How the Government Breaks Up Marriages

by Phyllis Schlafly

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A very public marital melodrama is now playing in San Francisco. It shows the idiocy of domestic violence laws and the extremism of the feminists whose ideology paints men as innate batterers and women as victims of the patriarchy.

The target of their current campaign is the elected Sheriff, Ross Mirkarimi. After six months of demeaning publicity and headlines like “Sheriff arrested for wife beating,” last week the city’s Ethics Commission voted 4 to 1 against him. He has been suspended without pay and may soon be fired.

The saga isn’t over yet, but the story is so bizarre that it deserves to be told nationwide. The accused has my sympathy, even though he is a leftwing Democrat. Yes, I believe that leftists deserve due process and fair treatment in our criminal justice system.

The local prosecutor charged Mirkarimi with the crimes of domestic violence and child endangerment, which sound bad, but the evidence was trivial. The domestic violence charge was based on Mirkarimi grabbing his wife’s arm during a New Year’s Eve argument which allegedly left a bruise, and the child endangerment charge was based solely on their toddler (who was not touched) merely being present when this argument took place.

Mirkarimi’s wife, Eliana Lopez, never made any complaint and she publicly defended her husband. She is an intelligent adult, a former Venezuelan telenovela star, who is perfectly able to make her own decisions.

At Mirkarimi’s arraignment, Lopez declined to paint herself as a domestic violence victim. She told the judge, “This is unbelievable. I don’t have any complaint against my husband.”

Lopez added, “This country is trying to pull my family apart. This is the real violence, I believe.” She made a written statement saying that the episode was “completely taken out of context.”

Outside the court, Lopez told reporters that “this country has not allowed me to work on my marriage in a healthy way. I feel like … everybody is using my family, myself, in a political game just to destroy Ross. … This country is destroying my family.”

Mirkarimi’s trouble was aggravated by a picture taken by a neighbor — not of the argument — but only of the bruise on the wife’s arm. Lopez did not authorize the release of the picture to the police.

A picture of a bruise is meaningless, especially when no one is claiming to be hurt. Some people bruise easily. Many people get ugly bruises playing sports and apparently enjoy every minute of the game.

Lopez did not request a restraining order but Judge Susan Breall issued one anyway, forbidding Mirkarimi to see his wife or son or to go into his own house. He hasn’t seen them for many months.

Faced with defending himself at a criminal trial, Mirkarimi agreed to a plea bargain, which involved pleading guilty to one misdemeanor that does not include domestic violence. The prosecutor dropped the three original charges, but Mirkarimi was sentenced to three years’ probation, 52 weeks of domestic violence classes, 100 hours of community service, a $400 fine, and required attendance at family counseling.

Why is this minor marital argument, in which no one is complaining, the government’s business? Where are the liberals, libertarians and gays who are always demanding that the government get out of the bedroom?

Based on the newspaper reports, it appears that this country is, indeed, determined to destroy this family. The prosecutor, the judge, the cops, and the neighbor have all contributed to the problem.

Most of all, the marriage is being destroyed by U.S. laws that encourage marriage breakup, divorce, arrests when no victim makes a complaint, restraining orders designed to separate family members, hearsay used as evidence in court, child punishment that is called child protection, child-custody disputes instead of shared custody, always blaming the man, assuming the woman is incompetent to assert her own interests, police policies that require the cops to arrest somebody (guess who that always turns out to be), exaggerating a minor argument into a criminal case, and ignoring the marital privilege.

The feminist lobby has intimidated most public officials from speaking out against the abuses committed by those who allege domestic violence, but one brave San Franciscan has spoken up in Mirkarimi's defense. Former Mayor Art Agnos said, "I know this man and this woman. They love each other. They support each other. They love their child. They want to be together again. It does not rise … to anything close to domestic violence."

Editor's Note: Ross Mirkarimi was **reinstated** as Sheriff by the San Francisco Board of Supervisors on 10-9-12.