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COMMENTARY

The Reality of Parental Alienation: Commentary on “Judicial Decision-Making in Family Law Proceedings,” by Clemente, Padilla-Racero, Gandoy-Crego, Reig-Botella, and Gonzalez-Rodriguez

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In the above article, the authors made several unsubstantiated assertions about the findings and contributions of child psychiatrist, Richard Gardner, who coined the term, *Parental Alienation Syndrome* (PAS). Moreover, there are conceptual and methodological flaws in their own research. Taken together, these two issues converge to call into question the theory, research, and conclusions presented in the Clemente, Padilla-Racero, Gandoy-Crego, Reig-Botella, and Gonzalez-Rodriguez (2015) article.

Distortions and misrepresentations of parental alienation theory

There are seven assertions that are factually incorrect and/or misrepresent Gardner’s work. First, the authors incorrectly state that Gardner believed that only mothers engaged in parental alienation (PA). In fact, Gardner (1998) stated that both mothers and fathers are alienators and in 2002 wrote, “in the last few years I have noted a gender shift. . . at this point I consider fathers and mothers to be equal with regard to the number of cases in which parents are alienators.”

Second, we object to the assertion that Gardner believed that all alienated children develop “psychosis or madness, delusions shared between mother and child.” What he actually wrote was, “In some cases of severe PAS, the programming parent is psychotic, usually paranoid. Such a parent has been so “successful” in inducing a PAS in the child that the child has taken on the parent’s psychotic (paranoid) symptoms. In such cases the DSM-IV diagnosis Shared Psychotic Disorder (Folie a Deux) is warranted” (1998, p. 202). Thus, Gardner explained that this happened in only some cases.

Third, the authors are incorrect when they stated, “The starting point for SAP is based upon the assumption that children by definition lie” (p. 315). The authors

do not provide a reference. In fact, Gardner wrote many times that sexual abuse (and all abuse) exist and are terrible crimes against children and that many children tell the truth when they assert that a parent abused them. He emphasized the importance of making accurate assessments of abuse in order to ensure that true cases were acknowledged and treated. At no time did Gardner assert that all children lie or that all cases of sexual abuse allegations are false.

Going even further, the authors state that “only 7%” of children lie about sex abuse. This is problematic for several reasons. First, no reference is provided to support that assertion. While we agree that some children fabricate allegations of abuse, we are not aware of a definitive number being accepted in the literature. Second, whether children lie is immaterial for PA theory as sexual abuse allegations are not a requirement for the presence of PA. Third, while some PA cases involve allegations of sexual abuse, it is not a requirement of the theory that a false allegation be based on a child’s lie. The authors appear to misread the data regarding rates of false allegations of sexual abuse, which are well over 7%. General rates of substantiation have been reported to be 50% or lower (e.g., Trocme & Bala, 2005). It is important to note that there is no data in any of these studies regarding whether children made statements regarding the abuse, making it impossible to determine rates of lying.

There is also evidence that some children misrepresent the truth (Ceci & Bruck, 1993) especially when in a punitive environment and exposed to adults who are also untruthful (Evans & Lee, 2013) even with respect to sexual abuse (Hayes & Carver, 2014). Thus, the statement by the authors appears to ignore the significant evidence that children can be misled to make false statements and develop false memories. Numerous examples related to alienation cases are found in Gardner, Sauber, and Lorandos (2003).

Fourth, the authors were incorrect in asserting that the PAS model holds that “most children who accuse their fathers of abuse do so because they are influenced by the mother and not because of real abuse inflicted by the father” (p. 316). Gardner acknowledged that there are genuine cases of child abuse, and he objected to PA being used to exonerate anyone of child abuse. The authors’ interpretation represents a logical fallacy: if the presence of B (accusatory child) implies the presence of A (influencing mother), then every time there is B (accusatory child), the only explanation is A (influencing mother.)

Fifth, the authors fail to provide evidence or references for the connection between PAS and a failure to believe children’s statements about sex abuse. They state that, “Having reviewed the research on child sexual abuse and so-called SAP...,” yet no evidence of such a research review was provided.

Sixth, Clemente et al. are mistaken when they state, “His [Gardner’s] theories have never been proven scientifically and have never fit scientific cannons.” To counter this assertion, we reference the literature and research regarding the scientific validity of Gardner’s model written by Bernet and Baker (2013) and Lorandos, Bernet, and Sauber (2013) which includes hundreds of articles, books, and chapters

from the legal and mental health professional literature spanning 35 countries. Other references attest to the validity and reliability of the concept of parental alienation (Bernet, von Boch-Galhau, Baker, & Morrison, 2010; Wallerstein & Kelly, 1996).

