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Dr. Richard Gardner: A Review of His Theories and Opinions on Atypical Sexuality, Pedophilia, and Treatment Issues

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Introduction

Richard A. Gardner, M.D., is a prominent forensic expert with an extensive career of evaluating children, especially during custody disputes between parents. He is considered a leading authority in the field and has even been described as the "guru" of child custody evaluations (Quinn, 1991). Gardner has developed numerous theories and instruments on issues related to children and his work continues to serve as a basis for decisions affecting the welfare of children in courtrooms across the nation. In 1992, an article in *The National Law Journal* described Gardner "as one of the most prominent--some say dangerous--voices espousing the 'backlash' theory that there is an epidemic of vindictive women falsely accusing fathers of child sex abuse to gain leverage in child-custody disputes" (Sherman, 1993, p. 1). While Gardner 's theories about mass sexual abuse hysteria have been widely criticized, his views on bona fide child sexual abuse and his treatment recommendations for working with incestuous families have largely been ignored. This article provides an in-depth exploration of Gardner 's views on pedophilia and his therapeutic approach to working with families in which a child has been molested by a parent.

Gardner 's Background

Gardner is a practicing child psychiatrist, adult psychoanalyst, and clinical professor of child psychiatry at the College of Physicians and Surgeons at Columbia University . He has authored more than 250 books and articles with advice directed towards mental health professionals, the legal community, divorcing adults and their children (Sherman, 1993, p. 45). Gardner 's private publishing company, Creative Therapeutics, publishes his many books, cassettes, and videotapes. Gardner also has his own agent and maintains a website [1] which advertises his materials. Information available on Gardner 's website indicates that he has been certified to testify as an expert in approximately 300 cases, both criminal and civil, in more than 24 states. Gardner typically testifies for the defense in child sexual abuse cases.

Gardner 's Theory of Atypical Sexuality

"The younger the survival machine at the time sexual urges appear, the longer will be the span of procreative capacity ..."

Gardner (1992, pp. 18-32) has developed his own theory concerning the evolutionary benefits of deviant sexual practices or paraphilias. Gardner proposes that many different types of human sexual behavior, including pedophilia, sexual sadism, necrophilia (sex with corpses), zoophilia (sex with animals), coprophilia (sex involving defecation), klismaphilia (sex involving enemas), and urophilia (sex involving urinating), can be seen as having species survival value and thus do "not warrant being excluded from the list of the `so-called natural forms of human sexual behavior.'" Such paraphilias may serve nature's purposes by their ability to enhance the general level of sexual excitation in society and thereby increase the likelihood that people will have sex,

which then contributes to the survival of the species (Gardner, 1992, p. 20).

As part of his theory, Gardner (1992, pp. 24-5) proposes that pedophilia serves procreative purposes. Although the child cannot become pregnant, a child who is drawn into sexual encounters at an early age is likely to become highly sexualized and thus will crave sexual experiences during the prepubertal years. Such a "charged up child" is more likely to transmit his or her genes in his or her progeny at an early age. Gardner (1992, pp. 24-5) states: "The younger the survival machine at the time sexual urges appear, the longer will be the span of procreative capacity, and the greater the likelihood the individual will create more survival machines in the next generation."

Gardner 's Views on Pedophilia

"The sexually abused child is generally considered to be the victim," though the child may initiate sexual encounters by "seducing" the adult.

Despite Gardner 's emphasis on false allegations of sexual abuse, he admits that genuine sexual abuse of children is widespread and that the vast majority ("probably over 95%") of all sex abuse allegations are valid (Gardner, 1991, p. 7, 140). In fact, Gardner (1992, p. 670) considers sexual activities between adults and children to be a universal phenomenon which exist to a significant degree in every culture in the world. Similarly, "intrafamilial pedophilia (that is, incest) is widespread and ... is probably an ancient tradition" (Gardner, 1991, p. 119).

Gardner (1991, p. 118) suggests that Western society's is "excessively moralistic and punitive" toward pedophiles. Gardner maintains that "the Draconian punishments meted out to pedophiles go far beyond what I consider to be the gravity of the crime." The current prohibition of sex between adults and children is an "overreaction" which Gardner traces to the Jews.

