

# Non-Violent Men Have Nothing to Fear

By Casey Gwinn, Esq.

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Recently, Phyllis Schlafly authored a public opinion piece on the Violence Against Women Act (VAWA) that did a great disservice to over two decades of domestic violence prevention work. Blaming “radical feminists” for manipulation of President Bill Clinton and the passage of the Act, she ignores facts and history. Sadly, her completely inaccurate document was printed across America. She blames “anti-male” feminists for the alleged demise of constitutional rights for male domestic violence offenders in America. She is wrong. Constitutional protections are alive and well for male abusers but finally we are providing some amount of “equal protection” for battered women.

I am not one of those “anti-male, radical feminists” Schlafly bemoans. I have never been nor ever will be anti-male or a “male basher.” Over the last 21 years I have served as a prosecutor in the domestic violence movement. It is my responsibility as a man to speak out against the false statements and distortions of Phyllis Schlafly.

Schlafly laments that Republicans passed VAWA and sees it as pointless because “feminists will never vote Republican.” She is wrong. First, a broad cross-section of caring Republicans and Democrats, men and women, passed VAWA. Second, many feminists vote Republican and even if they never did, Republicans should be passing laws that protect battered victims irrespective of whether it ever garners them any votes!

Schlafly next argues that passage of VAWA is a cash cow for the American Bar Association because “1 million women have obtained protection orders, and they all produce profitable work for lawyers.” Schlafly, of course, is wrong. I have never met a lawyer who got rich on dealing with protection orders. Many domestic violence clients are indigent and few can even afford privately retained attorneys. More significantly, men too, when abused, obtain protection orders. Sadly, some courts still allow male abusers to get restraining orders against their victims because men still hold such power in the criminal and civil justice systems in this country. Abusers often manipulate our system to get custody of their children and avoid punishment for their violence. Strong legal representation for victims and their children is crucial to providing safety and support for victims.

Schlafly finds it a “shocker” that name calling, put-downs, shouting, and similar behaviors are part of the continuum of abusive conduct? Unhealthy relationships often begin with verbal and emotional abuse and then transition to physical violence. No one goes to jail for minor verbal and emotional abuse in America but every judge should care if such conduct is happening in homes with children with children watching and learning, whether the instigator is a man or woman.

Schlafly goes on to mix her references to criminal and civil justice systems in America – arguing that “[the] criminalizing of ordinary private behavior and incarceration without due process

follows classic police-state practices.” Schlafly’s belief that violence in families is “ordinary private behavior” and should not be prohibited by law is chilling. Healthy families do not engage in verbal, emotional, and physical abuse. Second, contrary to Schlafly’s assertion, domestic violence offenders are not incarcerated without due process of law. Criminal offenders who cannot afford attorneys are provided counsel to defend them, at taxpayer expense, in every state in the nation. Sadly, battered women don’t get a free lawyer but every needy criminal in America does. She goes on to argue that protection orders “imprison” fathers. She is wrong. Fathers only go to jail when they violate court orders not when they are issued. By ignoring judicial orders and often continuing to harass, threaten, and abuse their partners, such fathers earn their jail cell. They are jailed too seldom, not too often. Tragically, some judges don’t have the legal ability to take away abusers’ guns and don’t incarcerate them soon enough, resulting in injury and death to many women.

What is reality? Most violent offenders are men. Most domestic violence homicides are perpetrated by men. And in America, we raise our criminals at home. Most jail and prison inmates, incarcerated for all crimes, have a family history of domestic violence and child abuse in their homes. Do good kids from good homes get in trouble? Yes. But the numbers are very small. If we stop domestic violence, we can reduce the crime rate across America in every crime category. If we stop the abuse in families that Schlafly calls “ordinary private behavior” we could save billions throughout the economy.

VAWA is used across America to help women, men, and children when they are victimized. If a man is truly a victim of family violence, he deserves protection and assistance, but most cases involve female victims. Is this a radical feminist propaganda? No. I can prove that there are not millions and millions of men being abused day in and day out across this country. If it was true, we would have done something about it a long time ago! Powerful male leaders in America would not tolerate such abuse by women! While civil and criminal courts in this country are bulky, difficult systems to use in sorting out the complex human dynamics of abuse, rest assured that the vast majority of prosecuted offenders are men, they receive due process, and, more and more, they are being held accountable for their criminal conduct. Phyllis Schlafly is wrong. We are not abusing men’s rights. We are trying to stop violence in the American home. Every conservative, liberal, man, and woman should join us instead of making excuses for men who continue to exercise power and control over their partners while blaming the consequences of their bad choices on others.

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