

ALASKA LEGISLATURE COMMITTEE FILES 1997-1998 8672

9134 HOUSE HEALTH EDUCATION & SOCIAL SERVICES

1 (r) If the court orders a child committed to the department under (c) of this
2 section for placement in licensed foster care or for placement with a relative of the
3 child, the court shall order the child's parent, guardian, or custodian to provide the
4 department with

5 (1) the names, addresses, and telephone numbers of all of the child's
6 medical providers; and

7 (2) a signed release for each medical provider identified in (1) of this
8 subsection authorizing the provider to disclose the child's medical records to the
9 department.

10 (s) Notwithstanding AS 47.14.100 and (c)(3) of this section, the department
11 may not, without a court order, change the placement of a child who has been
12 committed to the department under (c) of this section and placed with a relative or a
13 foster home unless

14 (1) removal of the child is requested by the relative, the foster home,
15 the child, or the child's guardian ad litem or attorney;

16 (2) a report of suspected child abuse or neglect concerning the relative
17 or foster home is received by the department; or

18 (3) the child is removed in order to return the child to the parent or
19 guardian or to place the child for adoption and removal under this paragraph is not
20 opposed by the relative, the foster parent, the child, or the child's guardian ad litem or
21 attorney.

22 (t) The department shall give at least 14 days' written notice by certified mail,
23 return receipt requested, of an intent to request a court order to allow a change in the
24 placement of a child whose change of placement is not governed by (s) of this section.
25 The notice shall be sent to the court, the affected foster parent or relative with whom
26 the child is currently placed, the child, and the child's parent or guardian, guardian ad
27 litem, and attorney. A person to whom notice is sent under this subsection may file an
28 objection to the proposed change of placement if the objection is postmarked or
29 received by the court within 15 days after the person received the notice, and the
30 department's notice must include notification of that right to object. If an objection is
31 filed, the department may not implement the intended change of placement, pending a

1 court decision on the matter. A person who has filed an objection under this subsection
2 may be represented by an attorney or other representative designated by the person.

3 * Sec. 41. AS 47.10.082 is amended to read:

4 **Sec. 47.10.082. Best interests of child and other considerations.** In making
5 its dispositional order under AS 47.10.080(c), the court shall consider

6 (1) the best interests of the child; and

7 (2) the ability of the state to take custody and to care for the child to
8 protect the child's best interests under AS 47.10.005 - 47.10.142 [AS 47.10.010 -
9 47.10.142].

10 * Sec. 42. AS 47.10.083 is amended to read:

11 **Sec. 47.10.083. Review of orders, requests for extensions.** In a review under
12 AS 47.10.080(f) and in a hearing related to a request for extended commitment or
13 extended supervision under AS 47.10.080(c)(2) - (4) [AS 47.10.080(c)(1) OR (2)], the
14 court shall, in addition to the requirements of those provisions and the requirements of
15 court rules, determine whether a child continues to be a child in need of aid at the time
16 of the review or hearing. The court may not continue or extend state custody or
17 supervision of the child unless the court finds that the child continues to be a child in
18 need of aid except that, if the child is no longer a child in need of aid, the court may
19 establish a specific timetable for gradual reunification of the family and termination of
20 state custody or supervision if the court makes a finding that immediate reunification
21 would be detrimental to the child.

22 * Sec. 43. AS 47.10.084(a) is amended to read:

23 (a) When a child is committed under AS 47.10.080(c)(2) or (3)
24 [AS 47.10.080(c)(1)] to the department, released under AS 47.10.080(c)(4)
25 [AS 47.10.080(c)(2)] to the child's parents, guardian, or other suitable person, or
26 committed to the department [OR TO A LEGALLY APPOINTED GUARDIAN OF
27 THE PERSON OF THE CHILD] under AS 47.10.080(c)(5) [AS 47.10.080(c)(3)], a
28 relationship of legal custody exists. This relationship imposes on the department and
29 its authorized agents or the parents, guardian, or other suitable person the responsibility
30 of physical care and control of the child, the determination of where and with whom
31 the child shall live, the right and duty to protect, train, and discipline the child, and the

1 duty of providing the child with food, shelter, education, and medical care. These
2 obligations are subject to any residual parental rights and responsibilities and rights and
3 responsibilities of a guardian if one has been appointed. When a child is committed
4 to the department and the department places the child with the child's parent, the parent
5 has the responsibility to provide and pay for food, shelter, education, and medical care
6 for the child. When parental rights have been terminated, or there are no living parents
7 and a [NO] guardian has not been appointed, the responsibilities of legal custody
8 include those in (b) and (c) of this section. The department or person having legal
9 custody of the child may delegate any of the responsibilities under this section, except
10 authority to consent to marriage, adoption, and military enlistment may not be
11 delegated. For purposes of this chapter, a person in charge of a placement setting is
12 an agent of the department.

13 * Sec. 44. AS 47.10 is amended by adding new sections to read:

14 **Sec. 47.10.086. Reasonable efforts.** (a) Except as provided in (b) and (c) of
15 this section, if the court determines that a child is a child in need of aid under
16 AS 47.10.080(c), the court shall, regardless of the subsequent placement of the child,
17 order the department to make reasonable efforts to provide family support services to
18 the child and to the parents or guardian of the child. The department's duty to make
19 reasonable efforts under this subsection includes the duty to

20 (1) identify available departmental and community services that are
21 designed to sustain and enhance the capacity of a parent or guardian to care for the
22 child at a level of adequacy that will allow the child either to remain in the home or
23 to be returned to the home; the department shall place a high priority on determining
24 whether appropriate community services are available;

25 (2) actively offer and attempt to provide or to refer the parents to the
26 services identified under (1) of this subsection; the department shall place a high
27 priority on referring the parents to services that are community services;

28 (3) document the department's actions that are taken under (1) and (2)
29 of this subsection.

30 (b) The court may determine and order that the department has no duty to make
31 or continue reasonable efforts to provide family support services to a parent or guardian

1 if

2 (1) the department provides to the court a verified affidavit that a
3 reasonably diligent search conducted over the time period of at least three months by
4 the department for an unidentified or absent parent has failed to identify and locate the
5 parent;

6 (2) the parent or guardian is the sole caregiver of the child and the
7 parent or guardian has a mental illness or mental deficiency that, according to a written
8 certification of a psychologist or physician, makes it more probable than not that, even
9 with the provision of family support services for 12 months, the caregiver will be
10 incapable of caring for the child without creating a risk of substantial physical harm to
11 the child;

12 (3) the parent or guardian has previously been convicted of a crime
13 involving a child in this state or in another jurisdiction and, after the conviction, the
14 child was returned to the custody of the parent or guardian and later removed because
15 of an additional substantiated report of physical or sexual abuse by the parent or
16 guardian;

17 (4) the parent or guardian has been convicted of murder of a child or
18 manslaughter of a child;

19 (5) a child has suffered substantial physical harm as the result of abusive
20 or neglectful conduct by the parent or guardian or by a person known by the parent or
21 guardian and the parent or guardian knew or reasonably should have known that the
22 person was abusing the child;

23 (6) the parental rights of the parent have been terminated with respect
24 to another child because of child abuse or neglect, the parent has not remedied the
25 conditions or conduct that led to the termination of parental rights, and the parent has
26 demonstrated an inability to protect the child from substantial harm or the risk of
27 substantial harm; or

28 (7) the child has been removed from the child's home on at least two
29 previous occasions, family support services were offered or provided to the parent or
30 guardian at those times, and the parent or guardian has demonstrated an inability to
31 protect the child from substantial harm or the risk of substantial harm.

1 (c) If the court orders the department to make reasonable efforts to provide
2 family support services, the court shall also order the parent or guardian of the child
3 to make reasonable efforts to participate in the family support services that are offered
4 by the department or referred to the parent or guardian by the department. If a parent
5 or guardian fails to participate or to attempt to participate in the services for 60 days,
6 the department may seek a court order extinguishing the department's responsibility to
7 offer or refer family support services to the parent or guardian. The department must
8 request the court for the new order within 90 day after the date that the parent or
9 guardian failed to participate in family support services and must accompany the
10 request with a petition for the termination of parental rights if the nonparticipating
11 person was a parent and with a new plan for permanent placement of the child. The
12 court shall grant the department's request under this subsection for an order
13 extinguishing the department's responsibility to offer family support services to a parent
14 or guardian if the court finds that it is no longer reasonable to require the department
15 to offer family support services to the parent or guardian; failure of the parent or
16 guardian to participate in family support services offered by the department for 60 days
17 constitutes prima facie evidence that it is no longer reasonable to require the department
18 to offer family support services to the parent or guardian.

19 (d) If the court determines under (b) or (c) of this section that reasonable
20 efforts under (a) of this section are not required to be provided,

21 (1) the court shall hold a permanency hearing for the child within 30
22 days after the determination; and

23 (2) the department shall make reasonable efforts to place the child in
24 a timely manner in accordance with the permanency plan, and complete whatever steps
25 are necessary to finalize the permanent placement of the child.

26 (e) The department may develop and implement an alternative permanency plan
27 for the child while the department is also making reasonable efforts to return the child
28 to the child's family under (a) of this section.

29 (f) In making determinations and reasonable efforts under this section, the
30 primary consideration is the child's best interests.

31 **Sec. 47.10.088. Termination of parental rights and responsibilities. (a)**

1 Except as provided in AS 47.10.080(o), the rights and responsibilities of the parent
2 regarding the child may be terminated for purposes of freeing a child for adoption or
3 other permanent placement if the court finds

4 (1) by clear and convincing evidence that

5 (A) the child is a child in need of aid as described in
6 AS 47.10.011; and

7 (B) the parent

8 (i) has not remedied the conduct or conditions in the
9 home that place the child at substantial risk of harm; or

10 (ii) has failed, within a reasonable time, to remedy the
11 conduct or conditions in the home that place the child in substantial risk
12 so that returning the child to the parent would place the child at
13 substantial risk of significant physical harm; and

14 (2) by preponderance of the evidence that the department has complied
15 with the provisions of AS 47.10.086 concerning reasonable efforts.

16 (b) In making a determination under (a)(1)(B) of this section, the court may
17 consider any fact relating to the best interests of the child, including

18 (1) the likelihood of returning the child to the parent within a reasonable
19 time based on the child's age or needs;

20 (2) the amount of effort by the parent to remedy the conduct or the
21 conditions in the home;

22 (3) the harm caused to the child;

23 (4) the likelihood that the harmful conduct will continue; and

24 (5) the history of conduct by or conditions created by the parent.

25 (c) In a proceeding under this chapter involving termination of the parental
26 right of a parent, the court shall consider the best interests of the child.

27 (d) Except as provided in (e) of this section, the department shall petition for
28 termination of a parent's rights to a child, without making further reasonable efforts,
29 when a child is under the jurisdiction of the court under AS 47.10.010 and 47.10.011,
30 and

31 (1) the child has been in foster care for at least 15 of the most recent

1 22 months;

2 (2) the court has determined that the child is abandoned under
3 AS 47.10.013 and the child is younger than six years of age;

4 (3) the court has made a finding under AS 47.10.086(b) or a
5 determination under AS 47.10.086(c) that the best interests of the child do not require
6 further reasonable efforts by the department;

7 (4) a parent has made three or more attempts within a 15-month period
8 to remedy the parent's conduct or conditions in the home without lasting change; or

9 (5) a parent has made no effort to remedy the parent's conduct or the
10 conditions in the home by the time of the permanency hearing under AS 47.10.080(l).

11 (e) If one or more of the conditions listed in (d) of this section are present, the
12 department shall petition for termination of the parental rights to a child unless the
13 department

14 (1) has documented a compelling reason for determining that filing the
15 petition would not be in the best interests of the child; a compelling reason under this
16 paragraph may include care by a relative for the child; or

17 (2) is required to take reasonable efforts under AS 47.10.086 and the
18 department has not provided to the parent, consistent with the time period in the
19 department's case plan, the family support services that the department has determined
20 are necessary for the safe return of the child to the home.

21 (f) A child is considered to have entered foster care under this chapter on the
22 date of removal of the child from the child's home under this chapter.

23 (g) This section does not preclude the department from filing a petition to
24 terminate the parental rights and responsibilities to a child for other reasons, or at an
25 earlier time than those specified in (d) of this section, if the department determines that
26 filing a petition is in the best interests of the child.

27 (h) The court may order the termination of parental rights and responsibilities
28 of one or both parents under AS 47.10.080(c)(5) and commit the child to the custody
29 of the department. The rights of one parent may be terminated without affecting the
30 rights of the other parent.

31 (i) The department shall concurrently identify, recruit, process, and approve a

1 qualified person or family for an adoption whenever a petition to terminate a parent's
2 rights to a child is filed. If the court issues an order to terminate under (j) of this
3 section, the department shall report within 30 days on the efforts being made to recruit
4 a permanent placement for the child if a permanent placement was not approved at the
5 time of the trial under (j) of this section. The report must document recruitment efforts
6 made for the child.

7 (j) No later than six months after the date on which the petition to terminate
8 parental rights is filed, the court before which the petition is pending shall hold a trial
9 on the petition unless the court finds that good cause is shown for a continuance.
10 When determining whether to grant a continuance for good cause, the court shall take
11 into consideration the age of the child and the potential adverse effect that the delay
12 may have on the child. The court shall make written findings when granting a
13 continuance.

14 (k) The court shall issue an order on the petition to terminate within 90 days
15 after the last day of the trial on the petition to terminate parental rights.

16 • Sec. 45. AS 47.10.092(a) is amended to read:

17 (a) Notwithstanding AS 47.10.090 and 47.10.093, a parent or legal guardian of
18 a child [MINOR] subject to a proceeding under AS 47.10.005 - 47.10.142
19 [AS 47.10.010 - 47.10.142] may disclose confidential or privileged information about
20 the child or the child's family [MINOR], including information that has been lawfully
21 obtained from agency or court files, to the governor, the lieutenant governor, a
22 legislator, the ombudsman appointed under AS 24.55, the attorney general, and the
23 commissioners of health and social services, administration, or public safety, or an
24 employee of these persons, for review or use in their official capacities. The
25 department shall [MAY] disclose additional confidential or privileged information and
26 make copies of documents available for inspection [DOCUMENTS] about the child
27 or the child's family [MINOR] to these state officials or employees for review or use
28 in their official capacities upon request of the official or employee and submission
29 of satisfactory evidence that a parent or legal guardian of the child has requested
30 the state official's assistance in the case as part of the official's duties. A person
31 to whom disclosure is made under this section may not disclose confidential or

1 privileged information about the child or the child's family [MINOR] to a person not
2 authorized to receive it.

3 * Sec. 46. AS 47.10.093(b) is amended to read:

4 (b) A state or municipal agency or employee shall [MAY] disclose, upon
5 request, information regarding a case to

6 (1) a guardian ad litem appointed by the court or to a citizen review
7 board or local review panel for permanency planning authorized by AS 47.14.200 or
8 47.14.220;

9 (2) a person or an agency requested to provide consultation or services
10 for a child [MINOR] who is subject to the jurisdiction of the court under
11 AS 47.10.010;

12 (3) foster parents or relatives with whom the child is placed by the
13 department as may be necessary to enable the foster parents or relatives to
14 provide appropriate care for the child who is the subject of the case, to protect the
15 safety of the child who is the subject of the case, and to protect the safety and
16 property of family members and visitors of the foster parents or relatives;

17 (4) school officials as may be necessary to enable the school to provide
18 appropriate counseling and support services to the child [MINOR] who is the subject
19 of the case, to protect the safety of the child [MINOR] who is the subject of the case,
20 and to protect the safety of school students and staff;

21 (5) [(4)] a governmental agency as may be necessary to obtain that
22 agency's assistance for the department in its investigation or to obtain physical custody
23 of a child;

24 (6) [AND (5)] a [STATE OR MUNICIPAL] law enforcement agency
25 of this state or another jurisdiction as may be necessary for the protection of any
26 child [A SPECIFIC INVESTIGATION BEING CONDUCTED BY THAT AGENCY]
27 or for actions [DISCLOSURES] by that agency to protect the public safety;

28 (7) members of a multidisciplinary child protection team created
29 under AS 47.14.300;

30 (8) the state medical examiner under AS 12.65;

31 (9) a person who has made a report of harm as required by

1 AS 47.17.020 to inform the person that the investigation was completed and of
2 action taken to protect the child who was the subject of the report;

3 (10) the child support enforcement agency established in
4 AS 25.27.010 as may be necessary to establish and collect child support for a child
5 who is a child in need of aid under this chapter; and

6 (11) a parent or guardian of a child unless prohibited by a
7 preexisting court order.

8 * Sec. 47. AS 47.10.141(c) is amended to read:

9 (c) A child [MINOR] may be taken into emergency protective custody by a
10 peace officer and placed into temporary detention in a juvenile detention home in the
11 local community if there has been an order issued by a court under a finding of
12 probable cause that (1) the child [MINOR] is a runaway in wilful violation of a valid
13 court order issued under AS 47.10.080(c)(2) or (3) [AS 47.10.080(c)(1)], 47.10.142(f),
14 AS 47.12.120(b)(1) or (3), or 47.12.250(d), (2) the child's [MINOR'S] current situation
15 poses a severe and imminent risk to the child's [MINOR'S] life or safety, and (3) no
16 reasonable placement alternative exists within the community. A child [MINOR]
17 detained under this subsection shall be brought before a court on the day the child
18 [MINOR] is detained [,] or, if that is not possible, within 24 hours after the detention
19 for a hearing to determine the most appropriate placement in the best interests of the
20 child [MINOR]. A child [MINOR] taken into emergency protective custody under this
21 subsection may not be detained for more than 24 hours, except as provided under
22 AS 47.12.250. Emergency protective custody may not include placement of a child
23 [MINOR] in a jail or secure facility other than a juvenile detention home, nor may an
24 order for protective custody be enforced against a child [MINOR] who is residing in
25 a licensed program for runaway minors, as defined in AS 47.10.390.

26 * Sec. 48. AS 47.10.141(f) is amended to read:

27 (f) If a child [MINOR], without permission, leaves the semi-secure portion of
28 an office, program, shelter, or facility to which the child [MINOR] was taken by a
29 peace officer under (b)(1)(C) [(b)(1)(c)] of this section, the office, program, shelter, or
30 facility shall immediately notify the department and the nearest law enforcement agency
31 of the identity of the child [MINOR] and the child's [MINOR'S] absence. If the same

1 child [MINOR] is again taken into protective custody under (b) of this section and the
2 peace officer knows that the child [MINOR] has previously been reported under this
3 subsection as missing from a semi-secure placement, the peace officer, in addition to
4 taking the appropriate action under (b) of this section, shall report the circumstances
5 and the identity of the child [MINOR] to the department. Within 48 hours after
6 receiving this report, the department shall determine whether to file a petition alleging
7 that the child [MINOR] is a child in need of aid under AS 47.10.011
8 [AS 47.10.010(a)(1)]. If the department decides not to file a petition alleging that the
9 child [MINOR] is a child in need of aid, the department shall, within seven state
10 working days after receiving the report from the peace officer under this subsection,
11 send to the child's [MINOR'S] parents or guardian, as applicable, written notice of its
12 determination not to proceed with the petition, including the reasons on which the
13 determination was based. If the department is unable to obtain a reasonably reliable
14 address for a parent or guardian, the department shall keep a copy of the notice on file
15 and, notwithstanding AS 47.10.093, release the notice to the child's [MINOR'S] parent
16 or guardian on request of the parent or guardian. If the department files a petition
17 alleging that the child [MINOR] is a child in need of aid, the court shall proceed under
18 AS 47.10.142(d).

19 • Sec. 49. AS 47.10.141(g) is amended to read:

20 (g) If the department files a petition alleging the minor is a child in need of aid
21 under AS 47.10.011 [AS 47.10.010(a)(1)] because the minor is habitually absent from
22 home or refuses available care, the minor's parent or guardian shall attend each hearing
23 held during the child-in-need-of-aid proceedings unless the court excuses the parent or
24 guardian from attendance for good cause. If the minor is found to be a child in need
25 of aid, the court may order that the minor's parent or guardian

26 (1) personally participate in treatment reasonably available in the parent
27 or guardian's community as specified in a plan set out in the court order; and

28 (2) comply with other conditions set out in the court order.

29 • Sec. 50. AS 47.10.147(a) is amended to read:

30 (a) The Department of Health and Social Services may take emergency custody
31 of a child [MINOR] upon discovering any of the following circumstances:

1 (1) the child [MINOR] has been abandoned as abandonment is
2 described in AS 47.10.013;

3 (2) the child [MINOR] has been [GROSSLY] neglected by the child's
4 [MINOR'S] parents or guardian, as "neglect" is described [DEFINED] in AS 47.10.014
5 [AS 47.17.290], and the department determines that immediate removal from the child's
6 [MINOR'S] surroundings is necessary to protect the child's [MINOR'S] life or provide
7 immediate necessary medical attention;

8 (3) the child [MINOR] has been subjected to serious physical injury
9 [CHILD ABUSE OR NEGLECT] by a person responsible for the child's [MINOR'S]
10 welfare, [AS "CHILD ABUSE OR NEGLECT" IS DEFINED IN AS 47.17.290.] and
11 the department determines that immediate removal from the child's [MINOR'S]
12 surroundings is necessary to protect the child's [MINOR'S] life or that immediate
13 medical attention is necessary; or

14 (4) the child or a sibling [MINOR] has been sexually abused under
15 circumstances listed in AS 47.10.011(7) [AS 47.10.010(a)(4)].

16 • Sec. 51. AS 47.10.142(c) is amended to read:

17 (c) When a child is taken into custody under (a) or (b) of this section or when
18 the department is notified of a child's presence in either a program for runaway
19 children [MINORS] under AS 47.10.300 - 47.10.390 or a shelter for runaway children
20 [MINORS] under AS 47.10.392 - 47.10.399, the department shall immediately, and in
21 no event more than 24 [12] hours later unless prevented by lack of communication
22 facilities, notify the parents or the person or persons having custody of the child. If the
23 department determines that continued custody is necessary to protect the child, the
24 department shall notify the court of the emergency custody by filing, within 24 [12]
25 hours after custody was assumed, a petition alleging that the child is a child in need of
26 aid. If the department releases the child within 24 [12] hours after taking the child into
27 custody and does not file a child in need of aid petition, the department shall, within
28 24 [12] hours after releasing the child, file with the court a report explaining why the
29 child was taken into custody, why the child was released, and to whom the child was
30 released.

