

### **Recollections of a Battered Man** "The truth I knew beyond any doubt, took a battering worse than the blows to my body." By Anonymous

I awoke in the night out of blessed sleep to the depressing consciousness of the pain. The dream I could see was really just a nightmare, and the nightmare was really just a memory of things I wish I had forgotten, things I wish I had never known. The dream you see is not my sleep, but my life, and the sleep is the real me who is free.

It wasn't always so. There was a brighter time, and not so long ago, but then came the abandonment, the loss of hope, the cataclysmic disaster, and the cruelty without end.

Into the dark and unfriendly ocean of forsakenness my spirit sank in despair as my shattered life lay before my eyes like a horror too incomprehensible to understand. I clung to the truth like a ship wreck survivor, hanging to a small piece of floating wreckage. Time and life itself dissolved into meaningless existence, each day worse than the last, as the shell of my former self occupied my days, my space, my roles, with what it was I was supposed to be.

Like a cripple mugged by thugs I lay in the stillness of my powerlessness and prayed to be whole again. In a world where men get tough or die I now just walked on the torn cartilage in my knee, that didn't heal, and denied the pain, because the lies I'd seen were the real injury to me.

How could they tell me, what happened to me didn't, and that things that happened to me, I really did to someone else, when I didn't? What kind of people are these who say

Inside this	Issue:
Editor's Comments	
Thanks America Double Standards	
Book Reviews Court Challenge	
NCFM News	Page 12
Letters to the Editor	Page 13

they care about domestic violence, but don't care about me?

If lies can wound then truth may heal, but the salve of justice is denied to men so the innocent wait, while the evil steal from them.

It was just by chance I found a place as I searched for others who knew. Like a hand reaching out to me from a rescuing ship, the words reached out to me with the hope that couldn't be found on any formally funded domestic violence site. I had found a friend, and was reassured to see the acknowledgment that a man could be a victim of domestic violence too.

"It isn't what you know that harms you," read the message, "It's what you know that just isn't so that really puts a hurtin' on you." I can't tell you fully to this day what a blessing those gracious words were to me as I peered out from the abyss of my battered, bruised and betrayed life. I saw the words "Battered Men," and then said, "That's me, I'm not alone. I'm not alone."

I've struggled to heal from the deep, deep pain of betrayal, cruelty, and inhumanity that I've experienced at the hands of America's evil domestic violence system. The denial of my victimization haunts my memories, even still, with a terror that is never far from my thoughts. How could this have happened to me?

The trust and safeness I once felt for a system of government and laws in America is long gone, and replacing it is a constant bitter taste born out of "the denial of me" by those lechers controlling shelters of refuge, safety and justice. With a full understanding of their misandrist corruptness, I now go on, knowing that it will never be like before in my life, and that I will never have an inkling of confidence in that corrupt, evil system as it exists today. To this day, that system remains so entrenched in the deceit of domestic violence law, that it cannot see valid victims of domestic violence, just because they're male.

### **Editor's Comment**

I want to extend a big thank-you to our readers. You've all been very patient in waiting for the Nov/Dec issue. In fact, I didn't receive a single complaint!

The *Transitions* staff had to deal with a crisis. Our old printer had a stroke and he was left unable to handle our business. Kyle Knutson, however, came to our rescue. He scrambled to apply for another bulk mailing permit in the

Minneapolis area and then found a new printer for us. Special kudos to Kyle!

One thing I love about *Transitions* is that we'll print things that authors can't get printed anywhere else. In this issue is the first half of an academic paper by Wade Mackey. He sent me this paper out of the blue, along with a letter explaining how he couldn't get it past the editors and referees

in Sociology and Marriage/Family academic journals. They didn't say he was wrong, but rather that he was not appropriate. It's a pleasure to get his piece printed.

Enjoy!

Jason Leatherman

# Thanks America For Making Amber Frey Rich And Gloria Allred Richer

"Are you expecting book-deal money associated with Amber Frey?" The question could as well be, 'are you expecting to travel to Greenland soon?' The answer should be a simple ves or no. Yet, Gloria Allred's answer to questions on a forthcoming Amber Frey book deal is always ambiguous to say the least. What Allred and Frey are about to receive is bloodmoney from Laci's murder. To assume this is as circumstantially valid as Scott Peterson's verdict. The more simplistically we view Allred's pro-bono efforts pushed almost immediately upon Amber following her media fame, the clearer Allred's real character becomes. There's a reason why some lawyers are euphemized as 'ambulance-chasers' and Gloria Allred gives new meaning to it. Which is more likely, Amber Frey seeking Gloria Allred's legal services or Allred soliciting Amber? The latter is certainly the most likely.

One of the many disconnects between justice and law was shown in the public's glorification of Amber Frey, led by her attorney, Gloria Allred. Our legal system doesn't accommodate action upon adulterers or fornicators for their association with the spousal murderer. Perhaps that should change. Prosecutors usually pursue all contributing parties in a given crime. Many scenarios exist holding indirect criminal participation culpable as well. Why can't society hold an Amber Frey guilty to a degree in the murder of Laci Peterson and her baby? Why isn't the total human

### By Veritas Walter Coffee News

responsibility recognized in this and other such crimes? The more indecorous the character, as Amber's proved to be, the greater the sentence should be as well.

Amber's reputation was really in the dirt. Ignoring the obvious, and for lucrative reasons, Gloria Allred rallied to Amber's defense calling her a "hero, courageous, and steadfast." How much hypocrisy can the public digest? The fact that Amber is a masseuse, bore multiple illegitimate babies, and sold her naked body for the world to see, makes her ineligible for hero status in my opinion -- let's ration and savor such words as "hero" for soldiers risking lives for buddies or the arthritic dad taking on a second job to help in his kids in college. Let's not pervert precious words on people of dubious character.

Amber Frev became afraid and contrite when she realized that she might be suspected by the police as an accomplice to Laci Peterson's murder. No doubt she was shocked when the revelation of Scott's real capability was given her and the world to see. All of a sudden, bedding a married man wasn't so cool. Suddenly, it seemed reasonable to become self-righteously indignant against Scott and a crusader for the police. But all of this sounds as though Amber knew, to which she denied, that Scott Peterson was married. It's likely that a woman with Amber's promiscuous experience coupled with the age of the affair, which should have included at least one trip to bachelor Scott's home, pointed to total

awareness on her part that she was trespassing on another woman's territory. That idea was successfully squelched however, by Court TV and others who seemed, even with one's eyes and ears closed, feminist-driven in their critiques and side-remarks on the case. The scrutiny over Scott Peterson's moral character was vehemently pursued while Amber's moral character was delicately washed and defended. Apparently, the adage that "it takes two to tango" has gotten too old to use anymore. Regardless, responsibility to know rather than assume her suitor's marital status was Amber's and there's zero evidence that she spent any energy or resource to verify the facts.

Cable TV helped Gloria Allred create the new Amber Frey with almost unlimited TV exposure and unchallenged acceptance of Gloria's PR work on Amber. In order to see the real Amber Frey we must dilute the gallons of character-perfume that attorney Allred poured upon her welldocumented demimondaine client. The mindset which finds a way to praise the likes of Amber is the same that declares a women's provocative talk or dress shouldn't have anything to do with rape or sexual harassment. Well, it does and always will, and vet feminism insists on using the power of sex to promote women in all channels of society while refuting the inevitable repercussions. Gloria Allred's dual agenda involving herself in this case had nothing to do with defending the "vulnerable" Amber

Frey but everything to do with future book and movie money while simultaneously promoting feminism.

