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Child Custody for Sex Offenders

Judith A. Reisman, PhD

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The press often cheers the judicial award of children from normal homes to that of homosexuals and AIDS carriers. Now, O’Meara documents a series of “bizarre” cases in which convicted child sex offenders are being awarded sole custody of the children they abused.

How could this happen? O’Meara cites “court acceptance” of a pop-psychology fad, parental alienation syndrome (PAS) which has emerged as a judicial backlash to the escalation of child sex abuse charges in custody disputes.

According to PAS theory, if a parent (usually mom) accuses the other (usually dad) of sexual abuse, this “turns the child against the father,” hence, mom’s “influence over the child should be halted.” That is, even when the accused is a convicted sex offender, mom has lost custody and visitation rights.

The theory, based on Gardner’s observations during child custody disputes, largely discredits incest charges.

PAS was invented by Richard A. Gardner. Gardner is a Columbia University clinical professor of child psychiatry and he defends his theory in his 749 pages of “True and False Accusations of Child Sex Abuse” (1992).

Inevitably, Gardner’s sole experimental authority for this PAS theory is Alfred C. Kinsey. In fact, Gardner largely plagiarizes Chapters 5 in Sexual Behavior in the Human Male (1948) and Female (1953) to show child molestation is normal.

No reputable scientific organization has validated PAS. Even the American Psychiatric Association rejects the scientific reliability of Gardner’s PAS. O’Meara further quotes numerous professional critics of PAS, typified by of Jon Conte, University of Washington psychologist, “PAS is not research-based, and it has done a great injustice to the family and the justice system.”
Legal scholars are also aware of PAS’ danger. To quote John E.B. Myers, a professor at McGeorge School of Law, University of Pacific, California, PAS “increases exponentially the skepticism of society generally about whether child abuse exists.”

As a further indication that PAS is nothing but pseudo science we need only look at some of Gardner’s other “scientific findings.” Gardner uses recent “sonograms that showed baby boys holding their penises in utero” as an example of such boys’ sexual desire or activity.

Gardner, a medical doctor who would know better, not only completely discounts the infant’s common grasp of toes, arm, foot and nose, he also seems to project his own desires or imaginations onto infants when he says that “most, if not all, children have the capacity to reach orgasm at the time they are born” and “children are not only naturally sexual but that they may be the initiators of sexual activities.”

Like his mentor, Kinsey, pathologically suspect, Gardner implies that infants sexually seduce their caregivers.

Having testified successfully in hundreds of custody cases, Gardner’s PAS is cited by many in the justice system who make life and death decisions for children.

Some mothers now hide the incest in a custody case lest the judge declare she is “emotionally” abusing the child by reporting the offender. Gardner told Insight his personal life and sexual orientation “aren’t relevant.”

But the personal life of a court sex expert is indeed “relevant.” Because his closeted life was relevant to his data, Kinsey, a sexual psychopath, told the world he was a conservative family man. Indeed, claims of sexually lusty fetuses suggests that Gardner is significantly disordered. His PAS testimony in child custody rulings can and should be challenged and reversed.

Gardner’s website identifies a PAS lecture due June 5, 1999 at New York’s Mt. Sinai Hospital, another sponsored by the South Carolina Association of Marriage and Family Counselors, then off to the Open University to teach PAS in Breda, The Netherlands (the home of the international academic pedophile movement).

Let’s hope that both the legal and health professions will soon take PAS for what it really is, pseudo scientific garbage.