It is of interest that of all the ancient peoples it may very well be that the Jews were the only ones who were punitive toward pedophiles. Early Christian proscriptions against pedophilia appear to have been derived from the earlier teachings of the Jews, and our present overreaction to pedophilia represents an exaggeration of Judeo-Christian principles and is a significant factor operative in Western society's atypicality with regard to such activities (Gardner, 1992, pp. 46-7).

Gardner (1992, p. 15) states: "There is good reason to believe that most, if not all, children have the capacity to reach orgasm at the time they are born." In addition, some children experience "high sexual urges in early infancy" and "the *normal* [italics in original] child exhibits a wide variety of sexual fantasies and behaviors, many of which would be labeled as `sick' or `perverted' if exhibited by adults" (Gardner, 1991, p. 12). Gardner (1986, p. 93) notes that "the sexually abused child is generally considered to be the victim," though the child may initiate sexual encounters by "seducing" the adult. Gardner (1986, p. 93) suggests that if the sexual relationship is discovered, "the child is likely to fabricate so that the adult will be blamed for the initiation."

The view that pedophilia is a sickness and a crime is a reflection of Western society's present position on this subject. As a product of Western culture, Gardner (1992, p. 49) states: "I too have come to believe that sexual activity between an adult and a child is a reprehensible act. However, I do not believe that it is intrinsically so; in other societies and other times it may not be psychologically detrimental." "The determinant as to whether the experience will be traumatic is the social attitude toward these encounters" (Gardner 1992, pp. 670-1).

Gardner 's Treatment Recommendations for Sexually Abused Children

Gardner (1991, p. 66) notes that he does not conduct therapy for sex abuse, unless he is "100 percent convinced that the abuse has indeed taken place." In addition, Gardner (1992, p. 535) states: "It is *extremely* important for therapists to appreciate that the child who has been genuinely abused may *not* need psychotherapeutic intervention" [italics in the original].

There is a whole continuum that must be considered here: from those children who were

coerced and who gained no pleasure (and might even be considered to have been raped) to those who enjoyed immensely (with orgastic responses) the sexual activities. (Gardner, 1992, p. 548).

Treatment is only warranted if the child is symptomatic in important areas of his or her life, such as in home, school or in relationships with peers (Gardner, 1992, p. 536). If treatment is needed, Gardner (1992, p. 536) recommends that a single therapist should be used and the whole family (including the perpetrator) should be included in the therapy. Gardner (1992, p. 528) warns against choosing a therapist who assumes that a sexual encounter between an adult and a child will necessarily cause the child to suffer severe psychiatric disturbances, as such a therapist will be "compromised in the treatment of these children."

Of relevance here is the belief by many of these therapists that a sexual encounter between an adult and a child--no matter how short, no matter how tender, loving, and non-painful--automatically and predictably must be psychologically traumatic to the child. (Gardner, 1992, pp. 670-1)

According to Gardner : "The determinant as to whether the experience will be traumatic is the social attitude toward these encounters" (Gardner, 1992, pp. 670). Although children should be protected from further abuse, Gardner (1992, p. 537) recommends that special care should be taken by the therapist to not alienate the child from the molesting parent. The removal of a pedophilic parent from the home "should only be seriously considered after all attempts at treatment of the pedophilia and rapprochement with the family have proven futile" (Gardner, 1991, p. 119). Even pedophiles who abuse children outside of the home should first be given the opportunity for community treatment. "If that fails then and only then should some kind of forced incarceration be considered" (Gardner, 1991, p. 119). Conversely, Gardner (1992, p. 590) notes that people who have exhibited an ongoing pattern of pedophilia are not likely to be cured, and that meaningful therapy cannot occur with either the child or the father if there is a high risk of recurrence.

