

Women at Risk: Neonaticide, Infanticide and Filicide

by Cathy Sonier

When people hear the names Susan Smith, Andrea Yates and Melissa Drexlor, they think of one thing, women who kill their children. Unfortunately, this is not a new problem. History is inundated with reports of mothers taking the lives of their children ranging from the moment of birth to adulthood. Sadly, the reasons vary from mental illness to population control to murder suicide. In an effort to control this problem, laws have been passed to prevent and punish the people who commit these offenses. Although there are many alternatives, women who find themselves in this situation for any number of reasons continue to engage in filicide. Exploring what brings a woman to this point can give us a better understanding of how to treat them both psychologically and legally.

On a cool October night in 1994, a woman reports that her car was carjacked and her children were in it. As the days and weeks unfolded, the country learned that Susan Smith took the lives of her two small children. Prom day 1997 was a day Melissa Drexlor had been looking forward to for the past four years, and she did the same thing that everyone else going to the prom did. She fixed her hair and put on her new clothes to go out with her friends. However, she did one thing different. She gave birth in the ladies room at prom. For Andrea Yates that morning in June 2001 was the same as most mornings, seeing her husband off to work and beginning her day taking care of her five children. Except, that day was the day her children would meet their maker.

Each of these women took the lives of their child/children. Apart from that similarity, they are all different. Susan is an example of filicide, the death of a child. One of the most important factors to remember in filicides is the altruistic motive that distinguishes this from other homicides.¹ What is the individual going to gain from the death of the children? In Susan Smith's case, she was dating a man who did not want children. Melissa is an example of neonaticide, the death of a child within the first 24 hours of life, normally at the birth. The mothers are generally under 25 years old. The mother is normally alone when she gives birth.¹ The majority of mothers are unwed, poor and/or have denied and/or concealed the pregnancy since conception.² Andrea is an example of infanticide, the death of the child after the first 24 hours, but before the end of the first year of the child's life, (her youngest was under a year old).³ The stress of having a fifth child and stopping her antipsychotic medication brought back all the psychological issues she had been facing over the past few years. Constant worry plays a significant part in child slayings and it can be seen throughout history.

Most people are familiar with stories, myths and fairytales of neglect and youth mortality. The story of Moses being abandoned in a basket. Medea killing her two sons after her husband Jason abandoned them for a younger woman. Fairytales including Hansel and Gretel, whose father abandons them in the forest due to poverty. Snow White's abuse from her stepmother and the attempt to kill her. In recent years, Toni Morrison's *Beloved* illustrated filicide with the main character Sethe killing her daughter to protect her from the cruelty of life. All these stories have the same theme throughout. It is due to pressure that the parents have had to make a decision to slay their child.²

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As early as 2000 B.C. classic Chinese texts recall cases of infanticide and infant abandonment, with punishment for the offense dating back to 206 BC. In Greece, exposure of a newborn was not only permitted, but in some cases, especially in Sparta, it was enforced by law. Moreover, the Romans continued this practice. Philosophers such as Aristotle felt that exposure was best for controlling over population.² This form of control would eliminate the weak and deformed ensuring that the strong survived. Ancient times are not the only times or places this was practiced. The Eskimos used this form of population control with twins and infants born with known congenital anomalies. The Mohave Indians were known to have slain “half-breeds” at birth. The Japanese were known to have slain infants for population control.³ Records indicate today that in China and India infants are slain for any number of reasons, including population control, poverty and “unwanted” children. Furthermore, the Japanese continue this practice with “unwanted children.”³

Throughout history, prosecution and conviction for neonaticide and infanticide have been, more merciful than those of other homicides. Under Roman law, “*patria potestas*” gave the father the right to kill his own child. Not until the Christians, who were heavily influenced by Judaic law, was filicide considered a crime.³ In 1623, England took the first steps towards future legislation by passing an Act to prevent exterminating children born out of wedlock.² Though this law was originally designed to control forbidden sexual conduct it additionally addressed concealment of pregnancy. In 1922 and 1938, England passed Infanticide Acts to assist women in this situation, stating, “balance of her mind was disturbed from the effort of giving birth.” As late as 1978, England passed an Act, which allowed for lesser sentencing for attempted infanticide.⁴ The United States does not have any laws that address the act of filicide, but it does have laws to protect both mother and child.

