gone when I needed to hear the sound just of your voice. You were not there when I needed someone to comfort me. The time grew longer and longer without you. You were gone. I started to cry. I couldn't stop crying. You should have been there to protect me. You were not there to look at. I felt so weak. I could not eat.”

Although their behavior may be speaking loud and clear, most youngsters, even five- and six-year-olds, cannot put the above feelings into words.

But why the turning of the back? Why the loss of the smile shortly after reuniting with the mother? Why the hitting of a mother who has been the primary love and attachment figure for this toddler?

The hitting serves two purposes. First, it punishes the mother for abandoning the vulnerable young child. It is an expression of the intense, fear-based rage felt inside the infant, toddler, preschooler, or young child at having someone with whom there had been since before birth an unwritten contract of dependency and care—a contract that, from the child's point of view, had been broken without the possibility of repair (Main, 2000). Second, it is the establishment of an unwritten contract between the youngster and himself or herself never to be vulnerable in love and/or invest his or her trust in the love of another again—a contract that will be carried by that individual into adolescence and adulthood.

### **Family Courts Need to Be More Responsive**

I do not believe any family court in the United States wants to see these scenarios happen as a result of decisions made that involve the well-being of young children. I do not believe any father and mother wants children to suffer the short- and long-term damages that can multiply from such family court decisions. Yet, family courts continue to order visitations that require the young child be separated from that child's primary attachment figure.

Decisions made in family court that affect the life of the young child, but that are not based on well-researched theories of psychosocial development, such as attachment theory, hurt the very validity of the court. These decisions too often result in short- and even long-term psychological damage to the individual.

In many states, young children do not have legal representation of their own. Every child should have the right to have his or her developmental needs fully described in court. That child's unique life history must be understood if informed decisions are to be made on his or her

behalf, and appropriate parenting plans created. This requires an understanding of the research as well as of the individual child. It cannot be accomplished by lawyers alone. Children also need advocates who understand developmental theory and research, and who are able competently to represent the child's particular needs.

When evaluating a parenting plan, toddlers and preschoolers will show a well-trained observer how well the plan is working. Even nonverbal infants can express how well their needs have been met. Advocates are essential at this stage, as well, to let the court know if the plan is working. When will this vital process become standard in the family court system? It seems we have a long road to travel.

## References

- Graham, Y. P., Heim, C., Goodman, S. H., Miller, A. H., & Nemeroff, C. B. (1999.). The effects of neonatal stress on brain development: Implications for psychopathology. *Development and Psychopathology, 11*, 545–565.
- Main, M. (2000). The organized categories of infant, child, and adult attachment: Flexible vs. inflexible attention under attachment-related stress. *Journal of the American Psychoanalytic Association, 48*(4), 1055–1096.
- Miller, A. (1990). *For your own good: Hidden cruelty in child-rearing and the roots of violence* (3<sup>rd</sup> ed.). New York: Farrar, Straus, and Giroux.
- Schore, A. N. (2002). Dysregulation of the right brain: A fundamental mechanism of traumatic attachment and the psychopathogenesis of posttraumatic stress disorder. *Australian and New Zealand Journal of Psychiatry, 36*, 9–30. Retrieved from <http://www.trauma-pages.com/a/schore-2002.php>
- Toth, S. C., & Cicchetti, D. (1998). Remembering, forgetting, and the effects of trauma on memory: A developmental psychopathologic perspective. *Development and Psychopathology, 10*, 580–605.