And what is it with Allred's nearly uncontrolled diatribe against Peterson's attorney, Mark Geragos? Before and during the trial, Gloria Allred launched a seemingly personal attack on him. If Geragos ever said or did anything outside the courtroom in hopes that jurors might get some media table crumbs swaying them his way, Allred did the same multiplied by ten in hopes of wrecking the defense case. Her insistence to be on TV across the cable channels was almost embarrassing to watch, exceeded only in her ostensible hatred for men -- a thing more clearly understood taking her feminist past into account. In fact, such a feminist undertone permeated the Peterson trial, led by Court TV's beautiful female attorney commentators, with a fixation not on the crime as much as Laci herself. It was almost nauseating listening to Nancy Grace laud Laci and her mom time after time with emotional crescendos of near worship. It would be amazing to hear Nancy give a tenth the attention to a non-educated, nonyuppie murdered white man, statistically twice in number over Laci's class. No, you'll never see months and millions spent by the

media on lower class heinous murders there's no money in it and feminism is not stirred nor served by it. Such distraction from the facts of the case and focus upon what wonderful middle class people comprised the case, that the concern of an emotionally-rendered verdict over a factually based decision was quite real and a few legal analysts, women included, addressed the two possibilities.

When "guilty" rang across the wires and into the courthouse streets, it was women peaking the applause meter. The cheering following the verdict was contemptible. Instead of carnival enthusiasm, justice and victory should be received with sobriety. What prompted a mass of people to react this way? The media is largely responsible for the crowd's reaction, the result of decades propagandizing the public to see nearly everything for its sport's value. Gloria Allred assumed a cheerleader's role for civilitydeficient people who failed to consider this case for its total tragedy, and she did it for money. When will America wake up and see the consumerism job being done to them by the media and its lawyers dramatizing key crimes and events for the revenue that ratings bring? Thank you America for microscoping your attention on this one crime while hundreds of other heinous murders lacking yuppie status were confined to local newspapers only. Thank you America for making Amber Frey rich and Gloria Allred richer off the death of another.

Only one main theme should have governed people's thoughts in the Peterson case. A human being murdered a human being. Ah, but that won't sell advertisement! We need some pepper and salt and sauce for simple meat! And with that mandate, the media did what it does best, seek the things which stir our emotions and aspirations, then repeat, repeat, repeat. The pictures of Laci, the testimonials of people who knew her, and the focus upon Laci's mom's indignation and hurt, set the stage for a monumental drama. Forget the fact that other horrific crimes were committed in other parts of the country over the many months following Laci's murder. They didn't have all the combined features or the lucrative potential as did Modesto's finest. This one was marketable and the media missed no opportunity to make millions and millions in ratings advertisement off the death of a mother and her baby. The victim was white, relatively affluent, beautiful, smart,

### **THANKS continues next page**

### TRANSITIONS

### © 2004, National Coalition of Free Men

*Transitions* is a bi-monthly publication of the National Coalition of Free Men (NCFM). It is intended to be an educational forum for the articulation of new ideas on social issues affecting men and boys. The views expressed in *Transitions* do not necessarily represent the opinions of the National Coalition of Free Men, its Board of Directors, or Board of Advisors. All original articles are protected by the copyright laws of the United States of America. NCFM invites others to republish original material and articles which appear in *Transitions*, provided that credit is given to NCFM along with the address of NCFM and the date of the *Transitions* issue. A copy of the publication must be provided to NCFM. Any republished works appearing in *Transitions* will be clearly identifed and should not be republished further without permission from the author or the publisher.

Send direct correspondence to the editor: Jason Leatherman, jwleath@yahoo.com. You can leave a message on our toll-free answering machine: 888 223-1280. This answering machine is checked once a week and serves the entire United States. You can also call our office on Long Island, New York: 516 482-6378. Send email to: ncfm@ncfm.org. URL: http://www.ncfm.org. NCFM also sponsors a private members-only discussion forum at Yahoo and publishes, for free, the *NCFM Ezine Gazette*. The *Gazette* is mailed monthly by email. To subscribe contact: eZine-Request@ncfm-dc.org. URL: http://ncfm-dc.org/ezine/.

### Transitions Staff

Editor in Chief Orders and Renewals

#### Board of Directors of the National Coalition of Free Men, Inc.

**NCFM Committee Chairs** 

Awards John Macchietto Letter Writing Robert McInnes Director of Public Relations Steven Svoboda

Jason Leatherman

Kyle Knutson

671 647-7746 arc@post.harvard.edu Wm Hetherington Defense Gregory Singer President Vice-President Secretary Treasurer Public Relations Member-at-Large John Macchietto Pradeep Ramanathan Jason Leatherman Deborah Watkins Steven Svoboda, Esq. Tom Williamson

### NCFM Board of Advisors

Warren Farrell, Ph.D. Edward Asner

Спар	ter kepresentatives:
Los Angeles	Marc Angelucci, Esq.
	Andrew Bokelman
Dallas/Ft. Worth	Barbara Schmidt
	David Schmidt
Twin Cities	Will Hageman
	Mark Bates
Greater New York	Mark Sutton
	Edward Stephens, MD

Charten Dennesentetter

# Thanks — Continued from Page 3

outgoing, a woman, and pregnant. As the TV executives saw it, all of that trumps a murdered, common, non-illustrious, GED recipient, factory-working middle-aged white man, ten to one. For the factory worker and family, the Peterson's and Rocha's lifestyles were to be aspired, and fortunately, the media kings thought, everybody has a TV! For Laci's upper middle class peers, this was

their chance to be in the spot light, to identify and rally for the kind woman undeserving of such an egregious offense; lower classes sometimes deserving, they thought in the deepest recesses of their minds -- but not Laci! She's the epitome (and offspring) of optimism, success, beauty, charm, and would have been a great soccer mom. Veritas Walter Coffee P.O. Box 958171 Hoffman Estates, Illinois 60195-8171 608-213-8448 waltercoffeenews@earthlink.net

### **Double Standards: Ever Wonder Why?** By Thomas Simon

Why is it that women complain when men leave the toilet seat up, but men don't complain when women leave it down?

Why do women complain about men that only want one thing, but men don't complain about women that want everything?

Why do women have the choice between abortion, adoption, dropping an unwanted baby off at a hospital, raising the child with a father, or raising the child without a father, but the only choice men have is to agree?

Why do women dress in makeup, short skirts, bare midriffs, and low-cut blouses but complain about men that stare at them?

Why do we pretend that men are the ones that abuse children when it is a well-known fact that women abuse children more than men?

If single mothers have it so bad, why do women initiate about eighty percent of divorces and routinely commit perjury to win custody?

Why do we have a Violence Against Women Act but nothing for men when women cause domestic violence just as often as men?

Why is it funny when a woman kicks a man in the groin but terrible if a man did the same to a woman - won't the man be in more pain?

Why is it terrible for a woman to be raped once but funny when male prisoners get raped over and over? Why is a man a wimp if he lets his wife beat up on him but a criminal if he defends himself?

Why does women's health get much more attention when men die about seven years younger than women?

Why do we complain about legislators being mostly male when they always promote women's rights and never promote men's rights?

Why is it sexist to have clubs for only men but empowering to have them for only women?

If women only make 72 cents for the same work where a man earns a dollar, why don't companies hire only women and put the competition out of business?

How do police know who to arrest when there is a domestic disturbance involving lesbians?

Why do married women complain that their husbands don't want to change a baby's diaper but divorced women say their exhusbands can't take care of a child?

Why do men that don't pay child support go to prison but nothing ever happens to women that don't allow visitation?

If women-in-the-military is such a good thing, why don't they have to register for the draft?

Why are we so concerned about girls underperforming boys in math and science but not concerned about boys underperforming girls in everything else?

Why do fathers have to pay the mother to take his children away from him in divorce?

Why is it legal for women to lie to men about who the father of a baby is to get child support, but a crime if she tells the same lie to the government to get Social Security or military benefits?