31 • Sec. 52. AS 47.10.142(h) is amended to read:

1 (h) Within 12 [18] months after a minor is committed to the department under
2 this section, the court shall review the placement plan and actual placement of the
3 minor under AS 47.10.080(l).

4 * Sec. 53. AS 47.10 is amended by adding a new section to read:

5 **Sec. 47.10.960. Liability limitations.** Nothing in this title creates a duty or
6 standard of care for services to children and their families being served under AS 47.10.
7 However, subject to the provisions of AS 09.50.250, the department and its officers,
8 agents, employees, or contractors and the state are liable for civil damages as a result
9 of a negligent act or omission in the provision of services to children and their families
10 under AS 47.10.

11 * Sec. 54. AS 47.10.990(1) is amended to read:

12 (1) "care" [OR "CARING" UNDER AS 47.10.010(a)(1) AND
13 47.10.120(a)] means to provide for the physical, [EMOTIONAL,] mental, and social
14 needs of the child;

15 * Sec. 55. AS 47.10.990(2) is amended to read:

16 (2) "child in need of aid" means a child [MINOR] found to be within the
17 jurisdiction of the court under AS 47.10.010 and 47.10.011 [AS 47.10.010(a)];

18 * Sec. 56. AS 47.10.990 is amended by adding new paragraphs to read:

19 (8) "child" means a person under 18 years of age and a person 19 years
20 of age if that person was under 18 years of age at the time that a proceeding under this
21 chapter was commenced;

22 (9) "custodian" means a natural person 18 years of age or older to
23 whom a parent or guardian has transferred temporary physical care, custody, and
24 control of the child for the period of time;

25 (10) "domestic violence" has the meaning given in AS 18.66.990;

26 (11) "family support services" means the services and activities provided
27 to children and their families, including those provided by the community, a church,
28 or other service organization, both to prevent removal of a child from the parental home
29 and to facilitate the child's safe return to the family; "family support services" may
30 include counseling, substance abuse treatment, mental health services, assistance to
31 address domestic violence, visitation with family members, parenting classes, in-home

1 services, temporary child care services, and transportation;

2 (12) "foster care" means care provided by a person or household under
3 a foster home license required under AS 47.35.015;

4 (13) "guardian" means a natural person who is legally appointed
5 guardian of the child by the court;

6 (14) "intoxicants" means a substance that intoxicates, including alcohol,
7 controlled substances under AS 11.71, and inhalants;

8 (15) "parent" means the biological or adoptive parent of the child;

9 (16) "permanency hearing" means a hearing

10 (A) designed to reach a decision in the case concerning the
11 permanent placement of a child under AS 47.10; and

12 (B) at which the final direction of the case involving the child
13 is determined;

14 (17) "reasonable efforts" means consistent attempts during a reasonable
15 time;

16 (18) "reasonable time" means a period of time that serves the best
17 interests of the child, taking in account the affected child's age, emotional and
18 developmental needs, and ability to form and maintain lasting attachments;

19 (19) "serious physical injury" has the meaning given in
20 AS 11.81.900(b);

21 (20) "sexual abuse" means the conduct described in AS 11.41.410 -
22 11.41.460; conduct constituting "sexual exploitation" as defined in AS 47.17.290, and
23 conduct prohibited by AS 11.66.100 - 11.66.150;

24 (21) "support" has the meaning given in AS 11.51.120(b).

25 • Sec. 57. AS 47.12.310(b) is amended to read:

26 (b) A state or municipal agency or employee shall [MAY] disclose
27 appropriate information regarding a case to

28 (1) a guardian ad litem appointed by the court or to a citizen review
29 board or local review panel for permanency planning authorized by AS 47.14.200 -
30 47.14.220;

31 (2) a person or an agency requested to provide consultation or services

1 for a minor who is subject to the jurisdiction of the court under this chapter;

2 (3) school officials as may be necessary to protect the safety of the
3 minor who is the subject of the case and the safety of school students and staff or to
4 enable the school to provide appropriate counseling and supportive services to meet the
5 needs of a minor about whom information is disclosed;

6 (4) a governmental agency as may be necessary to obtain that agency's
7 assistance for the department in its investigation or to obtain physical custody of a
8 minor;

9 (5) a [STATE OR MUNICIPAL] law enforcement agency of this state
10 or another jurisdiction as may be necessary for the protection, rehabilitation, or
11 supervision of any minor [A SPECIFIC INVESTIGATION BEING CONDUCTED
12 BY THAT AGENCY] or for actions [DISCLOSURES] by that agency to protect the
13 public safety; [AND]

14 (6) a victim as may be necessary to inform the victim about the
15 disposition or resolution of a case involving a minor;

16 (7) the state medical examiner under AS 12.65;

17 (8) foster parents and parents of the minor who is the subject of the
18 case; and

19 (9) health care providers of the minor who is the subject of the case.

20 * Sec. 58. AS 47.14.240(a) is amended to read:

21 (a) A local review panel shall review the case plan of each child in the custody
22 of the department who is in a placement other than the child's own home under
23 AS 47.10.080(c)(2), (3), or (5) [AS 47.10.080(c)(1) or (3)], 47.10.142, or
24 AS 47.14.100(c) if the case is under the jurisdiction of a court in the judicial district
25 served by the local review panel. A local review panel may request a local review
26 panel in another judicial district to conduct a review and make a report if that local
27 review panel is more convenient for the child and other persons involved.

28 * Sec. 59. AS 47.14.240(d) is amended to read:

29 (d) In reviewing a case, the local review panel shall consider the case plan and
30 any progress report of the department or the child's guardian ad litem, court records,
31 and other relevant information about the child and the child's family. The local review

1 panel shall provide to the following persons an opportunity to be interviewed by the
 2 local review panel in person or by telephone or to provide written material to the local
 3 review panel:

4 (1) the child whose case is being reviewed if the child is 10 years of age
 5 or older;

6 (2) the parents, custodians, or other relatives of the child;

7 (3) the child's out-of-home care provider;

8 (4) the child's guardian;

9 (5) the child's guardian ad litem;

10 (6) the case worker or social worker assigned to the case;

11 (7) the child's health care providers;

12 (8) if the case is governed by 25 U.S.C. 1901 - 1963 (Indian Child
 13 Welfare Act),

14 (A) the child's Indian custodian; and

15 (B) the designated representative of the child's Indian tribe if the
 16 tribe has intervened in the court case; and

17 (9) [(8)] other persons with a close personal knowledge of the case.

18 • Sec. 60. AS 47.14.240(h) is amended to read:

19 (h) The report required under (g) of this section must make advisory
 20 recommendations based on the best interests of the child in accordance with
 21 AS 47.10.082 and must include notification of the right to request court review under
 22 AS 47.10.080(f). If the court has scheduled the case for review, the local review panel
 23 shall submit its report at least 20 days before the hearing, and the department shall
 24 present to the court the recommendations that are made in the report.

25 • Sec. 61. AS 47.14.299(4) is amended to read:

26 (4) "out-of-home care provider" means an agency or person, other than the
 27 child's legal parents, with whom a child who is in the custody of the state under
 28 AS 47.10.080(c)(2), (3), or (5) [AS 47.10.080(c)(1) OR (3)], 47.10.142, or
 29 AS 47.14.100(c) is currently placed; in this paragraph, "agency or person" includes a
 30 foster parent, a relative other than a parent, a person who has petitioned for adoption
 31 of the child, and a residential child care facility;

1 * Sec. 62. AS 47.14 is amended by adding a new section to read:

2 Article 3A. Multidisciplinary Child Protection Teams.

3 Sec. 47.14.300. Multidisciplinary child protection teams. (a) Each district
4 attorney shall appoint at least one child protection team whose purpose is to encourage
5 coordination of investigation, rehabilitative intervention, and civil and criminal litigation
6 in child abuse and neglect cases in the district. A team may be coordinated by a team
7 member selected by the team, with the concurrence of the district attorney. At a
8 minimum, a team must include a

9 (1) peace officer, as defined in AS 11.81.900;

10 (2) representative from the department;

11 (3) representative from the district attorney's office;

12 (4) representative from the attorney general's office;

13 (5) health care practitioner licensed under AS 08;

14 (6) mental health professional licensed under AS 08; and

15 (7) member of a local child advocacy center if the district has a child
16 advocacy center.

17 (b) A team may invite other persons to serve as team members for particular
18 cases, including educators, school administrators, tribal representatives, guardians ad
19 litem, and personnel from a domestic violence program.

20 (c) Meetings of a team and participation in a team meeting may occur in person
21 or by teleconference if the confidentiality of team discussions is ensured.

22 (d) Each team shall develop a written protocol that may be used for
23 investigation of child abuse cases and for interviewing alleged victims of abuse or
24 neglect. The protocol must

25 (1) be designed to minimize negative effects on children that may be
26 caused by investigations and interviews;

27 (2) be appropriate for the resources and conditions of the district;

28 (3) seek to coordinate joint investigations by law enforcement personnel
29 and department staff so that multiple interviews of children can be avoided;

30 (4) describe the role of videotaping of interviews in child sexual abuse
31 cases; and

1 (5) provide for referral of children and nonoffender parents to
2 rehabilitative services.

3 (e) Each team shall develop agreements that are designed to be signed by the
4 agencies represented by the team members specifying the role and responsibility of
5 each agency with respect to team activities. The agreement may include a commitment
6 by one or more agencies to provide office space and administrative services that are
7 necessary for the team's operation.

8 (f) A team may review child abuse and neglect cases that are reported to law
9 enforcement and department personnel in the team's district. A team may limit its
10 review to complex cases or cases involving substantial harm to a child. A team
11 member may refer cases for review.

12 (g) A team shall develop policies that provide for an independent review, after
13 completion of related court action, of investigation procedures that were used in cases
14 involving harm to a child. The policies must provide that notice of a review under this
15 subsection will be given to a parent of the child if the parent was not the offender in
16 the case and that public testimony will be allowed during the review. In a subsequent
17 report based on the review, a team may not reveal confidential information about a
18 child or a family.

19 (h) Except as provided in (g) of this section, proceedings of a team are closed
20 to the public and are not subject to AS 44.62.310 and 44.62.312.

21 (i) The determinations, conclusions, and recommendations of a team or its
22 members are not admissible in a civil or criminal proceeding. Records or other
23 information collected by a team or a member of the team that is related to duties under
24 this section are confidential and are not subject to

25 (1) public disclosure under AS 09.25.100 and 09.25.110; or

26 (2) discovery or subpoena in connection with a civil or criminal
27 proceeding.

28 (j) Notwithstanding (i) of this section, an employee of the department may
29 testify in a civil or criminal proceeding concerning a case reviewed by a team even
30 though the department's records were reviewed by the team and formed the basis of the
31 employee's testimony and the team's report.

1 (k) A person who serves on a team is not liable for damages or other relief in
2 an action brought by reason of the performance of or a failure to perform a duty, a
3 function, or an activity of the team.

4 (l) In this section, "team" means a multidisciplinary child protection team
5 appointed under this section.

6 • Sec. 63. AS 47.14.990(2) is amended to read:

7 (2) "child in need of aid" means a child [MINOR] found to be within
8 the jurisdiction of the court under AS 47.10.010 and 47.10.011 [AS 47.10.010(a)];

9 • Sec. 64. AS 47.17.020(a) is amended to read:

10 (a) The following persons who, in the performance of their occupational duties,
11 or with respect to (9) of this subsection, in the performance of their appointed
12 duties, have reasonable cause to suspect that a child has suffered harm as a result of
13 child abuse or neglect shall immediately report the harm to the nearest office of the
14 department:

15 (1) practitioners of the healing arts;

16 (2) school teachers and school administrative staff members of public
17 and private schools;

18 (3) social workers;

19 (4) peace officers [.] and officers of the Department of Corrections;

20 (5) administrative officers of institutions;

21 (6) child care providers;

22 (7) paid employees of domestic violence and sexual assault programs,
23 and crisis intervention and prevention programs as defined in AS 18.66.990;

24 (8) paid employees of an organization that provides counseling or
25 treatment to individuals seeking to control their use of drugs or alcohol;

26 (9) members of a child fatality review team established under
27 AS 12.65.015(e) or 12.65.120 or the multidisciplinary child protection team created
28 under AS 47.14.300.

29 • Sec. 65. AS 47.17.030(d) is amended to read:

30 (d) Before the department or a local government health or social services
31 agency may seek the termination of parental rights under AS 47.10

1 [AS 47.10.080(c)(3)], it shall offer protective social services and pursue all other
2 reasonable means of protecting the child.

3 * Sec. 66. AS 47.17 is amended by adding a new section to read:

4 Sec. 47.17.033. Investigations. (a) In investigating child abuse and neglect
5 reports under this chapter, the department may make necessary inquiries about the
6 criminal records of the parents or of the alleged abusive or neglectful person, including
7 inquiries about the existence of a criminal history record involving a serious offense as
8 defined in AS 12.62.900.

9 (b) For purposes of obtaining access to information needed to conduct the
10 inquiries required by (a) of this section, the department is a criminal justice agency
11 conducting a criminal justice activity.

12 * Sec. 67. AS 47.17.290(8) is amended to read:

13 (8) "maltreatment" means an act or omission that results in
14 circumstances in which there is reasonable cause to suspect that a child may be a child
15 in need of aid, as described in AS 47.10.011 [AS 47.10.010(a)], except that, for
16 purposes of this chapter, the act or omission need not have been committed by the
17 child's parent, custodian, or guardian;

18 * Sec. 68. AS 47.35.017(b) is amended to read:

19 (b) An application submitted under this section must contain at least the
20 following information:

21 (1) the name and address of the applicant (.) and, if the applicant is an
22 agency, corporation, partnership, association, or any other form of organization, the
23 name, address, and title of each individual [ALL INDIVIDUALS] who has [HAVE]
24 an ownership or management interest in the facility; if the applicant is an individual,
25 the application must include the name and age of each member of the individual's
26 household;

27 (2) the name, physical location, and mailing address of the facility or
28 agency for which the license is sought;

29 (3) the name and address of the administrator of the facility or agency,
30 if any;

31 (4) evidence that the administrator or foster parent is an adult with

1 sufficient experience, training, or education to fulfill the duties of an administrator or
2 foster parent;

3 (5) a release for the administrator or foster parent and for each other
4 person who is 12 years of age or older, as specified by the department by regulation,
5 who will have contact with individuals served by the facility or agency, authorizing the
6 department to review all federal, state, and municipal criminal justice information,
7 whether of this state, of a municipality of this state, or of another jurisdiction
8 [LAW ENFORCEMENT], medical records, licensing records, and protective services
9 records, identified in regulations adopted under this chapter, that are relevant to the
10 person who is the subject of the release and to the type of license for which the
11 application has been submitted;

12 (6) two sets of fingerprints, the social security number, and the
13 driver's license number, if any, for each person required to provide a release
14 under (5) of this subsection in order for the department to submit the fingerprints
15 to the Department of Public Safety for the purpose of conducting state and
16 national criminal background checks from criminal justice information received
17 under AS 12.62 and regulations adopted under AS 12.62; the department may not
18 approve an application under this section until the results of the criminal
19 background check have been submitted to the department;

20 (7) for a facility, the number of individuals that will be served in the
21 facility;

22 (8) [(7)] the type of facility or agency for which the license is sought;

23 (9) [(8)] copies of all inspection reports and approvals required by state
24 fire prevention and environmental health and safety authorities for operation of the
25 facility or agency, including any variances granted by these authorities;

26 (10) [(9)] a plan of operation, as required by the department by
27 regulation;

28 (11) [(10)] a staffing plan that describes the number of people who will
29 work at the facility or agency, staff qualifications, a description of each person's
30 responsibilities, and, for a facility other than a maternity home, a supervision schedule
31 for the children in care that meets the requirements established by the department by

1 regulation;

2 (12) evidence that the applicant is capable of meeting the minimum
3 standards of care established by the department under AS 47.14.120;

4 (13) [(11)] evidence that the applicant has completed orientation or
5 training required by the department, by regulation, for holders of the type of license for
6 which the application was submitted; and

7 (14) [(12)] other information required by the department, by regulation,
8 in order to monitor compliance with this chapter and regulations adopted under this
9 chapter.

10 * Sec. 69. AS 47.35 is amended by adding a new section to read:

11 Sec. 47.35.022. Foster care placement. (a) Except as provided in (b) of this
12 section, the department may not place or continue placement of a child for care for
13 payment under AS 47.10 in a foster home that is licensed under this chapter if the
14 department finds that a person for whom fingerprints are required to be submitted for
15 licensure of the foster home is currently under arrest for, charged with, or has been
16 convicted of, or found not guilty by reason of insanity of, a serious offense.

17 (b) Notwithstanding (a) of this section, the department may place or continue
18 a placement for foster care if the applicant or licensee demonstrates to the satisfaction
19 of the department that the applicant, licensee, or other person committed the conduct
20 described in (a) of this section at least five years before the placement, and the conduct

21 (1) did not involve a victim who was under 18 years of age at the time
22 the conduct occurred;

23 (2) was not a crime of domestic violence as defined in AS 18.66.990;
24 and

25 (3) was not a violent crime under AS 11.41.100 - 11.41.455 or a law
26 or an ordinance of another jurisdiction having similar elements.

27 (c) The department shall develop procedures for rechecking criminal justice
28 information records for the information described in (a) of this section for persons who
29 are 12 years of age or older who are living in a licensed foster home with access to
30 children placed by the Department.

31 * Sec. 70. AS 47.35.023(b) is repealed and reenacted to read:

1 (b) Notwithstanding (a) of this section, if an emergency exists and a child must
2 be immediately placed, the department or the department's designee may issue a
3 provisional foster home license on an emergency basis for a period of 90 days or less
4 if the department or the department's designee determines that the applicant meets
5 minimal requirements for emergency conditions and the applicant agrees in writing to
6 provide the fingerprint information described in AS 47.35.017(b) within 30 days of the
7 placement of a child in the foster home. The department may not issue a license under
8 this subsection before checking state and national criminal justice information available
9 to the department under AS 12.62 and regulations adopted under AS 12.62 about the
10 administrator or foster parent and each person who is 12 years of age or older in the
11 foster home who will have contact with the child. If the department cannot obtain
12 direct access to the state and federal criminal justice information, the department shall
13 request the agency having primary law enforcement responsibility for the geographic
14 area in which the prospective foster home is located to obtain the information and
15 provide it to the department before the license is issued under this section. If the
16 criminal justice information readily available to the department shows an offense which
17 a person would be required to notify the department under AS 47.35.047(b), the
18 department may not issue the license under this subsection. If the additional criminal
19 justice information available from the fingerprint search or another source after the
20 license is issued reveals that the person has a record for one or more of these offenses,
21 the department shall immediately revoke the license and move the child to an
22 appropriate placement. For purposes of obtaining criminal justice information under
23 this subsection, the department is a criminal justice agency conducting a criminal justice
24 activity under AS 12.62.

25 • Sec. 71. AS 47.35.047(b) is amended to read:

26 (b) A licensee shall notify the department within 24 hours after having
27 knowledge of a conviction or indictment, presentment, or charging by information or
28 complaint of an administrator, foster parent, member of the licensee's household, regular
29 volunteer, or staff person for a violation of the following laws or the laws of another
30 jurisdiction with similar elements:

31 (1) offenses against the family and vulnerable adults under

1 AS 11.51:

2 (2) perjury under AS 11.56.200;

3 (3) offenses included in the definition of "serious offense" under
4 AS 12.62.900 [FELONY, FOR A MISDEMEANOR CRIME OF ASSAULT,
5 RECKLESS ENDANGERMENT, CONTRIBUTING TO THE DELINQUENCY OF A
6 MINOR, OR MISCONDUCT INVOLVING A CONTROLLED SUBSTANCE, FOR
7 THE CRIME OF PERJURY, AS DEFINED IN AS 11 OR THE LAWS OF ANOTHER
8 JURISDICTION, OR FOR A SEX CRIME AS DEFINED IN AS 12.62.035].

9 * Sec. 72. AS 47.35.900 is amended by adding new paragraphs to read:

10 (20) "criminal justice information" has the meaning given in
11 AS 12.62.900;

12 (21) "domestic violence" has the meaning given in AS 18.66.990;

13 (22) "serious offense" has the meaning given in AS 12.62.900.

14 * Sec. 73. AS 47.10.080(k), and 47.10.990(7) are repealed.

15 * Sec. 74. COURT RULE CHANGE; EXPEDITED APPEALS. (a) AS 47.10.080(i), as
16 amended in sec. 37 of this Act, has the effect of amending Rule 218, Alaska Rules of
17 Appellate Procedure, by requiring that expedited appeals from a judgment or an order under
18 AS 47.10 be decided within a fixed timeframe.

19 (b) Section 37 of this Act takes effect only if this section receives the two-thirds
20 majority vote of each house required by art. IV, sec. 15, Constitution of the State of Alaska.

21 * Sec. 75. COURT RULE CHANGES; CINA RULES. (a) Many provisions enacted or
22 amended by secs. 26 - 56 and 58 - 60 of this Act have the effect of amending the Alaska Child
23 in Need of Aid Rules, including rules regarding notice, parties, hearings, filing of petitions or
24 reports, court review of orders, termination of parental rights, and duties of the Department of
25 Health and Social Services.

26 (b) Sections 26 - 56 and 58 - 60 of this Act take effect only if this section receives the
27 two-thirds majority vote of each house required by art. IV, sec. 15, Constitution of the State
28 of Alaska.

29 * Sec. 76. APPLICABILITY. This Act applies to all new cases or proceedings filed with
30 the court on or after the effective date of this Act and to motions filed with the court on or
31 after the effective date of this Act in cases or proceedings pending before a court on the day

1 before the effective date of this Act.

