PSYCHOLOGICAL PARENTING VS. ATTACHMENT THEORY: THE CHILD'S BEST INTERESTS AND THE RISKS IN DOING THE RIGHT THINGS FOR THE WRONG REASONS

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Psychological parenting theory is a distillation of psychoanalytic theory and clinical experience. It is not, literally, a theory, nor is it closely tied to major efforts in contemporary empirical research. Instead, as presented in Goldstein, Freud, and Solnit's 1973 book, *Beyond the Best Interests of the Child,*[1] it is an attempt to specify what a child's psychological needs are during early development, an effort to define the concept of a child's "psychological parent" and the role he or she plays in meeting the child's early needs, and a set of criteria that can expedite final placement as an alternative to ongoing regulation of family life by the courts. The impulse behind the theory is obviously humane. Goldstein, Freud, and Solnit's book reflects a painful awareness of the difficult family and legal circumstances in which children are often embroiled, as well as a keenly practical sense of what the legal system can and cannot expect to do well when faced with the task of predicting and managing family relationships over time. The premise of this paper is not that the recommendations of psychological parenting theory are wrong, or even impractical. Our premise, simply stated, is that these recommendations may very often lead us to make the right decision for the wrong reasons. Agreement as to the best course of action in particular cases should not obscure the fact that the psychoanalytic view of parent-child relationships is extremely controversial within the social, behavioral, and medical sciences.

Because the Goldstein, Freud, and Solnit recommendations derive from a psychoanalytic perspective, they lead us to underestimate the viability of shared parenting as a family structure, as a transitional arrangement during transfer of custody, and as a contribution to a child's development after placement. Their emphasis on separation as a singular cause of psychological damage discourages intervention in families from which children have already been removed or voluntarily placed in foster care; if the child's best

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1. J. Goldstein, A. Freud & A. Solnit, Beyond the Best Interests of the Child (1973) [hereinafter Beyond the Best Interests].

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interests lie in avoiding further separation experiences, then efforts to improve circumstances in the original family naturally give way over time to the goal of keeping the child with the custodial family. In addition, Goldstein, Freud, and Solnit have emphasized the length of seperation as a factor in terminating parental rights. This creates an incentive to cut short temporary placement. While this has advantages, in many cases the effect may be that children return to families before functioning social and economic environments can be reestablished.

Psychological parenting theory is one instance of an *incorrect* theory which, within limits, generates reasonable guidelines for action. In recent years, the laws of many states have evolved toward placing a child's presumed best interests ahead of parental rights. If we fail to distinguish between parenting theory's occasional correct results and its ultimate validity as a theory, then we risk abrogating biological parents' rights on spurious grounds.

I

Psychoanalysis and the Infant-Parent Bond

The psychological parenting theory draws upon Sigmund Freud's complex theory of human motivation and behavior. In particular, it is the basis for three central premises. These are that infants and young children are limited in their ability to establish and maintain more than one significant relation at a time; that the ill effects of separation from a psychological parent are the consequences of the separation experience *per se*; and that separation from a psychological parent in infancy or early childhood imposes a risk of profound ill effects, both in the short term and into adulthood.[2] In the comments that follow, we have emphasized points that are salient in Freud's own writings and are also recurring themes in more recent psychoanalytic theory. For our present proposals, differences between psychoanalysis and other schools of thought are more significant than the many passionately disputed differences within the psychoanalytic tradition.

One of the cornerstones of Freud's psychoanalytic theory is that individuals are endowed with a fixed amount of mental energy called libido. This theory leads to a unique view of the development and significance of early attachment relationships. According to Freud, a bond arises between mother and infant because the adult consistently relieves the infant of tension and discomfort associated with hunger and other biological drives. In response, the infant is said to "invest" a portion of its libidinal energy in the adult. Freud used the term "cathexis" to refer to the process of investing

2. Beyond the Best Interests, supra note 1, at 17-20 and 31-39; J. Goldstein, A. Freud & A. Solnit, Before the Best Interests of the Child 44 (1979) [hereinafter Before the Best Interests].

