

## **Introduction**

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### **Notes to the First Edition**

There is no doubt that unprecedented levels of family dissolution is leading to large-scale father-absence, while loss of father is clearly imposing serious deprivation and dysfunction on tens of millions of children. This represents a human tragedy for children, fathers and all society. It is even a disaster for mothers.

As there are multi-millions of fathers facing impending, current and ongoing custodial conflicts threatening a continued relationship to their children, I've incorporated a guide to the family courts to assist in the conduct of cases. I have overridden well meant advice that would have me place the Father's Guide to the front of the book. However, I leave it up to the reader to choose whether or not to review that chapter first.

This guide itself must be used within the context of; the development of family law, child psychology, political trends and even social pressures. Unfortunately, the complex subject matter and material are predictable artifacts of the conflictual divorce-custody conundrum. Therefore, fathers are thrown onto a steep learning curve. This is true for the pro se and represented father alike. Having said that, my experience working with fathers has taught me that highly motivated dads usually prove up to the task of absorbing and using such material.

Without understanding the past and its connection to the present, fathers are doomed to repeat recent massive failures in convincing courts to maintain the integrity of post divorce adult-child relationships. Therefore, the general advice in the guide is linked to historic as well as to modern psychiatric & psychological evidence. That evidence should be referenced to the statistics and source material provided in various chapters. *See The Consequences of Parental Deprivations on the Child,*

*The Psychiatric & Psychological Literature on the Child, Re-Location Cases, The Phenomena of Parental Child Abduction.*

Chapter sub-headings are provided as pointers to specific problems such as parental abduction, relocation, abuse allegations and imputation of income. *See Parental Abductions, See Modern Law*

Suitable material for legal briefs and argument is included that would take hundreds of hours to accumulate if it could be found. That material is incorporated in textbook format (source-date-quote) so it can be used for citation or reference in court.

Lets get one thing straight. There is no panacea. There are no quick fixes, or simple ABC 'how-to' formulas that can reverse entrenched court policies that are robbing children of their fathers. Fathers, acting as advocates for their kids, are not facing a 'level' playing field. I can only provide an intelligent, evidential, and rational approach for the beleaguered, threatened parent and child. The included material, if used properly, might just improve their chances in the hostile environment of family law courts.

Bold type, italics, parentheses and underlined words are either my contributions or case citations, not attributable to other sources. Cases and psychiatric reports reproduced are real with only the names, or parts of them, removed to protect the privacy of the individuals. Named cases are those that have been already published in the legal literature. Several cases and psychiatric reports are analyzed for the benefit of the reader.

It is sadly evident that, in the industrialized world, there is a universal sole maternal approach to custody that holds true for nearly all jurisdictions. Therefore, while anecdotal, cases included reflect general family court practice and illustrate the enormous obstacles facing children and fathers in custodial conflicts.

Limitations notwithstanding, I believe that the legal, statistical and expert material included is far more comprehensive than ever before attempted in a similar work. To my knowledge, there is no other book available that advocates social and legal reform, while providing fathers

with material and a strategic basis to conduct custody cases in the quest to prevent paternal loss.

While the book offers assistance to fathers, it is, to a lesser extent, addressed to women. If mothers are open to the issues, arguments and proofs, they might better understand the impact on children of actions that separate those children from their fathers. Once understood, perhaps, they will reject the kind of radical and cultural feminist ideas that reinforce fatherlessness and take us towards a matriarchal society. *See Betrayal of the Child*

It is also hoped that professionals involved in children's issues will not find the arguments for shared parenting, backed by the statistics and studies, lacking in reason. Perhaps they will open their eyes to the damage done to this and future generations of children by following the principles of sole maternal custody in protection of special interests.

Finally, I write in the rather timid expectation that I will not be deliberately misinterpreted or glibly described as anti-female or anti-feminist.

If mothers were to find themselves and children in same position facing modern fathers and children, I would, instead, be taking up their cause. In fact, for mothers living in the very few anomalous jurisdictions where they might face unfair treatment, the same principles hold true as for fathers. The Guide should be equally useful to them. As for the feminists, when their ideals accord with principles of universal suffrage, human rights, equality and true liberation, I am a staunch supporter of their aims.

However, this book is extremely critical of the extremist cultural or radical feminists. Their private political agendas and anti-male attitudes have helped to create circumstances threatening the very core and concord of male-female relationships. Ultimately, they are a real and present danger to the human rights of children.

**Betrayal of the Child**

**Part I**

**Chapter 1**

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**Family Dissolution and Betrayal of our Children's Best Interests**

**“We have permitted the courts to sever the relationship between his or her biological father. This is something that no court should have an opportunity to do.”**

**Margaret Mead**

**Male Denial**

Men are stupid. Most men have a shocking lack of awareness of the ever-increasing family issues, including divorce, custodial conflict and parental loss. Male ignorance crosses over all racial, religious, social and national divides.

