Day of Reckoning for Violence Against Women Act

by Phyllis Schlafly

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The reauthorization of the Violence Against Women Act (VAWA) passed out of the Senate Judiciary Committee on February 2 on a straight party-line vote. That proves again that the feminists control the Democratic Party, and also is a refreshing indication that Republicans are no longer intimidated by feminist demands.



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VAWA was originally passed by Congress in 1994, with Bill Clinton pushing the law as a payoff to the feminists for supporting his election as President. Joe Biden claims credit as a major sponsor and likes to say it is the legislation of which he is most proud.

In its 17 years of operation, it has done little or no good for real victims of domestic violence, while its funds have been used to fill feminist coffers and to lobby for feminist objectives and laws. Although every spending bill should be subject to rigorous auditing procedures in order to curb waste and fraud, VAWA has somehow ducked accountability for the nearly a billion dollars a year it doles out to radical feminist organizations.

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Despite rigid feminist dogma that there are no gender differences, VAWA is totally grounded in feminist-created gender stereotypes. Starting with its title, Violence Against Women, its fundamental assumption is that men are naturally batterers and women are naturally victims.

In other words, men are always guilty, and women must always be believed without fear of being punished for perjury. VAWA assumes there is no violence against men, and VAWA doesn't provide services for men who are victims of domestic violence.

The feminists have so broadened the definition of domestic violence that it doesn't have to be violent and can be whatever a woman alleges. Definitions of domestic violence include vague and overbroad concepts such as emotional distress, harassment, annoyance, or merely unpleasant speech.

Feminist recipients of VAWA's handouts use the money to train legislators, judges and prosecutors in feminist ideology and goals. This has resulted in dozens of state laws calling for mandatory arrest (*i.e.*, the police must arrest someone, so guess who), and no-drop prosecution (*i.e.*, the man must be prosecuted even in the large percentage of cases where the woman has withdrawn her accusation or refuses to testify).

Instead of promoting divorce, breakup of marriage, and hatred of men, VAWA should be revised to encourage counseling when appropriate and voluntary. Some VAWA money should be used for programs to help couples terminate use of illegal drugs and reduce the use of alcohol.

Any man who is accused of domestic violence effectively loses a long list of constitutional rights accorded to ordinary criminals. These include due process, presumption that he is innocent until proven guilty, equal treatment under the law, right to a fair trial, right to confront his accusers, freedom of speech, right to privacy in family matters, custody or visitation with his own children, and even the right to bear arms.

The woman is provided with legal representation even though she has not presented any evidence of injury or harm. The man gets no such help.

About a fourth of divorces involve an allegation of domestic violence, which in many cases is false or without any evidence. Those allegations usually result in the issuance of restraining orders which the Illinois Bar Association has referred to as "part of the gamesmanship of divorce."

It's no surprise that VAWA is often referred to as the hate-men law. The attitude of many judges and prosecutors who have been trained by the feminists with VAWA funds was expressed by one New Jersey judge whose extravagant statement was even reported in the New Jersey Law Journal: "Your job is not to become concerned about all the constitutional rights of the

man that you're violating as you grant a restraining order. Throw him out on the street, give him the clothes on his back, and tell him, 'See ya' around.'"

Judges are required to consider allegations of domestic violence in awarding child custody, even though no evidence of abuse is presented. This usually results in the complete severing of child's relationship with his father.

VAWA should be completely revised to provide meaningful definitions of domestic violence that are specific enough to identify real victims, to stop the over-criminalization of minor partner discord, to emphasize counseling rather than incarceration, to assure that training programs for prosecutors and judges are objective, to assure accountability by tracking the large flow of taxpayers' money, to respect fathers' rights, to inspect shelters to evaluate success and fairness, and to develop programs to address the common problem of mutual partner abuse.

If VAWA is not reformed to respect constitutional rights, it will turn out to be a major embarrassment to all Members of Congress who vote for it.