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libidinal energy in an object or person through whom basic biological and sexual drives can be satisfied. Freud assumed that the process of forming cathectic bonds is essentially the same in earliest infancy and in adulthood, and he characterized the infant-mother bond as a true love relationship. As the first love relationship, the infant-mother bond is the strongest and most enduring love, and serves as the prototype for all later love relationships.[3]

It is axiomatic that cathectic bonds are never withdrawn voluntarily. The breaking of cathectic bonds and the withdrawal of cathexis is intensely painful. Since Freud's theory postulates a fixed quantity of libidinal energy, it also implies that the stronger our attachment to a particular person, the less we are able to love others equally well. Because there are few competing demands on an infant's libidinal resources, and since satisfaction of its needs depends so entirely on the mother, psychoanalysts have assumed that the infant's tie to its mother exists almost to the exclusion of other significant relationships.[4]

Psychoanalysts view infants and young children as intensely invested in their primary attachments; they lack important mechanisms for coping with stress and are therefore extremely vulnerable. Loss, or even the threat of loss, is considered an unparalleled assault on the child's psychological and physical well-being. If an infant or young child suffers the pain of loss, it acts to recover the lost parent, and if this fails, it acts to cope with the pain by insuring that the risks of subsequent loss are minimized.[5] A great deal of research suggests that inability to form adult love relationships, delinquent and antisocial behavior, and vulnerability to depression are often associated with early histories of separation and loss of family ties. As we will see, this research is open to a variety of interpretations, but psychoanalysis explains it in the terms discussed above.

Psychoanalytic theory is not the only ground upon which psychological parenting theorists have based recommendations. Goldstein, Freud, and Solnit clearly brought a great deal of clinical experience and experience with the legal and social welfare systems to bear as well. Nonetheless, it is equally evident that their orientation and goals are decisively shaped by the psychoanalytic perspective.

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3. M. Rutter, Maternal Deprivation Reconsidered 19 (1981); Ainsworth, Object Relations, Depending, and Attachment: A Theoretical Review of the Infant-Mother Relationship, 40 Child Dev. 969-1025 (1969).

4. Lamb, Father-Infant and Mother-Infant Interaction in the First Year of Life, 48 Child Dev. 167-81 (1977) [hereinafter First Year of Life]; Lamb, The Development of Mother-Infant and Father-Infant Attachments in the Second Year of Life, 13 Developmental Psychology 637-48 (1977) [hereinafter Second Year of Life]; M. Rutter, supra note 3, at 141-42.

5. Bowlby, The Nature of the Child's Tie to Its Mother, 39 Int'l J. Psychoanalysis 350-73 (1958) [hereinafter Bowlby, The Child's Tie to Its Mother]; J. Bowlby, Attachment and Loss: I. Attachment 177 (1969) [hereinafter J. Bowlby I.]; J. Bowlby, Attachment and Loss: II. Separation, Anxiety, and Anger (1973) [hereinafter J. Bowlby II.]; J. Bowlby, Attachment and Loss: III. Loss, Sadness, and Depression (1980) [hereinafter J. Bowlby III.].

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II

CONTEMPORARY ATTACHMENT THEORY

The history of psychoanalytic theory is one of struggle against the established order in medical and social/behavioral sciences, followed by a period in which it displaced the established order, only to come under close scrutiny, evaluation, and new attacks. Much of the criticism of psychoanalytic theory in the last fifteen years has been offered in the context of a major clash of paradigms within the behavioral sciences. Psychoanalysts advocated clinical exploration of the mind and covert processes and psychological structures, while behaviorists of various descriptions argued that knowledge could only advance through experimentation and that only observable behavior could be studied scientifically.