Why do women have to prove they spent the money on the children when they collect welfare but don't have to do the same when they collect child support?

Why do we have to cut men's sports that have fans to create women 's sports that don't?

Why do women tennis players win the same prize money as men when they only play three sets and men play five -- isn't that equal pay for less work?

Why is it called sexual freedom when a married woman commits adultery but called cheating when a man does the same?

Why are female murderers presumed to be mentally ill but male murderers presumed to be killers?

Why are there thousands of "father's rights" groups but no "mother's rights" groups?

**DOUBLE continues next page** 

### Transitions

Jan/Feb 2005

Why do we have so many fathers groups fighting for more time with their children when there are so many social problems attributed to fatherlessness?

Why do men have to support women at the same standard of living following divorce when women don't even have to cook and clean his new apartment?

If divorced women have it worse than divorced men, why do divorced men commit suicide eight or ten times as much as divorced women?

Why do we pretend that men walk out on their wives and children when women initiate about eighty percent of divorces?

Why is it considered sexist to have a couple of television shows geared towards men when there are several channels catering only to women?

Why are television moms always portrayed as wonderful and loving and television dads always portrayed as inept buffoons?

Why is it politically incorrect to say anything negative about women but funny to put men down?

Why are women without a job considered to be exercising free choice but men without a job considered a bum?

Why do feminists demand that women be equally represented in high paying and powerful jobs but don't complain when lowpaying, dirty, and dangerous jobs remain mostly done by men?

Why do we have to say "Chairperson" and "Congressperson" but its okay to say "garbage man" and "bad guy"?

Why do we always hear the phrase "innocent women and children" but never hear about "innocent men" or "men and children"?

Why do news headlines use the terms "student", "spouse", or "parent" when a girl or woman, or mother does something wrong but use the terms "boy", "husband", or "father" when a boy, man, or father does something wrong?

Why do feminists demand equal results for traditionally male roles but object to equal or shared parenting after divorce?

Why does the term "angry mother" sound like someone that needs our help and support and the term "angry father" sound like someone that needs to be arrested and forced into anger management classes?

Why is it that when men are more successful than women it's because women are oppressed, but when women are more successful than men it's because men are lazy?

Why are only women free to criticize other women without being labeled anti-women, but both men and women are free to criticize men?

Why are feminists pushing for laws that prevent new laws from being passed that protect men from women, such as with domestic violence against men, false allegations by women, or paternity fraud?

Why is it that when a woman accuses a man of rape, the man's name is made public and he is presumed guilty, but when he is proven innocent the woman remains anonymous and the man is still ruined? Why is it considered woman-hating or whining to point it out when women have something better than men, but we rush to pass new laws if men might have something better than women?

Why is it that we've had forty years and billions of dollars going into women's rights and men's responsibilities, but it's taboo in most circles to even suggest that maybe it's time to consider men's rights and women's responsibilities a little bit for a change?

If those who always side with women are feminists and those who always side with men are chauvinists, why don't we have a wing of a political party and billions in funding going to chauvinists when we have that for feminists?

For those who believe men had it better than women in the past and believe now it's time for women to have it better than men for a while, why don't they advocate whites being forced into slavery to blacks?

Why are men considered more privileged than women with so many double standards against men?

# Letters Campaign

In recent years we have learned that writing letters to media people, advertisers of products, politicians, publishers, etc., can have an effect, especially if there is a group of letter writers willing to mobilize under the direction of a coordinator. We want you to write to our coordinator and volunteer to be contacted to write letters and we would appreciate knowing about any ideas you have for campaigns.

Please volunteer and write to:

Bob McInnes NCFM P.O. Box 582023 Minneapolis, Minnesota 55458-2023

# **Book Reviews**

It's Not About The Bike: My Journey Back To Life by Lance Armstrong with Sally Jenkins G.P. Putnam's Sons

Book Review by Robert K. Smith

Lance Armstrong's autobiography, It's Not About The Bike: My Journey Back To Life (written with Sally Jenkins) is a special and beautiful book for everyone. I say everyone, because it will touch different people on different levels. Obviously, people who have cancer will want to read it, and when they do they will find hope. People who have known cancer survivors (in my case, my mother) will, of course, want to read it. Sports fans will read it not only to see the courage of this young man, but to read of his profession.

But as a men's rights activist, I want to encourage all men to read this book. Mr. Armstrong is, as I'm sure nearly everyone knows, winner of the Tour De France and probably the most famous

Special Thanks Due

Special thanks are in order to the following recent financial contributors. Your donations make a great deal of difference.

Rudolph Bold, NY Allan Decker, FL Gary Dorrough, CA Tom Dougherty, GA Scott Garman, NH Harry Green, FL Steven J. Hoffman, AZ Kyle Knutson, MN Jason W. Leatherman, MA Mark Lesmeister, TX Keith McLeod, VA John P. Montesano, NY Charles B. Tolleson, CA Nicholas Wisner, OR Charles C. Wood, CA champion cyclist ever. Not being a sports fan, I didn't know anything about Mr. Armstrong until he announced to the public that he had testicular cancer. I was then interested in the man, and was eager to read his book.

As a strict Catholic, I was sorry to read Mr. Armstrong is agnostic. But I was completely caught up in his life story. By the end of his book, I felt I knew him personally.

But let me get to why I like what this man has to say (aside from the fact that he is a cancer survivor which, of course, is the main point of having written the book). Mr. Armstrong writes about his feelings and his body the way more men should, but all too often don't. He doesn't joke about his anatomy (as two other celebrities with testicular cancer have recently done.)

An example. Not knowing if he will be able to father a child after his chemo treatments, his doctor recommends that he bank as much sperm as possible. About his visit to the sperm bank, Mr. Armstrong writes, "...on a small table there was a stack of, yes, magazines. Porn, I saw, disgusted. I hobbled over to the chair, and sighed heavily, and nearly cried. I was in severe pain; the cut from the surgery was right at the top of my groin and met my abdomen. I was depressed and falling apart emotionally from the shock of the diagnosis, and now I was supposed to summon an erection? There was no way. As I lay in the chair, I thought, this isn't the way it was supposed to happen. Conceiving a child was supposed to be wreathed in hope, not this sad, solitary, desperate procedure." He continues, "I had no choice; I closed my eyes and I did what I had to do." After his recovery, he does become a father. And after reading his book, I'm sure he will be an excellent one. The last chapter of this remarkable book contains the most beautiful words a father could write about his child. I'm tempted to quote this part of the book, but I'm not going to. I want men to read this book for themselves and get to the last chapter on their own. Mr. Armstrong writes about the birth of his son. and a sudden scare he and his wife have just after his birth, that will bring tears to the eyes of any sensitive reader. The last

**REVIEWS continues next page** 

page of his book, again about his son, is beautiful.

There is yet another part of this book (chapter seven) that I find to be excellent and very, very important. Anyone who has seen movies, watched TV (count me out) or has read newspapers and magazines over the last decade, knows that making fun of the male anatomy and joking about sexual injury to men is done on a regular basis. The male sex organs are ALWAYS treated as a joke. That is why I was shocked — and developed great respect for Mr. Armstrong — when I read the following: "...one night, Kik and I went to a cocktail party with a bunch of people from the new high-tech firm she worked for. We got separated at the party, and Kik was talking across the room from me with two executives at the firm, when one of them said to her, "So that's your new boyfriend?" and then made a vulgar reference to my testicles. After hearing about this, Mr. Armstrong writes: "I was angry way past the point of conversation. After I dropped her off at her house, I went home and sat down and composed a scathing e-mail to the guy, explaining the nature of testicular cancer and some of the statistics." He writes to the man, "...you've got a real problem if you think something like this is funny. This is a life-and-death situation..." After reading this, I wanted to stand up and applaud Mr. Armstrong. After a decade of jokes about the male anatomy, here is a man who is actually PROUD to be a man. That is rare in our society.