For the most part, the US does not have Federal laws to guide the courts in the matter of filicide. There are no laws that look at the mother’s mental state at the time of the act. The law looks at whether the defendant has the “know” and “appreciate” the wrongfulness when she committed the act. A move towards a more “humanitarian response” in this area is growing.² Cases like Melissa Drexler looked at her mental state and gave her a lesser sentence than she would have had for homicide. September 1, 1999 Texas passed a Bill that allowed a “parent or person entitled to possess a child 30 days to younger” to leave the child in possession of emergency care providers voluntarily.⁵ Since that time Safe Haven laws have been on the rise around the US. Most of the laws do not require the person dropping off the child to sign any documentation or to identify themselves. The amount of time the person has to drop the baby off does vary from state to state. Most of these laws are unknown to the women who need them. This is partially due to the media attention of child neglect and abandonment punishment and little of the law and how it assists women. There are only three states that currently do not have any legislation concerning this issue. Those states are Alaska, Nebraska and Vermont.³

According to research by Resnick,⁴ there is a classification of motives. The first is Altruistic filicide, which can be broken down into two categories. The first is Filicide associated with suicide, in which the parent does not want to abandon the child when the parent kills herself. The woman can talk about death and begin to make plans for her death, but no plans of who will care

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for her children afterwards. The second category is filicide to relieve suffering; the parent kills to relieve real or imagined suffering. The woman reports that she does not trust someone or something and wants to protect her child. The second group is the “Acutely Psychotic” Filicide. This group includes parents who are under the influence of hallucinations or delirium. These women can ask for help because they do not feel as if things are right. What they are perceiving and what is really happening in the world around them can be two different interpretations. The third group is “Unwanted Child” Filicide. These deaths are not limited to the mother. They can be executed by any family member. The child is a burden or can prevent someone from reaching their goals in life.

The fourth group is “Accidental” Filicide, which is usually the result of battery /abuse to the child. The parent can beat the child so badly that the result is death. The parent can be punishing the child and go too far with the punishment. The fifth and final is “Spouse Revenge” consisting of parents who kill their children in an attempt to make the other parent suffer.¹ Filicide has many motives, taking into consideration the mental state of the offender can help in the understanding of why this act is committed.

Susan, Andrea and Melissa all lost their children by their own hands. This is something they will have to live with for the rest of their lives. They have engaged in therapy to assist them in understanding why they committed the act and how to live with the feelings associated with it for the rest of their lives. These are not uncommon stories. Women since the beginning of time have slain their children to protect them from everything from poverty to abuse to real or imagined evils. Does this problem still exist in the world today? Yes. However, with the increase in awareness and protection laws, lives can be saved. Understanding some of the issues surrounding this problem can improve the lives of all concerned.

1 Child Murder by Parents: A Psychiatric Review of Filicide. Resnick, Phillips, J. American Journal of Psychiatry, 126, September 3, 1969

2 Families, Murder and Insanity: A Psychiatric review of Paternal Neonaticide. Kaye, Neil,S. www.courtpsychiatrist.com , viewed February 2006

3 Endangered Children Neonaticide, Infanticide and Filicide, Schwartz, Lita L. & Isser, Natalie K. CRC Press LLC 2000.

4 Murder of the Newborn: A Psychiatric Review of Neonaticide. Resnick, Phillip, J., American Journal of Psychiatry, 126, April 10, 1970.

5 Legalized Abandonment: Safe Haven Laws www.crispemergency.com/birth-mother/legalized-abandonment-safe-haven-laws.html Viewed 2/13/06.