In the competition among paradigms, no one wins when one view prevails to the exclusion of genuine insights gained through the other. During the late 1940's and early 1950's the British psychologist and psychoanalyst John Bowlby recognized that such a situation threatened to undermine progress in research on parent-child relationships. In a project spanning over twenty-five years, Bowlby undertook to identify and preserve genuine insights that are the legacy of psychoanalytic interests in the parent-child bond.[6] The key to his strategy has been to convey Freud's sense of the affective, cognitive, and behavioral complexity of early attachment relationships, while replacing Freud's concept of mental energy with a more scientific model of motivation.

In Bowlby's view, Freud correctly understood the significance of early attachment relationships, but misused/misapplied concepts like mental energy and cathexis. Bowlby proposed that a variety of infant behaviors which seem puzzling in modern contexts may once have served humans quite well in the environments in which our species evolved. In particular, fear of the dark, of looming objects, of separation, and the tendency to become distressed and to approach or follow a particular adult when tired, hungry, ill, or in unfamiliar situations are analogous to a variety of antipredator behaviors identified by researchers on animal behavior.[7] According to Bowlby, human learning abilities during infancy have evolved in such a way that infants readily learn a variety of complex behavior patterns if they receive the necessary environmental support.

Contemporary research substantially confirms Bowlby's view that the infant uses its primary caregivers as a secure base or haven of safety from

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6. Bowlby, The Child's Tie to Its Mother, supra note 5; J. Bowlby I., supra note 5; J. Bowlby II., supra note 5.; J. Bowlby III; supra note 5.

7. E.g., R. Hinde, Animal Behavior (2d ed. 1970).

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which to explore the environment.[8] In familiar situations, infants explore away from their caregivers while intermittently checking on their whereabouts. In unfamiliar situations, or in contexts which in earlier times might have entailed risks of predation (for example, darkness), the tendency to explore gives way to a need to seek contact with primary caregivers. Contemporary research also demonstrates that the tendency to coordinate exploration and contact seeking develops in part out of the infant's experience of consistent and responsive care and out of patterns of cooperative interaction with one or a few adults.[9] In addition, a number of recent longitudinal studies show that confidence acquired in the course of using an adult as a secure base plays an important role in the development of personality,[10] of subsequent peer relations,[11] and of both prosocial and antisocial behavior.[12]

While its basic motivational theory was incorrect, psychoanalytic theory anticipated each of these findings. Thus, Bowlby's decisive revision of attachment theory has enabled us to preserve and extend some of Freud's most significant insights about the complexity and significance of early development. At the same time, Bowlby's findings have enabled us to demystify these important phenomena by replacing psychoanalytic explanations with reference to well-studied mechanisms of learning and development.

Although Bowlby's analysis preserves psychoanalytic insights, it entails major revisions of psychoanalytic theory. Consequently, contemporary theorists have questioned the inferences derived from psychoanalytic libido theory, outlined above. For example, contemporary attachment theory is not wed to the notion that infants and young children can only establish and maintain one primary attachment relationship. In fact, set free from the conceptual blinders imposed by libido theory, both intuition and empirical research indicate that multiple attachments are the rule rather than the exception.[13] Ethological attachment theory (behavioral theory based on the study of animal behavior) also places much greater emphasis on the environmental factors that influence responses to separation. Whereas psychoanalysts construe separation as inherently painful and threatening, ethological

8. E.g., M. Ainsworth, S. Bell & D. Stayton, Individual Differences in Strange Situation Behavior of One-Year-Olds, The Origins of Human Social Relations 17-57 (H. Schaffer ed. 1971).

9. E.g., M. Ainsworth, M. Blehar, E. Waters & S. Wall, Patterns of Attachment (1978).

10. E.g., Sroufe, The Coherence of Individual Development, 34 Am. Psychologist 834-41 (1979).

11. E.g., Waters, Wippman & Sroufe, Attachment, Positive Affect, and Competence in the Peer Group: Two Studies in Construct Validation, 50 Child Dev. 821-29 (1979).