2 * Sec. 77. REVISOR'S INSTRUCTION. The revisor of statutes shall replace the term
3 "minor" with the term "child," in the following statutes: _____

4

5 * Sec. 78. This Act takes effect immediately under AS 01.10.070(c).

Jennifer S. H. Taylor
P. O. Box 424,
Craig, Alaska 99921
907 - 826 3066

Thursday Afternoon, House Bill 375 HESS Committee Hearing, April 2nd, 1998

Con Bunde, Chairman, Health Education and Social Services Committee.
Room 104, fax:465-3871; ph: 800 892-4843

Constituent Testimony concerning House Bill 375, in the Legislature of the State of Alaska, Twentieth Legislature, Second Session. I submit my opinion and testimony to the House Committee of Health, Education, and Social Services, respectfully requesting its distribution to each Committee member, as follows:

It is my limited understanding that the opinion of the general public reflects fear of the loss of the liberty of privacy and control for parents, and the unwarranted intrusion by government entities also figures prominently in over-all resistance to H.B. 375. Nonetheless, there are portions of this bill I believe most worthy of redemption and which merit close examination, in particular consideration of the timely need for protection of the welfare of Alaska's children and Alaska's future.

Addressing Section 11. and Section 12. of HB 375 I find it imperative to point out that long term abandonment and lack of support of children left in the presumptive care of another, unemployed parent, where child support arrearages exceed the past due obligation of one year, or \$5000. as according to the Federal Child Support Recovery Act of 1992 (Title 18, Chapter 11A, Section 228) are commutative in the new equation for desperate poverty for many Alaskan children.

It is appropriate that this bill in particular address the issue of nonsupport of children as criminal, because the blatant neglect of children by parents who accumulate arrearages representing debts to their children of many months without support, reflects extreme indifference to the children's well-being and survival.

Following this Committee's attentive dedication, working in tedious Hearings until 11:00 p.m. last night on school funding, there is no doubt of your commitment to Alaskan children. It is a dedication which should be recognized by every one of our children, but which unfortunately cannot be realized by all our youth when so many are growing up with the confirmed belief that their government, as well as at least one of their parents, threw them away.

Opposition to the welfare of Alaskan children comes in the guise of displaced anger from parents who have abandoned, or are otherwise separated from their children. Significant opposition to the daily needs of innocent and defenseless children, too young by law to support themselves, is heard by you time and again

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from parents who never formed adequate parental bonds with their children and lacked incentive to ensure familial ties. More often than not, the absent parents who abandoned their children have moved onto second families and their priorities are dominated by new spouses who resent the economic and emotional competition of spouses' prior relationships.

The parent left with sole physical custody in Alaska by "default", has the very tangible burden of shouldering double the responsibility of that of a parent in a unified family. Child Support Civil Rule 90.3 Commentary section VI B) freely acknowledges the, "percentage of income approach used in Alaska tends to slightly understate support relative to the national average for cases in which the custodial parent has child care expenses."

HB 375 page 10 speaks to the state's interpretation of the severity of nonsupport being charged as a class C felony, when the arrearages reach \$10,000. My concern is that there is currently so much bad press given to CSED from the obligors in not allowing for fair modifications, and that there are in fact, so many AK CSED cases currently which have gone without consequence, to exceed the \$10,000 ceiling, that sufficient pressure will eventually result in the elimination of this section unless "lawful excuse" exceptions and clearer conditions of culpability are delineated in Sec. 11.51.115.

Alaska Civil Rule 90.3 gives a list of exceptions allowing for court interpretation of good causes for support modifications such as unusual circumstances. In my mind \$10,000. in child support arrearages represents an AK average of 20 months of no financial support to a child not on welfare, and waiting this long sends a definitive message to our children of our dire lack of concern for their survival. Current AK law, AS 11.51.120(a) Criminal Nonsupport as a Misdemeanor A is rarely upheld for prosecution even when obligors are on state probation or parole and as such are prohibited from committing misdemeanor crimes as a condition of their release. (I can provide supporting documentation.)

This week marked one hundred years since Russian America was sold for American rule of Alaska. Alekandre Baranov knew in the 1790's that civil relations amongst his growing colony depended upon enforcing the responsibility of the Russian fathers toward their half-Native children while in the custody of their Native mothers. Were Alaskan children sold-out with Russian America?

Child support arrearages have been accumulating all over Alaska in direct inverse proportion to the custodial parent's moral and the children's diminishing standard of living. As the nurturing parent's resources rapidly dwindle, the real problem is not to absolve the noncustodial parent's arrearages, but how do we feed, provide and heat homes, buy warm clothing, and give nurturing care to the

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children?

Government officials wonder of our state-wide predicament when Welfare support is phased out. I can answer some of these questions considering I have raised three children entirely alone since their conception, for over thirteen years, without any welfare assistance, and rarely with child support from their well-heeled fathers.

I am confident you could not imagine the physical and emotional stress I have endured. Still, their fathers will not take these children, even for a visit. One father has lived three doors away for the past four years and gone out of his way to avoid all contact with his sons for this duration. As a certified teacher I cannot find work in this part of Alaska, though I am hopeful to "relocate" to a job and home for the children; I have been on the state register as a Child Support Enforcement Officer I for two years, Alaska resident for 20 years. Construction work has kept me away from my children for 15 hours at a time, six days a week, and the cost of child care is prohibitive. You may laugh and flippantly say the children won't starve without child support. I challenge you to do the math. I do all our own carpentry, electrical repairs, plumbing, truck repairs and maintenance, and when I do, a youngster misses a meal, or two. We missed having a toilet in our home, in town, for three weeks last year when the floor fell through. Sometimes the children dress for school on a floor of ice, and they cry. There hasn't been a kitchen faucet to use in almost a year since the counter fell in, and the floor won't support a real fridge. The funny part is that one of the absent parents owns four apartments and various real estate out of state for rental income, living most of the year in a luxurious home in Homer. The other absent father owns five trucks, two full size mobile homes, and a large, expensive substance abuse addiction. Their combined total for child support arrearages exceeds \$50,000. Our annual family income for the past three years has been our permanent fund checks. We try to live on less than half the means of federal "below poverty" standards.

Do not dismiss me as a single case who fell through the cracks. I had my college degree and 24 graduate credits prior to the birth of my first child. I have put my parental responsibilities above all, because of my children's absolute need. Every Alaskan family is vulnerable to being reduced to the status of a single parent. Extreme poverty of rural Alaskan children of single parent households, not only elevates their susceptibility to abuse from stressed-out parents, poverty is the most documented reason for poor performance in school, and the lack of adequate nutrition and proper growth.

A perverse and pervasive trend has young, financially distraught single mothers seeking security with boyfriends who are impatient and indifferent to the children and subject the children to abusive torment, and sometimes murder.

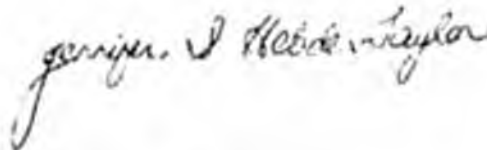
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A weight is upon you to facilitate Alaskan childrens' most productive entrance into a friendly society, by ensuring the collection of the child support owed to them by their own parents. The support is their reassurance their government is working for them to keep them alive, healthy and secure. It is the most important message many Alaskan children will ever receive from Alaska. Supporting our children is the only way you can ensure that they, in turn, will support you in your twilight years in Alaska.

Please note - - - denotes the end of the section planned for the three minute limit during teleconference this afternoon.

Thankyou for the opportunity to voice my opinion and have it heard by the Alaskan House of Representatives HESS Committee.

Respecttully,



Jennifer S. H. Taylor

DATE: April 2, 1998

TO: The House Health, Education and Social Service Committee 3 P.M. Discussion
C/O Representative Con Bunde

TESTIMONY FOR HB 375

GIVEN BY Bernadine Janzen 376-0366
Fax. (907)376-0366

My name is Bernadine Janzen and my husband, myself and our two adopted children live in Wavilla. I address you today as a person who lives "In the Trenches" with two siblings who were severely neglected and abused. Our children were adopted from Washington State after we moved to Alaska. They have been with us now 5 years. At the time of adoption they were 7 and 9 1/2 years old. Today the children are 13 and at most 14 1/2 years old. While we were given parts of their tragic story there were areas of their life that had been lost or unread by overburden social workers. We searched for answers of "Why", "How" and "What" would cause our children to act without remorse or conscious. Three years ago, through much searching and requesting of files, we discovered more of their past. While we knew of the neglect and abuse we did not know the depth it had gone. We grieve for our children's lost childhood's.

At ages 1 and 2 1/2 our children were saved by State intervention. For the next 3 years my children spent time moving back and forth to biological mom's home only to be removed again and again due to her inability to stay clean. Each time our children were replaced in yet another, different foster home. Each time their belongs were placed in their luggage of black trash bags. After all the physical and sexual abuse, my children suffered more abuse from a State, who meaning well, moved them again and again. At ages 4 and 5 1/2 years old mom's rights were terminated and our children moved from one unsuccessful placement to another with the State now attempting to find permanency for their young lives. Even at this young age, they were, "very hard to wear" children. The foster placements which had intended to adopt our children changed their minds after 6-8 months due to the children's disruptive behaviors.

We almost did not adopt these two children after living with them for a year. Our reality was they were going to be difficult to rear. Their reality was more foster homes after us. If a high school principal and a B.S. in Correctional Recreation could not do this who could. We believed that with love and consistency we could help them have a better life. We found this not to be enough. They need so much more for their wounded hearts.

My husband and I understand more of the "Why" they are the way they are. Now we need to learn "How" and "What" we can do to help our children understand:

- a) We will not allow you to self mutilate
- b) Fire is not a way to express you anger
- c) Destroying property is an unacceptable way to express frustration
- d) It is not kind to beat up on younger and weaker beings just because you can

Please consider four areas as you continue your work. 1) Mental Health Issues of neglected and abused children 2) Monitoring abused and neglected children as they age 3) How many moves is to many? 4) Assault or Battery Convictions

Nation wide we have 50% disruption rate in older "special needs" children. For Governor Knowles to achieve the "strong family" in Alaska this committee must be sensitive to children of extreme abuse and neglect and the mental health issues which they bring with them. While I have read the information I find only several brief references to mental health. Families adopting the Seriously/Severely Emotionally Disturb child must be trained to help change "thinking errors" these children may have about care givers. Assigning a therapist will not be enough.

While DFYS has been sensitive to our needs as a family they have had policies and laws that have prohibited them from supporting the needs of S/SED children who were neglected and abused children. Many of these children were pre-verbal when abuse was inflicted on them. They have triggers that run so deep know one could be expected to know what to look for. Our society reels from youth violence. Currently schools are a prime target for children who are expressing their rage. Logical consequences become abusive, innocent "jarrings" in the hallway trigger a "fight or flight response" or rejections from a girl set off abandonment issues. Many young are expressing rage with guns. We would like you to consider, as part of prevention, monitoring abused and neglected children as they age. They do what was done to them. They will neglect and abuse their own children. To truly protect the future generation the neglected and abused child of today will need close supervision.

We hope the team will also be very sensitive to, How many moves is to many? We know that to have homes that are ready and willing to take children in a moments notice is to say the least, impossible. We have pro and con feelings about orphanages. Our children only suffered 10 different moves. What is a "timely manner" for placement? Please, let's not be a State that adds to the child's mental health issue of "attachment" by "home hopping" them. Please be pro-active in this area.

It is my understanding that you will be looking at Sex Offenders, Domestic Violence Offenders and Alcohol/Drug Offenders as being restricted from the lives of our children. We would also, ask you to include in this category those who have Assault and Battery Convictions. While a wife or girlfriend might not file a report on her husband or boyfriend someone in the community may. We need to look at all acts of violence and unhealthy living as potential abusers of our children.

A child's cries of, "IT'S NOT FAIR!" cannot express loud enough what was done to our children and what we know is probably happening to another child this moment, somewhere in Alaska.

We applaud your very hard work. We support HB 375. Please contact us if there is anything we can answer or with anything we can be of help. Thank you for your time.

CSHB 375 "F"	CSHB 375 "B"	HB 375 A"	Subject	Statutes
1	1	1	Intent & Policy	
2	2	2		10.06.961(a)
3	3	3	Murder One	11.41.100(a)
4	4	4	Murder Two	11.41.110(a)
5	5	6	Kidnapping	AS11.41.300(a)
6	6	7	Kidnapping	11.41.300(d)
7	7	8	Indecent Exposure One	11.41.458
8	8	9	Indecent Exposure Two	AS11.41.460
9	9	10	Endangering Welfare One	AS11.51.100
10	10	11	Endangering Welfare Two	11.51.110
11	11	12	Criminal non-support	AS11.51.120(a)
12	12	12		11.51.120(c)
13	13	none		12.55.025(i)
14	14	13		AS12.55.125(c)
15	15	14	Penalties for Crimes	12.55.125(k)
16	none	none		AS12.55.155(e)
17	16	17	Death Reporting	AS12.65.005(a)
18	17	18	Fatality Team	AS12.65.015
19	18	19	Records/Duties/ Confidentiality (Immunity)	AS12.65.000
20	19	20	Teachers Certificates Revoked	AS14.20.020(f)
21	20	21		AS14.20.030(b)
22	21	23	Functions/Powers District Judges/Magistrate	AS22.15.100
23	23	none	Termination	25.23.180(c)
24	24	1	Findings	47.05.065
25	25	25	Adoption Compact	47.05.090
26	26	26	Construction	AS47.10.005
27	27	27	Jurisdiction	47.10.010
28	28	28	Children in Need of Aid	AS47.10.011
29	29	29		AS47.10.020
30	30	30		AS47.10.020(b)
31	none	none	Proceeding Notice	AS47.10.030(b)
32	31	31		AS47.10.050(a)
33	32	none	Foster Parents\ Others Testify	AS47.10.070(a)
34	33	33	Adjudication Hearing 120 days after probable cause	AS47.10.080(a)
35	34	34	Commitment	47.10.080(c)
36	36	35		47.10.080(f)
37	37	36	Appeal CINA	47.10.080(i)
38	38	37	Permanency Hearing	47.10.080(l)
39	39	38	CINA if Incarcerated	47.10.080(o)
40	40	none	Visitation	47.10.080



Petersburg Mental Health Services, Inc.

Post Office Box 556

Petersburg, AK 99833

(907) 772-9992

To: Con Bunde

From: Susan Ohmer, LCSW
Director

Re: House Bill 375
Crimes Against Children

Date: April 2, 1998

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In my experience as director of PMHS, let me state emphatically that the idea that a child's well-being and even SAFETY is not in danger when living in a violent home is incorrect. Every day our agency treats children who are experiencing the sequelae of abuse and of witnessing the abuse of others. Every day we see the impact of what violence and abuse in the home does to children.

Alaska has the highest rate of domestic violence in the nation. Child abuse is 15 times more likely to occur in families where domestic violence is present. Therefore, it can be said that living in such a home automatically puts them at significant risk for abuse as well. Why tie the hands of DFYS social workers to intervene?

Alaskan children have nearly the highest rate of victimization in the nation. Children who witness violence have a variety of responses: behavioral difficulties, emotional difficulties, post-traumatic stress symptoms, attachment difficulties, and learning well that VIOLENCE DOES WORK to get what you want.

As a professional working in the field of trauma, I am alarmed what the changes proposed in this bill would cause for my child clients.

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Rev. 6-98

Central Microfilm Services
Department of Education
State of Alaska

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40	40	none	Visitation	47.10.080

CSHB 375 "F"	CSHB 375 "B"	HB 375 "A"	Subject	Statutes
41	41	39	Best Interests of the Child	47.10.082
42	44	40	Reasonable Efforts /Termination	AS47.10
43	45	41	Confidential \ Privileged Information	AS47.10.092(a)
44	46	42	Information Disclosure	AS47.10.093(b)
45	48	43		AS47.10.141(f)
46	49	none	Habitually Absent	AS47.10.141(g)
47	49	45	Emergency Custody	AS47.10.142(a)
48	51	46	Custody of Child Runaway	AS47.10.142(c)
49	52	none	Plan Review	AS47.10.142(h)
50	53	53	Duty of Care	AS47.10.960
51	54	47	Definition- Care	AS47.10.990(1)
52	55	none	Definition-CINA	47.10.990(2)
53	56	48	Definitions	47.10.990
54	57	49	Information Disclosure	47.12.310(b)
55	none	none	Foster Home Arrangements	47.14.100(a)
56	none	none	Foster Care-DFYS	47.14.100(d)
57	34 (#2)	none	Foster Care-Relatives	47.14.100(e)
58	34 (#1)	none	Out of Home Care	47.14.100
59	59	none	Review Panel-Review	47.14.240(d)
60	60	none	Review Panel-Court	47.14.240(h)
61	62	52	Multidisciplinary Child Protection Team	AS47.14.300
62	63	54	Definition-CINA	AS47.14.990(2)
63	63	55	Report of Harm	AS47.17.020(a)
64	none	none	Reporting Requirements	AS47.17.020
65	65	none		AS47.17.030(d)
66	none	none	Protective Injunctions	AS47.17.030
67	65	56	Investigation	47.17.033
68	none	none	DV Appropriate Steps	17.17.035(b)
69	67	57	Maltreatment	AS47.17.290-8
70	68	58	Application Requirements	AS47.35.017(b)
71	69	59	Foster Care Placement	AS47.35.022
72	70	60	Placement \ Emergency	AS47.35.023(b)
73	71	61	Notification	AS47.35.047(b)
74	72	62	Definitions	47.35.900
75	73	63	Repealed Statutes	AS47.10.080(k)/99 0(7)
76-80	74-78	64-80	Court Rule Amendments Effective Date	



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As a professional working in the field of trauma, I am alarmed what the changes proposed in this bill would cause for my child clients.

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Dale Stone
Chief of Police

PETERSBURG
POLICE DEPARTMENT

Bruce Westre
Captain

Phone (907) 772-3838

P.O. Box 329, Petersburg, Alaska 99833

FAX (907) 772-3504

2 April 1998

Rep. Con Bunde
Chair - House Committee on Health, Education, and Social Services

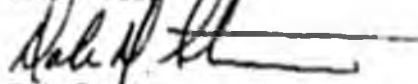
Representative Bunde:

It has been brought to my attention that House Bill 375, Child Protection, has been modified by deletion of certain language. This deleted language authorized DFYS to act in cases where children, although not the direct victims of personal violence, nonetheless are repeatedly exposed to acts of domestic violence.

I fear deletion of this language implies that children are not legitimate victims because they do not suffer direct harm from repeated exposure to acts of domestic violence. Of course we all know that such an implication would not be based on fact. Volumes of research conclude that children are severely effected by being exposed to violence within the family unit. The truth is, domestic violence is a crippling social cancer that is perpetuated through the learned behavior of individuals growing up in an atmosphere of violence. These individuals often become involved in other crimes in addition to domestic violence. As a police officer, I continually observe this reality. Unless the pattern of learned violence can be broken, police are forced to deal with the effects of domestic violence for generations.

Although time does not allow me to adequately express my strong feelings on this issue, I earnestly request you not modify this bill, in any way, that limits the authority of DFYS to act as necessary in these situations. Provide DFYS with the tools they need to be proactive in dealing with the obscenity of children being conditioned to think that violence is "normal" behavior.

Thank You



Dale Stone
Chief of Police

cc: DFYS

**THE FOLLOWING PAGES MAY
NOT FILM LEGIBLY BECAUSE OF
THE POOR QUALITY OF THE ORIGINAL**

CONSEQUENCES FOR THESE SILENT VICTIMS OF DOMESTIC
VIOLENCE.

PLEASE DO NOT ALLOW THIS BILL TO BE AMENDED!!!

THIS IS AN OPPORTUNITY FOR OUR STATE TO BE PROACTIVE
IN OUR APPROACH TO WORKING WITH THE VIOLENCE THAT
TOUCHES CHILDRENS LIVES EVERY DAY.



Alaska State Legislature

Please enter into the record my testimony to the HJ committee name

committee on HB 375 dated 2/11/98
bill/subject

HB 375 is based on the Federal Child Abuse and Neglect Act of 1998 and is necessary to prevent the extreme uses of this act. I believe HB 375 is necessary.

HB 375 is a combination of FCAS and the Child Abuse Bill of Rights which was not written by US Senator

Signature: Anna J. Puffingbier
Testify

 Children's Rights Council
Representing (Optional)

 317 Maple Road, Anchorage, AK 99503
Address

 486-2290
Phone No.



Alaska State Legislature

Please enter into the record my testimony to the WESS Committee
 committee name
 committee on HB 375, dated April 2, 1998
 bill/subject

Dear Committee Members:

Please allow a reading of this revised bill one more time. Having a 15yr old in crisis and in need of protection from emotional abuse. PL 105-89 needs to be passed in its entire portions, not bits & pieces. As a child advocate for over 6 yrs I am heartbroken that this is not being considered. Foster parents like Mrs Graham are experiencing these problems daily. Terminating parental rights are not being emphasizes clearly, as well as, protecting parental rights when ~~bad~~ false charges are laid. Our children need their rights protected by the law and not by adding to DFYS power to pick & choose who is protected and who is not. Thank you

Signed: Marci Schmitt
 Testifier

Parents United for Custodial Justice & Hear My Voice
 Representing (Optional)

2040 Wasilla Fishhook Rd, Wasilla AK 99654
 Address

907-357-3618
 Phone No.



Alaska State Legislature

Please enter into the record my testimony to the House HESS
committee name

committee on HB # 375, dated April 2nd, '98.
bill/subject

What is the language to make the "order from Court", & not the administrative agency; according to your amendments?
I have a question on sec # 11 & sec # 12 on page 8.

When referring to the original draft sec(b) was included; but sec(b) was not included in the 2nd & 3rd draft. So is sec. (b) of Sec 11.51.120 of the original Statutes deleted or not? Or ~~is~~ does sec(b) remain as in the original statute Sec 11.51.120?

Can you clarify what you intend to do with sec(b) of this particular statute? I have researched the original and am now confused.

