



# Are children susceptible to manipulation? The best interest of children and their testimony



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## ABSTRACT

In Richard Gardner's proposed parental alienation syndrome, children reject contact with the noncustodial parent due to manipulation from the custodial parent. We investigated whether children are, in fact, easily manipulated, and how. Half of a sample of children ages 6 to 12 witnessed an incident of verbal aggression, while the other half did not. All were asked to report what happened. Half were then subjected to high pressure, stating that the aggressor would be their future teacher. Subjects were furthermore told that the perpetrator was either a good person or a bad person. After these two manipulations they reported again what they had witnessed. The results indicate that children rarely lie, and that although 40% of those who witnessed nothing created a false memory of an aggressive incident, this outcome was not influenced by the degree of pressure or positive or negative manipulation. We found no significant differences based on gender or age. We conclude that Gardner's ideas about parental alienation syndrome, and in particular the ease of parental manipulation of children, were not empirically verified. We recommend that this concept not be used in the legal system.

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## 1. Introduction

In this research we refer to a concept that has had a major impact due to the actions of professionals in the justice system but that has had little impact on academia or on the scientific advancement of knowledge. We refer to the so-called parental alienation syndrome, or PAS (Gardner, 1998). The person who named this syndrome was Richard Gardner. Gardner (1985) was a Professor of Clinical Psychiatry in the Department of Child Psychiatry at Columbia University. He began to use the term PAS in an article entitled Recent trends in divorce and custody litigation. This psychiatrist died in 2003, and he is the main theoretical reference for the approach. His followers, like him, have failed to scientifically establish the existence of this syndrome, and none has achieved a significant reputation in this field.

The truth is that PAS, from a scientific point of view, is virtually unknown (Padilla, 2013). We conducted a search of the "Web of Knowledge" electronic database and found results quite similar to those found by Escudero et al. (2010). In our case we found 54 articles, when normally a search for any topic using this method results in at least two or three thousand articles, if not more. We examined the 54 citations and found that 37 clearly defend the PAS, 3 criticized and opposed it, and 14 did not offer an opinion on the matter. All this is a clear sign of the limited—we would say nonexistent—scientific importance of the subject.

Gardner (1991, p. 15) defines this syndrome as: "A childhood disorder that arises almost exclusively in the context of disputes over child custody. Its primary manifestation is the child's campaign of denigration against a parent, a campaign without justification. This results from the combination of programming (brainwashing) due to parental indoctrination and the child's own contributions to the vilification of the target parent. When physical or sexual abuse is present, animosity may be justified, and so the explanation of the child's hostility as parental alienation syndrome is inapplicable." That is, Gardner believes that the syndrome occurs because the custodial parent (usually the mother) manipulates her children to perceive the noncustodial parent (usually the father) negatively and even makes those children invent nonexistent assaults and even sexual abuse by the noncustodial parent in order to get the justice system to prevent contact with that parent. This is an appealing idea, because it would allow children to achieve equal treatment and contact with both parents. And given the existence of a sexually imbalanced society that grants more privileges to mothers as caregivers of children, it defends fathers, who portray themselves as victims who furthermore struggle to prevent an unjust situation that keeps them from having contact with their children.

Unfortunately, this undeniable aspect hides others in its wake. Perhaps one of the most serious ones is that this argument can be exploited by certain justice systems to avoid investigating potentially serious offenses against child victims: abuse, and specifically sexual abuse. Thus, in the face of professional reports (primarily from psychologists) that the child is being manipulated by one parent (almost always the mother), something that is reported without there being any objective, scientific evidence that points to it, the justice system does not

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investigate whether the other parent (usually the father) was abusive toward their children, arguing that it was a matter of the mother's manipulation as a means to remove her children from their father. And since the syndrome is scientifically unprovable, there is not—and never will be—an objective test to justify it or thwart it, since it the very ideology of judges, prosecutors, and psychologists in the justice system is for those who justify or thwart it.

In the face of attacks questioning its scientific foundations, the syndrome has changed its name without changing its meaning. And so now it is masked under labels like “Malicious Parent Syndrome,” “Distancing Process,” “Friendly Parent,” etc. This last name, “Friendly Parent” (FP), was also proposed by Gardner and can be considered the pioneering concept from which PAS was created twenty years earlier. It refers to the parent who does not denounce or complain and therefore who does not hinder the relationship of the child with the other parent. The way to prove that a parent is friendly is, curiously, by showing that the other is not (Clemente, 2014).

The main controversy at the scientific level—although not all scientists accept this argument—lies in the omission of PAS as part of the most widely used classification system in psychiatry, the “Diagnostic and Statistical Manual for Mental Disorders” (DSM), the fifth edition of which (DSM-V) has recently been published.

All this would not constitute a major problem if it were not for the fact that this controversy affects the judicial system, since in many countries the existence of PAS is included as an argument for granting or denying custody to one of the parents. Thus, although the PAS is a heavily disputed concept and has been surrounded by controversy since inception, its very existence as a syndrome being brought into question (nor does it meet the requirements to be what is understood as a mental health syndrome), there is something that is beyond question: that there are children who have been separated from one of their parents after having been argued in court that these children were subjected to manipulation by one of their parents.