12. E.g., E. Waters, D. Hay & J. Richters, Infant-Mother Attachment and the Development of Prosocial and Antisocial Behavior, in The Origins of Prosocial and Antisocial Behavior (D. Olweus, J. Block & M. Radke-Yarrow ed. 1984).

13. E.g., First Year of Life, supra note 4; Second Year of Life, supra note 4.

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attachment theorists emphasize that attachment supports the development of independence, and that responses to separation are strongly conditioned by the circumstances under which the separation occurs.[14] Finally, ethological attachment theory highlights the persistence of attachment behavior, but does not contend that early disruptions necessarily imply later pathology. The theory simply describes and explains a pattern of infant behavior that serves the infant well and also lays a foundation for subsequent development. In the context of ethological theory and contemporary theories of social learning, relationships between attachment and later development are neither mystical nor inevitable. In every case, both the child's previous experience *and* the physical and social environments in which the child develops are significant.

III

The Effects of Separation and Loss

Psychological parenting theory was not developed from theory alone. Goldstein, Freud, and Solnit cite a number of studies from the period between 1943 and 1962 concerning children who experienced prolonged separation or loss of parents early in childhood.[15] Much of this research indicates that early separation and loss are associated with subsequent criminality, personality disorders, cognitive difficulties, and depression. This research has been widely accepted as consistent with psychoanalytic theory and as a rational basis for recommendations about child placement.

Unfortunately, research on separation and loss cannot be carried out by randomly assigning subjects to such experiences. Subjects have to be taken as available: in orphanages, foster homes, or hospitals. These environments, and the circumstances that lead a child into them, can have significant influences on a child's development. Consequently, it becomes difficult to decisively attribute negative effects to separation or loss per se.

In addition, while the most carefully designed research projects necessarily involve longitudinal studies that require substantial funding and must span long periods of time, the need for data to address pressing real world problems is immediate. In response, researchers have often turned to retrospective studies in which adolescents or adults with various problems are interviewed about separation and loss experiences that occurred when they were young. These research designs obviously omit subjects who experienced early separation or loss and yet did not develop serious problems. The fact that thirty to forty percent of depressed patients or juvenile thieves experienced early separation or loss does not imply that the risk of depres-

14. J. Bowlby II, supra note 5.
15. Beyond the Best Interests, supra note 1, at 16 n.3.

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sion or delinquency following upon these experiences is as high as thirty to forty percent.

A number of reviewers have recently examined the research on separation and loss as predictors of later problems. In addition to pointing out the limitations inherent in this difficult line of research, they have been able to clarify the research questions, summarize well-replicated findings, and determine whether separation or loss is a plausible explanation for the negative effects often attributed to one or the other.

A particularly incisive and thorough analysis of the available data[16] is offered by Michael Rutter who argues that it is essential to distinguish between the effects of deprivation (the breaking of established bonds) and privation (the lack of opportunity ever to have formed an attachment).[17] Rutter suggests that the effects associated with breaking of bonds are significantly related to the circumstances surrounding the separation or loss, and are generally not long in duration. In particular, the distress due to separation or loss need not be problematic (for example, violent) if familiar substitute care is available, and if substitute care can be provided in familiar surroundings.[18]

The so called affectionless psychopathy syndrome, in which an adult lacks a capacity for guilt and is unable to form significant attachments in adulthood, has often been associated with early separation and loss.[19] Rutter indicates that studies show the syndrome to be primarily associated with circumstances that prevented the formation of attachment relationships prior to age three years.[20] Thus, long-term hospitalization, isolation in institutional care, or multiple placements and displacements are most destructive if they prevent the formation of relationships (i.e., prevent the child from learning to love) during these critical early years. The same experiences rarely lead to the affectionless psychopathy syndrome in children who are older and have previously developed normal attachment relationships.[21]

Rutter's review indicates that the relationship between separation or loss and subsequent delinquency cannot be attributed solely to the breaking of bonds.[22] More accurately, delinquency is attributable to family circumstances that precede or result in the separation or loss. In particular, comparison of children who have lost a parent through death with those whose parents are separated by divorce indicates that the discord preceding or

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16. M. Rutter, supra note 3.
17. Id. at 108-09.
18. Id. at 63-80.
19. Id. at 126.
20. Id. at 102-06.
21. Id. at 73.
22. Id. at 102-06.

