



## How Can the Process of Parental Alienation and the Alienator Be Effectively Treated?

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To cite this article: Ludwig F. Lowenstein (2015) How Can the Process of Parental Alienation and the Alienator Be Effectively Treated?, *Journal of Divorce & Remarriage*, 56:8, 657-662, DOI: [10.1080/10502556.2015.1060821](https://doi.org/10.1080/10502556.2015.1060821)

To link to this article: <https://doi.org/10.1080/10502556.2015.1060821>



Published online: 02 Dec 2015.



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## **How Can the Process of Parental Alienation and the Alienator Be Effectively Treated?**

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*This article discusses primarily approaches or methods in dealing with a parent who alienates a child against another parent due to the hostility developed following divorce and separation. The basic vision or aims for combating parents in conflict are delineated. This is followed by the importance of being aware of the problems resulting in parental alienation (PA). To overcome PA an orderly set of stages from soft options to severe strategies are presented, with reasons for the use of the more severe method being provided. Finally, there is an appeal to the family courts and its judges to consider seriously the conclusions reached by one expert witness in how to combat PA by considering first and foremost the short- and long-term needs of the child and secondarily the alienated parent.*

**KEYWORDS** *parental alienation, effective treatment*

I hope to provide a framework, or stages for dealing with the problems of parental alienation (PA). I follow the outline presented. Keep in mind that PA is a form of emotional abuse in using a child or children in a vindictive manner against an often good parent. Areas to be covered are as follows:

1. My vision or aim for parents in conflict.
2. Being aware of the evils or sickness of PA.
3. “There is no making of an omelet without breaking eggs”.
4. Do family courts and judges listen?

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## MY VISION OR AIMS FOR PARENTS IN CONFLICT

Having dealt with many cases of PA in the courts and sometimes outside the court, I have reached certain conclusions. It is better for children to have the benefit of being raised by two good parents than one. Good parents do not abuse children. Good parents do not turn children against another parent. In other words, good parents do not abuse children emotionally and good parents do not prevent another good parent from having good contact with a child. Unfortunately divorce and separation so often lead to implacable hostility between the parents.

I therefore believe that two good parents should be responsible for guiding children and their future. It also means that parents who have custody of children should do all they can to encourage children to have good contact and a good relationship with the other parent. I further believe that any parent who fails to encourage a good relationship with the absent other parent is wrong, as he or she is practicing child abuse. Such a parent is unjust and unfair in preventing promotion of a good relationship with the other parent, be this the father or the mother. It could be the custodial parent on the whole who carries out the process of alienation, but sometimes it is also the absent parent. How does the vision of the current psychologist however, stand up in the family courts?

The answer is not well at all. The judiciary seek to make decisions that often do not include the role of the alienated parent, who appears to be rejected by the alienator and the child also. For this reason many family judges finally decide to do what the child wishes, especially for older children. This means that the alienator has achieved his or her objective in not allowing the alienated parent to remain an integral part of the child's life. The views that follow, on how to counteract the destructive methods of the alienator, are shown in stages. These stages are in order of gradually increasing strategies in severity when less severe measures fail.

It is always best, if possible to use the least severe approaches first, such as mediation and therapy, before resorting to more extreme methods of counteracting the effects of alienation by the alienator. Before considering the possible remedies, let us diagnose the problem and be aware of the evil or psychological sickness and injustice of PA. Children on the whole wish good contact with both parents, especially when there was a good relationship in the past. There are, however, situations where PA has not taken place, and this must also be considered as an important factor because in that case it is not necessary to treat PA or the alienator. Some children have had a very poor relationship with the now alienated parent and hence the process of alienation cannot be considered the only factor in the situation. It is therefore important for the expert witness to identify for certain that PA has taken place and that there is no other explanation as to why a child does not wish to have contact with the other parent.