Personally I do not agree with "criminalizing non-payment of child support," concept. There are too many extenuating circumstances surrounding child support.

Signed: Carol Palmer

Testifier

"Parents United for Custodial Justice"

Representing (Optional)

PO Box 2402, Palmer, Alaska 99645

Address

(907) 746-2863

Phone No.

My concern is with AS 11.51.115 & AS 11.51.120.



ALASKA STATE LEGISLATURE

Please enter into the record my testimony to the House FLESS
Committee Name
 Committee on HB 375 Dated 4/2/98
Bill / Subject

I am chairman of the PANDA (Prevent Abuse and Neglect through Dental Awareness Coalition) and have been working on the subject of this bill for 3-4 yrs. I'm concerned that this bill is coming into the picture to late. Brain Development begins pre-natally and has explosive development after birth. I'm sending information in tonight's packet that supports this. This bill addresses this new material but falls back on the old model - You are just adding to a broken model. You have an opportunity to make a difference, listen to what the experts in the field are saying ie Dr Perry, Dr Kohl, Dr Newman, Maurice Merleau-Ponty (Primacy of Perception) - I am sending a chapter from this book written in (1941?)

I'm also sending information on a need for a ^{medical} model - this needs to be considered as you develop this bill - change needs to be made in prevention of the problem (ie parent training) also changes need to be made in handling the problem children later when they are in trouble and causing problems in society

SIGNED:

Testifier

PANDA (Prevent Abuse and Neglect through Dental Awareness)

Representing

1329 Mc Grath Rd Flks Ak 99712-1277

Address / Phone Number



P.A.N.D.A. is an acronym that stands for Prevent Abuse and Neglect through Dental Awareness.

P.A.N.D.A.

The Alaska P.A.N.D.A. Coalition; 3305 Arctic Boulevard, Suite 102; Anchorage, AK 99503

*Alaska Academy of General Dentistry
Alaska Area Native Health Service
Alaska Chapter International College of Dentists
Alaska Dental Society
Alaska Society of Dentistry for Children
Alaska State Dental Hygienists' Association
Alaska Women's Aid in Crisis
Anchorage Dental Assistants Society
Delta Dental Insurance Company*

*Multiple Risk Managers, Inc.
USA Dental Programs
USAF, 3rd Medical Group, Elmendorf AFB AK
State of Alaska, Division of Family and Youth Services
State of Alaska, Division of Public Health,
Sections of Maternal, Child, and Family Health and
Public Health Nursing, Medicaid Services*

Maurice
Merleau-Ponty

The Primacy
of Perception
and Other Essays



Edited by James M. Edie

Northwestern University

*in Phenomenology
and Existential Philosophy*

Maurice Merleau-Ponty

IN PRAISE OF PHILOSOPHY

translated by John Wild and James M. Edle

William Earle, James M. Edle, and John Wild

CHRISTIANITY AND EXISTENTIALISM

Maurice Merleau-Ponty

THE PRIMACY OF PERCEPTION

edited by James M. Edle

Maurice Merleau-Ponty

SIGNS

translated by Richard C. McCleary

Henry Duméry

THE PROBLEM OF GOD IN PHILOSOPHY OF RELIGION

translated by Charles Courtney

Maurice Merleau-Ponty

SENSE AND NON-SENSE

translated by Hubert L. Dreyfus and Patricia Allen Dreyfus

4 / The Child's Relations with Others¹

Translated by William Cobb

INTRODUCTION

BY WAY OF INTRODUCTION I should like to indicate to you, in this lecture and the next, what place this year's subject occupies within the study of child psychology in general.

1. "Les relations avec autrui chez l'enfant," from the series *Cours de Sorbonne* (Paris, 1960).

The subject of child psychology is of more than casual interest in any philosophical attempt at understanding individual and intersubjective existence. Freud showed that childhood is important, and in some respects decisive, for the character of adult life that follows it. This raises a serious question of principle for any account wishing both to describe the specific motivations and general nature of adult life and to acknowledge the continuity of that life with childhood. Granted that the child's early development has a profound influence on adult life, how, in principle, is that influence possible?

If, as has often been done, we begin with a naturalistic view of the child, in which the acquisition of such things as reflectivity, an ideal image of oneself, values, responsibility, etc., is explained in terms of a process essentially causal in nature, then consistency and continuity demand that we maintain this naturalism in accounting for the phenomena of adult life as well. The demonstrated failure of such theories to account for the phenomena of adult existence in turn forces us to abandon naturalism and mechanism in child psychology—unless we want to hold that to grow to maturity is to pass from one ontological order to another.

If, on the other hand, the child's growth is explained in terms of a cognitive grasp of the world that is held to be the condition for any concrete involvement in the world—if immediacy is denied the child merely in order to make theoretically plausible his passage to reflectivity—such a view overlooks important facts of adult as well as child existence. Psychologists have often spoken of learning in the child as though relations with self, world, and others originate in contemplative knowledge. Yet ordinary experience shows that, in imitating others, in learning to walk, in becoming familiar with an environment, what occurs cannot be explained by the notion that there is first an intellectual act of "knowing" rules, maps, or words and then a move to use them. Intellectualism of this kind is, therefore, an unsatisfactory alternative to naturalism in explaining the nature of childhood existence as well as its influence on adult life.

Merleau-Ponty has elsewhere criticized these two modes of explanation in at-

You can easily see the relation between this year's proposed subject and the subject we dealt with last year. Last year we attempted a study of certain aspects of the child's relations with nature—for example, the child's perception. These included the child's knowledge of external natural facts, also his representation of external facts (e.g., in drawing), the way his imagination makes use of perceptual experiences, his organization of these experiences into causal relations, and, finally, what has sometimes been called the child's conception of the world—that is, the group of ideas (if such they can be called) that would permit the child to have a view of the world.

The last paragraph brings us to the question of intelligence in the child, and you can see that, regardless of the diversity of questions we raised last year, they all involved not the relation between the child and other living beings but rather the child's relations to nature.

This year, on the contrary, in discussing the child's relations with others, we will be concerned with his relations with his parents, his brothers and sisters, other children, and even, if there is time, with his school environment, his social class, and, in general, his relation to culture, to the civilization to which he belongs. It is quite likely that we will not be able to treat these last questions this year, since to do so would take us too far and we have enough to occupy ourselves in the child's relations to parents, brothers and sisters, and other humans.

It might seem as though the question we shall treat this year is more special than last year's question. It might seem that last year we studied the "infrastructure" of the child's understanding, the collection of processes that enable him to feel, perceive, and understand; whereas this year we are interested in a fairly narrow sector of this perception and understanding—the perception and understanding of others. It might seem that last year we were concerned with the psychology of understanding in the child, while this year we will concern ourselves with the much more limited subject of affectivity.

This, however, is not the relation between the two kinds of question. I do not at all believe that the question of relations with others is a

tempting a description of adult existence. In "The Child's Relations with Others" his task is less critical than descriptive, less occupied with the refutation of theories which would reduce existence to either Nature or Thought than with finding terms for a positive description of the origin of intersubjective relations. Throughout the essay he endeavors to describe these relations in a language that avoids either of the reductions mentioned above.

The essay itself is a fragment of a larger lecture course in child psychology. Its rather abrupt ending suggests that the inquiry was extended in further lectures. No other texts on the subject by Merleau-Ponty are available, however, and for reasons indicated above it was decided to publish this essay in English as it stands.

I am grateful to Michèle Jacquemain and Robert V. Stone for checking the translation and making many improvements.—Trans.

secondary and more particular problem, more strictly confined to affectivity than the problem with which we occupied ourselves last year.

The very results of last year's study prevent us from treating the problem of relations with others as secondary and subordinate.

In speaking of the child's perception or of causal relations as grasped by the child, what struck us was the fact that, in the case of the child's perception, it is not a matter of a simple reflection of external phenomena within the child or of a simple sorting of data resulting from the activity of the senses. It seemed to us to be a question of an actual "informing" [*Gestaltung*] of experience in the child. For example, in the case of causal relations, which have traditionally been thought to have been learned by an intellectual operation in the child, we have seen instead, with Michotte, that such relations are anchored in the child's very perception of external events and that perception in the child is not a simple reflection nor the result of a process of sorting data. Rather, it is a more profound operation whereby the child organizes his experience of external events—an operation which thus is properly neither a logical nor a predicative activity.

When we considered the child's imagination, it appeared likewise that we could not assimilate what is called the *image* in the child to a kind of degraded, weakened copy of preceding perceptions. What is called *imagination* is an emotional conduct. Consequently here again we found ourselves, as it were, *beneath* the relation of the knowing subject to the known object. We had to do with a primordial operation by which the child organizes the imaginary, just as he organizes the perceived.

When we examined the child's drawing, one of the faults we found with the famous book by Luquet was precisely this: The child's drawing is considered by Luquet to be an abortive adult drawing, and the development of the child, viewed through the stages of his drawing, appears as a series of frustrations of the attempt to represent the world as the adult does (at least the white, "civilized," Western adult)—that is, according to the laws of classical geometrical perspective. We tried to show, on the contrary, that the child's processes of expression could not be understood as simple breakdowns on the road to "visual realism" and that, instead, these processes testified to the presence in the child of a relation with things¹ and with the sensible very different from the one that is expressed in the perspective projection of drawing in the classic style.

Finally, it appeared to us, following certain indications of Wallon, that there is perhaps no place for the question of the child's conception of the world. In order to be able to speak of a conception of the world,

1. In the text "drawers" appears to be a misprint for "choices."—Trans.

the child would actually have to totalize his experience under general concepts. But, as Wallon remarked, an entire sector of this experience is *fragmentary* [*lacunaire*] for the child; it contains what Wallon called "ultra things," i.e., entities of which the child has no direct experience, which are at the horizon of his perception—like the sun, the moon, etc. These entities remain for the child in a state of relative indeterminateness; he has, strictly speaking, no conception of them. With respect to nearby objects, the child often has a conception that is very close to that of the adult (Huang). The concepts of animism and of artificialism, employed a bit recklessly, are adult ways of expressing the child's confusion in the face of "ultra things"; they are the expedients sometimes used by the child in replying to the adult's questions and perhaps do not arise in his own experience.

All this, I believe, converged on the following idea: What classical academic psychology calls "functions of cognition"—intelligence, perception, imagination, etc.—when more closely examined, lead us back to an activity that is prior to cognition properly so called, a function of organizing experiences that imposes on certain totalities the configuration and the kind of equilibrium that are possible under the corporeal and social conditions of the child himself.

In another course, moreover, we examined the problem of the acquisition of language, and there again we reached the same kind of conclusion: The acquisition of language appeared to us to be the acquisition of an open system of expression. That is, such a system is capable of expressing, not some finite number of cognitions or ideas, but rather an indeterminate number of cognitions or ideas to come. The system that is speech is learned by the child, not at all by a genuine intellectual operation (as though by means of intelligence the child understood the principles of speech, its morphology, and its syntax). Rather, what is involved is a kind of *habituation*, a use of language as a tool or instrument. The employment of language, which is an effect and also one of the most active stimuli of intellectual development, does not appear to be founded on the exercise of pure intelligence but instead on a more obscure operation—namely, the child's assimilation of the linguistic system of his environment in a way that is comparable to the acquisition of any habit whatever: the learning of a structure of conduct.

These results lead us to think that between the functions of understanding we studied last year and affectivity itself there must be an altogether different relation than that of the simple subordination of the latter to the former.

However, I would like to show this more directly by means of two examples. First, recent studies have tended to show that even external

perception of sense qualities and space—at first glance the most disinterested, least affective of all the functions—is profoundly modified by the personality and by the interpersonal relationships in which the child lives. The second example has to do with the learning of language. Certain authors show that there is a very close and profound relation between the development of language and the configuration of the human environment in which the child develops.

1. Psychological rigidity

ON THE FIRST POINT, I have in mind the interesting work of Else Frenkel-Brunswik, described in an article entitled "Intolerance of Ambiguity as an Emotional and Perceptual Personality Variable."³ This work is connected with a whole series of earlier studies. In particular, it recalls the work of the German psychologist Erich Jaensch, who twenty-five years ago was well known for his research on eidetic imagery⁴ and who has since turned to research on perception designed to show a close relation between the way a person perceives objects and the general characteristics of his personality and, in particular, of his relations with others. Ambiguous perceptions (the same drawing of a cube seen now from one standpoint, now from another) would be more frequent in "liberal" subjects (meaning subjects who are likely to recognize several aspects of things even if, on first glance, these different aspects are not easily reconciled with one another). Actually the research by Jaensch is in this sense very hasty and bold. Mrs. Frenkel-Brunswik, on the contrary, endeavored to carry out a rigorous experimental study. She bases her approach firmly on the principle of projective techniques. Rorschach constructed his test on the idea that the subject's perception is entirely altered by his personality, since he relied on the subject's manner of perceiving certain visual data in order to deduce from it certain personality traits.

Mrs. Frenkel-Brunswik chose a precise personality trait in order to study its correlation with certain types of perception. She called this trait "psychological rigidity," and we are going to define it shortly. The author endeavored to study the correlation between this trait and certain modes of perception by means of an experimental method. A study was made by the University of California on 1500 schoolchildren between the ages of 11 and 16. Of these children she chose 120 who represented the extreme limiting-case of psychological rigidity. She submitted them to interviews, clinical examinations, and tests. The parents of these children were visited, and one third of them were

3. *Journal of Personality*, vol. 18 (September, 1949), pp. 108-43.

4. Cf. Erich Jaensch, *Eidetic Imagery and Typological Methods of Investigation*, trans. Oscar Oester (New York, 1930).—Trans.

submitted to exact perceptual experiments of a kind designed to show the link between the type of perception and the personal and interpersonal factors I spoke of earlier.

The personality variable chosen for these experiments, "psychological rigidity," is a notion that originated in psychoanalysis, although it is far from being an orthodox Freudian conception. It means the attitude of the subject who replies to any question with black-and-white answers; who gives replies that are curt and lacking in any shading; who also is generally ill disposed, when examining an object or a person, to recognize in them any clashing traits; and who continually tries, in his remarks, to arrive at a simple, categorical, and summary view.

In the eyes of the author this "psychological rigidity" is by no means the sign of an actual psychological force, as people who know the subject sometimes believe. It is only a mask. Beneath this rigidity one could easily enough find real chaos or at least a deeply divided personality. Psychological rigidity, according to Mrs. Frenkel-Brunswik, is what the Freudians call a "reaction formation"; that is, a façade interposed by the subject between his psychological reality and others who are there to examine him. The principle of this formation is well known: If the individual is very aggressive he conceals his aggression under an acquired veil of politeness, and often the most apparently polite people are, at bottom, the most aggressive. The author brings to light the "reactional" character of rigidity. Rigid subjects are in reality, when more closely examined, likely to be profoundly divided in their personality dynamics. If they are questioned about their families, in general they reply with categorical affirmations. Either the family is perfection itself—one could not wish for a better—or it is horrible. In any case there are never any nuances. More often than not, such persons are traditionalists. They declare that their families—and their parents in particular—are perfect. For them their parents represent an absolute. What allows us to say that beneath this rigidity there is no psychological force or genuine conviction is this: First, when these subjects analyze and describe their parents, they always confine themselves to mentioning the inessential, external traits, as though they are afraid to enter into a more detailed analysis and to recognize imperfections in the persons around them. Second, each time one tries to catch them unawares and obtain responses whose real significance escapes them they are generally negative toward their parents. Instead of being asked directly what they think of their parents, they are asked, for example, to make a list of the people they would take along if they had to live for several years on a desert island. It is significant that many of them who are absolutely in favor of the family regularly exclude

their parents from the list. Third, when they are given the Thematic Apperception Test, one notices that their descriptions of their parents emphasize their coercive, punitive aspects. These different indications, when joined with the evidence from clinical experiments, permit us to say that their wholesale affirmation of the merits of the family is, rather, a mask behind which a fairly lively aggression may be found. When aggression against the parent figures becomes too urgent and agonizing, these subjects superimpose a phenomenon of reaction to that aggression. They systematically avoid lifting the mask; hence their refusal to admit shading into the picture of their parents. If they begin to admit any shading at all, they will admit too much.

In a more general way, not only with their parents but with regard to all moral and social problems as well, these subjects proceed by dichotomizing—the dichotomy of authority and obedience. The child must be absolutely obedient, or else the very principle of authority is called in question. Another example is the dilemma of cleanliness and dirtiness. The mania for cleanliness (a familiar trait) can make certain women into passionate house cleaners and fanatic polishers of furniture, etc. All this has its roots in the rigidity of the child. Thus we have the dualism of good and evil, virtue and vice, and even that of masculinity and femininity. Of course, nobody denies that each of these differences is considered to be an *absolute* difference, founded in nature, excluding any appearance of transition, degree, or change. Mrs. Frenkel-Brunswik thinks that these subjects have acquired this attitude in their initial relations with the family, inasmuch as these relations are also their first relations to values and to the world. The parents are the means by which they first communicate with the world. The families in question are usually authoritarian; they are the ones in which the child is strictly "trained," the "frustrating" families in which the child feels insecure and in danger.

Psychological rigidity can be found occasionally in all subjects, but it is only in an especially authoritarian environment that it becomes a constant conduct, of which the child cannot rid himself. In this kind of authoritarian atmosphere the child divides the parent figure in half. On the one hand there is the kindly image of his parents that is willingly avowed, and on the other there is the image he is struggling against. As Melanie Klein has said, two images (the "good mother" and the "bad mother"), instead of being united in relation to the same person, are arranged by the child with the former prominent and the latter completely concealed from himself. When questioned, the child overtly recognizes only the favorable image, and this is what, according to Melanie Klein, defines ambivalence. Ambivalence consists in having two alternative images of the same object, the same person, without

making any effort to connect them or to notice that in reality they relate to the same object and the same person.

Melanie Klein has established a profound distinction between ambivalence of this kind and ambiguity. As opposed to ambivalence, ambiguity is an adult phenomenon, a phenomenon of maturity, which has nothing pathological about it. It consists in admitting that the same being who is good and generous can also be annoying and imperfect. Ambiguity is ambivalence that one dares to look at face to face. What is lacking in rigid subjects is this capacity to confront squarely the contradictions that exist in their attitudes toward others.

The families in which these children are found are authoritarian, as we have said, and they are equally the "socially marginal" families (here we are extending the social aspect of this phenomenon). There also exists a social marginalism in France. The *nouveau riche* is marginal in the sense that he is placed in a category in which he does not feel himself thoroughly integrated. It is the same with the "newly poor." This latter category is much more important in the United States because of its national minorities.

When conjoined with social conditions, rigidity has social consequences. Unaware of his double attitude, refusing even to recognize in himself the image of "bad parents," the rigid child tends to project outside himself the part of himself he does not want to be. The aggression he wants to be rid of is projected outside by a process of externalization that in certain cases is evident beyond any doubt.

According to the best observers, the legends in America and French Africa concerning the sexuality of Negroes display a mechanism of this type. Subjects project onto the Negro (considered to represent a "natural" sexuality that is stronger and more violent than their own) something of themselves that they would like not to have. The same mechanism is called into play with the Jews; the construction of the Jewish character often proceeds by a division of this kind. The anti-Semite throws off onto the Jew the part of himself he does not want and is most ashamed of, as others do with the Negro. This is true also of other minorities. The minority is all the more hateful for representing the behavior whose germs the subject carries within himself and will not admit are his own. Simone de Beauvoir has analyzed a mechanism of the same kind in the phenomenon of the "battle of the sexes."¹ From age ten on, this phenomenon appears in schools where boys and girls are reared together. If the boys and girls are asked the reasons for this social dichotomization (for this is what it already is), one is forced to admit something like this: Each attributes to the other the character-

3. Simone de Beauvoir, *The Second Sex*, trans. and ed. H. M. Parshley (New York, 1953).—Trans.

istics of his humanity that he does not want. For example, men who, by virtue of the established myths as well as certain tendencies of their own physiological constitutions, do not want to be weak and sensitive and want to be self-sufficient, decisive, and energetic, project on women exactly those personality traits they do not themselves want to have. Women, who are accomplices in this masquerade, from their side project on men the personality traits they wish to be rid of or are unable to assume. There is thus a mutual disparagement which is at the same time the basis of a pact concluded between the two sexes. The very women who proclaim their hatred of men also admit that it is, after all, men's business to make decisions, pay taxes, carry the bags to the station, and hold positions, etc. In reality it is scarcely necessary to say that even men are frivolous and capable of being mistaken; by the same token, women are as decisive as men and as capable of being in business or a profession. But by a sort of tacit agreement men and women are at the same time accomplices and enemies, and thus they continue to live side by side, in a love that is hate, a hate that is love.

It remains for us to see how the type of personality and of interpersonal relations designated by the term "psychological rigidity" express themselves in the anonymous functions of external perception. Let us now turn to the experiments designed to make evident the relation between psychological rigidity, as a mode of relation to self and others, and perception in its own right.

A study was made of 1500 schoolchildren between eleven and sixteen years old, and, in particular, of 120 of them who were remarkably "rigid." These subjects showed very strong racial and social prejudices—prejudices which, you recall from what we have already said, bear witness to a sort of interior schism between what the subjects admit and recognize in themselves and what they do not admit, do not recognize, and are unwilling to see in themselves. The latter traits are projected on external subjects who lay the role of scapegoat; while, on the contrary, the subject appears in his own eyes as immune to the defects he finds in external groups.

The experimenters asked a certain number of questions designed to reveal psychological rigidity. Here are some examples of the test questions. Subjects were asked to evaluate the following phrase: "People can be divided into two categories—the weak and the strong." Or again, "Teachers should tell their students what to do, rather than trying to find out what the students want." This last sentence served to test for the authoritarian tendencies of the subjects. Again, "Girls should learn only about household matters." Another test sentence (this test was given in the United States) was "We should deport all

refugees and give their jobs to veterans." Finally, "There is only one way to do something properly." Psychologically rigid subjects agreed immediately with this last proposition.

