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Parental Alienation – “Jana’s View”

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Abusive fathers are convincing the courts that mothers are “coaching” their kids to fear their fathers. It’s called Parental Alienation Syndrome, and it’s a serious issue.

You’re going to find this column hard to believe. I had trouble believing it at first, too – fearful that I was hearing hysterical claims that just couldn’t be true. But as I got deeper into the subject, the truth kept hitting me over the head, and what seemed impossible turned out to be real.

Here’s the bottom line: Abusive fathers are convincing family courts to ignore children’s cries of abuse, claiming that mothers are really at fault – that they’re “coaching” their children to make false charges against their fathers.

There’s no abuse, the fathers say, just an evil woman who should lose all rights to the child. They call it Parental Alienation Syndrome, and it’s so pronounced that family courts across the country – and certainly here in Arizona – are falling for the ruse.

Not only are fathers’ attorneys offering up alienation as though it were a valid theory – and wait until you see how invalid it really is – but mental health advisers are telling judges it’s real, and Arizona advocates have seen judges bring it up on their own.

What I’m wondering is how many of those lawyers or advisers or judges realize that Parental Alienation Syndrome has been completely discredited as a bogus theory. I’m also wondering if they know it was created by a man who wrote that adults having sex with children isn’t a bad thing.

Arizona legislator David Lujan is an attorney who recently signed on to provide legal help to a national program called Justice for Children. The group seeks to do exactly what its name suggests – provide legal help for children who aren’t getting justice.

Lujan couldn’t believe what he saw in the case files and in family courts. “It was very disturbing,” he told me, after sitting through a court hearing on a case that’s been bouncing through the system for the past three years. “It was troubling to sit in that courtroom and see what was happening. It’s hard to explain, because it defies common sense.”

As he relates the case, a young boy has “cried out” several times that visitations with Dad include abuse. Records show those cries for help have been made to his mother, siblings, neighbors, teachers and social workers. The one clinical examination of the child revealed there was cause for concern.

You'd think that that would be a slam-dunk, and in the old days, it would have been. But Dad vociferously denied there was any abuse and counterclaimed that Mom was putting those terrible thoughts in the boy's head in an attempt to "alienate" him.

The court not only chose to believe the father, saying it believed this was a case of Parental Alienation Syndrome, but at one point, it gave the father sole custody of the boy. To top it off, Mom was directed – under threat of being jailed – to stop bringing forth any more allegations of abuse or risk losing her child altogether.

"Mom is just trying to get help," Lujan stresses. "Yet, she gets the blame rather than looking at Dad."

If this were an isolated case, Lujan says you could conclude that it's an aberration. But that isn't what's happening.

"I have been the staff attorney since last August, and, already, I've seen four cases similar to this," he says. "It's occurring over and over again. On fathers' rights websites, this is almost an industry. They actually say stuff like, 'If you're a father and accused of abuse, you respond by accusing your ex-wife of PAS.' You'd think people could see through this."

But across the nation, courts have shown they can't see through it, and have allowed it to happen again and again, even though the pattern is blatantly suspicious: Parental Alienation Syndrome is almost always claimed by the father against the mother, and it's almost never used for any other reason than allegations of abuse.

Lujan notes that it's usually the fathers who have more money and more resources after a divorce. "Dad has the louder voice and can put on a better case," he says.

He acknowledges that there are probably some cases where Mom is intentionally alienating the child from the father, but certainly not to the extent that it's being alleged by fathers.

Lujan goes on to say he's shocked that things have gotten this far, and that so many children have been hurt and so many more are on their way.

Parental Alienation Syndrome – the word "syndrome" has recently been dropped because it was such an absurd claim – was coined 16 years ago by Dr. Richard Gardner, a man often identified as "professor of psychiatry at Columbia University."

Although he wasn't actually a professor at Columbia, he did hold a courtesy title from the prestigious school. ("He has never taught undergraduates nor would he ever be asked to do so," a Columbia official wrote to child advocates investigating Gardner. The official said that as long as Gardner presented his ideas as his own clinical experience "and he does not inappropriately claim that they are facts based on research, he does not cross the boundaries that protect academic freedom in a university.")

From its popularity, you'd have thought that Gardner had a trunk full of research to back up his claims that PAS was the cause of many child custody fights. But there is no research. The theory first saw light in self-published articles, and their references were usually quotations from other articles Gardner had authored. To date, there hasn't been a single controlled study or research experiment to prove the

case. Meanwhile, the American Psychological Association has “noted the lack of data to support so-called parental alienation syndrome,” and has raised concerns about the term’s use. In short, this is a bogus theory. Even worse, however, are the thoughts of the man who created it. Consider this statement:

“Older children may be helped to appreciate that sexual encounters between an adult and a child are not universally considered to be a reprehensible act,” he wrote. “The child might be told about other societies in which such behavior was and is considered normal.... In such discussions the child has to be helped to appreciate that we have in our society an exaggeratedly punitive and moralistic attitude about adult-child sexual encounters.”

That quote appeared in a 1992 article that Gardner wrote for *Creative Therapeutics Magazine* under the title “True and False Accusations of Sex Abuse.”

It goes on to say: “If the mother has reacted to the [sexual] abuse in a hysterical fashion, or used it as an excuse for a campaign of denigration of the father, then the therapist does well to try and ‘sober her up’.... Her hysterics... will contribute to the child’s feeling that a heinous crime has been committed and thereby lessen the likelihood of any kind of rapprochement with the father.”

