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February 29, 2004

Guest Viewpoint: Film undermines efforts to fight child abuse

By Jennifer Freyd

WEB EDITOR'S NOTE: *The posted version of this story was edited March 1, 2004, to include a correction.*

We are in serious denial, as a culture, about child abuse and its brutal costs - both to our youth and to our nation. The latest sign of our collective denial is the nomination of a seriously flawed film for an Oscar.

In the late 1980s a judge in New York state found three people guilty of multiple counts of child abuse. The details, as always, are sordid.

The perpetrators pretended to be teaching computer literacy to young boys in their basement. In fact, they were showing them pornography and inducing them to commit various sexual acts. Thirteen of the victims came forward to accuse the perpetrators, who confessed and were convicted.

Almost 20 years later, filmmaker Andrew Jarecki stumbled onto this case and made a documentary about it: "Capturing the Friedmans." This film is a favorite to win an Oscar for best documentary when the Academy Awards are televised tonight.

On the surface, the film seems like a fair-minded treatment. However, while the film self-consciously proclaims itself a balanced documentary, on close examination it implicitly takes an advocacy position that undermines our legal system's response to child abuse.

In fact, most reviewers and much of the public apparently believe the film chronicles a miscarriage of justice. The filmmaker has even jumped on the false-accusation bandwagon and is supporting an attempt to overturn the conviction of one of the perpetrators.

Scholars familiar with the case point to many instances where the filmmaker left out crucial evidence. The New York Times reports that six victims have objected to the film's nomination because it distorts reality. Two of the victims objecting to the film wrote, in an open letter to the Academy Awards Committee, "Don't use our story to promote the agenda of a confessed child molester who destroyed our childhood and confessed numerous times."

The case against the Friedmans was airtight, yet the filmmaker has intentionally reframed it as ambiguous, simply by omitting incriminating evidence.

Perhaps the lesson here is that the term "unbiased documentary" is an oxymoron. However, I fear that incredibly strong forces are at work to deny both the extent of child abuse and the significance of its human and social costs.

This film reopens the Friedman case by raising the question of guilt or innocence in the context of a possible miscarriage of justice. Since the film's release, media accounts of the case have actually used terms such as "alleged victims" and "accused perpetrator," as though there had been no conviction.

While I embrace the concept of suspects being innocent until proven guilty, this case involves people already convicted of child abuse in a court of law. At some point in wrongdoing, the truth is not about balance or neutrality, but simply the undisputed facts.

A film that pretends to be neutral in order to reinforce a biased viewpoint can be more powerful than one that openly takes an advocacy position. The practical impact of the film has been to discredit the victims, to create confusion about the conviction of the perpetrators and to generally support the mistaken view that people often are falsely convicted of child abuse.

As the two victims noted in their open letter, "If this film does win an Oscar, it will be won at the expense of silencing the plaintive voices of abused children once again, just as our own voices were silenced 16 years ago by the threats and intimidation of our tormentors, Arnold and Jesse Friedman."

Recasting this case, as director Jarecki does, would be the moral thing to do if there had truly been a miscarriage of justice. However, since there is no question that justice has been served, this film causes new harm to the victims and further muddies the public perception of the realities of child abuse.

Shame on the Academy if this film wins an Oscar. Shame on the media, for being so easily taken in by this lambskin-clad wolf.

Jennifer Freyd is a professor of psychology at the University of Oregon. She led a symposium on the science of child abuse for the American Association for the Advancement of Science's annual meeting in Seattle earlier this month.

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