Unmarried men live in a world of romance and optimistic expectation. This state of mind is part of our historical socialization. Married men go about their lives also without thinking about these painful issues. Neither group even recognizes let alone accepts the uncomfortable facts about family crisis and the breakdown of modern marriages. Men fear opening the proverbial Pandora's box threatening their inherited and reinforced systems of belief. Men are living in denial.

When fathers are suddenly confronted by separation and divorce, by breakdown of their own family lives and the potential loss of their children, these problems are perceived as existing in a vacuum. Fathers

often see nothing more than a miserable personal experience not related to outside influences, trends or policies. Wrong!

Men are not only ill informed on the issues, but are the most vociferous of all in denial of the facts. They are the last to acknowledge the existence of covert court custody policies set up to deny their rights to relationships with their children -until it is too late to resist. They cannot imagine the full extent of the family court's wide-ranging discretionary powers. They cannot conceive of the existence of radical and cultural feminist conspiracies that seriously impact maternal preference court policy. They do not imagine that their former wives or girlfriends would ever act to harm the children.

Fathers believe, rather naively, that justice will prevail in their 'personal' cases, that no court would ever take away their children from them. Friends and relatives will also deny realities, either reinforcing a misguided trust in the family law system, or distancing themselves from the 'dead or dying' fathers. *See Dr. Bakalar*

Secretly, family members will ask, "What did he do to her? He must have done something to get her this angry?"

Men hiring lawyers think they can simply leave it to their representative to protect them and their children. Pro se fathers believe they are capable of self-representation in a hostile and complex legal forum. Both sets of fathers often have come to see me seeking advice, after the fact, after their cases have gone horribly wrong, when they are desperate, alone and defeated.

Male perceptions are simply out of tune with the facts!

Lets start with a few relevant, staggering and quite conservative statistics from the "The Stepfamily Foundation" that set the scale of the problem for children and fathers.

**"One out of two marriages end in divorce.**

**60% of second marriages fail, according to the U.S. Census Bureau**

**66% of marriages and living together situations end in break up, when children are actively involved, according to Stepfamily Foundation statistics.**

**It is predicted that 50% of children (35 million) in the US will go through a divorce before they are 18.**

**At present there are over 22.5 million children in the US living in single-parent homes, nearly all with a female parent.”<sup>1</sup>**

Sole maternal custody court policies have led to the undeniable statistical fact of a rapid and painful disappearance of fatherhood. *See Graphs on single-parent families-Divorces* Along with that disappearing dad has come misleading and injurious terms like ‘dead-beat’ dad and ‘absent parent’ that have sprung into the modern vocabulary. But the truth is that vast majority of men are not ‘dead beat’ dads or voluntary ‘absent parents’. Very few men abandon their children. The truth is that tens of millions of women are delimiting and obliterating contact between their former spouses and the children. *See Myth of the Dead-Beat Dad*

This catastrophic scenario of divorce, separation, custodial conflict and parental loss did not erupt without warning. In an early study by Heatherington (1977) it was found that,

“ Within two years some fathers could not cope with seeing their children only occasionally and gave up on visitation refusing to become “Disneyland Dads” in the face of stern and unrelenting opposition by their former wives” (Marriages and Families, Mary Anne Lamanna and Agnes Riedmann).

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<sup>1</sup> Present estimates have risen to between 28 to 32.5 million children in single-parent homes, nearly all with a female parent

In year 2000, at the time of writing, one such estranged and destabilized dad just holed up with a gun and hostages at that very same 'Disneyland', threatening suicide and murder. Nothing changes! All he wanted was access to his children. He is not alone. Figures show that tens of millions of other fathers are living out that same crisis.

Ironically, as shown by three separate studies, when men are entrusted with sole custody they do not act to betray their children's trust and rights,

"Children living with fathers typically have more contact and are emotionally closer to parents, that is, their mothers" (Grief 1985, Grief and Pabst in 1988, and Lewin in 1990)

Fathers, unlike huge numbers of mothers, do not act to destroy the rights and interests of their children when placed in positions of control and power. Studies on paternal custody should be contrasted (and used in court) by studies on maternal custody showing that mothers with sole custody interfere, delimit, and act to destroy paternal relationships to children after divorce. *See Source Material on Maternal Abuse of Sole Custody Orders*

The studies are extremely important given Psychiatrist John W. Jacobs report that many of his colleagues believe **ALL** marriages will end in divorce and that we will marry at least three times in our lives. Present studies indicate that the average marriage lasts only for seven years.