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leading to the dissolution of a family is a major factor in the children's subsequent adjustment. When a history of family discord is absent, as is typical in cases of death by accident or illness, the risk of delinquency is little higher than in the population in general.[23] The minor increase in delinquency that is seen is easily attributable to changes in the parenting behavior of the surviving parent.

Rutter's review indicated that a child's reaction to separation and loss are also influenced by a number of factors other than those mentioned above, including the child's age, sex (males are more affected), and temperament. The quality of the child's attachment to the person who has been lost, the quality of substitute care provided, the presence of siblings, and the opportunity to form new relationships, also all bear upon the negative effects of separation and loss.[24] In addition, where negative effects are not prevented, they may be mitigated by other positive experiences.[25] The family, the school, peer relationships, and adult love relationships can all be important factors in reversing the effects of early separation or loss.

IV

Endorsements and Reservations

Despite Goldstein, Freud, and Solnit's explicit reservations about the use of rigid timetables, psychological parenting theory has become closely identified with specific guidelines for child placement. This is unfortunate for two important reasons. First, guidelines may become prescriptions if decision-makers fail to understand the logic and goals behind them. The problem with prescriptions in the behavioral sciences is that they make it harder for us to recognize and respond to the inevitable, even frequent, "special cases" that arise in every application of behavioral science to real world problems. A second problem that arises when guidelines become prescriptions is that, in forgetting the logic and evidence that were initially brought to bear in developing the guidelines, we inevitably lose our critical perspective. Our confidence in the guidelines increases without any corresponding increase in evidence. They become less and less subject to revision in the face of negative findings. The risk in collaboration between the law and the behavioral sciences lies less in the likelihood of making errors than in the likelihood of perpetuating them.

As indicated above, we have a variety of reservations about the specific criteria for placement decisions outlined in psychological parenting theory. Nonetheless, many of the goals that these criteria were designed to achieve

23. Id. at 109-14.
24. Id. at chs. 4, 10.
25. Id. at 188.

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are consistent with current views of early cognitive development, contemporary attachment theory, and common sense. In particular, it is extremely important for decision-makers to realize that a child's perspective on intervention in a family is important and will be quite different from an adult's. The difference between these perspectives is likely to be most striking with respect to the child's perception of time intervals, its understanding of the reasons for intervention, and its appreciation of the difference between short-term and long-term costs and benefits.[26] These differences in perspective do not require that we avoid intervention. They simply mean that we should take the child's age and level of social and cognitive development into account when we estimate the potential impact of a proposed intervention, and that we should design strategies for intervention with the participants' perspectives clearly in mind (including the goal of return to biological families).

We can endorse parenting theory's emphasis on the difficulties inherent in predicting or monitoring family life on a continuing basis.[27] We can also agree that parent-child bonds should not be disrupted or dissolved casually, and that the child's view of who provides support is more important than biology or place of residence.[28] At the same time families should be afforded as much certainty as to the enduring nature of family ties as possible.[29] Our reservation here is that parenting theory places too much emphasis on identifying a particular most significant attachment figure,[30] when it is evident that there will often be several.

As we have seen, parenting theory seriously underestimates the extent to which situational factors surrounding separation and transfer of care can influence the child's development. It also underestimates the ease with which new attachment relationships can form in infancy and early childhood. In part, this difficulty arises from the models of motivation outlined above. In addition, psychoanalysts generally have much more experience with children who have psychological problems and limited coping skills than they have with normal children, who are the daily fare of most research psychologists. It may be that the children seen in clinics are less able than most to deal with separation or to form new relationships, but this means that placement decisions should involve thorough evaluation, not rigid guidelines.