Therapy with the Child

Gardner (1992, p. 535) views post-traumatic stress disorder (PTSD) as "nature's natural form of systemic desensitization." Gardner recommends that the mother be discouraged from involving herself with litigation [2] as "it will interfere with the natural desensitization process and will subject the child to a wide variety of interrogations that will inevitably be damaging" (Gardner,1992, p. 577). Moreover, legal and psychiatric investigation of the trauma may cause more psychological damage to the child than that done by the abuse (Gardner, 1988, p. 75). The PTSD-desensitization process involves repetition of the trauma verbally, emotionally, and during fantasy play (Gardner, 1992, p. 532). The child becomes preoccupied with thoughts and feelings about the trauma. Each time the child relives the experience, it becomes a little more bearable (Gardner 1988, p. 75). Over time "the preoccupations diminish often to the point where they may be entirely forgotten" (Gardner, 1992, p. 536). Eventually, the process may help the child to "bury the whole incident" (Gardner, 1988, p. 75). According to Gardner (1992, p. 536): the goal of therapy should be to "facilitate the desensitization process, not artificially prolong it" with psychotherapeutic "muckraking."

If the child feels guilt about participating in the sexual activities with adults, Gardner (1992, p. 549) recommends that the child be told that in other societies such behavior is considered normal and that our society has an exaggeratedly punitive and moralistic attitude about adult-child sexual encounters.

Older children may be helped to appreciate that sexual encounters between an adult and a child are not universally considered to be reprehensible acts. The child might be told about other societies in which such behavior was and is considered normal. The child might be helped to appreciate the wisdom of Shakespeare's Hamlet, who said, "Nothing's either good or bad, but thinking makes it so." (Gardner, 1992, p. 549)

Gardner notes that the child may exhibit strong sexual urges when the abuse discontinues. These children should be encouraged to masturbate (1992, pp. 580, 585).

Therapy with the Mother

> **"Perhaps she can be helped to appreciate that in the history of the world his behavior has probably been more common than the restrained behavior of those who do not sexually abuse their children."**

Treatment for the mother should center around defusing her anger at her husband and helping her to become more sexually responsive to him.

If the mother has reacted to the abuse in a hysterical fashion, or used it as an excuse for a campaign of denigration of the father, then the therapist does well to try and "sober her up".... Her hysterics ... will contribute to the child's feeling that a heinous crime has been committed and will thereby lessen the likelihood of any kind of rapproachment with the father. One has to do everything possible to help her put the "crime" in proper perspective. She has to be helped to appreciate that in most societies in the history of the world, such behavior was ubiquitous, and this is still the case. (Gardner, 1992, pp. 576-7)

According to Gardner (1992, p. 584-5), mothers of sexual abuse victims are often passive, masochistic, social isolates who were often themselves sexually molested during childhood. As a result, residual anger toward her sexual molester may be interfering with her relationship with her husband. Gardner suggests that the therapist should help her to reduce such residual anger. Gardner (1992, p. 585) states: "Perhaps she can be helped to appreciate that in the history of the world his behavior has probably been more common than the restrained behavior of those who do not sexually abuse their children." In addition, the mother is likely to have sexual problems and may consciously or unconsciously sanction the abuse because of her own sexual inhibitions.

She may never have achieved an orgasm--in spite of the fact that she was sexually molested, in spite of the fact that she had many lovers, and in spite of the fact that she is now married. (Gardner, 1992, p. 585)

Gardner (1992, pp. 585) suggests that the therapist should help her achieve sexual gratification. Gardner notes that "verbal statements about the pleasures of orgastic response are not likely to prove very useful. One has to encourage experiences, under proper situations of relaxation, which will enable her to achieve the goal of orgastic response." Gardner (1992, p. 585) suggests that vibrators can be extremely useful in this regard, and "one must try to overcome any inhibition she may have with regard to their use." Gardner (1992, p. 585) states: "Her own diminished guilt over masturbation will make it easier for her to encourage the practice in her daughter, if this is warranted. And her increased sexuality may lessen the need for her husband to return to their daughter for sexual gratification."