As you can surely tell by now, I think this is a wonderful book, because the man who wrote it seems to be a wonderful guy. I wish him the best future a man could possible have, and I wish all men would read his book.

### **Fund Raising with DealNerd**

We have found a way for you to support NCFM national and your favorite NCFM chapter while saving money and possibly earning some money for yourself. Interested? The next time you shop on-line, start at one of the URLs below.

GREATER NEW YORK CHAPTER http://www.dealnerd.com/default.asp?id=10833

NCFM LOS ANGELES CHAPTER http://www.dealnerd.com/homepage.asp?id=10834

TWIN CITIES CHAPTER http://www.dealnerd.com/homepage.asp?id=8944

DALLAS / FORT WORTH CHAPTER http://www.dealnerd.com/homepage.asp?id=10843

Each NCFM chapter has registered with DealNerd. DealNerd is a shopping site similar to iGive where every store offers a certain percentage rebate off your purchases. With DealNerd, however, not only will NCFM receive money, but you will as well. In addition, if you refer friends to DealNerd, you can get some of their rebates.

Only a minimum of personal information is required and you will NOT generate any spam.

You can choose from such well known merchants as: 1-800-Flowers, Best Buy, CompUSA, Delta Airlines, Drug Store.com, Vitamin Shop, Walmart, and more. Not only will NCFM receive a donation each time you shop at these merchants through Deal Nerd, but you will get a discount on merchandise not available anywhere else. You will not get the additional discount if you buy directly from the merchant's web site. And there are other money saving/money making offers available to you as well. Everybody wins.

NCFM National is also a participating member and will receive something, too.

THANK YOU !!

# A Court Challenge Waiting To Happen: A Judicial Basis of Parenting as an American Citizen's Fundamental Right

The welfare of the people is the chief law. —Cicero

One law for the lion and one for the ox is oppression.

-William Blake

### Abstract

Pierce v. Society of Sisters [268 U.S. 510 (1925)], inter alia, found parenting to be a fundamental right for all American citizens and was protected by the 14th Amendment of the U.S. Constitution. By contrast, all divorce laws are under the jurisdiction of the various states. Currently, a "no-fault" divorce decree which involves a minor child can legally separate an unwilling respondent from his or her children, and, thus, can preclude the co-residence of the respondent with that child. Such a decision from a state court can be argued to be at loggerheads with the fundamental right to parent. Using Roe v. Wade as an analogue, it is suggested that, because (1) parenting is guaranteed by the U.S. Constitution, and (2) all divorce laws are within the province of the various states, and (3) federal laws trump state laws, a successful court challenge to no-fault divorce statutes is plausible were the following items to emerge: a case, resources, and resolve to force a prioritization of values within the American Commonweal. Ceteris paribus, the right to divorce can be defined as paramount, or the right to parent can be defined as paramount. Both rights cannot be paramount over the other.

### Introduction

Ironically, the 1973 *Roe v. Wade* [410; U.S. 113] the U.S. Supreme Court decision on abortion presents an interesting perspective on American parenting in general and American fathering in particular. In brief, the *Roe v. Wade* decision involved three steps: (1) state laws in various states had made abortion illegal under a variety of circumstances, (2) the U.S. Supreme Court found the "right" to abortion implicit in the U.S. Constitution, and (3) because, under

By Wade C. Mackey, Ph.D.

the U.S. system of governance, the U.S. Constitution has priority over state Constitutions, those state laws which limited or prevented abortion were summarily voided. As is proffered below, the core dynamics of no-fault divorce laws, solely under the jurisdictions of the various states, are arguably in conflict with the Federally guaranteed and fundamental right to parent. It is suggested that an occasion for a Supreme Court case to prioritize the right to divorce versus the right to parent is quite probable.

Although erudition and complexity of argumentation abounded in the *Roe v*. *Wade* discourse, at base, the line of reasoning of this process was simple and straightforward. First, federal law trumps state law. Second, the U.S. Supreme Court decided that the right to have an abortion was implicit in the U.S. Constitution. Thus, third, states cannot prevent abortion (de jure in the first trimester and de facto throughout gestation).

### Parenting Analogue to *Roe* v. *Wade*—State Laws and Divorce

All 50 states plus D. C. have a version of "no-fault" divorce. This means that if a husband or a wife wishes to end a marriage, he or she can do so. The dissatisfied spouse merely goes to the local court and petitions for the divorce. The divorce will then occur and occur totally independent of what the wishes or preferences are for the other spouse. The "no-fault" state statutes do not make a distinction between those marriages with minor children and those marriages with no minor children. The statutes of divorce merely deal with the termination of the marriage. The presence of minor children may affect custody negotiation, but not the termination of the marriage. The marriage will be terminated. Such a fate is a constant. The disposition of the involved minor children becomes a variable.

In terms of the U.S. Constitution, "divorce" is relegated to the Tenth Amendment: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people." (see Glendon [1987, 1996] and Buehler [1995] for discussions on similarities and differences, across states, on divorce laws).

In 1859, the U.S. Supreme Court was quite clear in its stand that "divorce" was under the purview of the various states. In Barber v. Barber [21 How. 582-605 (1959)], the opinion of the court, written by Justice Wayne, stated that "We disclaim altogether any jurisdiction in the courts of the United States upon the subject of divorce,..." Over a century later, Boddie v. Connecticut [401 U.S. 371 (1971)] noted that access to divorce should not be contingent upon ability to pay fees to the state, but did not address the institution of divorce itself: hence, the decision did not counter Barber v. Barber. (See also Ankenbrandt v. Richards [91-367 U.S. {1992}] for a re-affirmation of Barber v. Barber. To wit: "...this Court is unwilling to cast aside an understood rule that has existed for nearly a century and a half" [pp. 3-5]). Thus, each of the various states is entitled to regulate divorce as each state's legislature and judiciary find appropriate.

Beginning with California in 1969 (Family Law Act of 1969, ch. 1608, 1969 Cal. Stat. 3312-51), "no-fault divorce" had become the divorce system of choice across the nation: one state at a time. For context and discussion of the California dynamics, see Kay (1987). In 1985, South Dakota became the last American jurisdiction to repeal an exclusively fault-based statute (Glendon 1989). But, again, state divorce laws did not regard the presence or absence of children in terms of whether a divorce would occur or not. For a fairly typical example, the Texas code (§ 3.01) states: "on the petition of either part to a marriage, a divorce may be decreed without regard to fault if the marriage has become insupportable because of discord or conflict or personalities that destroys the legitimate ends of the marriage relationship and

**COURT** continues next page

prevents any reasonable expectation of reconciliation" (Texas Codes Annotated, 1996).

Not unexpectedly, with the advent of no-fault laws, divorce rates rose. Divorce rates (number of divorces per 1000 population) for the 1920s and 1930s were in the 1.6 range. From the 1940s to the late sixties, the rates were in the 2.0 - 2.6 range: a slight increase. However, from the decade of 1968 to 1979, the rates climbed from 2.9 to 5.3. The rates then dipped and have stayed in the middle to high fours. In 1998, the rate was 4.3 (U.S. Bureau of the Census, 1955, 1997, 2001). Because U.S. divorce rates had been rising prior to the 1969 California nofault divorce law, the debate on cause-&effect versus correlation-only has been continuous, if not contentious (Glenn 1997, Rogers, Nakonezny & Shull 1997, Welch & Price-Bonham 1983; see Kidd [1995] for an Australian example; cf Amato & Booth [1997] and Wallerstein, Lewis, & Blakeslee [2000]). Again, this inquiry is not intended to present or to analyze such a debate.