It is important to note that well before Gardner coined the term PAS, leading clinicians and theorists recognized the family dynamic. The historical context of the PAS dynamic has been well documented as dating back to the 1950s. Indeed, child psychiatrists Bowen, Jackson, Wynne, Minuchin, among others first wrote about this family dynamic upon treating psychiatrically hospitalized child patients. They later founded the family therapy movement and labeled this family dynamic the “pathological triangle” or “triangulation.” Thus, there is a rich documentation in this literature for parental alienation (Nichols & Schwartz, 2004). Gardner was not the first to observe the dysfunctional family interactional pattern characteristic of PAS. His contribution was to identify the eight specific child behaviors, and his observations have been validated and confirmed by clinicians throughout the world observing them in children whose parents became engaged in an adversarial battle for the children’s loyalty.

Seventh, Clemente et al. state that an assertion of SAP (PAS) can never be verified. However, no references are provided to support such a strong statement. Indeed it would be a problem for the field if a theory were not falsifiable (Popper, 2002). However, that is not the case with PA. Numerous hypotheses generated from the PA model have been tested: (1) exposure to the 17 primary PA strategies is associated with becoming alienated (Baker & Eichler, *in press*), (2) exposure to the 17 PA strategies is associated with being psychologically maltreated (e.g., Baker, 2010) and (3) exposure to the 17 PA strategies is associated with decreased well-being (e.g., Bernet, Baker, & Verrocchio, 2015). In each case, the hypothesis was tested with reliable and valid measures, appropriate study procedures to ensure internal and external validity, and the findings were published in peer-reviewed journals.

Furthermore, a specific four-factor model for determining whether alienation is present in a particular family has been developed (Baker, Burkhard, & Kelly, 2012) and endorsed by others (Gottlieb, 2012; Sauber & Workenklein, 2013). The model provides a framework for ascertaining PA as a causative factor in a child’s disaffection from one parent and alignment with the other: (1) a prior positive relationship between the child and the now rejected parent, (2) absence of abuse or neglect on the part of the rejected parent, (3) use of the 17 PA strategies by the favored parent, and (4) exhibition of the 8 behavioral manifestations of alienation by the child. Only when all four factors are affirmative should the courts or evaluators conclude that alienation is present in the family. Thus, to assert that PA is not testable or verifiable is simply incorrect.

Concerns about the Clemente et al. study: Flawed research and methodology

Below we identify methodological issues with the author's own study. First, the authors provide no information about how the subjects were recruited including what was told to them about the purpose, what incentives they received for participating, whether the study was approved by a review committee comparable to a U.S. IRB, and what the response rate was. This is particularly important for understanding the generalizability of the findings. The authors make no mention of the fact that the sample was predominantly female, which indicates some kind of selection bias was probably at work.

Second, none of the analyses were conducted separately by gender. It seems plausible that survey participants would respond differently to the vignettes based on their own gender, but this was apparently not tested.

Third, there is no mention that any of the measures or procedures were piloted and/or established to be reliable and valid. There is no established face validity of the vignettes or the response options provided to the respondents. Furthermore, there would be no way for any scientist to replicate this study as too little information is provided about the response options and how they were presented in the survey. As one more example, no information was provided as to how the vignettes were assigned to the subjects.

Fourth, related to this concern is the fact that the choices presented to the participants do not reflect the reality of judicial decision making, at least in the United States. In every state (in the U.S.) there is a statute listing the factors that the judge should consider when determining the child's best interests in a custody dispute. Many states include prior abuse or potential for future abuse but they also include other factors as well. Thus, the study vignettes do not reflect the reality that judges are faced with which involves balancing multiple factors.

Fifth, there is a potential logical fallacy in the design of the study which is that students 18 to 33 years of age would respond the same way that judges respond. The purpose of the paper appears to be to gain insight into the factors that affect judges' decision-making in cases of alienation. However, judges have completed law school and have spent time practicing law (often, but not always, family law). They have far more life and relevant professional experience. It is a logical fallacy to assume that the responses of students would mirror those of judges. This represents a significant challenge to the external validity of the study.

Sixth, the results section is inadequate. The hypotheses tested, the statistical tests employed, and the specific results are insufficiently described. The tables do not include the results of the statistical tests conducted. The reader has to take the authors' word that "the mother's credibility is greater if the child's best interest is prioritized," as no actual findings were presented.

And, finally, there appears to be a disconnect between the introduction of the paper, which is focused on stated flaws in parental alienation theory, and the study

itself. It was never explained in the paper what hypotheses were being tested and how they related to PA theory. Thus, when the authors conclude that, “The data confirm that, in effect, judicial behavior is different depending on the variables analyzed” it is unclear how this relates to PA theory. It is such a vague statement that it neither supports nor refutes any tenet of parental alienation theory.

Closing comments

The Clemente et al. article has two problems. There are many statements about parental alienation that are incorrect or misleading, and the study itself appears to be poorly conceived and poorly written up. This means that the findings are not a valid test of PA theory. At the same time, we acknowledge that not all children lie when they report abuse by a parent, and it is essential for the legal and mental health professionals to reliably and validly differentiate true from false allegations as part of an overall assessment of family dynamics. Only then can the courts begin to fulfill their mission to make custody decisions that support and enhance the best interests of the child.

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