In the same article he argues that pedophilia should “not be excluded from the list of ‘so-called’ natural forms of human sexual behavior.”

The reality, of course, is that our society universally sees sex between an adult and a child as a reprehensible act. Any mother who is confronted with the prospect that her child has been abused – by anyone, including the child’s father – is expected to act like a mother tiger, and no, most of us don’t have fantasies about sex with children. Oh, and by the way, try to find a society anywhere in the world where incest isn’t taboo – according to the experts, it doesn’t exist.

“Clearly, his philosophy is dangerous to children and society,” says Donnalee Sarda, the regional director of Arizona’s chapter of Justice for Children. “Yet, his theories are used again and again. Across the United States, over the last 16 years, children’s voices have been discounted, and protective parents have lost custody of their children because of Dr. Gardner.”

But that isn’t the end of it. In other articles, Gardner displays his bias and ignorance while asserting the following:

“The vast majority of children who profess sexual abuse are fabricators.” Gardner maintained that 90 percent of the custody cases he evaluated were due to Parental Alienation Syndrome, and “90 percent of alienators are women.”

As a solution, he advocated breaking off all contact between the mother and child. Sarda says Justice for Children is currently helping in 60 cases, fighting for the rights and best welfare of children. “Twenty of those cases are PAS cases,” she says. “That’s 33 percent – it should be about 1 percent.”

At a recent statewide meeting, Sarda says she met a young woman whose 5-year-old son was killed at the hands of an abusive father in 2004. She said the mother explained how she and the child had pleaded repeatedly with mental health court officials that visitations were unsafe, but instead of investigating their claims, the mother was accused of “coaching her child to fabricate his fears.”

However, the child wasn't coached and the fears weren't fabricated.

"Twice we had to fight back tears," Sarda told me. "Once, when she told his story, and again when we realized that our child advocates could have fought alongside her. But we shouldn't have to fight so hard, and little boys shouldn't have to die. The law is supposed to be better than this."

Parental Alienation Syndrome has been around long enough that some of the kids whose lives were ruined by it are grown up now – or at least, they're mouthy teenagers who want the world to know how they were screwed.

They call themselves the Courageous Kids Network and they have their own website: courageouskids.net. They say they're "dedicated to stopping the continuous assault on a child's human right to live free from abuse." And they're very clear on who and what they blame for their anguish.

"Many of us in the Courageous Kids Network, in fact, most of us, suffered because the court accepted an invalid theory – Parental Alienation Syndrome," they report, and then they go after Gardner, who they refuse to honor with the title of "doctor."

"Gardner was more than a psychiatrist," they write. "He was a shrewd businessman. He discovered there was a lot of money to be made from testifying in defense of incest offenders in family court. So, with this awareness, Gardner made up and marketed a phony 'syndrome' that could be used as a legal defense tactic for offenders, knowing they would pay a lot of money for 'expert' defense testimony.

"PAS is used to twist everything around so the protective mother is viewed as the problem parent rather than the offending father. The 'cure' for the 'syndrome' is to take the children away from the 'bad' mother (protector) and give them to the 'good' father (sex offender).

"Last year, Gardner committed suicide by slitting his own throat.... It's important to know that there are kids who had grown up who were suing Gardner because his phony syndrome was used to force them into the custody of their abusers and destroy their lives. Even though Gardner is dead, the damaging effect of his phony 'alienation' syndrome lives on."

In another posting they write: "We are kids from all over the country who have been beaten, molested, raped, sodomized, mentally battered, isolated, terrorized and shamed by our controlling, battering parents.... The courts that heard our cases were far more anxious to label our mothers as 'parent alienators' than to believe that our fathers, who look 'normal,' were beating, molesting or mentally battering us. Judges and court appointees turned on our protective mothers with a vengeance.... Most of our mothers were completely stripped of custody, leaving us motherless, and with no protection from our abusive fathers....

"Although it is difficult to believe that such horror exists in America today, thousands of children have been, and still are, taken away from their protective parent and placed with their abusers, by court orders. And some kids who were placed with abusers years ago are still trapped because the courts that erroneously accepted PAS refuse to admit to and correct their mistakes. Some of those kids are our younger siblings, and we are grieving for them."

Sarda says this column will “out” Parental Alienation Syndrome in Arizona. Until now, she says, only child advocates and legal folks have been aware that it’s blossomed in our state courts over the last five years.

“We’ve been walking on eggs for five years in this town,” she says. “But you’re outing PAS and we’re outing PAS. We’re going to issue an invitation to the courts to duke it out.”

She hopes an open and honest discussion of this issue will help expose what is really going on here. Because, frankly, she can’t stand it that children who are crying out about abuse are being ignored.

She says some of the court advisers who believe in PAS have played word games with the court, by not using that exact phrase – and certainly not calling it a syndrome, which has specific meaning and needs exhaustive research to qualify. Sometimes, they just call it “parental alienation” or refer to an “alienated child.” But it’s all the same thing.

For his part, Lujan is thinking of sponsoring a bill that would force the courts to stop accepting the bogus alienation theory in abuse cases.

In the end, you wouldn’t think it would have to go that far.

You’d think our judges would be smarter than that.

You’d think Child Protective Services would see through such a ruse.

You’d think the courts would listen to child advocates whose only agenda is the safety of children.

You’d think a child claiming abuse would get everyone’s attention.

Yes, you’d think those things, but Arizona courts have shown that you’d be wrong.

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