There are also between 500,000 and 650,000 parental child abductions in the US alone each year directly related to custody conflicts, with many more going unreported. This heralds in an era of enormous crisis in family relations in America and the rest of the western world. According to The National Center for Missing and Exploited Children, "the incidence of child abduction by family members is growing at an alarming rate in the United States and will become a greater policy challenge for elected officials each year." *See The Phenomena of Parental Child Abduction*

Anecdotal evidence, supplied by a highly placed source at The US State Dept., suggests that the vast majority of these parental kidnappings are carried out by women, mothers. My own research supports that finding, as does the evidence from French Hague Convention Attorney, Dr. Alain Cornec.

The statistics and problems cited, as well as those to follow, are some of the consequences of a tragic three-step process; commencing with the facile breakdown of traditional 'intact' families, the advent of 'on demand' no fault divorce, and, finally, the imposition of universal sole maternal custody orders making children fatherless.

The knock-on effects and consequences to children of this invidious process include serious pathologies developed in childhood, adolescence and adulthood as reported by The Utopia Foundation as recently as 1997:

“Over 85% of all youths sitting in prisons grew up in fatherless homes, according to: Fulton County Georgia Jail Population and Texas Department of Corrections (1992)

70% of juveniles in state operated institutions, come from homes where the biological father is not present (US Dept. of Justice Special Report, 1988)

71% of all high school dropouts come from homes where the biological father is not present (National Principles Association Report on the State of High Schools)

85% of all children that exhibit behavioral disorders come from homes where the biological father is not present (Center for Disease Control)

63% of youth suicides are from homes where the biological father is not present (US D.H.H.S. Bureau of the Census)”

Fathers involved in custody battles in hostile forums MUST use those and other statistics in a reasoned defense of their children's best interests, arguing for joint physical and legal custody.

Even if mother, or her lawyer, attempts to undercut the statistical validity (citing other factors), there is no overcoming an 'a priori' (on its face) case that father absence is an unmitigated disaster. These statistics, together with others and the studies in this book make a compelling case for the shared parenting of children, *See A Father's Guide to the Courts. See Parental Deprivation and Consequences on Children. See Appendix C on US Government Statistics Visitation and Child Support*

How relevant is all this?

Who has not either suffered marriage or non-marital disruption personally or experienced it through a close friend, or family member? How many have experienced the pain and suffering of missed children, or grandchildren, when they have been whisked out of lives as a result of former partners desire to dispose of father? The odds are that all of you will have had one experience or the other. And further, if you have not lived through this pain, the odds are that you will within your lifetime.

"How intimate is the link between the nature of society and how its children are raised? Or as we have so often asked: Is man the father of society, or society the father of man? This question becomes no less burning with the passing of millennia". Bruno Bettelheim, "The Children of the Dream".

Perhaps a more compelling question, heralding in the dawn of a new millennium, is how to preserve, protect, or indeed, even salvage our most fundamental unit of society -the family- from disappearing into a black hole of interpersonal gender based chaos and animosity, while guarding the inalienable rights of our children to be nurtured, loved and guided into a healthy adulthood.

But society has failed to address, let alone confront the issues of rising gender warfare, divorce, fatherlessness and an unparalleled social re-organization driving us towards female-headed single-parent families.

Collectively, judges, lawyers, social workers, psychologists, law guardians and tens of millions of mothers have failed to cherish and protect our children's rights. Fathers have failed to reverse the trend, or even put a dent in it.

Despite existing evidence that 'traditional' family structure is, as the UN has declared, "the most fundamental social unit of organized society", we have allowed it to crumble to the point of devastation.

We were forewarned by US and UK studies, as far back as 1988, reported by David White and Anne Woollett, lecturers in Developmental Psychology, that this epidemic was well underway but have ignored the consequences:

"Figures from the US census returns showed 21 percent of children in single-parent homes (mother)(Laosa 1988). In the UK, sixteen percent, of the families with dependent children were headed by a single- parent. (Mother) (OPCS 1989). Those figures have escalated in both countries through the nineteen nineties."

Having gone on to account for extremely insignificant 'other causes' of single parenting (death, abandonment), they restated:

"Looking at these statistics in a different way, figures from the US show that 38 percent of the children born in the period 1965-69 were not living with both natural parents by age 16 years."

It is estimated that 50 percent or more of children born in the late 1970's will spend some time in a single-parent family before they reach the age of 16 years (Bumpass, 1984; Hofferth, 1985)."

As reported in 1999, in *Perspectives on Father Involvement: Research and Policy*, Catherine S. Tamis-LeMonda and Natasha Cabrera, Social Policy Report, Volume XIII, Number 2, 1999. Society for Research in Child Development

"Another quite different social development that has placed men in the national spotlight is the alarming rate of father-absent families.