## BEING AWARE OF THE EVIL OR PSYCHOLOGICAL SICKNESS OF PARENTAL ALIENATION AND ITS INJUSTICE

Professionals or expert witnesses involved in a case who have the expertise are aware of the fact that the result of implacable hostility of one parent causes PA. When this is the case, action needs to be taken by the courts. Both the custodial and the absent parent frequently err when they influence a child to reject the other parent. Some of the more common signs of PA are made clear when a child who once had a warm and loving relationship with both parents, for no apparent reason now rejects one of the parents. This is usually the noncustodial parent. It can also be, albeit more rarely, the noncustodial parent who carries out the alienating process, however. The child cannot be blamed for this rejection of a parent. The fault lies totally with the alienating parent who has manipulated the child due to the justified or unjustified hostility that that parent feels toward the other parent.

Parents who are alienators suffer from being evil, suffering from a personality disorder, or both. Many will go to great lengths to demonize, abuse, denigrate, and seek to do everything to destroy the other parents' credibility and relationship with the child. They will go so far as to move away some distance to prevent contact by the now absent parent. They will sometimes even change the child's name, especially when a new relationship has developed. This obliterates the child's origin with the absent parent. How does the child feel about what has happened? The child knows he or she has lost one parent and therefore sides with the remaining hostile parent, fearing that failing to do so might lead to the loss of the remaining parent. This is why the child "echoes" the implacable hostility toward the other parent in a *folie a deux* pattern. They have totally identified with the alienating parent.

When the expert professional has concluded that the child has been alienated toward the other parent, the important question becomes what can be done in that situation. Expert witnesses such as myself can provide evidence of PA and draw conclusions. They can even recommend procedures that might change the tragedy and injustice that has occurred. I attempt in the next section to describe how the judiciary might redeem the situation with the help of the expert witness. The judiciary, having heard all the evidence, must make the final decisions as to dealing with the complex alienation process and its consequences.

The judiciary might or might not be influenced by the strategies proposed by the expert witness. This is despite the fact that it is the role of the expert witness to help the court arrive at the best possible decision that is in the best short- and long-term interest of the child and also the alienated parent.

## THERE IS NO MAKING OF AN OMELET WITHOUT BREAKING EGGS

This title encapsulates what is often involved in needing to make tough decisions that counteract both long-term and short-term harmful and destructive effects of PA. Let us be aware that there are often no easy options or ways we can deal with harm being done and the injustice of PA. PA is not in the best interest of children and hence appropriate procedures must follow, conclusions must be drawn, and the best possible decisions made. The judiciary is eager to make the right decisions, but considers first and foremost what is in the best interest of the child. The child who appears to be adamant in wishing no or little contact with the other parent or the family of that parent needs to be taken into consideration. The rights of the alienated parent are of secondary importance to the court. It is for this reason that the judge often rules by considering the rights and wishes of the child being of the greatest importance. This view, however, militates against true justice and what is in the short and most important, the best interest of the child. One must not forget what has become my main principle: A child reared by two good parents, whether the parents are together or not, does better than when reared by only one parent.

There are a number of therapeutic interventions that can be tried to obviate the process of PA continuing. The first is mediation carried out by an expert dealing with the attempt to get the cooperation of the parents. This means that the parents will need to act together in providing the child with the opportunity of being parented by two parents. Should this approach succeed, there is the possibility that the alienation will eventually stop and both parents will work together and behave in ways that put children first rather than indulge in further disharmony between one another.

Unfortunately this approach is rarely successful, but it nevertheless should be tried first. Often one or both parents have not forgotten the implacable hostility they feel toward one another. I feel that arbitration is the better alternative form of alternative dispute resolution because as a result of such arbitration, the court will back one recommendation over another, and this decision is binding.

If the arbitrator reports to the court that one party shows a conciliatory attitude of nonalienation and the other does not, this might give the judge more options on how to deal with the situation appropriately. For example, it could be ordered that there be a period of therapy provided for the child and also possibly one or both parents, but especially the parent guilty of carrying out a premeditated process of alienation based on the implacable hostility toward the other parent.

The judge could consider a recommendation of changing the custody of the child and award the child to the other parent or place the child in care so that the alienated parent has the opportunity of being with the child

and changing the child's unfair orientation toward himself or herself. None of the options results in the child necessarily remaining with the alienating parent and having no further contact with the alienator until the alienator changes his or her views or behaviour. Other alternatives are fining or even imprisonment of the alienator. Warning that this could happen might in itself be sufficient in changing the mindset of the alienator.