In terms of national data, it is important to note that women predominate in the petitioning for divorce. For divorces which involve no children, the ratio is 1.6 to 1.0. If one or more minor children are involved in a divorce, then the woman's tendency to petition for divorce increases and the man's tendency to petition for divorce decreases. Depending upon the number of minor children involved, the ratios range from 2.3 - 2.4 to 1.0 (U.S. Bureau of the Census, 1989, 1996). See Table 1. (See the Beijing Review [1995], Buckle et al [1995], Dennis [1992], Hong & Ning [1992]; Peters [1979], and Sullivan & Allen [1996] for similar data from non-U.S. samples). England & Wales offer parallel data to the U.S. In the year 2000, 69.7% of the divorces were granted to the wife, and 30.1% were granted to the husband (less than one percent were granted to both spouses). The ratio of wife to husband petitioner was more than 2.3 to 1 (Registrar General 2002). For the latest year given, the wife was granted sole custody of the children 66.8% of the time. The husband was granted sole custody of the children 7.3% of the occasions. The remaining cases (26.0%) granted custody to both husband and wife (Registrar General 2002). The mother to father ratio was more than nine to one.

In the U.S., if a minor child were involved in a divorce situation, the wife's/ mother's tendency to petition for a divorce increases; while the husband's/father's tendency to petition for a divorce decreases. (See Mackey [1993] for a theoretical discussion on the basis for this decrease). Whatever the intent of the "no-fault divorce" laws, the actuality was that women, rather than men, increasingly availed themselves of the opportunity to end a marriage. The presence of young children is aligned with an elevation, rather than inhibition, of the women's tendency to petition for divorce. Most (51.3%) of men's petitionings for divorce involve no minor children. Most (58.2%) of women's petitionings for divorce involve one or more minor children (National Center for Health Statistics 1989, 1996). See Table 2.

To complement the quantitative data of the U.S. Bureau of the Census, Chadwick & Heaton (1992) present qualitative data which indicate a similar pattern, i.e. it is the perception of both the wives and the husbands that the wives are half again more likely to want a divorce than are their husbands. See Table 3. Note the comparison wherein one spouse wanted the divorce, but the other spouse did not. From the husband's perspective, the wife was twice (18.7%/9.4% = 1.99) as likely to want the divorce, even if the husband did not (rather than the reverse). From the wife's perspective, the wife was more than three times (29.6%/8.1% = 3.65) more likely to want the divorce, even if the husband did not (rather than the reverse).

It should also be noted that women's stated primary reasons for their

willingness to end the marriage were usually psychological reasons, e.g. lack of sufficient fulfillment, lack of sufficient happiness in the marriage, lack of sufficient romance (Braver 1998, Burns 1984, Cleek & Pearson 1985, Gigy & Kelly 1992, Greif & Pabst 1988; Thurnher et al., 1983, cf Greif 1985). See Table 4. Thus, in terms of enhancing women's autonomy to end a marriage, the institution and spread of "no-fault" divorce were effective. However, it was clear that "no-fault" divorce was going to abrade a large number of parents, generally fathers, from their children and there was no legal mechanism toward which any unwilling respondent could turn. Of course, as long as the bulk of the U.S. citizenry was/is comfortable with this arrangement, then, socially, there was/is no problem. If there is no problem, then there is no reason to seek a solution. On the other hand, legally, there does exist a small conundrum.

### "Fundamental right" to parent

There are circumstances where "no-fault" divorce laws clearly seem to run counter to prior U.S. Supreme Court decisions. In a landmark case, *Pierce* v. *Society of Sisters* [268 U.S. 510 (1925)], the U.S. Supreme Court established that a fundamental right to parent was implicit in the U.S. Constitution. This finding from *Pierce* v. *Society of Sisters* has never been successfully challenged or revoked. The *Meyer* v. *Nebraska* [262 U.S. 390 (1923)]

### **COURT continues next page**



# Court — Continued from Page 9

decision foreshadowed the same conclusion. In *Prince v. Massachusetts* [321 U.S. 158 91944)], the opinion of the court (written by Justice Rutledge) stated:

"It is cardinal with us that the custody, care and nurture of the child reside first in the parents, whose primary function and freedom include preparation for obligations the state can neither supply nor hinder, *Pierce v. Society of Sisters*, <u>supra</u>. And it is in recognition of this that these decisions have respected the private realm of family life which the state cannot enter."

In *Stanley* v. *Illinois* [405 U.S. 645 (1972)], the Court wrote:

"The private interest here, that of a man and the children he has sired and raised undeniably warrants deference and, absent a powerful countervailing interest, protection. It is plain that the interest of a parent in the companionship, care, custody, and management of his or her children come[s] to this Court with a momentum for respect lacking when appeal is made to liberties, which derive merely from shifting economic arrangements".

The Court then noted that, over the years, it had frequently emphasized the importance of the family. Namely the rights to conceive and to raise one's children have been deemed "essential", *Meyer v. Nebraska* [262 U.S. 390, 399 (1923)], "basic civil rights of man" *Skinner v. Oklahoma* [316 U.S. 535, 541 (1942), and "[r]ights far more precious ... than property rights," *May v. Anderson* [345 U.S. 528, 533 (1953)]. The integrity of the family unit has found protection in the "Due Process Clause of the Fourteenth Amendment", *Meyer v. Nebraska, supra* [at 399], the "Equal Protection Clause of the Fourteenth Amendment", *Skinner v. Oklahoma, supra* [381 U.S. 479, 496 (1965)], and the Ninth Amendment, *Griswold v. Connecticut* [381 U.S. 479, 496 (1965)].

In Lassiter v. *Department of Social Services* [452 U.S. 18 (1981)], Justice Blackmun wrote:

"At stake here is the 'the interest of a parent in the companionship, care, custody, and management of his or her children.' *Stanley* v. Illinois[405 U.S. 645, 651 (1972). This interest occupies a unique place in our legal culture, given the centrality of family life as the focus for personal meaning and responsibility. '[F]ar more precious ... than property rights,' *May* v. *Anderson* [345 U.S. 528, 533 (1953), parental rights have been deemed to be among those 'essential to the orderly pursuit of happiness by freemen', *Meyer* v. *Nebraska* [262 U.S. 390, 399 (1923)],

and to be more significant and priceless than 'liberties which derive merely from shifting economic arrangements.' Stanley v. Illinois [405 U.S. at 651], quoting Kovacs v. Cooper [336 U.S. 77. 95 (1949)... Accordingly, although the Constitution is verbally silent on the specific subject of families, freedom of personal choice in matters of family life long has been viewed as a fundamental liberty interest worthy of protection under the Fourteenth Amendment. Smith v. Organization of Foster Families, [431 U.S. 816, 845 (1977); Moore v. East Cleveland [431 .S. 494, 499 (1977)... Prince v. Massachusetts [321 U.S. 158, 166 (1944)], Pierce v. Society of Sisters [268, U.S. 510, 534-535 (1925)]; Meyer v. Nebraska [262 U.S at 399]. Within the general ambit of family integrity, the Court has accorded a high degree of constitutional respect to a natural parent's interest both in controlling the details of the child's upbringing, Wisconsin v. Yoder [406 U.S. 205, 232 - 234 (1972)], Pierce v. society of Sisters [268 U.S. at 534 -535], and in retaining the custody and companionship of the child, Smith v. Organization of Foster Families [431 U.S., at 842 - 847], Stanley v. Illinois [405 U.S., at 6511."

### TABLE 1.

### Percentage of divorces by number of children and by status of petitioner: 1982-1986 (Mean number of divorces = 573,931) (National Center for Health Statistics 1989).