In 1997, 24% of children lived with only their mothers (Federal Interagency Forum on Child and Family Statistics, 1998a).

Almost 70% of women on welfare were unmarried when they had their first child. It has been estimated that the proportion of children who will live with only one parent at some time during their childhood will exceed 50% (Hernandez, 1993).”

Those statistics are shocking enough, but both the estimates and projections have been seriously under-reported. The trend toward female-headed single-parent families has escalated off the top of the charts. Yet, we have taken no steps, to halt the trend, implement reform legislation, alter unworkable policies or offer moral leadership.

The bells are tolling for the tens of millions of innocent children. Children have fallen tragic victims to the onslaught of divorce and estrangement from male parents, suffering the imposition of a destructive female-headed single-parent family system.

### **Association of Children’s and Father’s Rights**

This book is written from the child’s perspective. I wanted to speak out for the tens of millions of silent suffering children. Unfortunately, many children’s rights issues are clouded and get merged into interpersonal relationships within the family nexus. Therefore, it is necessary to clarify a few things.

First, to me, men’s issues are only of interest if dependent on, and annexed to, those of the child. Women’s issues are addressed only in terms of their interconnection to children’s rights. The child’s interests are paramount.

But, having said that, one has great difficulty separating the interests of children and fathers in present circumstances. There is, from the child’s perspective, a relative association of children’s and father’s rights. Both groups, forming two-thirds of the family nexus, have

equally become (in a constitutional sense) cognizable minority classifications whose natural and legal rights have been seriously impaired. Both groups, in the aftermath of 'traditional' family breakdown and conflictual divorce, have become the psychological victims of millions of women.

Although White and Wollett reported in "Families: A Context for Development (1992)" that there had been recent moves in the US and UK to make joint custody arrangements to ensure the child's rights to maintain contact with both parents in the aftermath of divorce, they had to admit to the hypocrisy of family courts in failing to put shared parenting into practice;

"However, the evidence suggests that changes in the legal arrangement are not reflected in the living arrangements of families post-divorce."

In other words, policies rooted in the outmoded doctrines of 'tender years' and 'maternal attachment' discussed in later chapters, leave sole maternal custody firmly in place despite recent lip-service paid to shared parenting and vague 'gender neutral' legislation. *See 'The Psychiatric & Psychological Literature on the Child', See 'The Legal System.*

Family courts worldwide, remain driven by radical feminist politics and pressure. *See NOW Opposition to Shared Parenting Bills*

Courts continue to exercise wide ranging discretionary powers allowing them to bypass, ignore, abuse and contravene legislative intent. Courts remain committed to personal prejudices and private political agendas supported by outdated and erroneous research in the psychiatric literature. *See Rebuttal to Freud, Solnit and Goldstein*

Universal sole maternal custody not merely rules, but is identifiable as a root cause of serious trauma imposed on our children. *See Consequence of Parental Deprivations on Children*

White and Wollett continued on to also point out that:

“Children generally live with only one parent and have few overnight stays with the other parent. Only a small percentage of children spend large amounts of time with both parents.”

Their finding was echoed in another study,

“In general, children do not see a great deal of their (other) parent (Maccoby et al. 1988)”.

And in 2000, twelve years later, conditions have worsened as numbers have swelled. What other outcome could we expect in these circumstances? Sole maternal custody is granted almost exclusively. Control and power are vested in a party (mother) that seems to have, and act out of, a number of subjective and objective reasons to limit or completely deny child and father their most vital and appropriate relationship. That’s what the statistics and studies in this book go to prove.

Women have brazenly admitted in surveys that, ‘they see no value in fatherhood and to having interfered with visitation between their former spouses and the children’. *See Surveys of Divorced Mothers. See US Census Data Appendix C and below*

Given that bizarre and rather cruel admission it is, therefore, not surprising that only in:

“About 20 percent of cases the parents (men) see their children once a week or more (Furstenberg 1988). Contact with the parent declines with the passage of time with fathers showing a more marked decline in the frequency of their visits (Hetherington et al 1982)”.

These are the kinds of emerging patterns and trends that have continued and accelerated through the 1990’s and into the twenty first century, as women seek divorces, and dispose of male parents using legal process to do so.

In 1994, US government sources reported that a shocking **37.8 percent of fathers were denied any access to their children** by the

courts and over **54.9 percent were given little access and virtually no enforcement of that contact.** *See Appendix C.* That means that in a child population in the US of some 77 million kids, roughly sixty percent of them are children of divorce. Of those, 92.7 percent of them have no fathers. While Dr. John Campion in England confirms the fact that over 50% of children of divorce in his country do not see their fathers at all. These statistics tell a sad tale of injustice and deceit.

