A Good Father's Day Gift

by Phyllis Schlafly June 25, 2010

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A good Father's Day gift would be to reform the Violence Against Women Act (VAWA), make it gender-neutral, and assure men that family courts will accord them constitutional rights equivalent to those enjoyed by murderers and robbers. VAWA will be coming up for its five-year reauthorization later this year, and that will be the time to hold balanced hearings and eliminate VAWA's discrimination against men.

VAWA illustrates the hypocrisy of noisy feminist demands that we kowtow to their ideology of gender neutrality, to their claim that there is no difference between male and female, and to their opposition to stereotyping and gender profiling. VAWA is based on the proposition that there are, indeed, innate gender differences: men are naturally batterers and women are naturally victims.

Feminist supporters of VAWA obviously share Jessica Valenti's recent assertion in the Washington Post that American women are oppressed by the "patriarchy" and that "it needs to end." One way they hope to end it is by using the extravagantly expensive and discriminatory VAWA, which was passed in 1994 as a payoff to the feminists for helping to elect Bill Clinton President in 1992.

VAWA is not designed to eliminate or punish violence, but to punish only alleged violence against women. Most of the shelters financed by VAWA do not accept men as victims.

VAWA has been known from the getgo as "feminist pork" because it puts nearly $1 billion a year of U.S. taxpayers' money into the hands of the radical feminists without any accountability for how the money is spent. Feminists have set up shop

in shelters where they promote divorce, marriage breakup, hatred of men, and false accusations, while rejecting marriage counseling, reconciliation, drug-abuse treatment, and evidence of mutual-partner abuse.

Feminists have changed state laws to include a loosey-goosey definition of family violence. It doesn't have to be violent; it can simply be what a man says or how he looks at a woman.

Domestic violence can even be what a woman thinks a man might do or say. Definitions of violence include calling your partner a naughty word, raising your voice, causing "annoyance" or "emotional distress," or just not doing what your partner wants.

VAWA makes taxpayers' money available to the feminists to lobby state legislators to pass feminist laws, to train law enforcement personnel and judges in using those laws, and to fund their enforcement. VAWA provides women with free legal counsel to pursue their allegations while men are left on their own to find and pay a lawyer, or struggle without one.

Feminists have lobbied most states to adopt mandatory-arrest laws, which means that when the police arrive at a disturbance and lack good information on who is to blame, they are nevertheless legally bound to arrest somebody. Three guesses who is usually arrested.

Feminists have lobbied most states to pass no-drop prosecution laws which require proceeding with prosecution even if the woman recants her charges or wants to drop them. Studies show that women do recant or ask to drop the charges in 60 percent of criminal allegations, but the law requires the man to be prosecuted anyway, which means he loses his constitutional right to confront his accuser.

Charging domestic violence practically guarantees that a woman will get custody of the children and sever forever the father's relationship with his children even though the alleged violence had nothing whatever to do with any abuse of the children. Judges are required to consider allegations of domestic violence in awarding child custody, even though no evidence of abuse was ever presented or proven.

It seems elementary that husbands and fathers who are accused by their wives or girlfriends should have the constitutional rights accorded to any criminal, but they are routinely denied equal treatment under law, the right to a fair trial, the presumption of innocence until proven guilty, and the right to own a gun. The accusation also destroys his employability, which diminishes her income as well as his.

Based on a woman's unsubstantiated allegations of trivial offenses, family courts deprive thousands of men of their fundamental right to parent their own children. VAWA has a built-in incentive for the woman to make false charges of domestic violence because she knows she will never be prosecuted for perjury.

Domestic violence should be redefined to mean violence. We must eliminate the incentive for false accusations, which includes getting a restraining order as the "gamesmanship" for divorce, child custody, money, and ownership of and access to the family home.

Reforming VAWA is today's basic civil rights issue. All persons accused of domestic violence, men and women, are entitled to have fundamental constitutional rights in court, including due process and the presumption of innocence until proven guilty by clear and convincing evidence.