Number of Children	Status of Petitioner				
	Husband	W ife	Husband & Wife	Other	Total
None	35.52%	55.88%	5.40%	3.20%	100.0%
sd	0.33	0.88	1.40	0.99	
One	27.82%	64.80%	5.66%	1.72%	100.0%
sd	0.45	0.99	0.22	0.86	
Two	27.64%	64.74%	6.04%	1.58%	100.0%
sd	0.67	0.69	0.39	0.79	
Three or more	27.44%	65.66%	5.16%	1.74%	100.0%
sd	0.65	0.77	0.40	0.69	
All children	31.26%	60.20%	5.84%	2.70%	100.0%
sd	0.42	0.78	0.22	0.83	

These sentiments were re-affirmed in 1982. In *Santosky* v. *Kramer* [455 U.S. 745 (1982)], the court held that:

"Process is constitutionally due a natural parent at a state-initiated parental rights termination proceeding.... The fundamental liberty interest of natural parents in the care, custody, and management of their child is protected by the Fourteenth Amendment, and does not evaporate simply because they have not been model parents or have lost temporary custody of their child to the State. A parental rights termination proceeding interferes with that fundamental liberty interest. When the State moves to destroy weakened familial bonds, it must provide the parents with fundamentally fair procedures."

In terms of terminating a parentchild relation due to neglect on the part of the parent, the court stated that "due process requires that the State supports its allegations by at least clear and convincing evidence" (p. 746).

The court also re-affirmed *Lassiter* v. *Department of Social Services*. It wrote that "In *Lassiter*, it was 'not disputed that

state intervention to terminate the relationship between [a parent] and [the] child must be accomplished by procedures meeting the requisites of the Due Process Clause'. ... The absence of dispute reflected this Court's historical recognition that freedom of personal choice in matters of family life is a fundament liberty interest protected by the Fourteenth Amendment. Quilloin v. Walcott [434 U.S. 246, 255 (1978)]; Smith v. Organization of Foster Families, [431 U.S. 816, 845 (1977)]; Moore v. East Cleveland [431 U.S. 494, 499 (1977)] ... Cleveland Board of Education v. Lafleur. [414 U.S. 631, 639-640 (1974)]; Stanley v. Illinois [405 U.S. 645, 651-652 (1972)]; Prince v. Massachusetts [321 U.S. 158, 166 (1944)]; Pierce v. Sisters, [268 U.S. 510, 534-535 (1925)] Mever v. Nebraska [262, U.S., 390, 399 (1923)]. ' ... parents retain a vital interest in preventing the irretrievable destruction of their family. If anything, persons faced with forced dissolution of their parental rights have a more critical need for procedural protections than do those resisting state intervention into ongoing family affairs". (p. 753).

### TABLE 2.

Percentage of divorces by number of children, by husband as petitioner, and by wife as petitioner separately, 1982-1986 (National Center for Health Statistics (1989).

Number of Children	Status of Petitioner		<u>z</u> score	<u>p</u> < (2-tailed) <sup>a</sup>
	Husband	Wife	-	
None	51.3%	41.8%	64.7	.001
sd	0.87	0.07		
One	22.2%	26.8%	35.8	.001
sd	0.15	0.12		
Two	17.1%	20.7%	30.8	.001
sd	0.35	0.84		
Three or more	7.0%	8.7%	21.0	.001
sd	0.30	0.34		
Number not specified	2.4%	2.0%	9.4	.001
sd	0.67	0.39		
Total	100.0%	100.0%		
Mean number	170,003	353,191		

The Court continued: "Lassiter declared it 'plain beyond the need for multiple citation' that a natural parent's 'desire for and right to the companionship, care, custody, and management of his or her child' is an interest far more precious than any property right, [452 U.S., at 27] quoting Stanley v. Illinois [405 U.S. 651]. When the state initiates a parental right termination proceeding, it seeks not merely to infringe that fundamental liberty interest, but to end it. 'If the State prevails, it will have worked a unique kind of deprivation.... A parent's interest in the accuracy and justice of the decision to terminate his or her parental status, therefore, is a commanding one.""[452 U.S., at 27 (p. 759)].

The Michael H. v. Gerald D. decision [491 U.S. 110 (1989)] was of interest. In gist, while married to Gerald, a woman conceived a child with another man -Michael. Michael sued for visitation rights. The U.S. Supreme Court agreed with the California Court of Appeal and rejected the petition. However, the plurality and the dissenters both stressed the importance of parenting and the family. The plurality tilted in favor of the husband: "... a child born to a married woman living with her husband who is neither impotent nor sterile is presumed to be a child of the marriage, and this presumption may be rebutted only by the husband or wife ... " and "The husband should be held responsible for the child and that the integrity and privacy of the family unit should not be impugned." Justice Scalia wrote that "the Constitution protects the sanctity of the family precisely because the institution of the family is deeply rooted in the Nation's history and tradition". The dissenters tilted in favor of the biological father — Michael. They wrote "...only a 'pinched conception of the family' would exclude Michael and Victoria (the child) from protection".

The second part of this article, along with Tables 3 and 4 and the References, will appear in the March/April 2005 issue.

# What's Happening?? National Coalition of Free Men News

### TWIN CITIES CHAPTER AT MINNESOTA HUMAN RIGHTS CONFERENCE

(by Will Hageman)

In December, the Twin Cities Chapter manned a table at the annual Human Rights Day Conference sponsored by the Minnesota Department of Human Rights in Saint Paul. Our table presented information on a wide range of human-rights issues affecting men and boys, including circumcision, bias against boys in the schools, male-only Selective Service registration, men having no right to terminate parental responsibilities compared with women's right of choice to terminate those responsibilities, false accusations of rape and sexual harassment, paternity fraud, women's domestic violence against men, the gender double standard of the criminal justice system, bias against fathers in family court, and the government's focus on women's health at the expense of men's health.

Roughly 100 people visited our table and took literature, including Minnesota's Commissioner of Human Rights. The reaction received that we was overwhelmingly one of openminded curiosity from people who had not heard of NCFM and had never heard these issues addressed.

Henceforth, the Twin Cities Chapter will participate in the Human Rights Day Conference every year.

#### GNY MEMBER DR. STEPHENS FIGHTS FOR MEN'S STUDIES PROGRAMS (by Marc L. Epstein)

Marc L. Epstein)

Dr. Edward Stephens, M.D., president of NCFM, GNY and co-founder of The On Step Institute for Mental Health Research, is currently leading a major effort to create the first International Department of Men's Studies at a major university. According to Dr. Stephens, currently there is no significant effort being made at a university level to understand the needs of men in a complex and shifting world culture.

"While there are some wispy attempts at a men's movement in an effort to turn private feelings into public action and comment...there is an effectiveness gap as well as a gender gap...There are no effective national entities comparable to the National Organization for Women that reflect the interests of men...Meanwhile, well-schooled graduates of activist programs of women's studies migrate onto the staffs of politicians and other decision makers, which they will become in due course." (Lionel Tiger, Charles Darwin Professor of Anthropology, Rutgers University, from his book, The Decline of Males, The First Look At An Unexpected New World For Men And Women.)

In effect, while there are dozens of programs at the university level researching women's issues across the entire spectrum of health, education, world gender liberation, women and the law, women in business, there is no similar interest in men. In fact, at a time when education is the key to our technological future, men are making up as little as 35-40% of college places and at times as little as 22% of graduate places.

Dr. Edwards further explains that the lack of information relevant to understanding males can be appreciated when a search is made of the literature on men's health studies. For example, The International Journal of Men's Health is currently only in its third volume. While its scope is meant to be international, most of its articles are topical or provincial in nature, e.g., Key Determinants of the Health and Well-being of Men and Boys, Will H. Courtenay, 1/1/2003. The provincial nature of this fine study of thirty key elements of health and well being is that it is an evaluation for U.S. men and boys. While it is clear that the elements chosen, e.g., behaviors of men and boys, health related beliefs, expression of emotion and physical distress, biological, socioeconomic, cultural, and environmental factors are factors affecting men globally, the study applies them only locally.