In Braver, S., & O'Connell, D. "Taking on myth 2: The no-show dad. In *Divorced Dads: Shattering the myths*", New York: Tarcher/Putnam. (1998),

"The authors found that the bulk of visitation problems are traceable to disputes between the non-custodial father and the custodial mother. Mothers' strategies include denying visitation, encouraging the child to feel alienated from the non-custodial father, and attaching unacceptable conditions or financial demands to visitation."

Why are intact family models being desecrated?

Why are millions of women obliterating the interpersonal relationships between their former spouses and the children?

How are they affecting this destructive process?

How can we as a society find more humane and rational solutions, than we have during the past twenty years, to the dilemma of family breakdown and parental loss?

What can fathers do to protect the emotional and legal rights of their children?

First of all fathers must come to even recognize the nature of the problem!

### **The Disappearance of Fatherhood**

It is undeniable that two phenomena are occurring simultaneously: massive divorce rates and the disappearance of fatherhood. These bad twins are symptoms of a society being split into disharmonious gender halves by myopic radical feminists and their allies. There is no discounting radical feminist influence on women or the existing causal connection between feminist ideology and fatherlessness.

There has been a drastic re-shaping of “societies most fundamental unit” (the family) while a popular myth has been created that it can be transmuted into and be maintained by a female single parent supported by the state. This is not merely a gross misunderstanding of human nature, but a powerful vehicle for creation of cycles of deprivation and dysfunction in our children. That’s what the available studies already show is happening.

One longtime and respected critic of present court custody policies is American Psychiatrist Mel Roman. He calls for a joint custody approach, characterizing present policies as anachronistic and unjust:

“The assumptions that underlie the policy of generally granting custody to mothers are outmoded, unrealistic and damaging. They are as inappropriate to the contemporary intellectual and socio-cultural Zeitgeist as were the rights of fathers in ancient Rome to sell their child or put it to death.”

Driven by huge increases in the numbers of non-marital separations and conflictual divorces, we are being swept away in a rising tide of destabilization in the lives of our children.

Few among the empowered elite wish to acknowledge this fact. While numerous apologists leap forward to address only superficial aspects of the problem, acting only to reinforce the underlying policies causing these disastrous consequences for children.

While Dr. Roman rejects past gender stereotyping and the discredited psychoanalytical theories of Freud, Solnit and Goldstein (*see Chapter II*) that support sole maternal custody, reminding us that,

“Maternal custody as a presumed preference is the shadow of a world that no longer exists except in the minds of those who unrealistically cherish the imperfect past.”

In fact I would go much further, as that world never truly existed. It was largely mythological and was limited to an extremely brief historical period (Industrial Revolution).

Maternal preference must be rejected. Professor Daniel Amneus warned with justifiable impatience in his book, “The Garbage Generation”,

“What needs to be done is to stop the flow of messed-up kids through the pipeline running from the divorce courts and into female-headed families, through pathological childhoods into disruptive adolescence and demoralized adulthood--the process now in full swing and programmed to continue into the next Garbage Generation in the 21st century.”

Dr. Amneus response calls for a return to Patriarchy of the family and for father custody where the family has been disabled.

My position on custody is that we MUST make joint physical and legal custody (shared parenting) the presumption in law as a first step forward in safeguarding the rights of children. Family law should be federal and not subject to state vagaries. National ‘joint custody’ law can still provide for the flexibility to make sole custody orders in extreme or exceptional (anomalous) cases. But even in those cases, concrete evidence must be adduced meeting with all other civil and criminal law standards, unlike the allegation driven process in family law courts. *See Chapters on the Law, See Objective Evidence tests*

In principle, commonsense, intuition, logic and modern research all argue for the continuing need and rights of the child to be nurtured by his or her two psychological parents in the aftermath of separation and

divorce. These needs are best served by judicially mandated joint custody or shared parenting. I believe that the material in this book conclusively supports this view.

Sole maternal custody must be understood in practice as equating to nothing less than a serious parental loss (*See Dr. Jacobs*). No reputable mental health professional can dispute the idea that the most significant loss to a child is the loss of one or both of its parents. Yet, this loss is artificially created and imposed on our children when making custody decisions removing one parent (father) from the child's life. Especially when such removal is based on nothing more than sexual or gender stereotypes and abuse of power. It is not made more palatable by rationalizations like, it must be done for 'the sake of regularity and order', 'reducing hostilities' or as 'the least detrimental solution'. Sole maternal custody cannot be used as a quick, practical means to dispose of the tens of millions of cases that flow through national and foreign courts.