There is persuasive evidence that multiple placements are associated with significant developmental problems[31] and should be avoided. But as we

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26. Beyond the Best Interests, supra note 1, at 40-49.
27. Id. at 49-52.
28. Id. at ch. 2.
29. Id. at ch. 3.
30. E.g., id. at 51.
31. M. Rutter, supra note 3, at 55.

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have seen, the evidence on effects of early and multiple placements is subject to other, quite different interpretations from those offered by parenting theory. In our view, the evidence does suggest avoiding multiple placements, but it neither implicates nor validates the bonding and defense mechanisms cited in parenting theory.

Finally, we are sympathetic with the goal of informing parents and social agencies of the consequences of long placements.[32] We also understand that setting deadlines may motivate parents and caseworkers to avoid undue delays. However, as indicated above, contemporary theory and research suggest that the risks inherent in early separation are overstated in parenting theory. Accordingly, the threat of terminating parental rights in response to parental inaction or casework delay would seem excessive in relation to the child's valid interests in being spared such delays.

As a practical matter, it is quite difficult to obtain valid data from which to determine whether an infant or young child is or is not attached to a particular person. This generally requires between nine and twelve hours of observation in the home and in other real world settings. Even then, a simple yes or no decision calls for a highly subjective clinical judgment. Data on whether a child cries when separated from a particular adult is of no value whatsoever in assessing the existence, strength, or quality of early attachment. There are well-validated laboratory measures for assessing qualitative aspects of relationships (e.g., an infant's confidence in a caregiver's availability and responsiveness). But these measures are only useful when the infant is studied in relation to someone to whom it is clearly attached, and then the measures are only useful in a narrow age range (twelve to twenty-four months). Neither contemporary theory nor research affords any basis for determining the relative strength of attachment to two adults, except in infancy when the primary caregiver might be assumed to be the primary attachment figure.

The problems that arise when we try to identify a most significant caregiver are especially clear in custody disputes between a father and mother. Absent a history of abuse or gross neglect, children will invariably be attached to both parents. Neither is *the* psychological parent. Moreover, it is obvious that even if we could designate one parent as the more significant figure at some point in time, the importance of same sex and opposite sex parents for normal development changes during the course of a child's sexual, social, and emotional development. However important parents are as attachment figures, they also play other crucial roles (as models, teachers, advocates, etc.) which are largely ignored in parenting theory.

In sum, the emphasis on avoiding separation per se and the dire consequences of separation predicted by psychological parenting theory are not

32. Before the Best Interests, supra note 2, at 50-51.

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supported by the available data. Advocates of the theory overestimate the likelihood and probable severity of negative effects. The mechanisms they propose to explain negative effects do not fit the data. Advocates of parenting theory also underestimate the possibility of ameliorating the effects of separation or loss. This is not to suggest that courts or social agencies should feel free to move children at will. They clearly should not. Nevertheless it is important to keep the child's legitimate interests in perspective. Neither children, nor parents, nor substitute caregivers, nor society at large is served by absolutes where there are none. Moreover, the reasonableness of guidelines developed from parenting theory, and the obviously sage advice that Goldstein, Freud, and Solnit would offer in particular cases, cannot validate psychoanalytic theory as a sound basis for decision-making, intervention, or social policy. It is quite appropriate for psychoanaltically oriented clinicians to develop guidelines based on their best understanding of psychological theory and data. But when these guidelines are incorporated into case law, as parenting theory has been in several states, the guidelines become gilded as we gain illusory confidence in them and extend their range of application without empirical support. The law's inability to monitor family life on an ongoing basis guarantees that it will be slow to recognize the errors which will invariably result from such a rigid approach.

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