Family law practitioners know that claims of "parental alienation" are increasingly being made in our courts as well as in our offices when we meet with clients who are frustrated with their child access arrangements. It is thus useful to be aware of the fact that an ongoing debate is taking place among academics and mental health professionals as to the extent to which "parental alienation" exists and indeed whether it is a recognizable mental health condition. The debate will be described in the following paragraphs.

April 25 is now recognized as Parental Alienation Awareness Day in 25 countries as diverse as Canada, Australia, Brazil, Costa Rica, Ireland, Singapore and South Africa. The first of these annual days was held in 2006, and details can be found at www.paawarenessday.com. It is thus perhaps not surprising that a study published in 2010 concluded that "there has been a very significant increase over time in the number of cases explicitly raising 'alienation' issues in the Canadian courts" (Bala et al., 2010). Professor Bala and his colleagues found 40 decisions with a finding pertaining to parental alienation between 1989 and 1998, with the judge concluding that alienation had occurred in 24 of those cases. Between 1999 and 2008, however, the courts found alienation in 82 of 135 cases. The alienated parent was awarded sole custody in 49 percent of the cases in the entire study where alienation was found.

The term "parental alienation syndrome" was created in 1985 by child psychologist Richard Gardner as an explanation for cases that he believed consisted of false allegations of child sexual abuse, and in the years since then, the terms has been extended to cover virtually all cases in which a child refuses to visit a non-custodial parent (Bruch, 2001). Parental alienation syndrome is differentiated from "ordinary programming or brainwashing" in that the phenomenon is initiated by the parent who programs the child, but the child actually adds his or her own material into the list of complaints and accusations against the other parent (Faller, 1998).

Proposals have been advanced by mental health professionals and academics that parental alienation be included in the Diagnostic and Statistical Manual of Mental Diseases (DSM) and the International Classification of Diseases (Bernet and Baker, 2013). It would appear that these proposals have been met with strong resistance, with some analysts concerned by the notion of

labelling children of high-conflict divorce with a mental condition. As far as I can determine, parental alienation has not yet been included in the DSM.

Dr. Amy Baker is a Ph.D. researcher in the United States who has written extensively on parental alienation and parent-child relationships in the context of acrimonious parental separations. Baker defines parental alienation as follows:

> ... PA (i.e., parental alienation) is a mental condition in which a child, usually one whose parents are engaged in a high-conflict separation or divorce, allies himself strongly with one parent (the preferred parent) and rejects a relationship with the other parent (the alienated parent) without legitimate justification. PA features abnormal, maladaptive behaviour (refusal to have a relationship with a loving parent) that is driven by an abnormal mental state (the false belief that the rejected parent is evil, dangerous, or unworthy of love).

Baker conducted an interesting study in 2004 to ascertain the extent to which people identify as having been alienated during their childhood from a parent due to the actions and attitudes of the other parent (Baker, 2006). Subjects were recruited during a two-month period from word of mouth and from postings on the internet, and forty-two adults volunteered to participate in the survey.

Baker noted that the fact she had little trouble finding people willing to talk about their experiences suggests that the concept of being turned against a parent resonates with the actual experiences of many people. Her study is an interesting read on how people recall being affected by the animosity of one parent towards another parent, although the article does not explain how the participants eventually came to the realization of what had occurred. One noteworthy finding is that the alienation was not necessarily internalized at the time, as some participants reported that they held onto some positive feelings toward the targeted parent. One participant recalled "being made to call his father on the phone and spout vile curses at him" even though "at the time he was saying these things he had been secretly hoping that his father knew that he didn't mean it".

Baker states in her website (www.amyjlbaker.com) that researchers have identified seventeen primary potential parent alienation strategies, including sending poisonous messages to portray the targeted parent as unloving, unsafe and unavailable, limiting contact between the child and the targeted parent and undermining the authority of the targeted parent.