Even if maternal preference strategies were applied to more 'traditional' family models, there are a multitude of sound arguments against them. But applied to the 'post-nuclear' family models in which men, at women's insistence, have taken on ever increasing roles as co-nurturers, they become indefensible. They are cruel, irrational, and visit a miserable injustice on our children. As leading psychiatrist, Dr. Jacobs, told me during a television interview:

"If the loss of a parent through natural causes presents a child with an important loss, can you imagine the traumatic affects on the child from the enforced loss of a parent due to a conflictual divorce, separation and an artificial severance of it's precious relationship." ("Wednesday's Children" 1997)

Sadly, I can imagine such trauma, and so have many responsible mental health professionals. Aspects of 'parental loss syndrome' represented by reunion fantasies and a quest for the missing parent are dealt with in the Chapter on Parental Rights Deprivations.

Further, suggestions that fathers still maintain 'rights of visitation' when mothers are granted sole custody, are spurious in the extreme.

Those arguments fly in the face of reality. The statistical facts and research demonstrates that paternal ties to children are lost, not maintained, through supposed visitation rights. *See US Census Figures See Custody and Visitation See Dr. Fay An End to Visitation*

But despite the known affects of paternal loss on children, case law denial of the child's rights persists through continuation of sole maternal custody policies. Children's rights to treasured relationships are shattered, as the research shows, without judicial concern for the child's immediate trauma, long-term harmful effects or dysfunctionality directly linked to those policies. The legal systems of The United States, Europe, Israel as well as Canada, New Zealand, Australia and others, are all alike in this betrayal of the rights and best interests of children.

The insensitivity and corruption of present family court process is not confined to married persons but extends to the millions and millions of de facto (common law) marriages in which children are produced. Unmarried fathers are treated even worse than married ones by the courts in custody and visitation matters. One sick joke arising out of modern common law marriages (no longer recognized by most states) is that 'paternity suits' once used to force men into submission and recognition of their paternal responsibilities are now having to be used by men to force women into acceptance of male parentage and paternal rights.

While in one particular case, even the US Supreme Court has gone so far as to create a legal fiction (based on gender discrimination and an arcane California statute) that the biological and psychological father of a young child-was not (in law) its father. In this exasperating case, an unmarried father went on a twelve year Odyssey through state, federal and international courts to establish his relationship to his daughter only to be defeated. *See the extraordinary case of Michael H. v. Gerald D. in International law, UN Convention on the Rights of the Child/ International Covenant on Civil and Political Rights. See Orders of Filiation, See Parental Responsibility Orders*

If we all (especially fathers) fail to understand the source and nature of both internal and external forces driving family court policy,

we cannot change its direction. Not as individual parents fighting cases or as advocates for broad social and legal reform.

But for all those outside forces, we return to the mother for one of the first questions that springs to mind: Why would millions of women, long since liberated from, what all feminists call, the bonds of patriarchal, conservative, stereo-typical and 'traditional' long term relationships, (having demanded that men become co-nurturing partners) revert back to pre-liberation positions characterizing men as mere 'providers' and themselves as 'homemakers'?

Women, ironically, when dissolving the new style 'mutual' marital relationship, disposing of their spouses as parents to their children, are doing precisely that. The very qualities women claimed to seek in men as husbands and fathers (partners, co-nurturers), are suddenly, in the circumstances of divorce, completely repudiated as huge numbers have enforced maternal sole custody on their children.

### **Gender Warfare and Fatherlessness**

One part of the answer to the question lies in the attitudinal changes of women towards men. Changes in the female view of men has been energized by social circumstances, modified behavior patterns and the fostering and interposition of an aberrant brand of cultural or radical feminism. Over time, anti-male feminism has infused itself into millions of individual male-female interpersonal relationships. *See Social Changes in Family Structure* One frightening aspect of the present trend toward dissembled families and conflictual relationships, is the collective wedge forged by women between themselves and men. We are only now seeing the first signs of this gender division as revealed by a study on adult male and female sexual dysfunction. *See Edward Laumann Study, U. of Chicago*

As this has far reaching implications for the children of divorce, it needs discussion.

The developments of the past 30 years involving a negative shift in perception by women (anti-male feminism) has had a powerful impact on their conscious and unconscious expectations of men. It has affected their conduct in marriage and child rearing. It has impacted on their choices of the means and style of divorce. Over a prolonged period, an invisible threshold was reached and crossed, making men the unwitting and unwilling enemies of women. And an undeclared war has been started. The old cliché 'it takes two to make an argument' is proved false in light of family disruptions and aggrandizements by millions of mothers in divorce.

### **Devaluation: Man as Thing or Person?**

What has all this to do with MY divorce and custody conflict?

In order to deal with the reality of custodial conflict fathers must understand the female psychological mindset operating during the divorce period. First, consider a useful general definition of man given by the Anthropologist Paul Bohannan.