Again, we are seriously lacking in programs to serve the needs of males in the 21<sup>st</sup> century. The creation of an International Department of Men's Studies would surely help fill the gap.

Learn more about Dr. Stephens and The On Step Institute for Mental Health Research, at http:// www.onstep.org.

# Letters to the Editor

Editorial Policy: NCFM and the Transitions staff welcome letters from readers and will print them as space allows. We reserve the right to edit letters for editorial style and space restrictions but will continue to publish letters in their entirety when possible. Send article responses, corrections, or other comments about the newsletter itself to the Editor: Jason Leatherman at *jwleath@yahoo.com. Letters sent directly* to the Editor will be addressed "Dear Editor". Send opinions, stories, requests for advice, or other letters to the Webmaster: ncfm@ncfm.org. Letters sent to the Webmaster will be addressed "Dear NCFM".

### **DEAR NCFM:**

According to your website, lawsuits were launched against John Hopkins University for discrimination against men, starting in about 1990. Have none of these gone to court yet? What are the latest developments on this matter?

S. Bayley Canada

### WEBMASTER:

You refer to the article at http:// www.ncfm.org/ryan.htm. No lawsuit was ever filed. However, a complaint to the Maryland State Human Rights Commission was filed. There was no follow-up, therefore, there were no sanctions.

Of course, a complaint filed with a human rights commission is not the same as a lawsuit where there is a winner and a loser with an immediate and definite outcome. Frequently a complaint to a human rights commission is enough on its own to put an institution on notice that some infraction has incurred and the message is don't do it again. Sometimes there have to be repeat violations recorded before any action will be taken. It can end up a laborious process over a long period of time.

**DEAR NCFM:** 

On election day 2004, N.O.W. Governor Christine Gregoire stood hand in hands [with Senator Murray and Senator Cantwell] raised in solidarity proclaiming to be the most powerful coalition in the United States. The Governor in campaigning for the 2004 election has not been silent concerning her feelings about NON-CUSTODIAL parents. The Governor is not silent on the issue of "deadbeat Dads." The Governor speaks of plans to hunt down citizens society has labeled as deadbeat.

HOW LONG!!! Is there no end, can a man never expect to benefit in a personal way in the fruits of his labor? Is it right that the government would take such a caustic

approach to child-support?

Perry Manley is not new to the growing movement across the United States asking for relief for NON-CUSTODIAL "dead beat" Dads. Manley said 15 years at hard labor is not commensurate to the crime that leads to child-support. How can a woman [ex-wife] that makes the decision to be a single parent continue to benefit from a man's [ex-husband] social security number and identity? Manley's ex-wife filed for bankrupts and uses his SSN for her financial gain. Manley said how does that work, I can't secure a loan because she is over extended. I can be denied a job based on her credit report. The ex-wife is divorced but enjoys the benefits of marriage.

Manley holds a photograph taken by his second daughter of his son (Manley was denied access to) holding a granddaughter he has never seen. Manley said to ask yourself if the new class of citizens called NON-CUSTODIAL "dead beat" is really good for America and is there truly freedom and liberty for every United States citizen. Manley maintains that fathers have the right to raise his child at his house where he lives, forcing a man to pay a third party to raise a child is forced labor, involuntary service, and peonage held to be forbidden in all 50 States and territories held by the United States.

The question must be asked, will the United States continue to boast "we are free, free, free, thank God Almighty free at last" or will the United States take 300 years to eradicate peonage and forced labor in the form of child-support on non-custodial parents?

### Perry Manley

manley\_perry@hotmail.com

### **DEAR NCFM:**

My letter made it to the San Antonio Express-News today (www.mysanantonio.com/opinion/ e d i t o r i a l s / s t o r i e s / MYSA012105.06B.kingfocus.29df7140.html). Feel free to rewrite it for tie-ins to upcoming Black History Month articles.

Legacy of slavery today

Thinking of the birthday and legacy of the Rev. Martin Luther King Jr., I think about the most horrible aspect of slavery. I believe, as Holocaust survivor Victor Frankl relates in "Man's Search for Meaning," the most horrible aspect of the concentration camps was the injustice.

Aside from the injustice, what would be the most horrible aspect of slavery? The capture and removal from one's family? The lack of freedom? The beatings? The meager food and dismal shelter? The long hours of degrading work?

No, I believe the worst thing you can do to a person is to steal their children. Black children were torn from loving parents. This thievery of children continues today.

Child Protective Services has awesome power to take away children on mere allegations of neglect. Awesome responsibility should accompany such

LETTERS continues next page

There exists another organized, state-sponsored system that can take away your child - the civil courts.

A divorce or custody court judge can order a child to live apart from a loving, caring parent. Usually, the father is relegated to becoming a visitor to his children. Not only is this outright gender bias, it is extremely unfair to the kids.

Children should have the right to access to both parents. Shared custody -unless abuse can be proven -- should be mandated in civil courts.

Our society would benefit. More important, our children would benefit.

Don Mathis

### **DEAR NCFM:**

I have had significant experience with PAS, both as an alienated parent and as an attorney.

It is important to emphasize the fact that child alienation is a form of child abuse and to use that definition with everyone when you talk about it. Everyone (especially judges, who see it everyday) understands what child abuse is, how it harms children and why it is wrong. You don't have to have expensive experts (and a battle of experts) to prove it up in court.

Also, if the alienating parent has a "psychiatric disorder," some people would see that as an excuse for alienating behavior and might even paint the alienator as a victim who needs patience, understanding and help. With an abuser, the emphasis is on the child and stopping the abuse.

Judge, juries and the public can recognize child abuse without the help of an expert. Anyone with common sense can see that alienating behavior is wrong and that it is abusive to the child. Calling it child abuse undermines the alienating parent's help from his or her support group. It is much harder for an alienator to continue the behavior without a support group. Who wants to be part of a support group for a child molester or a child abuser? Dr. Garner did us all a favor by observing and pointing out the patterns of parental alienation. However, we need to add to what he did, not follow it too blindly. There are certainly limitations to his "medical model," as there are to most uses of a "medical model" by other psychologists and psychiatrists.

I am not saying that family courts should not consider psychiatric and psychological evidence. But such evidence is very expensive and under current rules for admission of expert testimony is easily attacked. (The real reason that such testimony is frequently used is because it gets around the hearsay rule and allows the professional to testify about what the child and parents and others told him or her, as a basis for the diagnosis and recommendations. The rules of evidence in family cases need to be changed to allow the court to hear such evidence "for what it's worth" from non-experts (parents, teachers, family friends, etc.), at a saving of money and time and misdirection for the parties and the courts.)

The simple and easier and cheaper path is to call parental alienation a form of child abuse. Anyone can testify about child abuse, based on what he or she has seen or heard. It is child abuse, even when it does not rise to the level of PAS.

(One problem with Dr. Gardner's model is that PAS doesn't occur until the behavior and the response of the child is radical and extreme. Alienating behavior is child abuse even if the behavior is much lower than the clinical threshold.)

Child alienation will end when lots of people (maybe most people) understand what it is, understand that they can recognize it without the help of an expert, realize that it is child abuse, and openly and vocally condemn the alienators as child abusers.

If you deal with an alienator, call the behavior what it is: child abuse.

John Brown jajbrown@sbcglobal.net

### WEBMASTER:

The following was an attachment to Mr. Brown's letter: It is included to aid in the context of the issue.

If something good ever comes out of the murder of my friend, Dr. Rick James Lohstroh, by his ten year old son it will be this. My goal, my main objective is to help bring awareness to Parental Alienation Syndrome and get it included in the next DSM (the diagnostic and statistical manual of mental disorders) published by the American Psychological Association (APA).