Therapy with the Pedophilic Father

> **"He has to be helped to appreciate that, even today, [pedophilia] is a widespread and accepted practice among literally billions of people."**

Gardner (1992, p. 588) does not believe in doing therapy with fathers who deny committing sexual molestation. If father desires treatment, the therapist should focus on enhancing his self-esteem. This is accomplished by helping him to appreciate that "there is a certain amount of pedophilia in all of us" and that "pedophilia has been considered the norm by the vast majority of individuals in the history of the world" (Gardner 1992, pp. 592-3).

He has to be helped to appreciate that, even today, it is a widespread and accepted practice among literally billions of people. He has to appreciate that in our Western society especially, we take a very punitive and moralistic attitude toward such inclinations. He has had a certain amount of back (sic) luck with regard to the place and time he was born with regard to social attitudes toward pedophilia. (Gardner, 1992, p. 593)

In addition to feeling sorry for his own misfortune, the father should be helped to feel pity for the child for having been "a victim in a society that considers his [the father's] behavior a heinous crime and/or a mortal sin" (Gardner 1992, p. 592). If the father feels no guilt, then the therapeutic goal is to increase it. Gardner (1992, p. 594) notes that the father may rationalize that pedophilia is an ancient tradition, a worldwide practice, and that there is nothing at all to be guilty about.

Such fathers have to be helped to appreciate that although what they say on this point is true, this does not justify its practice in *our* [italics in original] society, even though our society

overreacts to it. It is because our society overreacts to it that children suffer. (Gardner, 1992, p. 594-5)

Despite the molesting father's "bad luck" regarding the place and time he was born, he "must learn to control himself if he is to protect himself from the Draconian punishments meted out to those in our society who act out their pedophilic impulses" (Gardner 1992, p. 594). However, therapy with the father should not be spent focusing on the primary problem --sexual molestation. Instead, therapy should be spent "talking about other things" as the goal of therapy is "to help people forget about their problems" (Gardner, 1992, p. 592).

Case Example: The Girl and the Bus Driver

> **". . . except for a certain amount of sexual frustration that was not gratified â€¦ the 4-year-old had not been significantly traumatized by these encounters."**

In his book, *True and False Accusations of Child Sex Abuse* , Gardner (1992, pp. 608-12) provides a case example of his treatment of a 4-year-old child ("Jane") who was the victim of extra-familial child sexual abuse. Jane's mother consulted Gardner because her daughter was sexually acting out. The child later revealed to her mother that she was being molested by her nursery school bus driver. The driver had rearranged her route so that the little girl was the last child dropped off. Prior to taking the child home, the bus driver would park in an abandoned parking lot and sexually molest the child. The mother brought the situation to the attention of the school authorities and the bus driver reluctantly admitted that she had indeed molested the child. The school dismissed the driver. The mother sought Gardner 's opinion on whether she should report the bus driver to the police.

Gardner strongly discouraged reporting the child molester to the police. (According to Gardner , this event happened in the late 1970s -- before mandated reporting.) Gardner states: "I discouraged the mother from doing so with the argument that the child would be subjected to a series of police investigations and might possibly be involved in a criminal trial. Although such reporting might be of some benefit to society, there was no question that Jane herself would be psychologically damaged. Furthermore, I told the mother that it would make it much more difficult for me to treat Jane because such exposures would interfere with the natural desensitization process, would be likely to enhance guilt, and would have other untoward psychological effects." The mother complied and the bus driver was not reported.

Gardner determined that the child had been molested at a frequency of two to three times a week over a period of two to three months. The bus driver would masturbate Jane, but not to orgasm. Gardner (1992, p. 612) concluded that "except for a certain amount of sexual frustration that was not gratified, the 4-year-old had not been significantly traumatized by these encounters."

Comparison of Gardner 's Views with Those of NAMBLA

The North American Man/Boy Love Association (NAMBLA) is a political, civil rights and educational organization that advocates sex between adult males and male children. Mary De Young (1989), associate professor of sociology at Grand Valley State University , outlined the arguments used by NAMBLA to justify, normalize, and/or rationalize sex between adults and children. NAMBLA members were found to utilize four major strategies: denial of injury; condemnation of the condemners; appeal to higher loyalties; and denial of the victim. Although literature by NAMBLA is not cited by Gardner , similar strategies are mirrored throughout his writings (See Figure 1).