“Man is, first of all, a mammal, which is to say that he reproduces sexually. Man is a sentient being. He has, in his classification of species, called himself *Homo sapiens*—“man the knowing” or “man the perceiving”. Man is a social being. Man is a being who lives by culture.” Whereas Bohannan differentiates between man and other mammals insofar that:

“But social man is man in touch with his own kind. Alone, without communication with other human beings, he is not wholly human.”

What happens to man (and his children) when woman, in practice (divorce), acts to deny him sociality and communication? What happens when she ex-communicates him in fact from the family? Does he, from the point of view of woman become something less than a person (subhuman) and more of a thing? Does that enable her to harm him, and of course the children?

These questions are relevant to fathers, before, during and after marriages have ended. The great gender divide is based on artificially induced negative perceptions of men highlighted by prodigious male scapegoating instigated by cultural and radical feminists.

As the English philosopher Wittgenstein put it, 'the thought is the language'.

### **The Linguistic Merry-go-Round**

This is not an exercise in semantics. Social anthropologists have always characterized historical man as man the 'hunter-gatherer'. In other words, man as a person described by one of the tasks representing a part of his whole function. The term in no way implies a pejorative value or diminishes a man's worth.

But an important early twentieth century shift in the characterization of man to 'provider' (initiated by the psychiatric literature, not by Anthropologists) carried an entirely different connotation. Perhaps, subtle and even accidental, this shift downgraded man from a person to a thing, reducing his significance in the family. The use of the language made it clear that man, in a family context, had no role other than provider. This is the world that Dr. Roman referred to in his rejection of maternal sole custody practices.

Much later, the feminist intellectual culture reinvented man as person, at least in theory. During the sixties revolution it became extremely convenient for feminist women to describe men as 'nurturers' and 'co-parents', not merely as providers. Simultaneously, women sought freedom from homemaking-nurturing roles and expansion of their personal lifestyles. The term 'provider' was rejected (as was nurturer-homemaker for women) and completely dropped out of the vocabulary replaced by new, enhancing terms such as sharer, partner, and co-nurturer.

However, from the eighties onward, co-incident to marked increases in divorces steered by radical feminist influences, men were

redefined again. Men were scapegoated and portrayed as oppressors, perpetrators of violence, sexual abusers, rapists, dead-beat dads, and absent parents. Man had become a 'thing' and a dirty one at that. This was not historical accident. It was carefully orchestrated through media propaganda, social pressure, and legislative lobbying. It has had an unfortunate affect on the real lives of ordinary men, women and children. It operates at the back of each and every conflictual custody case.

Feminist June Carbone even saw fit to meekly caution her female colleagues that some women might start to reject the feminist label because,

“Their focus has raised fears that feminists are anti-men and, therefore, antifamily.”(Carbone, “A Feminist Perspective on Divorce” The Future of Children 1994-Notes)

It is not their focus that has raised such fears as much as it is their rhetoric, policies and extravagant deprecation of men as a collective. They are anti-male.

It is also obvious that they are anti-integrated family. Their literature demonstrates the pursuit of policy objectives fostering implementation of a matriarchal system, making men peripheral, second-class citizens, if not indentured servants.

Comparing present circumstances with pre-sixties traditional family settings in which men and women had to remain committed to one another and work at relationships, one can readily understand the reasons for a similar lack of commitment in our new post-nuclear family.

Radical feminist polemic, abstract condemnation of men and the existence of alternative opportunity have taken a huge toll on women's commitment to family values. Women's new freedoms combined with their pre-emptive negative expectations and distorted imagery of men has made divorce viable. The divorce climate guaranteeing 'equal distribution' of family assets and the sole custody of the children, has actually made divorce an extremely attractive alternative to resolving

even the lowest levels of family discord. *See Chapter and discussion on divorce law reform.*

The generic scapegoating and deprecation of men finally caused moderate feminist Lynne Segal to bravely warn women against this kind of anti-male radical-feminism that,

"Celebrates women's superior virtue and spirituality and decries 'male' violence and technology. Such celebration of the 'female' and denunciation of the 'male,' however, arouses fear and suspicion in feminists who, like me, recall that we joined the women's movement to challenge the myths of women's special nature."(Amneus 1996)

The central ingredients to present gender warfare are, on the one, hand women's natural bio-chemical predisposition to pro-create and, on the other, an increasingly destructive and distorted perception of the males they require to complete their sexual function. Given these ingredients and the new unbridled freedom of women to, express themselves, earn independent livelihoods and extricate themselves from unwanted marital relationships (through recent law reform), is it surprising that we are tumbling towards rapid dissolution of marital and non-marital pro-creational relationships, at just a whisper of discord or stress.