Gardner used the term PAS to define the symptoms of children's rejection and denigration toward one parent after separation or divorce. At the same time, two American psychologists, Blush and Ross (1987), used the term SAID—“Sexual Allegations in Divorce”—to describe false accusations of abuse during the family crisis (see also Blush & Ross, 1987; Ross & Blush, 1990).

When Gardner defined PAS he used the concepts “brainwashing” and “programming” (Gardner, 1998), such that they have come to be used synonymously, further undermining the scientific existence of PAS. According to Gardner, PAS includes programming by the alienating parent, with contributions from the child, while “brainwashing” only refers to changes to consciousness introduced in the child, ignoring their source. These differences are apparent in their treatment, because while individual victims of a sectarian group may separate from the group because they have autonomy to do so, the child victims of PAS are difficult to treat since continue to reside with the alienating parent.

The term “campaign of denigration” (Gardner, 1998, 1999), assumes that the child is lying. And this is one of the main problems with this purported syndrome—its point of departure is the idea that children do not tell the truth because they are manipulated. Thus, if a child states that she does not want to see her father, this is explained as fruit of the mother's manipulation, and the mother would be accused of being a manipulative mother. However, the hypothesis that the child is being physically or even sexually abused by her father is not contemplated and therefore not investigated. That is, the child's testimony that her father abused her is invalid, because the child is not believed.

Based precisely on this theory's premise that children are unable to tell the truth and that their mothers want to protect their children from potential abuse, Clemente (2013) explains that this orientation is based on psychoanalysis, what is now viewed as an unscientific explanation for human behavior created by another psychiatrist (Freud), based on the belief that reality is determined by the criterion of the psychoanalyst and not by an external criterion of truthfulness.

Therefore, the key element in determining whether the syndrome exists is the child's statement; but unfortunately, regardless of what the child says, the evaluator can determine that the child is manifesting the syndrome, and hence the child is lying because she is being manipulated. But do children lie? In other words, can children be easily manipulated? That is what we wish to determine in this work. Let us reflect briefly on the concept of truth and lies.

We often think that there is a sharp and clear distinction between what is real and what is imaginary, between what is “truth” (the real) and “lie” (the imaginary, the unreal). From a classical point of view a lie is a deliberate act intending to say something that one knows to be untrue. But in psychology it also takes on another meaning, that of the relativity of truth. Indeed, conceptually it is more closely related to the notion of false memory, an issue that interests us greatly, and which Gardner (2004). It is addressed in studies initiated by Loftus (see, e.g., Loftus & Sherman, 1996), as well as Diges (1997). Loftus states that 25% of the population is susceptible to creating false memories based on external influences. She and her team conducted an experiment. One group of individuals was led to believe that when they were children they spent a happy day at Disney World, where Bugs Bunny had hugged them. They remembered the contact with the skin of the character, and even how much fun they had stroking his huge ears. More than one-third of the children who participated in the study recalled the moment as if they had really experienced it, which is impossible not only because it was false but also because Bugs Bunny is not a Disney character. The term false memory was originally created within psychology following research by Loftus, Miller, and Burns (1978).

It is clear that, perhaps, lying does not exist. Some authors tell us that lying does not exist: that it is not possible to lie because any attempt at communication is, as such, a lie, and expresses the prism of that which is communicated. That language is metaphorical and instrumental and only becomes problematic if an adequationist theory of the truth is supported, well defined, for example, by Bueno (1992). A constructionist conception stands in opposition to adequationism. The truth must bear the pragmatic value of this. Now, as Pérez-Álvarez (1996, 883) says “The undoubtedly pragmatic nature of the truth must not be understood as any sort of utility, but as an objective construction, which in its extreme is free of subjectivist biases.”

In itself lying is possibly inherent to society. La Rochefoucauld (maxim 87) said that “men would not live long in society were they not the dupes of each other,” and Kashy and DePaulo (1996) argue that lying is a fact of social life rather than a strange or extraordinary event.

To develop the issue of lying in today's society in some depth would be an enormous task and is beyond the scope of this paper; here we are only interested in focusing on the statements of children in police or judicial situations.

An initial tact must address what, following Gergen (1992), we will refer to as the step “from the self to the personal relationship.” Basically, the argument can be summarized as follows: the self, as an agent of moral conduct, has become obsolete. In a plural, mobile, and changing society, individuals must behave very differently depending on the interactional contexts in which they find themselves. The idea of a “central agency” or, where appropriate, a substantial entity, called the “self,” disappears. The postmodern individual is a plural individual. The “self” does not exist. There are, though, relational aspects, networks in which the person is inserted (even if this insertion is not strictly speaking of the “person” but rather of certain aspects of it). The next step is to declare, as does Gergen (1992, p. 217) that “good moral reasons” necessarily derive from the build-up of established sentences that culture accumulates. When individuals declare what is right and what is wrong in a given situation, they act as local agents of the broader relationships in which they participate, and it is these relationships that speak through their mouths.

As Escudero et al. (2010, p. 7) comment, “The origin of the supposed PAS emerged from the assumption [that] when a parent is accused or

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