I am whole heartedly supporting, advocating, and advertising a billboard program started by HelpStopPAS.com that is able to put up billboards across the country to raise awareness of Parental Alienation Syndrome. If you want to see billboard the e-mail admin@helpstoppas.com and ask for the "billboard jpeg". These billboards are available in a number of cities across the country for each 250.00 donation to Help Stop PAS Inc (a non-profit organization). There is a list of cities available on the message board at www.helpstoppas.com. I urge you all to pass the information along.

Have you heard that Krights Radio is doing a weekly show on Parental Alienation Syndrome (PAS)? The show is every Friday night at 7PM CST and can be heard online by going to www.krightsradio.com and clicking "listen to the show live". If you would like to join the show, e-mail admin@helpstoppas.com or pas@krightsradio.com.

### **DEAR NCFM:**

Have any of you seen any good stuff for NCFM letter writing missions lately? I have not (maybe that's a good thing). Since I moved to a new address in a different part of the country (from Kansas to North Carolina), my usual sources of information have been interrupted. Still, I find it perplexing and rather frustrating that I am not finding good gender-issues stuff to send out letter-writing campaigns. In

### Transitions

addition, I used to receive suggestions from other NCFM members, and even those have tapered off. Makes me wonder about our society generally. Are the times changing? Is our society less hostile to men?

If you see or know of anything that would make a good letter-writing campaign, please pass it on to me.

### Bob McInnes

### WEBMASTER'S NOTE:

This letter is from Robert McInnes who is the Chair of the NCFM letter writing committee. If you have an issue you want to have others join you in writing a company, institution, politician or other, please contact Robert at: Bob McInnes, NCFM, P.O. Box 582023, Minneapolis, Minnesota 55458-2023. He can coordinate letter writing efforts to be most effective.

### WEBMASTER:

(This response was written by NCFM member Kyle Knutson.)

I suggest that you log on to www.mensactivsm.org several times each week. I think that you'll be amazed at the bounty of topics from which to fashion a letter writing campaign.

I note that you're not currently subscribed to the NCFM online discussion group, the homepage of which is **http:// groups.yahoo.com/group/ncfm**/. If you don't mind, I'll take the time to add you to this list. It's a great way to stay in tune with what's on the minds (what issues are bugging them, IOW) of your fellow NCFM members.

### **DEAR EDITOR:**

My letter can be shortened to a formula: Democracy + Feminism = Dictatorship of Feminism. Why?

1) Women outlive men by years (7 years in France). The political consequence is they've got an overwhelming majority. In France women are 54% of voters!

2) An organized group (Feminism) has convinced women they're "class-victims" (something like the "working poor" of Marxist ideology). 3) Thus women have a class-consciousness as a gender along with an overwhelming majority that can't be outvoted by men we are facing a dictatorship. Thus, no wonder if political men are so eager to pass legislation along feminist's rules.

What can be done?

Men's health is a capital issue for a gender well-balanced democracy. But we're well aware that Feminism is plotting to widen the gap: breast- cancer campaign / nothing for prostate. And it'll take decades!

But, given a full awareness of the situation, there should be political ways to achieve a gender balanced democracy. For instance, women would get a red ballot paper and men a blue one, then a 50/50 gender law would be applied so that 54% of women would be 50% and 46% of men would be 50% too.

I'm dreaming! Right now, we are immerged in a feminist propaganda which pervades all society .First of all, we have to enlighten everybody: Feminism isn't a benevolent movement whishing to improve women's lives but an organized group using an oversimplified ideology as a tool to get power for their own sake, in a hidden way.

What is Feminism? A communist ideology applied to genders: victims are women; extortioners are men, ideal aim: an abstract equality between genders. As in Russia the struggle will last endlessly, no matter any improvements! Feminism needs an enemy as a justification and since it is organized as a Nomenklatura: a small secretive group using ideology to improve their own position in society, whatever any "collateral damages" they inflict to others in the process. Once you get a good place, you hold it fast like termites eating up the structure of a building until it crumbles to ruin. To recognize equality is achieved would be the end for feminist women and men alike.

Feminists policies based on oversimplified views of relations between genders will lead to chaos just like communism in Russia. More than 30 years of Feminism have already produced some results!

1) Loneliness for all: more and more unmarried, divorced people, widows (breast

cancer campaign with nothing for men can only lead to more widows. Is it good news for women?)

2) Family breakdown: more and more young people adrift, a tenfold increase in medications for depressed people since 1980, more and more drug addicts, suicides and attempts of suicide (140,000 in France last year).

3) A more and more violent society: a steep increase in all offences, family violence, prisons exploding with prisoners (96% of men in French prisons), a two-fold increase in 20 years.

4) A decrease in school efficiency measured by PISA. In France, where 85% of school teachers are females one boy out of 4 can't properly read (compare with 1/9 girls) at 15. One can consider Education as a feminist administration. In prison a large number of prisoners have no degree. In the USA it's not much better; I've got figures!

Most people are unaware of these facts and feminist propaganda is busy finding fake explanations for them.

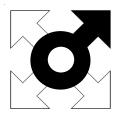
There are plenty of other "collateral damages" but I'm afraid I could be wasting your time. Whatever you may think of my ideas, I'm glad you exist!

Gérard Cassina

### *Transitions* Needs Your Talent

*Transitions* is always looking for your contributions in writing on issues affecting men. If you have an article or essay, please submit it for publication. Send all work to : Jason Leatherman, Editor-in-Chief, atjwleath@yahoo.com. Please put "Transitions" in the Subject line. Also, see http://www.ncfm.org/ write1.htm.

	ENTHE DOOR WITH MEMBERSHIP		
	ENATIONALCOALITIONOFFREEMEN		
	A year's worth of <i>Transitions</i> and membership in a vita		
and influential men's association. Send <i>Transitions</i> to a friend, a			
*	i journalist. Open someone's eyes about men's lives ready enlightened person happy!		
or make an a	Sender		
Name:	Sender		
1 (000000			
Address:			
	İ		
Phone:			
I none.	i		
Name:	Recipient		
i vanic.			
Address:			
Phone:			
1 1101100			
	ntributions are tax deductable. Check one:		
	Memberships \$40 (U.S. Money Order Only)		
	an & U.S. Memberships \$30 (U.S. Currency Only)		
Non-U.S. memberships require U.S. money orders. All member-			
ships include subscriptions to <i>Transistions</i> . National Coallition of Free Men			
P.O. Box 582023 Minneapolis, MN 55458-2023			
888 223-1280 toll free • NY 516 482-6378 ncfm@ncfm.org			
	http://www.ncfm.org		



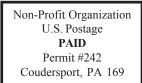
Post Office Return Address: Coalition of Free Men, Inc. National Coalition of Free Men P.O. Box 582023 Minneapolis, MN 55458-2023

\_ \_ \_ J

Address Service Requested

### **STATE REPRESENTATIVE NETWORK**

S. California Colorado Michigan Minnesota New York Texas Washington, D.C. Wisconsin	Marc Angelucci Rod Britten Jerry Boggs Jim Lovestar Mark Sutton Deborah Watkins Sim Hall James Novak	(626)359-3709 (970)240-1119 (734)542-3106 (612)588-8984 (646)295-7914 (972)445-MALE (703)847-0734 (608)753-2688
Liaisons		
Nevada Texas Washington Wisconsin	Michael Rother John Macchietto MilfordLiffew Roy U. Schenk	(775)224-6340 (817)370-6053 (206)322-3208 (608)255-4028
Chapters		
Dallas/Fort Worth Twin Cities Greater New York Los Angeles, Califo	rnia	(972)445-MALE (888)223-1280 (646)295-7914 (626)359-3709



### **ISSN 0886-8624**