### **Divorce and The De-Personalization of Fathers**

So from the abstract, one inevitably arrives at real life conflictual family dissolution and unjust custodial arrangements. Seeing female de-personalization of ex-husbands and fathers at work in the legal forum, confirms the flow -man's theoretical reduction in status translated into the real life trauma of divorce.

Fathers involved in conflictual custody cases must be aware of this factor. In the millions of cases that occur, women's mindset is best described by psychiatrist R.D. Laing in his classic work on Schizophrenia "The Divided Self", work analogous to what we call more or less 'normal' social interactions.

According to Laing:

“Depersonalization is a technique that is universally used in dealing with the other (husband) when he becomes too tiresome or disturbing. One no longer allows oneself (herself) to be responsive to his feelings and may be prepared to regard him and treat him as though he had no feelings. **A partial depersonalization of others is extensively practiced in everyday life and is regarded as normal if not highly undesirable.**”

The conduct of a majority of women in millions of conflictual custody cases, framed by selfish and practical motivations, is dependent on their ability to invent a convenient rationalization that relieves them of feeling any guilt.

Mothers first accept the radical feminist ideas that broadly dehumanize man, reducing his value and status, transitioning him from being to thing. They then impose real life de-personalization of the former loved one in custody cases. Spouses (former loved ones) are summarily dismissed as husbands, devalued and disposed of as fathers of the children.

This de-personalization is easily crystallized. There is separation from the spouse using negative imagery and expectations (he is dangerous). Subjective and distorted views of the individual conflictual family experience (I am threatened, victimized, vulnerable, isolated, entrapped) are developed. The role of husband (oppressor, source of entrapment) and subsequently that of father (un-necessary) is devalued. Finally, mothers acquire psychological confirmation and support from outside sources (radical feminists, complaisant mental health professionals, judges, social workers, friends and family).

This process is confirmed by studies showing that women are guilty of an unusual degree of distorted thinking linked to their de-personalization of the former spouse as the following one illustrates. Incidentally the study also shows why women should not be given sole custody orders in the first place:

“Overall, approximately 50% of mothers "see no value in the father's continued contact with his children" (pg. 125, 4, lines 1 and 2) “Surviving the Breakup” Joan Berlin Kelly and Judith S. Wallerstein”

This preposterous declaration and shocking result of interviews with divorced or divorcing mothers underscores my argument. I am certain that it also comes as a surprise to unsuspecting fathers. Do mothers say such things while content in the marriage? No. Quite the opposite, they call for, encourage and laud the male parent’s co-parenting qualities and capacities. Mother’s denigration of father is clearly derivative of the divorce process and the unspoken drives behind it.

Women still feel the need to rationalize stripping the child of his or her male co-caregiver and co-nurturer while fulfilling the practical need to obtain financial security (protection) from him using the complaisant legal system. The marvel in this system of false self is that it allows these mothers to remain guiltless, lacking in remorse or concern. Dr. Jacobs and others have described this process as the ‘parentectomy’ of father.

This behavioral style is encouraged by the Women’s Movement where according to critic Warren Farrell Ph.D. a former board member of N.O.W. (National Organization of Women),

“There are two fundamental faces of the Women’s Movement...the other part has honed victim power to a fine art creating a problem few people understand. With victim power goes the underlying belief you can kill the victimizer and feel no remorse.”

While Amneus reports that: “Dr. Lenore Weitzman's book “The Divorce Revolution”, argues that ex-husbands owe ex-wives far more alimony and child support money than divorce courts now compel them to pay. The problem of the feminist movement, as Dr. Weitzman articulates it, is to use the Motherhood Card and the Mutilated Beggar argument to get that peripheral male out of the home without losing his paycheck.”

Ridding the home of the father (parentectomy) is accomplished in two stages, first by de-personalization and second using legal intervention. Amneus continues:

“The problem of patriarchal society and, of the men's rights movement is to ensure that this separation of a man from his paycheck and his family does not occur.” (“The Garbage Generation”)

Ironically, as seen from following chapters, within the framework of our rapidly dissolving two-parent family structure transposing into a female headed single-parent family, women have come to perceive of all males as disposable lovers, partners and parents. While mothers have foolishly and narcissistically come to believe that our children are their own private property, thereby substituting one arcane system of injustice in which they claimed to be victims (patriarchy), with another in which they become oppressors (matriarchy).

Mothers are supported by the legal system, by erroneous psychological literature, propaganda and media control, legislation, complaisant feminist males and general indifference from the public.

From the child's perspective I would rephrase the Amneus quotation. The problem of all society and of the children's rights movement is to ensure that the separation of child and father does not and is not permitted to occur.