Judges however, are extremely reluctant to employ such extreme, controversial approaches for several reasons. First and foremost, they are concerned about the effect such severe measures might have on the child. The alienator is likely to use such threats of punishment from the judiciary by communicating to the child that this is the fault of the alienated parent. This is likely to turn the child even more against the good but alienated parent. This also makes relationship building with the child even more problematic for the alienated parent.

Judges are also concerned as to how they will be viewed by the general public and the mass media in making more extreme decisions. Judges realize that something must be done, however, to deal with the implacable hostility of the parents toward one another, but what this is to be and how to not upset the child's emotional security is problematic. Judges often see themselves, therefore, in an impossible situation. They seek a just solution but consider how this will affect children caught in the middle of their parents' hostility. The guidance judges receive from the expert witness is also far from perfect. Some experts will lean on the side of caution. They might suggest a period of therapeutic intervention for the child and one or more of the parents. If this fails to change the picture, some of the experts will consider that they have done all they can and have safeguarded the child's emotional security. This means, of course, the obliteration of the good parent and the alienating process has been really successful.

In family court, I find that what is likely to be effective in dealing with PA depends on the degree of animosity one or both parents feel toward one another. As an expert witness, I tend to carry out a thorough assessment of the family and then deal with the problem in stages. The first stage, such as mediation and therapy, might work, but often does not.

It is the use of family mediation with which one should start. If this is ineffective, the child and one or both parents might benefit from therapy. This approach is also frequently ineffective because the child resides and is totally under the influence of the alienator, making therapy unsuccessful. Whatever benefits are, or might be, derived from therapy can be undone in this situation when the child continues to be under the total control and hence the influence of the alienator, who is practicing a form of child abuse.

Arbitration is rarely suggested by the court and expert witnesses who suggest this strategy could be overruled by the court. As already mentioned, the decisions reached by arbitration are binding and might lead to some enforcement to stop the alienator continuing with his or her practice. As already mentioned, the court could impose a fine or the removal of a

child from the alienating parent and place the child in care or with the alienated parent, so that the child can reengage with the alienated parent and at the same time be removed from the poisoning influence of the alienator.

As already stated, courts are on the whole reluctant to impose such drastic measures for the primary reason mentioned: the child's mental state. Courts are not as concerned with the long-term effects of losing one parent as with the more immediate effects on the child. This could be considered a short-sighted view, and the courts frequently fail to consider this when reaching their decisions.

### WILL THE FAMILY COURTS AND JUDGES LISTEN?

Currently there is before the British Parliament a law that would forbid or deal harshly with emotional abuse. This occurs when one of the parties in a relationship has excessive or total control over decisions made about anything (including children) or in the case of domestic violence. It must be admitted that many judges do not readily consider some of the views of the expert witness. It has been my experience that many judges on the whole prefer only soft options based on the current situation and what appears to be in the best interest of the child now rather than in the future. They often fail to consider the long-term effects of their decisions, being only concerned about immediate aspects. What is often required when soft options fail is more firm and what appear to be severe measures being imposed. This is likely in the long term to be in the best interest of the child caught in the middle of a web of parental conflict.

In so doing, the rights and responsibilities of the alienated parent are not totally neglected. Such worthy parents also require the support of the courts, but frequently fail to receive it. Such unfortunate parents can frequently provide much of value for the child and his or her future if they are allowed to play that role. Only the courts can provide this opportunity by curtailing the effectiveness of the alienator in their destructive behavior and abuse.

I must therefore end how I first began, with my vision or aim for parents in conflict. Hence, a search for solutions is to return to the basic needs of the child to have input from both parents. We must re-create the family ideally in some form of harmony. This is for the benefit of the child in the short and long term and for the best of all concerned. This is also in the best interest of both parents although they do not always realize this. It provides for both parents fulfilling their responsibilities toward their children. Anything that interferes with this goal requires the cooperative work of professional experts and the courts seeking the same solution, regardless of the impediments. This means the expert witness working closely with the court and the court appreciating the contribution made by the expert witness in helping the judiciary to make the best possible decision regarding parents in conflict.