After these tests for "rigidity," experiments were made to show the characteristic ways in which the subjects perceive. Psychologically rigid subjects could be expected to show, in the same way, a sort of perceptual rigidity. It would be hard for them to modify their attitude and to adopt a new account of new aspects of a problem. They would have a tendency to refer any new experience of a different type that might be presented to them back to already familiar experiences. For example, they were shown films in which the images gradually changed, e.g., the image of a dog transformed little by little into a cat. Members of the strongly prejudiced group held more firmly, in general, to their antecedent mode of perception and saw no appreciable change in the figure which was presented to them, even when the changes were already objectively noticeable.

In more general terms, such a subject rebels against all aspects of the phenomenon of transition. Even if, in effect, he is not immediately acquiescent to the changes in the stimuli that are presented to him, he might at least notice that something has changed. Without altering his perception of the whole he might, all the same, recognize that the figure is in the process of disorganization. But this recognition of the phenomenon of transition is exactly what is repugnant to him.

In sum, the subjects who carry within themselves extremely strong conflicts are precisely those who reject, in their views of external things, the admission that there are particular situations that are ambiguous, full of conflicts, and mixed in value. This occurs in such a way that one can say that a very strong emotional ambivalence shows up, at the level of understanding or perception, as a very weak ambiguity in the things perceived or in the subject's ideas of them. The more emotionally ambivalent the subject, the less it suits him that there should be any ambiguity in things and in his view of things. Emotional ambivalence is what demands the denial of intellectual ambiguity. In subjects whose intellectual ambiguity is strong it often happens that the emotional foundation is much more stable than in other subjects.

Another series of experiments was designed to measure the speed with which a subject adapts to a new type of problem. The subject was trained to solve a certain number of elementary tasks that implied a certain method of solution. He was then presented with other problems that were apparently of the same form but in reality could be solved much more easily by another method. Only, in order to find the other method, the subject must be supple and capable of responding to the situation in a way appropriate to its new content. One finds in the same

way that psychologically rigid subjects in general react against this modification of their techniques.

Here we must interject two remarks that are indispensable for an understanding of the exact scope of these investigations.

1. Mrs. Frenkel-Brunswik does not say that psychological rigidity, or rigidity in psycho-social relations, necessarily appears in an unequivocal manner in the domain of perception. The relation established by the author between affective life and intersubjectivity, on the one hand, and the functions of understanding or of perception, on the other, is much more subtle and fluid. There is always a relation between these two domains, but it is not always that of a single relation of analogy. There are subjects who, although psychologically rigid, compensate for that rigidity by great flexibility in the perceptual domain. The two phenomena always occur together, but they may be united in several different ways. Sometimes the same structure is met with in both domains—psychological rigidity appearing as perceptual rigidity—and sometimes, in other cases, the perceptual phenomenon compensates for (rather than simply resembles) the affective phenomenon. What is important in both cases, however, is that the two phenomena always comprise a single whole.

2. In outlining a social psychology of social and political opinions,⁶ Mrs. Frenkel-Brunswik does not propose that psychology alone is in a position to solve political problems. There are, in her view, subjects who are without social prejudices of any kind, who are perfectly "liberal" in the sense that they admit that all men are brothers, that one cannot concentrate all the characteristics of evil in Negroes, Jews, or any other minority and yet who, for all that, are rigid subjects because they refuse to see among men even the most striking differences of situation—differences which pertain to the collectivity in which they have lived and received their initial training. There is an abstract or rigid liberalism which consists in thinking that all men are identical. There are also liberals who are truly liberal, in the sense that they conceive very well that there can be differences of historical situation among men and different cultural environments. This does not prevent them from treating each man (in so far as his situation permits him to be a man) like any other. But the fundamental identity of men does not close their eyes to the cultural differences which may develop and which must be understood in action, if they do not want to arrive at results that are sometimes contrary to the ones they aimed for.

6. Cf. Else Frenkel-Brunswik and R. N. Sanford, "Some Personality Factors in Anti-Semitism," *Journal of Personality*, vol. 20 (1945), pp. 271-91. Merleau-Ponty cites at this point a partial French translation of this article under the title "La personnalité antisémite," which appeared in *Les Temps Modernes*, no. 60 (October, 1950).—Trans.

Racist opinions, on the other hand, are necessarily linked to psychological rigidity, since they rest on a myth and can thus be explained only by a psychological mechanism. But most political opinions, unlike these, are not reducible to psychological factors. Not every political question can be cut short with a psychological analysis. What betrays psychological rigidity is not the adoption of this or that conception of the state or of history; it is the manner in which one adopts this thesis and tries to justify it. Similarly, what characterizes a psychologically mature subject for Mrs. Frenkel-Brunswik is not that he does or does not have ambiguities; it is the way in which he treats his ambiguities. If he hides them from himself, if he flees them, if he does not confront them, he is psychologically rigid. If, on the contrary, he faces them squarely, he has arrived at maturity. Everyone is ambiguous in one way or another; it is just that there are subjects who refuse to take into account, to "interiorize," their ambiguities. This is ambivalence properly so called. Other subjects consent to see problems that arise on account of the discordant traits that are to be found in each and every individual.

To appreciate thoroughly the nature of anti-Semitism or prejudice against Negroes, it is not enough merely to be a psychologist, any more than an appreciation of this or that political doctrine necessarily requires a psychological study of those who adopt it. Psychology describes conducts; it cannot inform us about the internal content of the theses to which they address themselves. It can only describe attitudes.

My aim, as well as the aim of the author whose work I have been utilizing, has not been to show that the cognitive functions, like perception, are explained by the social structure in which the individual finds himself and in which he has the task of adjusting his perception to his environment and vice versa. The question of causality is not resolved by these investigations. They merely establish a correlation between the manner of perceiving and that of structuring the social world. But this correlation can be understood in two ways. On the one hand, we might decide that it is because the subject perceives in a rigid fashion (on account of his constitutional make-up) that he is predisposed in social matters to a dichotomization of things and to the prejudices I have already mentioned. On the other hand, one might decide that it is because the subject has organized his relations with others and with the social world in this or that way that he is brought to perceive them in the same way. The establishment of a correlation does not allow us to resolve this issue.

What must be understood, moreover, is that the question of a causal sequence of the two phenomena is meaningless. For it to be meaningful would require that the two phenomena be capable of stand-

ing in isolation. But this is never the case. In fact, from the time of his birth the child who will have prejudices has been molded by his environment, and in that respect has undergone a certain exercise of parental authority. Consequently there is no moment at which you could grasp, in a pure state, his way of perceiving, completely apart from the social conditioning that influences him. Inversely, you can never say that the way in which the child structures (*met en forme*) his social environment is unrelated to the hereditary or constitutional dispositions of his nervous system. He himself is the one who structures his surroundings, after all. It is as though there is in the child a sort of elasticity that sometimes makes him react to the influences of his surroundings by finding his own solutions to the problems they pose. And so the internal characteristics of the subject always intervene in his way of establishing his relations with what is outside him. It is never simply the outside which molds him; it is he himself who takes a position in the face of the external conditions. If, therefore, we refuse to answer yes or no to the problem of causality, it is not simply because we lack necessary information; rather, it is for reasons of principle. It is because, in fact and in principle, it is impossible to establish a cleavage between what will be "natural" in the individual and what will be acquired from his social upbringing. In reality the two orders are not distinct; they are part and parcel of a single global phenomenon.

Consequently our aim has not been to connect the functions of intellect to the subject's relation to society, as they depended on it in an unequivocal way, but to bring to light the profound relation of the two phenomenal orders that are part of a single global project of the individual—a global project in which are established his relations with the neutral perceptual fields that can be given in his experience, as well as his relations with his human and social surroundings.

2. Affectivity and language

I PASS to the second fact that appeared to me to be worthy of mention by way of introduction to this course: the relation that can be established between the development of intelligence (in particular, the acquisition of language) and the configuration of the individual's affective environment.

I call your attention to a short article by François Rostand entitled "*Grammaire et affectivité*." Rostand begins by remarking that from the start there is a correlation between the age at which the child is most dependent on his parents (i.e., about two years) and the age at

which he begins to learn language. There is a period when the child is "sensitive" with regard to language, when he is capable of learning to speak. It has been shown that if the child up to two years of age does not have a linguistic model to imitate, if he does not find himself in an environment in which people are speaking, he will never speak as do those who have learned language during the period in question. This is the case with those children who are called "savages," who have been raised by animals or far from contact with speaking subjects. In no case have these subjects ever learned to speak with the linguistic perfection that is found among ordinary subjects. Deaf children whose retraining has been delayed and who consequently have not learned to speak during the "sensitive" period never speak their language in exactly the same way as do those who can hear. One can show, in fact, that in their syntax or their morphology there exist, after retraining, some very odd peculiarities: for example, the absence or rarity of the passive voice in verbs. This allows us to presume that there will be a profound link between the acquisition of language (which would seem to be a strictly intellectual operation) and the child's place in the family environment. It is this relation that Rostand seeks to define exactly.

It is a commonplace that the child's acquisition of language is also correlated with his relation to his mother. Children who have been suddenly and forcibly separated from their mothers always show signs of a linguistic regression. At bottom, it is not only the word "mama" that is the child's first; it is the entire language which is, so to speak, maternal.

The acquisition of language might be a phenomenon of the same kind as the relation to the mother. Just as the maternal relation is (as the psychoanalysts say) a relation of *identification*, in which the subject projects on his mother what he himself experiences and assimilates the attitudes of his mother, so one could say that the acquisition of language is itself a phenomenon of identification. To learn to speak is to learn to play a series of *roles*, to assume a series of conducts or linguistic gestures.

Rostand mentions an observation made by Dr. Dolto-Marette in a case of jealousy in a child. The younger of two children shows jealousy when his new brother is born. During the first days of the newborn child's life, he identifies with it, carrying himself as though he himself were the newborn baby. There is a striking regression in language as well as in character. In the following days one notices in him a change of attitude. The subject identifies himself with his older brother and overcomes his jealousy; he adopts all the characteristics of the eldest, including an attitude toward the new baby that is identical to what, until now, had been his older brother's attitude toward him. Thanks to

a fortunate circumstance his jealousy is overcome. By chance, just as the baby is born, a fourth child comes to stay in the family. This fourth child is bigger than all three brothers in the family. The presence of a child who is older than the eldest brother robs the latter of his status as the "absolute eldest." The eldest is now no longer "absolutely big," since there are others who are bigger than he is. The fourth child aids in the middle brother's transition and assimilation of the role of the eldest.

It is in this way that a case of neurotic stuttering is cured and a marked linguistic progress realized from day to day. The subject acquires the use of the simple past tense, the imperfect, the simple future, and the future with the verb *to go* ("I am going to leave"). Coming back to this observation, Rostand interprets it in the following fashion: The jealousy that invades the subject when he confirms the arrival of a new brother is essentially a refusal to change his situation. The newcomer is an intruder and is going to confiscate to his own advantage the place in the family that was held until now by our jealous subject. It is in the phase of the "surpassing" of jealousy that one notices the appearance of a link between the affective phenomenon and the linguistic phenomenon: jealousy is overcome thanks to the constitution of a scheme of past-present-future. In effect, jealousy in this subject consists in a rigid attachment to his present—that is, to the situation of the "latest born" which was hitherto his own. He considered the present to be absolute. Now, on the contrary, one can say that from the moment when he consents to be no longer the latest born, to become in relation to the new baby what his elder brother had until then been in relation to him, he replaces his attitude of "my place has been taken" with another, whose schema might be somewhat like this: "I have been the youngest, but I am the youngest no longer, and I will become the biggest." One sees that there is a solidarity between the acquisition of this temporal structure, which gives a meaning to the corresponding linguistic instruments, and the situation of a jealousy that is overcome. For the subject the situation of jealousy is the occasion both for re-structuring his relations with the others he lives with and at the same time for acquiring new dimensions of existence (past, present, and future) with a supple play among them.

Speaking Piaget's language, one might say that the whole problem of overcoming jealousy is a problem of "de-centering." Until now the subject has been centered on himself, centered on the situation of the latest born that he has occupied. In order to accept the birth of a new child, he must de-center himself. But the de-centering involved here is not, as it was for Piaget, a primarily intellectual operation, a phenomenon of pure knowledge. It is a matter of a lived de-centering, aroused by the situation of the child inside the family constellation.

One might even say that what the child learns, in solving the problem of jealousy, is to relativize his notions. He must relativize the notions of the youngest and the eldest: he is no longer *the* youngest; it is the new child who assumes this role. He thus must come to distinguish the absolute "youngest" from the relative "youngest" which he now becomes. And in the same way he must learn to become the eldest in relation to the newborn child, whereas until now the notion of "eldest" had only an absolute meaning.

In Piaget's language, the child must learn to think in terms of reciprocity. Rostand himself cites Piaget's terms. But these terms take on a new meaning from the fact that training in reciprocity, relativity, and de-centering occurs here not by intellectual acts of "grouping" but by operations within the vital order, by the manner in which the child restores [*rétablit*] his relations with others.

To this preliminary observation Rostand adds the following personal one: He noticed in a little girl of thirty-five months an interesting linguistic phenomenon that followed a frightening emotional experience (an encounter, while walking alone, with a big dog). Two months later this experience seemed to bear fruit. There was an abrupt acquisition of certain modes of expression (in particular, the imperfect tense of verbs) which until then the child had not used.

This step occurred at the birth of a younger brother. What we have to understand is the exact relation between this linguistic phenomenon, the birth of the younger brother, and the emotional experience of two months earlier.

The child had come across a dog who was nursing its young. At the time she encountered the dog, she knew already from her parents that she was going to have a little brother or sister in about two months. Meeting the dog which was nursing its litter was not an indifferent experience for the child; it was a visible symbol of something analogous that was about to happen in her own world. The pattern about to be realized two months later in the child's environment (parents, little girl, little brother) was already prefigured by the pattern (big dog; me, the little girl; the little dogs). The sight of the dogs was of paramount significance by virtue of its relation to the situation in which the child was about to find herself.

In order for her to accept the birth of a younger brother, what was basically necessary was a change of attitude. Whereas the little girl had been, until then, the object of all attention and of all caresses, she now had to accept the fact that some of this attention and these caresses would be transferred to another, and to associate herself with this attitude. She had to pass from an ingratiating [*captative*] attitude (i.e., one in which the child receives without giving) to a selfless

[*oblative*], quasi-maternal attitude toward the child about to be born. It was necessary for her to accept a relative abandonment, to turn and confront a life that would henceforth be *her* life, that would no longer be supported, as it had been until then, by the exclusive attention of her parents. In short, the girl had to adopt an active attitude, whereas until then her attitude had been passive.

The linguistic phenomenon that emerges at this same time can be understood in this perspective. I said earlier that the imperfect tense appeared in the child's language after the birth of her brother. More important, however, was the emergence of four verbs in the future tense; there was also a great increase in the use of "me" and "I." If the future is a time of aggressiveness—a time when projects are envisioned, when one takes a stand in the face of what is to come and, instead of allowing it to come, moves actively toward it—then how was it made possible by the new situation of the little girl? The answer is that this was precisely the attitude demanded of the child by the birth of her brother. The acquisition of "me" and "I" presented no problems; it indicated that the subject adopted a more personal attitude and lived to a relatively greater degree by herself. Finally, the acquisition of the imperfect tense at the birth of her little brother indicated that the child was becoming capable of understanding that the present changes into the past. The imperfect is a former present which, moreover, is still referred to as present, unlike the past definite.⁸ The imperfect is "still there." The acquisition of the imperfect thus presupposes a concrete grasp of the movement from present to past which the child, on her part, was just in the process of achieving in her relations with her family. The fact is, all the verbs she used in the imperfect after the birth of her brother had to do with the baby. The baby is what the elder sister *used to be* in the world of the family.

To be sure, emotion plays a role only to the extent that it gives the subject the occasion to re-structure her relations with her human environment, and not at all simply as emotion. If the problem had not been resolved, if the subject had shown herself incapable of overcoming her jealousy or her uneasiness, nothing good would have come from the experience. Inversely, there can be cases in which the subject progresses in language without apparent emotion. In such cases, however, linguistic progress always has an interrupted character; the acquisition of the modes of expression always represents a sort of crisis, in which a whole realm of expression is annexed in a single stroke.

In sum, the intellectual elaboration of our experience of the world is constantly supported by the affective elaboration of our inter-human

8. The difference in question here is that between, e.g., "I was going" (imperfect) and "I went" (past definite).—*Trans.*

relations. The use of certain linguistic tools is mastered in the play of forces that constitute the subject's relations to his human surroundings. The linguistic usage achieved by the child depends strictly on the "position" (in psychoanalytic terms) that is taken by the child at every moment in the play of forces in his family and his human environment.

Here again it is not a question of a causal analysis. There is no question of saying that the linguistic progress is *explained* by the affective progress, in the sense in which expansion is explained by heat. One might reply that the affective progress itself is also a function of the intellectual progress and that the entire intellectual development makes possible a certain affective progress. And this would also be true.

What we are seeking here is not a causal explanation, any more than before. My effort is to show the solidarity and unity of the two phenomena, not to reduce the one to the other, as is traditionally done by both empiricist and intellectualist psychologists. The child's experience of the constellation of his own family does more than impress on him certain relations between one human being and another. At the same time that the child is assuming and forming his family relations, an entire form of thinking arises in him. It is a whole usage of language as well as a way of perceiving the world.

[I] THE PROBLEM OF THE CHILD'S PERCEPTION OF OTHERS: THE THEORETICAL PROBLEM

BEFORE STUDYING the different relations established between the child and his parents, his peers, other children, brothers, sisters, or strangers, before undertaking a description and analysis of these different relations, a question of principle arises: How and under what conditions does the child come into contact with others? What is the nature of the child's relations with others? How are such relations possible from the day of birth on?

Classical psychology approached this problem only with great difficulty. One might say that it was among the stumbling blocks of classical psychology because it is admittedly incapable of being solved if one confines oneself to the theoretical ideas that were elaborated by academic psychology.

How does such a problem arise for classical psychology? Given the presuppositions with which that psychology works, given the prejudices it adopted from the start without any kind of criticism, the relation with others becomes incomprehensible for it. What, in fact, is the

psyche [*psychisme*—mine or the other's—for classical psychology? All psychologists of the classical period are in tacit agreement on this point: the psyche, or the psychic, is *what is given to only one person*. It seems, in effect, that one might admit without further examination or discussion that what constitutes the psyche in me or in others is something incommunicable. I alone am able to grasp my psyche—for example, my sensations of green or of red. You will never know them as I know them; you will never experience them in my place. A consequence of this idea is that the psyche of another appears to me as radically inaccessible, at least in its own existence. I cannot reach other lives, other thought processes, since by hypothesis they are open only to inspection by a single individual: the one who owns them.

Since I cannot have direct access to the psyche of another, for the reasons just given, I must grant that I seize the other's psyche only indirectly, mediated by its bodily appearances. I see you in flesh and bone; you are there. I cannot know what you are thinking, but I can suppose it, guess at it from your facial expressions, your gestures, and your words—in short from a series of bodily appearances of which I am only the witness.

The question thus becomes this: How does it happen that, in the presence of this mannequin that resembles a man, in the presence of this body that gesticulates in a characteristic way, I come to believe that it is inhabited by a psyche? * How am I led to consider that this body before me encloses a psyche? How can I perceive across this body, so to speak, another's psyche? Classical psychology's conception of the body and the consciousness we have of it is here a second obstacle in the way of a solution of the problem. Here one wants to speak of the notion of *cenesthesia*, meaning a mass of sensations that would express to the subject the state of his different organs and different bodily functions. Thus my body for me, and your body for you, could be reached, and be knowable, by means of a cenesthetic sense.

A mass of sensations, by hypothesis, is as *individual* as the psyche itself. That is to say, if in fact my body is knowable by me only through the mass of sensations it gives me (a mass of sensations to which you obviously have no access and of which we have no concrete experience), then the consciousness I have of my body is impenetrable by you. You cannot represent yourself in the same way in which I feel my own body; it is likewise impossible for me to represent to myself the way in which you feel your body. How, then, can I suppose that, in back of this appearance before me, there is someone who experiences his body as I experience mine?

g. I use the vague term "psyche" on purpose, in order to avoid any theory of consciousness that might be implied by a more precise term.

Only one recourse is left for classical psychology—that of supposing that, as a spectator of the gestures and utterances of the other's body before me, I consider the totality of signs thus given, the totality of facial expressions this body presents to me, as the occasion for a kind of decoding. Behind the body whose gestures and characteristic utterances I witness, I project, so to speak, what I myself feel of my own body. No matter whether it is a question of an actual association of ideas or, instead, a judgment whereby I interpret the appearances, I transfer to the other the intimate experience I have of my own body.

The problem of the experience of others poses itself, as it were, in a system of four terms: (1) myself, my "psyche"; (2) the image I have of my body by means of the sense of touch or of cenesthesia, which, to be brief, we shall call the "introceptive image" of my own body; (3) the body of the other as seen by me, which we shall call the "visual body"; and (4) a fourth (hypothetical) term which I must re-constitute and guess at—the "psyche" of the other, the other's feeling of his own existence—to the extent that I can imagine or suppose it across the appearances of the other through his visual body.

Posed thus, the problem raises all kinds of difficulties. First, there is the difficulty of relating my knowledge or experience of the other to an association, to a judgment by which I would project into him the data of my intimate experience. The perception of others comes relatively early in life. Naturally we do not at an early age come to know the exact *meaning* of each of the emotional expressions presented to us by others. This exact knowledge is, if you like, late in coming; what is much earlier is the very fact that I perceive an expression, even if I may be wrong about what it means exactly. At a very early age children are sensitive to facial expressions, e.g., the smile. How could that be possible if, in order to arrive at an understanding of the global meaning of the smile and to learn that the smile is a fair indication of a benevolent feeling, the child had to perform the complicated task I have just mentioned? How could it be possible if, beginning with the visual perception of another's smile, he had to compare that visual perception of the smile with the movement that he himself makes when he is happy or when he feels benevolent—projecting to the other a benevolence of which he would have had intimate experience but which could not be grasped directly in the other? This complicated process would seem to be incompatible with the relative precociousness of the perception of others.