Figure 1: How Gardner 's Views Compare with Those of the North American Man/Boy Love Association (NAMBLA)

NAMBLA	GARDNER

1. Denial of Injury

Redefines adult sexual behavior with children in positive terms. Contrary to popular belief, no injury or harm is incurred by children from engaging in sex with adults. Any harm that follows is due to the inappropriate and prejudicial reactions of ignorant people and society. (De Young, 1989).	Sexual activities between adults and children are a universal phenomenon which may be part of the natural repertoire of human sexual activity. Such encounters are not necessarily traumatic; the determinant as to whether the experience will be traumatic is the social attitude toward these encounters. (Gardner, 1992, pp. 1-43; 1992, p. 525; 1992 pp. 670-71).

2. Condemnation of the Condemners

Redirects the condemnation and censure it has received from larger society back on the society itself. Thus, those who condemn sex between adults and children are characterized as hypocritical and deserving of condemnation themselves. Professionals in the field of child sexual abuse, criminal justice and mental health systems are mocked and accused of engaging in the same or even more victimizing or exploitative acts as those for which NAMBLA members are accused. The "protectors" of children are the real perverts, the real child abusers, who take advantage of the innocence and inexperience of children to spread guilt and fear of sex with adults. (De Young, 1988; 1989).	Therapists and lawyers are motivated by a combination of money, sex and power to fuel a national sexual abuse hysteria. Professionals who do child sexual abuse evaluations are portrayed as poorly trained, ill-qualified, and incompetent people who ask leading questions and utilize coercive techniques which are likened to physical torture. Many unlicensed therapists are "charlatans, and/or psychopaths, and/or incompetents." Investigation of sexual abuse claim may cause greater damage than that done by the abuse. (Gardner, 1988, p. 75; 1991, p. 126; 1991, pp. 45-89; 1992, p. 526).

3. Appeal to Higher Loyalties

Normalizes pedophilia by insisting that the interests of a higher principle are being served. This higher principle is the liberation of children from what it characterizes as the repressive bonds of society. NAMBLA portrays itself as an organization that promotes the freedom of children to live and love as they please. (De Young, 1989).	Gardner claims pedophilia is the norm in most cultures and our Western culture is excessively inhibited. Gardner believes that, in the history of the world, men who sexually abuse their children have "probably been more common than the restrained behavior of those who do not sexually abuse their children." Gardner theorizes that pedophilia is a natural phenomenon which may enhance the survival of the species. (Gardner, 1992, pp. 1-43; 585).

4. Denial of the Victim

The child is reconceptualized as having deserved or brought on the deviant behavior. Children are viewed as seducing adults and thus the responsibility of offending individuals for their behavior and its consequences is diminished. (De Young, 1989).	"Normal children exhibit a wide variety of sexual fantasies and behaviors, many of which would be labeled as 'sick' or 'perverted' if exhibited by adults." Gardner believes that most children have the capacity to reach orgasm at the time they are born, and may develop strong sexual urges during the first few years of life and initiate sexual encounters with adults. "At the present time, the sexually abused child is generally considered to be the victim," though the child may initiate sexual encounters by "seducing" the adult. If the sexual relationship is discovered, "the child is likely to fabricate so that the adult will be blamed for the initiation." (Gardner, 1986, p. 93; 1992, p. 12; 1992, p.15).

Conclusion

Dr. Richard A. Gardner is a prominent forensic expert whose work has served as a basis for courtroom decisions affecting the welfare of children across the nation. His theories regarding pedophilia and paraphila as well as his recommendations regarding therapeutic treatment for the sexually abused child, the child's mother, and the pedophiliac father are unique and do not appear to fall within the mainstream of generally accepted clinical practice.

ENDNOTES

1. http://www.rgardner.com

2. Gardner is an ardent critic of mandated reporting and has lobbied Congress to abolish mandated reporting and immunity for those who report abuse (Gardner, 1993).

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