In a 2013 article, Baker and Vanderbilt University professor William Bernet summarize research that has been conducted to obtain evidence of parental alienation symptoms, and they argue that "there is almost no dispute amongst mental health professionals who work with children of divorced parents that PA occurs in many children whose parents engage in persistent, intense conflict" (Bernet and Baker, 2013). Furthermore, they note that the clinical literature on children who have been abused is "quite consistent on the point that they do not typically reject the parent who perpetrated the abuse against them", and that in fact such children are more likely to blame themselves as opposed to the abusing parent in order to maintain a relationship with that parent. Such findings would appear to undermine the rationale of the presupposition that a parent who is rejected by a child must have done something terrible to the child to warrant such scorn. In a nutshell, rejection tends to flow from alienation but not from actual abuse.

On the other hand, psychologists Steven Friedlander and Marjorie Gans Walters argue that pure cases of alienation are rare, and that most cases are a "hybrid" mixture of alienation, estrangement and enmeshment (Friedlander and Walters, 2010). Enmeshed parents have relationships with their children where psychological boundaries have not been adequately established, and the child has difficulties in separating himself or herself from the parent. Friedlander and Walters argue that courts need to consider the extent to which enmeshment is part of the problem, as a high level of enmeshment can make a change in physical custody very traumatic for the child. They further opine that in cases that combine elements of both enmeshment and alienation, the major contributor to the problem is usually the enmeshment, with the resulting alienation often a symptom of the enmeshment.

Friedlander and Walters state that an enmeshed relationship between child and parent requires intervention on multiple fronts, including psychotherapeutic work to address the parent's fear of losing the child, as well as "a heavy dose of strategic coaching and education, including a

redirection of the parent's neediness to appropriate sources other than the child". These intervention techniques are seen by the authors as helping a child to separate from an enmeshed parent, as opposed to an actual change in custody and all of the accompanying emotional challenges for a presumably vulnerable child.

With respect to estrangement, Friedlander and Walters focus on cases where the estrangement is primarily based upon the rejected parent's limitations and deficits. They note that at first glance the child's rejection of the parent may appear to be caused by alienation, but a "closer look reveals that the parent's behaviour is sufficiently misguided to cause damage to the relationship with the child". The child's reluctance to have a relationship with such parent is thus based at least partly on factors beyond simple alienation influences from the preferred parent.

Friedlander and Walters further note that a rejected parent will often act in a way that reinforces the negative perceptions of the child, and that the scenario may be further complicated by the fact that the rejected parent's ability and authority to parent has been compromised. Good parenting sometimes requires a parent to correct or even discipline a child who has behaved inappropriately, but if the child exhibits a disrespectful attitude towards the rejected parent, that parent runs the risk of further damaging his or her relationship with the child if parental authority is exercised. An intervention strategy of having the child spend more time with a rejected parent "may thus have the unintended paradoxical effect of reinforcing the child's avoidant behaviour".

Friedlander and Walters have found that few parents set out to intentionally "brainwash" a child with a conscious goal of destroying the relationship between the child and the other parent. Similarly, psychologist Terence Campbell wrote in a 2005 piece that parental alienation can occur without a premeditated agenda (Campbell, 2005). He argued that high anxiety levels can affect a person's judgment ability, and that there are anxiety-driven stereotypes in which one parent essentially assumes the worst about the other parent. A nervous and emotional custodial parent often expects to find evidence of the access parent's selfishness and irresponsible behaviour, and as the child provides a perhaps somewhat ambiguous account of an access visit, it can be relatively easy for the custodial parent to draw negative inferences and to become increasingly determined to protect the child from the less-than-stellar access parent.

To some things up, I have attempted in the above paragraphs to provide a flavour of the parental alienation debate that can be found on the pages of academic and professional journals. Family law practitioners who find themselves in a custody or access case that raises issues of potential parental alienation may wish to review the submissions that are being made within this debate.

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