Again, in order for projection to be possible and to take place, it would be necessary for me to begin from the analogy between the facial expressions offered me by others and the different facial gestures I execute myself. In the case of the smile, for me to interpret the visible

smile of the other requires that there be a way of comparing the visible smile of the other with what we may call the "motor smile"—the smile as felt, in the case of the child, by the child himself. But in fact do we have the means of making this comparison between the body of the other, as it appears in visual perception, and our own body, as we feel it by means of introception and of cenesthesia? Have we the means of systematically comparing the body of the other as seen by me with my body as sensed by me? In order for this to be possible there would have to be a fairly regular correspondence between the two experiences. The child's visual experience of his own body is altogether insignificant in relation to the kinesthetic, cenesthetic, or tactile feeling he can have of it. There are numerous regions of his body that he does not see and some that he will never see or know except by means of the mirror (of which we will speak shortly). There is no point-for-point correspondence between the two images of the body. To understand how the child arrives at assimilating the one to the other, we must, rather, suppose that he has other reasons for doing it than reasons of simple detail. If he comes to identify as bodies, and as animated ones, the bodies of himself and the other, this can only be because he globally identifies them and not because he constructs a point-for-point correspondence between the visual image of the other and the introceptive image of his own body.

These two difficulties are particularly apparent when it comes to accounting for the phenomenon of imitation. To imitate is to perform a gesture in the image of another's gesture—like the child, for example, who smiles because someone smiles at him. According to the principles we have been entertaining, it would be necessary for me to translate my visual image of the other's smile into a motor language. The child would have to set his facial muscles in motion in such a way as to reproduce the visible expression that is called "the smile" in another. But how could he do it? Naturally he does not have the other's internal motor feeling of his face; as far as he is concerned, he does not even have an image of himself smiling. The result is that if we want to solve the problem of the transfer of the other's conduct to me, we can in no way rest on the supposed analogy between the other's face and that of the child.

On the contrary, the problem comes close to being solved only on condition that certain classical prejudices are renounced. We must abandon the fundamental prejudice according to which the psyche is that which is accessible only to myself and cannot be seen from outside. My "psyche" is not a series of "states of consciousness" that are rigorously closed in on themselves and inaccessible to anyone but me. My consciousness is turned primarily toward the world, turned toward

things; it is above all a relation to the world. The other's consciousness as well is chiefly a certain way of comporting himself toward the world. Thus it is in his conduct, in the manner in which the other deals with the world, that I will be able to discover his consciousness.

If I am a consciousness turned toward things, I can meet in things the actions of another and find in them a meaning, because they are themes of possible activity for my own body. Guillaume, in his book *l'imitation chez l'enfant*,¹⁰ says that we do not at first imitate others but rather the actions of others, and that we find others at the point of origin of these actions. At first the child imitates not persons but conducts. And the problem of knowing how conduct can be transferred from another to me is infinitely less difficult to solve than the problem of knowing how I can represent to myself a psyche that is radically foreign to me. If, for example, I see another draw a figure, I can understand the drawing as an action because it speaks directly to my own unique motility. Of course, the other *qua* author of a drawing is not yet a whole person, and there are more revealing actions than drawing—for example, using language. What is essential, however, is to see that a perspective on the other is opened to me from the moment I define him and myself as "conducts" at work in the world, as ways of "grasping" the natural and cultural world surrounding us.

But this presupposes a reform not only of the notion of the "psyche" (which we will replace henceforth by that of "conduct") but also of the idea we have of our own body. If my body is to appropriate the conducts given to me visually and make them its own, it must itself be given to me not as a mass of utterly private sensations but instead by what has been called a "postural," or "corporeal, schema." This notion, introduced long ago by Henry Head, has been taken over and enriched by Wallon, by certain German psychologists, and has finally been the subject of a study in its own right by Professor Lhermitte in *l'Image de notre corps*.¹¹

For these authors, my body is no agglomeration of sensations (visual, tactile, "cenesthetic," or "kenesthetic"). It is first and foremost a *system* whose different introceptive and extroceptive aspects express each other reciprocally, including even the roughest of relations with surrounding space and its principal directions. The consciousness I have of my body is not the consciousness of an isolated mass; it is a *postural schema*. It is the perception of my body's position in relation to the vertical, the horizontal, and certain other axes of important coordinates of its environment.

In addition, the different sensory domains (sight, touch, and the

10. Paris, 1925.

11. Paris, 1939.

sense of movement in the joints) which are involved in the perception of my body do not present themselves to me as so many absolutely distinct regions. Even if, in the child's first and second years, the translation of one into the language of others is imprecise and incomplete, they all have in common a certain style of action, a certain gestural meaning that makes of the collection an already organized totality. Understood in this way, the experience I have of my own body could be transferred to another much more easily than the cenesthesia of classical psychology, giving rise to what Wallon calls a "postural impregnation" of my own body by the conducts I witness.

I can perceive, across the visual image of the other, that the other is an organism, that that organism is inhabited by a "psyche," because the visual image of the other is interpreted by the notion I myself have of my own body and thus appears as the visible envelopment of another "corporeal schema." My perception of my body would, so to speak, be swallowed up in a cenesthesia if that cenesthesia were strictly individual. On the contrary, however, if we are dealing with a schema, or a system, such a system would be relatively transferrable from one sensory domain to the other in the case of my own body, just as it could be transferred to the domain of the other.

Thus in today's psychology we have one system with two terms (my behavior and the other's behavior) which functions as a whole. To the extent that I can elaborate and extend my corporeal schema, to the extent that I acquire a better organized experience of my own body, to that very extent will my consciousness of my own body cease being a chaos in which I am submerged and lend itself to a transfer to others. And since at the same time the other who is to be perceived is himself not a "psyche" closed in on himself but rather a conduct, a system of behavior that aims at the world, he offers himself to my motor intentions and to that "intentional transgression" (Husserl) by which I animate and pervade him. Husserl said that the perception of others is like a "phenomenon of coupling" [*accouplement*]. The term is anything but a metaphor. In perceiving the other, my body and his are coupled, resulting in a sort of action which pairs them [*action à deux*]. This conduct which I am able only to see, I live somehow from a distance. I make it mine; I recover [*reprendre*] it or comprehend it. Reciprocally I know that the gestures I make myself can be the objects of another's intention. It is this transfer of my intentions to the other's body and of his intentions to my own, my alienation of the other and his alienation of me, that makes possible the perception of others.

All these analyses presuppose that the perception of others cannot be accounted for if one begins by supposing an ego and another that are absolutely conscious of themselves, each of which lays claim, as a

result, to an absolute originality in relation to the other that confronts it. On the contrary, the perception of others is made comprehensible if one supposes that psychogenesis begins in a state where the child is unaware of himself and the other as different beings. We cannot say that in such a state the child has a genuine communication with others. In order that there be communication, there must be a sharp distinction between the one who communicates and the one with whom he communicates. But there is initially a state of pre-communication (Max Scheler), wherein the other's intentions somehow play across my body while my intentions play across his.

How is this distinction made? I gradually become aware of my body, of what radically distinguishes it from the other's body, at the same time that I begin to live my intentions in the facial expressions of the other and likewise begin to live the other's volitions in my own gestures. The progress of the child's experience results in his seeing that his body is, after all, closed in on itself. In particular, the visual image he acquires of his own body (especially from the mirror) reveals to him a hitherto unsuspected isolation of two subjects who are facing each other. The objectification of his own body discloses to the child his difference, his "insularity," and, correlatively, that of others.

Thus the development has somewhat the following character: There is a first phase, which we call pre-communication, in which there is not one individual over against another but rather an anonymous collectivity, an undifferentiated group life [*vie à plusieurs*]. Next, on the basis of this initial community, both by the objectification of one's own body and the constitution of the other in his difference, there occurs a segregation, a distinction of individuals—a process which, moreover, as we shall see, is never completely finished.

This kind of conception is common to many trends in contemporary psychology. One finds it in Guillaume and Wallon; it occurs in Gestalt theorists, phenomenologists, and psychoanalysts alike.

Guillaume shows that we must neither treat the origin of consciousness as though it were conscious, in an explicit way, of itself nor treat it as though it were completely closed in on itself. The first *me* is, as he says, virtual or latent, i.e., unaware of itself in its absolute difference. Consciousness of oneself as a unique individual, whose place can be taken by no one else, comes later and is not primitive. Since the primordial *me* is virtual or latent, egocentrism is not at all the attitude of a *me* that expressly grasps itself (as the term "egocentrism" might lead us to believe). Rather, it is the attitude of a *me* which is unaware of itself and lives as easily in others as it does in itself—but which, being unaware of others in their own separateness as well, in truth is more conscious of them than of itself.

Wallon introduces an analogous notion with what he calls "syncretic sociability." Syncretism here is the indistinction between me and the other, a confusion at the core of a situation that is common to us both. After that the objectification of the body intervenes to establish a sort of wall between me and the other: a partition. Henceforth it will prevent me from confusing myself with what the other thinks, and especially with what he thinks of me; just as I will no longer confuse him with my thoughts, and especially my thoughts about him. There is thus a correlative constitution of me and the other as two human beings among all others.

Thus at first the *me* is both entirely unaware of itself and at the same time all the more demanding for being unaware of its own limits. The adult *me*, on the contrary, is a *me* that knows its own limits yet possesses the power to cross them by a genuine sympathy that is at least *relatively* distinct from the initial form of sympathy. The initial sympathy rests on the ignorance of oneself rather than on the perception of others, while adult sympathy occurs between "other" and "other"; it does not abolish the differences between myself and the other.

[2] THE PLACEMENT OF THE CORPOREAL SCHEMA AND THE FIRST PHASES OF A PERCEPTION OF OTHERS (FROM BIRTH TO SIX MONTHS)

WHAT HAS BEEN GAINED from these introductory remarks has been the correlation between consciousness of one's own body and perception of the other. To be aware that one has a body and that the other's body is animated by another psyche are two operations that are not simply logically symmetrical but form a real system. In both cases it is a question of becoming conscious of what might be called "incarnation." To notice, on the one hand, that I have a body which can be seen from outside and that for others I am nothing but a mannequin, gesticulating at a point in space and, on the other hand, to notice that the other has a psyche—i.e., that this body I see before me like a mannequin gesticulating at a point in space is animated by another psyche—are two moments of a single whole. This does not mean that the child's experience of this total phenomenon can assign a privilege to one of these aspects; rather, any progress realized in one aspect unbalances the totality and is the dialectical ferment that results in subsequent progress in the system. They are complementary operations, and the experience of my body and the body of the other form a totality and constitute a "form." In saying this, naturally I do not mean

that the perception of others and the perception of one's own body always go hand in hand or that they develop at the same pace. On the contrary, we shall see that the perception of one's own body is ahead of the recognition of the other, and consequently if the two comprise a system, it is a system that becomes articulated in time. To say that a phenomenon is one of "form" (*Gestalt*) is in no way to say that it is innate in its different aspects or even in a single one of its aspects. Rather, it is to say that it develops according to a law of *internal* equilibrium, as if by *auto-organization*. Gestalt theorists have by no means limited the use of the notion of "form" to the instant or the present. They have, on the contrary, insisted on the phenomenon of form in time (melody). I said that perception of one's own body comes earlier than perception of the other. The child takes notice of his own body sooner than he does of the expressions of the other. That does not prevent the two phenomena from being internally linked. The perception of one's own body creates an imbalance as it develops: through its echo in the image of the other, it awakens an appeal to the forthcoming development of the perception of others. It echoes in another phase, in which the perception of others appears predominant, and so on throughout the development. The two phenomena can easily form a system, although they are emphasized only successively. Each of the phases of this development contains the germs which prepare the way for its being surpassed. And to say that the phenomenon is a formal one is by no means to say that it is, in each of its stages, completely at rest. Any form (e.g., those we perceive in space—colored forms) is actually subject to a play of forces from different directions. The imbalance can be infinitesimal at first and give rise to no appreciable change. Then when it passes a certain limit, a change occurs. In the same way there may well be something at the core of each phase of development which anticipates the next phase and which gives life to a series of re-structurations. The notion of form is essentially dynamic.

Let us now consider the state of the perception of one's own body and the state of the perception of others, each in its turn.

1. One's own body from birth to six months

THE BODY, as Henri Wallon suggests in his excellent analysis in *Les origines du caractère chez l'enfant*,¹² begins by being introceptive. At the beginning of life there emerges an entire phase in which extroceptivity (i.e., vision, hearing, and all other perceptions relating to the external world), even if it begins to operate, cannot in any case do so in collaboration with introceptivity. At this age the latter is the

best organized means for bringing us into relation with things. In the earliest stage of the child's life, external perception is impossible for very simple reasons: visual accommodation and muscular control of the eyes are insufficient.

As has often been said, the body is at first "buccal" in nature. Stern has even spoken of a "buccal space" at the beginning of the child's life, meaning by this that the limit of the world for the child is the space that can be contained in, or explored by, his mouth. One could say more generally, as Wallon does, that the body is already a respiratory body. Not only the mouth but the whole respiratory apparatus gives the child a kind of experience of space. After that, other regions of the body intervene and come into prominence. All the regions linked to the functions of expression, for example, acquire an extreme importance in the months that follow. In waiting for the union that will arise between the data of external perception and those of introceptivity, the introceptive body functions as extroceptive. In another context, this is what psychoanalysts say about the origin of the child's experiences when they show, for example, that the child's relations to the mother's breast are his first relations with the world.

It is only between the third and the sixth month that a union occurs between the introceptive and the extroceptive domains. The different neural paths are not yet ready to function at birth. Myelinization, which makes their functioning possible, is late in taking place; this is particularly true of the connective fibers we speak of at present. It occurs between the third and the sixth month, connecting the mechanisms which furnish the various sensory data as well as those which correspond respectively to extroceptivity and introceptivity.

Up to that moment perception is impossible for yet another reason: it presupposes a minimal bodily equilibrium. The operation of a postural schema—that is, a global consciousness of my body's position in space, with the corrective reflexes that impose themselves at each moment, the global consciousness of the spatiality of my body—all this is necessary for perception (Wallon). In fact the effort at equilibrium continually accompanies all our perceptions except when we are lying on our back. But also, observes Wallon, it is above all in this position that the child's thinking and perception fade away; he falls asleep. This link between motility and perception shows at what point it is true to say that the two functions are only two aspects of a single totality and that the perception of one's entry into the world and of one's own body form a system.

When the necessary neural paths have been acquired, there remains a considerable gap between the precision of the consciousness of the body in certain domains and in others. You know, for example, that

myelinization occurs much later in the nerve fibers corresponding to the activity of the feet than it does in those which correspond to the activity of the hands. The delay is about three weeks long. All the same, in the case of the hands there is a slight lag of about twenty-six days in the myelinization of the left hand as compared with the right. Consequently there is a phase in which the child calls up the physiological conditions for a precise perception of the right hand's movements but not yet those for a precise perception of the movements of the left hand.

It is not surprising, therefore, that the child does not really interest himself in his body or in its parts until relatively late. It is only on the 115th day of his life, or around the fourth month, that one notices the child actually paying attention to his right hand. Only in the twenty-third week of life, or around the sixth month, does one find the child systematically making the experiment of exploring one hand with the other. At that moment—having clasped his right hand with his left hand, for example—he interrupts his movement and looks attentively at his hands. At the twenty-fourth week, or at the end of the sixth month, the child is perplexed at the sight of a glove placed next to his hand. He is seen comparing the glove and his hand, looking attentively at the moving hand. All these experiments are aimed at familiarizing the child with the correspondence between the hand which touches and the hand which is touched, between the body as seen and the body as felt by introceptivity.

The consciousness of one's own body is thus fragmentary [*lacunaire*] at first and gradually becomes integrated; the corporeal schema becomes precise, restructured, and mature little by little.

2. The other from birth to six months

THIS ENTIRE PLACEMENT [*mise en place*] of the corporeal schema is at the same time a placing of the perception of others. Reactions to others, according to Guillaume in *L'imitation chez l'enfant*, are extremely precocious. To tell the truth, it seems that the first forms of reaction to others described by Guillaume are not connected with a visual perception of others; they correspond, rather, to the data of introceptivity. Guillaume says that between the ninth and the eleventh day, he noticed an astonished and attentive expression in the child, directed toward faces and fleeting smiles. At sixteen days he found differences in the attitude of the child according to whether he was in the arms of his mother, his wet nurse, or his father.

In Wallon's view, it is not a question, in these different attitudes, of a veritable extroceptive perception of the mother, the father, and the

nurse. Instead it is a question of differences felt by the child in the state of his body—differences in his well-being according to whether the nurse's breast is present or absent and also according to the way in which the child is held in the arms of each of the persons involved.

Up to the age of three months, according to Wallon, there is no external perception of others by the child, and what ought to be concluded when, for example, the child is seen to cry because someone goes away is that he has an "impression of incompleteness." Rather than truly perceiving those who are there, he feels incomplete when someone goes away. This negative experience does not mean that there is a precise perception of the other *qua* other in the preceding moment. The first external contact with others can be truly given only through extroceptivity. In so far as others are felt only as a kind of state of well-being in the baby's organism because he is held more firmly or more tenderly in their arms, we cannot say that they are actually perceived.

The first active extroceptive stimulus would be the voice. With it begin the reactions that can be called without any possible doubt *definite reactions to others*. At first the human voice as heard by the child provokes only cries when the child is afraid; then, at two months, it provokes smiles. At two or three months one observes that deliberately looking at the child makes him smile. At that moment there will be in the child at least one perception of a look as of something that makes him complete. At the same age the child responds to the cries of other children by calling out himself; there is a kind of contagion of cries that disappears later as the visual perception of others develops. Around that same age, too, the child cries when anyone at all leaves the room and not, as in the beginning, only at the departure of the wet nurse or the person who is feeding him.

At two months and five days one observes, says Wallon, an unmistakably visual experience of another—a recognition of the father at a distance of two yards. This assumes that the father presents himself in his habitual environment; in an unfamiliar setting, he would not be recognized. At three months the child cries out at all persons who come into his room, even when they are not persons from whom he can expect care.

Concerning relations with other children, here is roughly what happens: I said that at from two to three months there is a contagion of cries among babies and that afterward this contagion disappears, to the extent that visual perception of the other develops. Consequently for a child older than three months the contagion of cries is much rarer than before, and a baby of this age can look with cool detachment at another baby who is crying.

The first beginnings of an observation of others consist in fixations on *the parts of the body*. The child looks at the feet, the mouth, the hands; he does not look at the person. The difference is intuitively quite noticeable between a mere scrutiny of the parts of the body and a look oriented toward the other's look, which seeks to grasp the other as such. The scrutiny of the parts of the other's body considerably enriches the perception that the child can have of his own body. We see him systematically relating to himself, after six months, the different things he has learned about the other's body from looking at him. Still at five months there is no fraternization with children of the same age. At six months, at last, the child looks the other child in the face, and one has the impression that here, for the first time, he is perceiving another.

[3] AFTER SIX MONTHS: CONSCIOUSNESS OF ONE'S OWN BODY AND THE SPECULAR IMAGE

IT IS NOW up to us to describe the phase intervening after six months, which will be characterized by a sharp opposition to the first phase. It involves the development of perception of one's own body—a step which is considerably aided by the child's becoming acquainted with the image of his body in the mirror. This is a phenomenon of great importance, since the mirror furnishes the child with a perception of his own body that he could never have got by himself. On the other hand, there is an extraordinarily rapid development of contacts with others—so rapid, in fact, that Wallon was led to speak of and characterize the period between six months and one year as one of "incontinent sociability."

1. The syncretic system "me-and-other" (after six months)

AT THIS POINT we propose to examine simultaneously the development of the experience of one's own body (in its introceptive aspect and in the specular image¹³) and that of the consciousness of the other, beginning at six months.

The major fact that concerns the development of consciousness of one's own body is the acquisition of a representation or a visual image

13. "*L'image spéculaire*." Almost always this term designates the image of himself that is gradually acquired by the child from experiences of his own reflection in the mirror. When Merleau-Ponty refers merely to the physical, episodic event of a body's reflection in a mirror, he uses "*L'image du miroir*." The importance of distinguishing between the image as a physical event and as a development in the life history of the child has led me to translate this term throughout as "specular image," leaving "mirror-image" to refer to the former, narrower sense.—*Trans.*

of the body itself, in particular by means of the mirror. The study of this specular image, the recognition of this image and the different stages it passes through are the subjects we shall be concerned with at first.

On this point there is a contrast between the behavior of animals and of children. We cannot say that animals pay no attention to their images in the mirror or that they show no reaction to their specular images. But the conduct of animals is very different from that of children. The first information on the subject was given by Preyer in his now outdated book.¹⁴ The story concerns a duck who, deprived of his mate's company by her death, developed the habit of sitting in front of a windowpane in which his body was reflected. This behavior, according to Wallon [*Les origines du caractère chez l'enfant*], would not be comparable to what one finds in the child. The animal, made incomplete by his mate's death, "completes" himself with his image in the windowpane. He does not take it to be an image of himself, since it is capable of taking the place of another living being; it is like a second animal facing him. Again, inversely, one could say that if in truth the reflected image represents for the animal what was formerly represented by the presence of his mate, the mate was, while he was perceiving her, only a kind of mirror image of himself. In both cases the conduct characteristic of the child (which we shall define shortly) does not yet appear.

Wallon describes the reactions of two dogs to their images in the mirror. One of the dogs displays reactions of fear and avoidance; when he sees his image in the mirror he turns and runs. The other dog, caressed by his master while looking at his image in the mirror, calmly stands still and at the same time turns his head toward his master, who caresses him. The image he sees in the mirror is not, for him, another dog, but neither is it his own visual image. The visual image is a kind of complement for him, and as soon as his master's caress recalls him to his body as given in introceptivity, he neglects the mirror image and turns toward the master. Here again, in other words, the animal does not display conduct that is characteristic of the symbol, of the external image as such. In the presence of the mirror he is disoriented, confused, and turns away hastily in order to return to the objects that for him are fundamental—that is, to return to introceptive experience.

