

Children often manipulated in custody fights

Despite one's opinion of the Elián González matter, reasonable adults understand that Elián's wishes should be irrelevant to the decision about where and with whom he lives. The Miami relatives and the 11th U.S. Circuit Court of Appeals fail to grasp that point.

In granting the injunction barring the removal of



**RICHARD
WARSHAK**

Elián from the United States, the court determined: "Not only does it appear that [the] plaintiff might be entitled to apply personally for asylum, it appears that he did so. [The] plaintiff — although a child — has expressed a wish that he not be returned to Cuba. He personally signed an application for asylum. [The] plaintiff's cousin, Marisleysis González, notified the Immigration and Naturalization Service that [the] plaintiff said he didn't want to go back to Cuba. And it appears that never have INS officials attempted to interview [the] plaintiff about his own wishes."

It wouldn't matter if the INS did interview Elián. The child's stated wish to remain here doesn't reflect any mature understanding of the benefits of U.S. citizenship. Instead, his preference appears to be the result of a systematic, but perhaps well-intentioned,

campaign to erase his respect and affection for his father and his home.

In many ways, this case follows a familiar pattern in contentious custody disputes: One or more parties attempt to manipulate the child's beliefs and feelings with the hope that the child's preferences will sway the court's decision.

Isolation is essential to any brainwashing process. By preventing Elián from seeing his father and experiencing his love, the Miami relatives made it easier to program the child to believe that his father was someone from whom he needed protection.

Young children can be programmed to express a preference for all sorts of living situations that we would regard as undesirable. In cases where parents abduct children and move to countries that deny basic freedoms, the abducted children generally express a strong preference to remain where they are rather than return to the parent remaining in America.

Now that Elián is reunited with his father, it won't take long for the boy to express a preference to return with his family to Cuba. That preference, too, shouldn't dictate the court's ultimate ruling.

We certainly can have sympathy for the impassioned plea to raise Elián in a free country. But in their zeal to achieve their goals, the Miami relatives have caused more pain for the boy they are trying to help. They have attempted to estrange him from his

father (inducing what psychologists call "parental alienation syndrome"). And they have burdened him with a decision far beyond his psychological capacity to make.

After losing his mother, Elián needed to experience his father's love more than ever. It was wrong to erect a barrier to that love. And it was a cruel violation of Elián's trust to manipulate him into erecting the barrier himself.

Now that the matter is before the court, let's not compromise the child's best interests by conveying to Elián that his wishes rule the day. If Elián has his say about where he lives, what happens when he decides he doesn't want to attend school or visit the doctor when ill?

The passionate forces on both sides of the question are testament to the difficulty of choosing between father and freedom. For the sake of the child, adults should assume responsibility for making that gut-wrenching decision and spare little Elián the additional burden. If, instead, we let Elián's whims determine the outcome, we declare open season on all children caught in custody disputes by encouraging parents to regard brainwashing as the means to victory in court.

Richard A. Warshak is a Dallas clinical and research psychologist and the author of The Custody Revolution (Simon & Schuster).