The behavior of chimpanzees toward the mirror was studied by Köhler in his fine book, *The Mentality of Apes*.¹⁵ There the author shows that when the chimpanzee is placed in front of a mirror and

finds an image in it, he passes his hand behind it and shows signs of dissatisfaction at finding nothing behind the image. From then on he stubbornly refuses to interest himself in the mirror. Wallon interprets this as follows: At the moment when—through the manual exploration that could convince him that there was really only a simple image instead of another body—the chimpanzee was about to reach consciousness of the image or treat what is in the mirror as a simple reflection or symbol of his real body, he recoils from the object and treats it as foreign. Consciousness of the image *qua* image scarcely appears, and is only roughly outlined in him. Köhler, however, indicates that the chimpanzee seems to recognize himself in a portrait of himself when presented to him. A repeated experimental study of this phenomenon might well be made in order to see whether in fact chimpanzees are conscious of their portraits and, if so, why they do not achieve a full consciousness of the specular image.

These conducts, we have said, must be contrasted with those of the child. Let us begin by considering not the child's image of his own body in the mirror but instead the image he has of others' bodies. One notices, in effect, that he acquires the latter much more rapidly, that he distinguishes much more quickly between the other's specular image and the reality of the other's body than he does in the case of his own body. Thus it is possible that the experience he has of the other's specular image helps him arrive at an understanding of his own.

According to Guillaume [*l'imitation chez l'enfant*], the consciousness of the other's image in the mirror comes at an early age. Guillaume observes grimaces before a mirror in the first weeks of life. Wallon thinks, however, that clear reactions to the specular image are not noticeable before the end of the third month.

At first there is a reaction of simple fixation on the specular image (around four or five months). This is followed by reactions of interest in the same image. At the same moment, one notices reactions in the child, e.g., to a portrait by Franz Hals. Finally, after six months, reactions other than the mimic or affective are seen to appear. These are genuine conducts. After five or six months, for example, there occurs the following:

A child smiles in a mirror at the image of his father. At this moment his father speaks to him. The child appears surprised and turns toward the father. As a result it seems that at this moment he learns something. What exactly does he learn? He is surprised, because at the moment before his father spoke, he did not have a precise awareness of the relation of image to model. He is surprised that the voice comes from another direction than that of the visible image in the mirror. The attention he gives to the phenomenon shows, in effect,

14. Merleau-Ponty may be referring to Thierry Wilhelm Preyer, *The Mind of the Child*, trans. H. W. Brown (New York, 1893).—Trans.

15. New York, 1935.—Trans.

that he is in the process of understanding something, that it is not a question of simple training. One might be tempted to say that we are here present at the formation of a conditioned reflex and that the mirror image becomes "comprehensible" by becoming the conditioned stimulus of responses that were formerly evoked by the father. In Wallon's eyes there can be no question either of a blind training or of an intellectual mastery of the image. Certainly one cannot say that the child comes into possession of a perfectly clear relation between the image and the model or that he learns to consider the mirror image as a spatial projection of the visible aspect of his father. The experience of which we are speaking occurs at about five or six months and does not give the child possession of a stable conduct. Just as the child studied by Wallon turned away from the specular image toward his father after a week, so several weeks later he still tried to grasp the image in the mirror with his hand; this means that he had not yet identified this image as a "simple image" that was nothing other than visible.

We should say that in this first phase of his apprenticeship, the child gives the image and the model an existence relatively independent of each other. There is the model, which is the father's body, the real father; there is in the mirror a sort of double or phantom of the father, having a "secondary existence" without the image being reduced to the simple state of a reflection of light and color in external space. When the child turns away from the mirror toward his father, we may indeed say that he recognizes his father in the image but in an altogether practical way. He turns toward his father because that is where the voice is coming from; but it cannot be said that at this point he has divested the specular image of its quasi-reality, the phantom existence it first had for him, nor can we try to render it with the aid of certain analogies borrowed from primitive thought. The image thus has an existence inferior to that of the father's real body—but it does have a sort of marginal existence.

Let us now consider the acquisition of the specular image of one's own body. It is around the age of eight months—hence later than in the case of the specular image of the other—that one clearly finds a reaction of surprise when the child sees his own image in the mirror. At thirty-five weeks the child still extends his hand toward his image in the mirror and appears surprised when his hand encounters the surface of the glass. At the same age he happens to look at his image in the glass when he is called. The illusion of reality, the quasi-reality he lends to the image, still remains, just as after several weeks the child still turns away from the specular image and toward his father. This confirms the fact that, if the child has an adaptive reaction, this does not entail that he has acquired a symbolic consciousness of the image.

Why does the specular image of one's own body develop later than that of the other's body? According to Wallon (whose analysis we are following here), it is because the problem to be solved is much more difficult in the case of one's own body. The child is dealing with two visual experiences of his father: the experience he has from looking at him and that which comes from the mirror. Of his own body, on the other hand, the mirror image is his only complete visual evidence. He can easily look at his feet and his hands but not at his body as a whole. Thus for him it is a problem first of understanding that the visual image of his body which he sees over there in the mirror is not himself, since he is not in the mirror but here, where he feels himself; and second, he must understand that, not being located there, in the mirror, but rather where he feels himself introceptively, he can nonetheless be seen by an external witness *at the very place at which he feels himself to be* and with the same visual appearance that he has from the mirror. In short, he must displace the mirror image, bringing it from the apparent or virtual place it occupies in the depth of the mirror back to himself, whom he identifies at a distance with his introceptive body.

Consequently, in the case of the image of his own body, we must admit, says Wallon, that the child begins by seeing the specular image as a sort of double of the real body—much more so indeed than in the case of the image of the other's body.

Many pathological facts bear witness to this kind of external perception of the self, this "autoscopy." First, it is found in many dreams, in which the subject figures as a quasi-visible character. There would also be phenomena of this kind in dying people, in certain hypnotic states, and in drowning people. What reappears in these pathological cases is comparable to the child's original consciousness of his own visible body in the mirror. "Primitive" people are capable of believing that the same person is in several places at the same time. This possibility of *ubiquity*, difficult for us to understand, can be illuminated by the initial forms of the specular image. The child knows well that he is there where his introceptive body is, and yet in the depth of the mirror he sees the same being present, in a bizarre way, in a visible appearance. There is a mode of spatiality in the specular image that is altogether distinct from adult spatiality. In the child, says Wallon, there is a kind of space clinging to the image. All images tend to present themselves in space, including the image of the mirror as well. According to Wallon, this spatiality of adherence will be reduced by intellectual development. We will learn gradually to return the specular image to the introceptive body and, reciprocally, to treat the quasi-locatedness and pre-spatiality of the image as an appearance that counts for nothing against the unique space of real things. Our intelligence would, so to

speak, redistribute the spatial values, and we would learn to consider as relevant to the same place appearances which, on first sight, present themselves in different places. Thus an ideal space would be substituted for the space clinging to the images. It is necessary, in effect, that the new space be ideal, since for the child it is a question of understanding that what seems to be in different places is in fact in the same place. This can occur only in passing to a higher level of spatiality that is no longer the intuitive space in which the images occupy their own place.

This constitution of an ideal space would include all kinds of degrees. First, there would be, as we have just mentioned, the reduction of the image to a simple appearance lacking its own spatiality. This reduction occurs fairly early, at around one year. Guillaume describes an observation made on his own daughter, who steps before a mirror with a straw hat which she has been wearing since the morning. She puts her hand not to the image of the hat in the mirror but to the hat on her head; the image in the mirror suffices to call forth and regulate a movement adapted to the object itself. In this case one can say that the reduction has been accomplished, that the mirror image is no longer anything but a symbol, and that it returns the child's consciousness to the reflected objects in their proper places.

A counterproof: Each time there occur troubles with the symbolic consciousness—as, for example, in cases of aphasia or apraxia—one also finds troubles with spatiality. Apraxic subjects are known in particular for their difficulty in ordering movements adapted to objects by means of a mirror (or in imitating a subject who is facing them). For them the relation of the image to the model is disturbed and confused.

At one year, according to Wallon, one could say that this development is essentially complete. But this does not mean that the system of correspondence between the image of the body and the body itself is complete or that it is precise. This is shown by a whole series of events, certain of which come fairly late. For example, from twelve to fifteen months of age, the child is seen practicing a series of exercises that prepare for the habit of performing movements in front of the mirror. He is trying out the kind of movements that the apraxic is asked to perform. And this occurs after the first year, at between twelve and fifteen months; that is, the system at this moment is still quite fragmentary and the child needs to confirm it by repeated experiments. At sixty weeks (i.e., at more than a year), when the mother is sitting beside the child with a mirror in front of them and the child is asked to point to his mother, the child points to her in the mirror *while laughing* and turns back to her. The specular image has become the subject of a game, an amusement. But the very fact that the child thinks of using

his specular image to play with shows that he is not so far removed from the experiments that first introduced him to the specular image.

The apprenticeship is not yet very stable. At fifty-seven weeks (thus at more than a year) Preyer's son looked at himself in the mirror, passed his hand behind the mirror, brought his hand back, and contemplated it. This, as we have seen, is exactly what chimpanzees do. The next day he turned away from the mirror, just like the chimpanzees. All the same, this fact would appear a bit difficult to admit if, as Guillaume thinks, the consciousness of the specular image has already been acquired at the age of one year. How could one revert after that age to the conduct of chimpanzees, which, as we have seen, is inferior to the level of consciousness of the image? Wallon proposes an explanation: In the case we are considering, he says, it is not so much a misunderstanding of the specular image; it is on the mirror, not on the image, that the inquiry bears. The child would have discovered once for all that what is portrayed over there on the mirror is only an appearance, a reflection, but it remains for him to understand *how* an object (the mirror) is capable of obtaining a duplicate of the surrounding objects. Wallon's interpretation is not entirely convincing. In order for there to be an exact consciousness of the image in its relation to the model, it seems necessary for there to be some understanding of the role of the mirror. In so far as the mirror is not at all understood, to the extent that the child expects to find in back of it something like the objects which outline themselves on its surface, he has not yet fully understood the existence of the reflection; he has not yet fully understood the image. If his consciousness of the image were entirely perfect, the child would no longer search behind the mirror for real objects similar to the ones reflected in it. The constitution of a specular image that would be in the fullest sense a *reflection* of the real object presupposes the gradual constitution of an entire naive physics, into which would enter the causal relations that are designed to explain how the phenomenon of the reflection is possible.

The facts set forth by Preyer thus would seem to show that at fifty-seven weeks there still is no full understanding of the specular image. Hence we will not be astonished that even at sixty-one weeks Preyer's son still touched, licked, struck, and played with his image. Like the game of the child who laughed at his mother's image, this game seems to show that the child is not far from the time when the image was still a double, a phantom of the object. Wallon says that a child of twenty months kisses his image very ceremoniously before going to bed and even at thirty-one months the child is seen to play with his own image.

We have seen that Wallon considers that these games played by the

child with his own image represent a phase beyond the simple consciousness of the specular image. If the child plays with his own image in the mirror, says Wallon, it is because he is amusing himself by finding in the mirror a reflection which has all the appearances of an animated being and yet is not one. Here it would be a question of "animistic games," an activity which proclaims that animistic beliefs have been suppressed. But why should it be so amusing somehow to verify the animistic appearance if there remained in the subject no traces of this amazing phenomenon which on first encounter so fascinated the child—namely, the presence of a quasi intention in a reflection? The child happily makes a sort of fairy dance before it and clings to it, although it is not "for real."

This leads us to make a remark which perhaps will have to be recalled in concluding. For adults like ourselves, the mirror image has really become what Wallon would like it to be in an adult mind: a simple reflection. Nonetheless there are two ways in which we can consider the image—one, a reflective, analytic way according to which the image is nothing but an appearance in a visible world and has nothing to do with me; the other, a global and direct one, of the kind which we use in immediate life when we do not reflect and which gives us the image as something which *solicits* our belief. Let us compare the mirror image to a painting. When I look at a painting of Charles XII of Sweden, with his elongated face and that head which, according to his contemporaries, only one idea could enter at a time, I know very well that Charles XII has been dead for a long time and that what I am looking at is no more than a painting. Nonetheless there is a *quasi-person* who is smiling; that line joining nose and lips, that flashing in the eyes are not simply things. This congealed movement is, all the same, a *smile*. In the same way the image in the mirror, even for the adult, when considered in direct unreflective experience, is not simply a physical phenomenon: it is mysteriously inhabited by me; it is something of myself.

This experience allows us to understand the significance attached to images in certain civilizations. There one is forbidden to make images of men because this is similar to deliberately creating other human beings—and this is not man's proper function. This group of beliefs related to images can be understood only if images are more than black-and-white sketches or simple signs of a person who remains absolutely distinct from them. In a singular way the image incarnates and makes appear the person represented in it, as spirits are made to appear at a séance. Even an adult will hesitate to step on an image or photograph; if he does, it will be with aggressive intent. Thus not only is the consciousness of the image slow in developing and subject to

relapses, but even for the adult the image is never a simple reflection of the model; it is, rather, its "quasi-presence" (Sartre).

This also explains why the work of "reduction," even when done by the child in respect to the image in the mirror, never ends with a *general* result, such as a concept. The child must do the work all over again in respect to other analogous phenomena—shadows, for example. Wallon remarks that Preyer's son, at the age of four years, noticed for the first time that he cast a shadow and noticed it with fright. A little girl, four and a half years old, observed by Wallon, pretended that when she stepped on Wallon's shadow she was stepping on Wallon himself. The participationist beliefs with which, as we have said, the specular image is at first endowed have not been reduced by an intellectual critique that would apply indifferently to all phenomena of the same order. The progress consists in a restructuration of the specular image. The child puts this image at a distance, but this distance is not that of the concept.

Wallon would like to say that in the case of the shadow it is a matter of beginning the same development that has already been acquired in the case of the specular image. But this would be to say that the progressive reduction of the specular image is not, properly speaking, an intellectual phenomenon. A genuine intellectual event would obey the "all or nothing" law: either one knows or one does not know. One cannot "slightly know" the sum of two and three. The intellectual phenomenon is not susceptible to that series of gradations that one observes in the development of the specular image.

This leads us to ask whether, in the light of several other facts, there is room to reattempt to interpret the development of the specular image and relate it to phenomena other than those of knowledge.

Wallon's book also contains indications along these lines. Wallon himself, in certain passages in *Les origines du caractère chez l'enfant*, suggests that the progress in experiencing one's own body is a "moment" in a global development that also involves the perception of others.

At the end of his analysis Wallon sharply criticizes the notion of cenesthesia, considered as a series of images given directly and immediately by my organs and bodily functions and representing these organs and functions to me. According to Wallon, this cenesthesia, when it exists, is the result of a very long development; it is a fact of adult psychology and altogether fails to express the relation between the child and his body. The child in no way distinguishes at first between what is furnished by introception and what comes from external perception. There is no distinction between the data of what the learned adult calls introceptivity and the data of sight. The specular

image, given visually, participates globally in the existence of the body itself and leads a "phantom" life in the mirror, which "participates" in the life of the child himself. What is true of his own body, for the child, is also true of the other's body. The child himself feels that he is in the other's body, just as he feels himself to be in his visual image. It is this that Wallon suggests in showing by the examination of pathological cases: *that disorders in "cenesthesia" are closely linked with troubles in my relations with others.*

Sick people feel a voice speaking in the region of the epigastrium, in the throat, the chest, or the head. Classical psychiatrists thought that this must be a question of hallucinations involving different regions of the body. They translated and "put into images" the complaints of the sick, taking quite literally what the patients said.

Modern psychiatry shows, however, that what is essential and primary about the phenomena in question is not the location of voices in the subject's body, but rather a sort of "syncretism" that intervenes in his relations with others and causes alien voices to inhabit his own body. If the patient hears voices in his head, this is because he does not absolutely distinguish himself from others and because, for example, when he speaks, he can just as well believe that someone else is speaking. The patient, says Wallon, has the impression of being "without boundaries" in relation to the other, and this is what makes his acts, his speech, and his thoughts appear to him to belong to others or to be imposed by others.

This interpretation of the so-called cenesthetic disorders is closely connected with the analyses of Daniel Lagache in *Les hallucinations verbales et la parole*.¹⁶ Lagache thinks that the question "How can we understand a subject who believes that he is hearing when it is he who is speaking?" can be answered only if one conceives language to be a kind of "we-operation" [*opération à deux*]. There is a sort of indistinction between the act of speaking and the act of hearing. The word is not understood or even heard unless the subject is ready to pronounce it himself, and, inversely, every subject who speaks carries himself toward the one who is listening. In a dialogue, the participants occupy both poles at once, and it is this that explains why the phenomenon of "speaking" can pass into that of "hearing." It is this primordial unity that reappears in pathological cases.

What this observation reveals when we rid ourselves of sensationalist prejudices, says Wallon, is the "inability to distinguish the active from the passive," myself from the other. Here we come very close to what the psychoanalysts call "projection" and "introjection," since

16. D. Lagache, *Les hallucinations verbales et la parole* (Paris, 1934).

these mechanisms consist, for the subject, in assuming as his own the conduct of another or in attributing to the other a conduct that is really his own.

There is thus a system (my visual body, my introceptive body, the other) which establishes itself in the child, never so completely as in the animal but imperfectly, with gaps. It is founded on the indistinction of the several elements that enter into it, rather than on an ordered relation and a two-way correspondence of its different elements. One may presume that, just as there is a global identification of the child with his visual image in the mirror, so also will there be a global identification of the child with others. If the child under six months of age does not yet have a visual notion of his own body (that is, a notion that locates his body at a certain point in visible space), that is all the more reason why, during this same period, he will not know enough to limit his own life to himself. To the extent that he lacks this visual consciousness of his body, he cannot separate what *he* lives from what *others* live as well as what he sees them living. Thence comes the phenomenon of "transitivism," i.e., the absence of a division between myself and others that is the foundation of syncretic sociability.

These remarks made by Wallon at the end of his book go much further than does his analysis of the specular image, and allow us to correct and complete the latter. Wallon's study of the specular image scarcely characterizes it in a positive way. It shows us how the child learns to consider the mirror image as unreal, to reduce it; hence the disillusionment with which the child deprives the specular image of the quasi-reality he gave it at first. But we must also ask why the specular image interests him and what it is for the child to know that *he has a visible image*. Wallon himself says that the child "amuses himself" with his image "to the point of excess." "But why is the image so amusing?"

It is this that the psychoanalysts have tried to understand. Dr. Lacan begins by observing exactly what Wallon noticed: the child's extreme amusement in the presence of his image, his "jubilation" at seeing himself moving in the mirror. The child is not yet walking; he stands sometimes with difficulty. All traces of prenatal life have not yet been effaced in him; all neural connections have not yet matured. He is still far from being adapted to the physical world around him. Is it not surprising, under these conditions, that he takes such a lively, universal, and constant interest in the phenomenon of the mirror? Dr. Lacan's answer is that, when the child looks at himself in the mirror and recognizes his own image there, it is a matter of *identification* (in

17. *Les origines du caractère chez l'enfant*, p. 177.

the psychoanalytic sense of the word)—that is, of “the transformation occasioned in the subject when he assumes.”¹⁸ For the child, understanding the specular image consists in recognizing as his own this visual appearance in the mirror. Until the moment when the specular image arises, the child's body is a strongly felt but confused reality. To recognize his image in the mirror is for him to learn that *there can be a viewpoint taken on him*. Hitherto he has *never seen himself*, or he has only caught a glimpse of himself in looking out of the corner of his eye at the parts of his body he can see. By means of the image in the mirror he becomes capable of being a spectator of himself. Through the acquisition of the specular image the child notices that he is *visible*, for himself and for others. The passage from the introceptive *me* to the visual *me*, from the introceptive *me* to the “specular I” (as Lacan still says), is the passage from one form or state of personality to another. The personality before the advent of the specular image is what psychoanalysts call, in the adult, the ego (*soi*), i.e., the collection of confusedly felt impulses. The mirror image itself makes possible a contemplation of self. With the specular image appears the possibility of an ideal image of oneself—in psychoanalytic terms, the possibility of a super-ego. And this image would henceforth be either explicitly posited or simply implied by everything I see at each minute.

Thus one sees that the phenomenon of the specular image is given by psychoanalysts the importance it really has in the life of the child. It is the acquisition not only of a new content but of a new function as well: the narcissistic function. Narcissus was the mythical being who, after looking at his image in the water, was drawn as if by vertigo to rejoin his image in the mirror of water. At the same time that the image of oneself makes possible the knowledge of oneself, it makes possible a sort of alienation. I am no longer what I felt myself, immediately, to be; I am that image of myself that is offered by the mirror. To use Dr. Lacan's terms, I am “captured, caught up” by my spatial image. Thereupon I leave the reality of my lived *me* in order to refer myself constantly to the ideal, fictitious, or imaginary *me*, of which the specular image is the first outline. In this sense I am torn from myself, and the image in the mirror prepares me for another still more serious alienation, which will be the alienation by others. For others have only an exterior image of me, which is analogous to the one seen in the mirror. Consequently others will tear me away from my immediate inwardness much more surely than will the mirror. The specular image is the “symbolic matrix,” says Lacan, “where the I

18. Cf. Jacques Lacan, “Le stade du miroir comme formateur du fonction du Je,” *Revue Française de Psychanalyse*, vol. 13 (October-December, 1949), pp. 449-53. Also the same author, “Les effets psychiques du mode imaginaire,” *l'Évolution Psychiatrique* (January-March, 1947).

springs up in primordial form before objectifying itself in the dialectic of identification with the other.”

The general function of the specular image would be to tear us away from our immediate reality; it would be a “de-realizing” function. The author insists that it is astonishing that such a phenomenon appears in a subject of whom we have said earlier that he is very far from maturity in the biological and motor spheres. The human child is that being who is capable of sensitivity to others and of considering himself one among other similar men long before the true state of physiological maturity. “Pre-maturation” and anticipation are essential phenomena for childhood; childhood makes possible both a development, unknown to animality and an insecurity that is proper to the human child. For inevitably there is conflict between the *me* as I feel myself and the *me* as I see myself or as others see me. The specular image will be, among other things, the first occasion for aggressiveness toward others to manifest itself. That is why it will be assumed by the child both in jubilation and in suffering. The acquisition of a specular image, therefore, bears not only on our *relations of understanding* but also our *relations of being*, with the world and with others.

Thus in this phenomenon of the specular image, so simple at first glance, will be revealed to the child for the first time the possibility of an attitude of self-observation that will develop subsequently in the form of narcissism. For the first time the *me* ceases to confuse itself with what it experiences or desires at each moment. On this immediately lived *me* there is superimposed a constructed *me*, a *me* that is visible at a distance, an imaginary *me*, which the psychoanalysts call the super-ego. Henceforth the child's attention is captured by this “*me* above the *me*” or this “*me* before the *me*.” From this moment on, the child also is drawn from his immediate reality; the specular image has a de-realizing function in the sense that it turns the child away from what he effectively is, in order to orient him toward what he sees and imagines himself to be. Finally, this alienation of the immediate *me*, its “confiscation” for the benefit of the *me* that is visible in the mirror, already outlines what will be the “confiscation” of the subject by the others who look at him.

An analysis of this kind extends what we have found in Wallon, while at the same time it is different. It is different mainly because it emphasizes the affective significance of the phenomenon. In reading Wallon one often has the feeling that in acquiring the specular image it is a question of a labor of understanding, of a synthesis of certain visual perceptions with certain introceptive perceptions. For psychoanalysts the visual is not simply one type of sensibility among others; it has an altogether different type of significance for the subject's life

from those of other modes of sensibility. Is vision, the sense of spectacle, also the sense of the imaginary? Our images are predominantly visual, and this is no accident; it is by means of vision that one can sufficiently dominate and control objects. With the visual experience of the self, there is thus the advent of a new mode of relatedness to self. The visual makes possible a kind of schism between the immediate *me* and the *me* that can be seen in the mirror. The sensory functions themselves are thus redefined in proportion to the contribution they can make to the existence of the subject and the structures they can offer for the development of that existence.

In addition, the study of the phenomenon made by the psychoanalysts stresses both the anticipations and the regressions contained in its development.

"Pre-maturation," the anticipation by the child of adult forms of life, is for the psychoanalysts almost the definition of childhood. It is an advance made by the subject beyond his present means. The child always lives "beyond his means"; birth itself is "pre-mature," since the child comes into the world in a state in which independent life in his new environment is impossible for him. The first Oedipal impulse is a "psychological puberty," in contrast to the organic puberty of the individual, and is awakened by his relations with the adult world. The child lives in relations that belong to his future and are not actually realizable by him.

But while the child may anticipate, the adult may regress. Childhood is never radically liquidated; we never completely eliminate the corporeal condition that gives us, in the presence of a mirror, the impression of finding in it something of ourselves. This magic belief, which at first gives the specular image the value not of a simple reflection, of an "image" in the proper sense, but rather of a "double" of oneself—this belief never totally disappears. It re-forms itself in the emotional make-up of the adult. For this reduction to be possible, the "reduction" of the image must be not so much an irreversible progression of the understanding as a restructuration of our entire manner of being continually exposed to the accidents of emotional experience.

If the comprehension of the specular image were solely a matter of cognition, then once the phenomenon was understood its past would be completely re-assimilated. Once the purely physical character of the reflection or of the phenomenon of the image was understood, there would remain nothing of the "presence" of the person reflected in his image. Since this is not the case, since the image-reflection is unstable, the operations that constitute it involve not only the intelligence proper but, rather, all the individual's relations with others.

Moreover, what distinguishes the psychoanalysts' remarks concern-

ing the specular image is that they relate the specular image to identification with others. I understand all the more easily that what is in the mirror is my image for being able to represent to myself the other's viewpoint on me; and, inversely, I understand all the more the experience the other can have of me for seeing myself in the mirror in the aspect I offer him.

Wallon, we have said, accounts for the reduction of the specular image in terms of an intellectual operation. I first see in the mirror a double of myself; then an act of intellectual consciousness of my own experience makes me withdraw existence from this image and treat it as a simple symbol, reflection, or expression of the same body that is given in introceptivity. Intellectual activity operates at every moment of these reductions and integrations, and detaches the specular image from its spatial roots, transferring this visual appearance and introceptive experience to an ideal place in a space that is not the spatiality adhering to the sensed but the spatiality constructed out of the intelligence.

It is altogether understandable that such a reduction occurs. But the question is one of knowing whether the intellectual operation in which it culminates can offer a *psychological explanation* for what takes place. The emergence of an ideal space, the redistribution, by the intelligence, of the spatial values that makes me withdraw from the image its own location in order to treat it as a simple modality of a unique placement of my body—is all this the *cause* or the *result* of the development?

Wallon remarks incidentally that we should not suppose that the child *begins by locating his own body in two places* or that there is a certain place where the tactile, introceptive body is situated and another place for the aspect, or visual appearance, of the body. If this were done, one would be realizing twice over in the child a rigorous form of spatiality that in fact belongs only to the adult. The child at first sees the image "over there" and feels his body "here." This does not mean that when he visually perceives the image and tactually perceives his body, he actually places each one at a distinct point in space in the same sense in which the adult, for example, perceives this microphone and that lamp *as being in two distinct places*. The two "spaces," says Wallon, are not immediately comparable, and any precise intuition of their mutual exteriority would require a sort of common denominator between them which is not immediately given by sense experience. In the case of the specular image, instead of a second body which the child would have and which would be located elsewhere than in his tactile body, there is a kind of *identity at a distance*, a *ubiquity* of the body; the body is at once present in the mirror and present at the point

where I feel it tactually. But if this is the case, the two aspects that are to be co-ordinated are not really separated in the child and are in no way separated in the sense in which all objects in space are separated in adult perception. Since Wallon's analysis rests on the ideas (a) that what is involved is a redistribution of spatial values and the institution of an ideal space for a perceived space and (b) that, as we know ourselves now, we do not have to overcome an absolute duality of visual image and sensed body, his work must be begun all over again. The reduction to unity is not a cataclysm, if it is true that there is no veritable duplicity or duality between the visual body and the introceptive body in spite of the phenomenon of distance that separates the image in the mirror from the felt body.

If the presence of others were allowed a role in the phenomenon of the specular image, one would have a better idea of the difficulty the child has to overcome. The child's problem is not so much one of understanding that the visual and the tactile images of the body—both located at two points in space—in reality comprise only one, as it is of understanding that the image in the mirror is *his* image, that it is what others see of him, the appearance he presents to other subjects; and the synthesis is less a synthesis of intellection than it is a synthesis of coexistence with others.

In looking at the matters more closely, moreover, we see that the two interpretations are not mutually exclusive. For we must consider the relation with others *not only as one of the contents of our experience but as an actual structure in its own right*. We can admit that what we call "intelligence" is only another name designating an original type of relation with others (the relation of "reciprocity") and that, from the start to the finish of the development, the living relation with others is the support, the vehicle, or the stimulus for what we abstractly call the "intelligence."

Thus understood, the phenomenon will necessarily be fragile and variable, as are our affective relations with others and with the world. The anticipations as well as the regressions are more easily conceived. Lacking this kind of concrete and effective interpretation, we should then have to suppose an intellectual control of our experience that never ceases—an activity which, as Wallon holds, operates at every moment to produce the reductions and the integrations. But we are absolutely unconscious of such an activity; in looking at the image in the mirror we are unaware of judging, of performing an intellectual act. We must thus suppose that there is an unperceived activity in us that constantly reduces perceived space, the space of the image, and succeeds in redistributing spatial values. On the contrary, if we suppose that the conquest of the image is only one aspect in the total continuum

made up of all the lived relations with others and the world, it becomes easier to understand how this continuum, once at work, functions although autonomously and how at the same time, participating in all the contingencies of our relations with others, it is susceptible to degradations and setbacks.

In our hypothesis it is a question of the acquisition of a certain *state of equilibrium* in our perception which, like any privileged state of equilibrium, tends to maintain itself unsheltered from the intervention of experience. Our interpretation would permit us to understand how the adult state can be distinct from the state of childhood without being immune to relapses into childhood.

2. *Syncretic sociability*

BETWEEN THE AGES of six and twelve months, says Wallon, there occurs an outburst of sociability. Wallon speaks of an "incontinent sociability." From the sixth to the seventh month the child, one notices, abandons the behavior of fixation on others without gestures. While this attitude formerly represented a good half of the child's conduct toward others, its frequency now falls to one quarter. Gestures toward his partners (other children) multiply, as do gestures oriented toward his own body. Movements aimed at the other are now four times as frequent as in the first six months of life. In the same period (between seven and twelve months), there are one third more movements directed toward others than there will be during the entire second year. Thus there is an abrupt forward thrust in relations with others, a sharp increase in the quantity and quality of these relations. The very nature of the child's conduct is modified. For example, it is at about seven months that the child begins to smile when he is looked at (and not merely when he is spoken to). Rarely at this time does the child smile at an animal or when alone. Social sensibility develops in an extraordinary manner, and it is remarkably more advanced than relations with the physical world, which at this time are still quite inadequate.

The general character of these relations with others has been competently described by Charlotte Bühler in her 1927 book, *Sociological and Psychological Studies on the First Year of Life*.¹⁹ Mrs. Bühler observed children who found themselves together in the waiting room of a consultation clinic. She first remarks that before the age of three years, it is extremely rare that children are very interested in other children much younger than themselves, probably because until the

19. Charlotte Bühler, Hildegaard Hexter, Beatrix Tudor-Hart, *Soziologische und Psychologische Studien über das erste Lebensjahr* (Jena, 1927).

age of three the child does not emerge from his own situation or at least not enough to interest himself in subjects who are in an altogether different situation. This is why relations will be established only among children of relatively close ages, as elsewhere the most ordinary observation shows. Among other children of similar ages a frequent relation is that of the child who parades before another child who looks at him. Often one sees pairs of children, one of whom exhibits himself in his most remarkable activities (playing with this or that latest toy, talking, holding forth) while the other watches. This relation is often at the same time a relation of master and slave. In general this despotism requires a gap of at least three months between the children's ages, with the biggest child usually the master. This is not, however, an absolute rule. There are also cases of active despotism on the part of the smallest. This occurs often when the smallest has been brought up with special attention. When, for example, his approval is always sought, he becomes condescending and immediately adopts an attitude which is complementary to the one taken toward him. As Wallon remarks, there is an automatic logic of affective situations; any attitude taken toward the child immediately provokes in him the complementary attitude. Like all weak persons, he takes a show of excessive interest to be a mark of weakness. What characterizes the relation between the child who shows off and the child who watches him, says Wallon, is that the two children find themselves founded in and by the situation. The child who contemplates is truly identified with the one he is watching; he no longer exists except through his favorite comrade. As for the master, his despotism is naturally founded on the weakness of the slave, but also (and above all) it is founded on the slave's feeling of being a slave. As Wallon observes, what really counts, in order for a despotic relation to be established, is not that one party be stronger or more clever than the other; it is that the other recognize that he is weaker, less clever. What the master seeks, following Hegel's famous description of the relation between master and slave, is recognition [*Anerkennung*] by the slave, the consent of the slave to be a slave. The master is nothing without the humiliation of the slave; he would not feel alive without this abasement of the other. The relation in question, says Wallon, would include a confusion of self with another in the same situation of sentiments. The master exists through the recognition of his lordship by the slave, and the slave himself has no other function than to be there to admire and identify with the master. We have here a state of "combination with the other," as Wallon says, that is the mark of childish affective situations.

Under these conditions the importance of the relation of jealousy for the child is easily understood. In jealousy the couple made up of the

child creating a spectacle and the child admiring him is of concern to the latter: the jealous child would like to be the one being watched. Wallon takes as an example the jealousy of boys. If one is caressed, the other jumps forward to take his place. The desire to be caressed is not so much a positive desire as the feeling of being *deprived of the caresses* given the other. What is essential to jealousy is this feeling of privation, frustration, or exclusion. This jealousy appears at seven months, according to Guillaume; at nine months, according to Wallon. In any case it appears around the critical period we are speaking of. It is later that this jealousy is expressed in sulking. Sulking is the attitude of the child who renounces what it wanted to be and who consequently accepts the anguish of a repressed action.

One might say that the jealous person sees his existence invaded by the success of the other and feels himself dispossessed by him, and that in this sense jealousy is essentially a confusion between the self and the other. It is the attitude of the one who sees no life for himself other than that of achieving what the other has achieved, who does not define himself by himself but in relation to what others have. According to Wallon, all jealousy, even in the adult, represents a nondifferentiation of that kind between oneself and the other, a positive inexistence of the individual that gets confused with the contrast that exists between others and himself. Thus, says Wallon, we must consider adult jealousy as a regression to the mode of childish jealousy.

In relations of jealousy we often find phenomena of cruelty. The child tries to make the other suffer precisely because he is jealous of him, because everything the other has is stolen from him. In fact, however, cruelty is even more complex. I would not covet, in right and principle, what others have if I did not sympathize with them, if I did not consider others as "other myselfes." Cruelty must, then, be understood as a "suffering sympathy" (Wallon). When I hurt the other, therefore, I am hurting myself. Consequently to like to hurt the other is to like to hurt oneself also. Here Wallon reaches the psychoanalytic idea of sado-masochism. "If sadism is a pursuit of the other's suffering, it is, however, a suffering felt to the point of pleasure as well as pain by the person who inflicts it."

It is thus with the jealous person. He likes to make himself suffer. He multiplies his investigations, he seeks information, he forms hypotheses that are always designed to stimulate his anguish or uneasiness. Wallon even indicates that in jealousy there is a sort of complacency that has as its end a heightening of the intensity of sexual passion. Wallon points out that the psychological explanation of certain groups of three people is to be found here. The trio would have no other meaning than to organize permanently an experience of jealousy that

is sought by its initiators as an increase of anxiety and because it intensifies the reactions of aggressiveness and sexuality.

For the child, jealousy represents a stage wherein he participates in a total affective situation and senses the complementary life of his own without yet knowing how to isolate or affirm his own. He thus allows himself to be inwardly dominated by the one who plunders him [*le dépouille*]. Having, all told, nothing of his own, he defines himself entirely in relation to others and by the lack of what the others have. Here again we converge with psychoanalytic thought and its definition of jealousy.

Freud admits that a jealousy which seems to be directed toward one person is in reality directed toward another. A man's jealousy of his wife is the rivalry between that man and that woman in the presence of a third person who is the occasion of the jealousy. This leads us to say that in all jealous conduct there is an element of homosexuality. Wallon takes this kind of view when he admits that the jealous man is the one who lives, as his own, not only his own experiences but those of others as well, when he assumes the attitudes of the other (and, for example, the attitudes toward a third). Our relation with another is also always a relation with the other persons whom that other knows; our feelings toward another are interdependent with his feelings toward a third, and blend with them. Relations between two people are in reality more extensive relations, since they extend across the second person to those with whom the second person is vitally related. Likewise when Wallon writes of jealousy, "This feeling is the feeling of a rivalry in a person who does not know how to react except as a spectator possessed by the action of the rival," he is very close to the psychoanalytic considerations of the attitude of the "voyeur" (of which the voyeur, in the current sense of the term, is merely an extreme case). The jealous person allows himself to be trapped or captured by the other and, inversely, moreover, he would like to trap or capture the other in his turn. In his mind he plays all the roles of the situation he finds himself in and not only his own role, of which he has no separate notion.

These analyses also remind us of Proust. As a child, Proust begins to love Gilberte one day when he has been taken out to play in the Champs-Élysées and sees before him the group of children to which Gilberte, but not himself, belongs. His feeling of love is at first the feeling of being excluded. It is not so much that he finds Gilberte lovable as it is that he feels himself outside the group of children.

One is also reminded of the famous analysis of the narrator's jealousy toward Albertine. He cannot tolerate the fact that something of Albertine escapes him completely—for example, her past before he

met her. The sole fact that she has a past suffices to make him suffer, and this suffering almost confuses itself with his love. When she is not there he no longer feels anything for Albertine and even believes that he no longer loves her; he can only love her without suffering when she is inanimate in sleep (or, later, when she has disappeared in death). But even at this moment his love consists in *contemplating* her in sleep; that is to say, it remains under the law of jealousy, which is identification of oneself with a seen spectacle.

The negative attitudes of jealousy and cruelty are not the child's only attitudes, although they are quite frequent. There are also attitudes of sympathy. Sympathy must, in Wallon's eyes, be understood to be a primordial and irreducible phenomenon. It appears in the child on a foundation of mimesis, at the moment when, all the same, consciousness of self and consciousness of others begin to be distinguished from one another. Mimesis is the ensnaring of me by the other, the invasion of me by the other; it is that attitude whereby I assume the gestures, the conducts, the favorite words, the ways of doing things of those whom I confront. Wallon shows great insight in relating mimesis to the postural function that allows me to govern my body. It is a manifestation of a unique system which unites my body, the other's body, and the other himself. Mimesis, or mimicry, is the power of assuming conducts or facial expressions as my own; this power is given to me with the power I have over my own body. It is the "postural function appropriate to the needs of expression" (Wallon). The constant regulation of bodily equilibrium, without which no function (and in particular no perceptual function) would be possible in the child, is not merely the capacity to reunite the minimal conditions for balancing the body but is more generally the power I have to realize with my body gestures that are analogous to those I see. Wallon speaks of a kind of "postural impregnation" that is resolved into gestures of imitation. He cites the example of a child who is observed watching a chirping bird for a long time and who, after this "postural impregnation," sets himself to reproducing the bird's sounds as well as something of the bird's bearing. Not only the perception of another child but even that of an animal quite different from the child himself shows up, thanks to the postural function, in attitudes which resemble those of the other and have their same expressive value. In sum, our perceptions arouse in us a reorganization of motor conduct, without our already having learned the gestures in question. We know the famous example of the spectators at a football game who make the proper gesture at the moment when the player would make it. Authors like Guillaume have tried to explain this phenomenon in terms of the awakening of the memory of gestures already made. On such accounts we would substitute ourselves for the

other in thought; we would perform, on our own, acts we already knew how to perform. In fact, however, phenomena of this kind are documented facts, certified even in the case of acts that have never been executed—as, for example, in the case of the child just mentioned who imitates a bird. In Wallon's eyes there is, as a result, a necessity for acknowledging that the body has a capacity for "meditation," for the "inward formulation" of gestures. I see unfolding the different phases of the process, and this perception is of such a nature as to arouse in me the preparation of a motor activity related to it. It is this fundamental correspondence between perception and motility—the power of perception to organize a motor conduct that Gestalt theorists have insisted on—that allows the perception of fear to translate itself into an original motor organization. This is what would be the function of mimesis, or mimicry, in its most fundamental and irreducible form.

Sympathy would emerge from this. Sympathy does not presuppose a genuine distinction between self-consciousness and consciousness of the other but rather the absence of a distinction between the self and the other. It is the simple fact that I live in the facial expressions of the other, as I feel him living in mine. It is a manifestation of what we have called, in other terms, the system "me-and-other."

Before passing to the crisis at three years, let us try to shed light from another viewpoint on what we were able to say about the period from six months to three years, by insisting on two points: first, on the conception of the personality that seems to be immanent in this phase of childhood development and, finally on the expression which the phenomenon of pre-communication finds in the language of the child.

In the period of pre-communication, of which we spoke earlier, the personality is somehow immersed in the situation and is a function of the child himself or the other beings with whom he lives. A frequent example is that of children who fully recognize their father only on condition that he is found in his customary setting. A child said, for example, that his real father was in Vienna and that the father on vacation with him in the country was not his real father.

But the child confuses himself with his situation. One recalls the example of a child who had a glass in his hand (against his father's wishes), put it down and, on hearing the sound of breaking glass five minutes later, started and became just as agitated as if he still had the glass in his hand. He created a sort of magic link between the forbidden thing he had done several minutes earlier and the breaking of the glass, far away from him. In a case like this one, there is in the child no distinct conception of moments of time, nor is there any distinct conception of causal relations. The child confuses himself with his situation. He is someone who has been holding a glass in his hand, someone

who has had a relation with the glass, so that the subsequent breaking of the glass concerns him.

Elsa Köhler, in her book on the personality of the three-year-old,²⁰ tells the story of a child who had eaten her brother's candy while her brother and parents were away. The moment the father returned, the little girl ran up to him, telling him enthusiastically how much fun she had had eating her brother's candy and trying to make him share her pleasure. The father reprimanded her; the little girl cried and appeared convinced that she had done something wrong. A short time later the mother appeared, and *the same scene was repeated*. How are we to explain this? At bottom it is the problem of children who, as their parents say, "go right back and do it again." In order to understand why—immediately following a scene of repentance, tears, and good resolutions—the child repeats exactly the same offense, it is necessary to think that she establishes no connection between the arrival of her mother and that of her father; the two events must be absolutely distinct in her eyes. The child is, in fact, the situation and has no distance from it. The situation is taken in its most immediate meaning, and all that happened before is nothing, canceled from the time when a new situation—the mother's return—arises. This incapacity to distinguish between different situations, to adopt a conduct that is autonomous in its relation to the situations and constant in relation to the variable conditions, is what makes the child's attitude understandable. The child was really not the same when she underwent her father's reproaches, deferred to them, and made good resolutions as when her mother returned several minutes later.

William Stern tells of how his son, at the birth of a younger sister, suddenly identified himself with his elder sister, pretended to have her name, and gave her another name. This seems to show that the child identifies himself absolutely with his family situation; and from the birth of the new child, which makes the youngest into a relatively older child, he takes over absolutely the role of the eldest, even to the point of usurping the place of the rightful eldest.

Hence, perhaps, the possibility of understanding how the child can feel himself to be several persons and can simultaneously play several roles—resembling the ill in this respect. Wallon mentions the case of a patient of Janet who declared that she was at the same time both the daughter of the Virgin and the Virgin herself and who showed this, in effect, by all her mimicry, playing the roles of both the expectant mother and the child.

Hence also the real meaning of the child's dialogues with himself. When the child chats with himself (a familiar occurrence to anyone

20. Elsa Köhler, *Die Persönlichkeit des dreijährigen Kindes* (Leipzig, 1926).