

Gender wars in divorce hurts kids and parents

By JAMES HAYS
For The Sunday Gazette

In one short editorial — “Rights and responsibilities” — on Nov. 30, the Gazette marginalized fathers, belittled those who work for

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responsible fatherhood, confused identification of cause of behavior as condoning it (shooting the messenger?), and then closed with statements that are in agreement with the opinions of those it had just belittled and marginalized.

This prejudice against fathers and their advocates, like prejudice against minorities or women, is rooted in ignorance. It also displays a lack of understanding of the issues, and a narrow viewpoint on the part of Gazette editors that the rest of the world is exactly like their own experiences.

Using loaded statements such as “like outspoken feminists on the other side,” in an attempt to label “fathers’ rights” advocates as radicals, fails to recognize the various groups out there, their different missions and memberships and the views they hold. It displays a men vs. women “gender wars” mentality, which fails to recognize that when you advocate for one member of the family you actually advocate for the entire family: men, women and children.

Generally, membership in organizations such as Association for Non Custodial Parents Rights, the National Fatherhood Initiative, the Children’s Rights Council, and our state organization, the Coalition of Fathers and Families NY, tends to run 20 percent or more female. The focus of these organizations is to ensure adequate access between both

parents and children regardless of gender.

Child’s interest

Men’s participation tends to run higher because men lose custody at a higher rate than women (roughly 85 percent nationwide). From the child’s perspective, he or she stands to lose a parent — mother or father — in 100 percent of cases, hardly in a child’s “best interest.” The gender war mentality totally excludes children from the argument. The problem isn’t that women win custody more than men, the problem is that there is a “winner” and a “loser.” It’s not men vs. women, it’s one parent being removed from the family — a parentectomy — one parent vs. a system that views single parenthood at the desire of the other parent as an acceptable norm.

Eighty percent of divorces are unilateral, initiated by one party against the other party’s wishes. One hundred percent of the time it is against the children’s wishes. Women initiate two-thirds of divorces and men one-third.

The one unifying concept for women and men filers, however, is the perception that they will win custody of the children and thereby control of the family assets. It

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is the winner mentality that is adding to the divorce problem, a fact demonstrated by a reduction in divorces in states that have enacted shared parenting, something that New York is lagging behind the rest of the nation in doing.

It is this marginalization and disenfranchisement of one parent from their family by the other parent that is causing social dysfunction. Right now, as men are statistically the higher losers, it is they who experience the greater dysfunction, a fact corroborated by a suicide rate that is four times that of women, with a doubling after divorce/separation. While the hopelessness and despair caused by the system primarily results in dysfunction turned inward, sometimes the despair is turned to anger and exercised against society in random acts of violence.

While the negative effects and social dysfunction are more greatly manifest-

ed in the male population, as the rate of sole father custody increases (the only family category doing so) it can reasonably be expected that social dysfunction in women will increase due to marginalization and disenfranchisement of women from their families. And once a parent is disenfranchised from the family, he or she has to overcome great barriers to remain an active parent in their child's upbringing.

While I would agree that "no one should get custody" who has "a propensity toward killing themselves or another," the point is that these people started with custody of their children. It is only when this fundamental right, the right to a family and children, was taken away that the "propensity to kill themselves or another" was manifest. The point is, if they were not denied this most fundamental right, would they have responded like this? I believe

the answer, plainly apparent, is no.

It is easy to label those who advocate for others as radicals, whether it is fathers' rights, women's rights, children's rights or civil rights. I'm sure that was the response to everyday people, such as Rosa Parks, who made a statement that was counter to ethnocentric beliefs held by others. And rights should be countered against responsibilities.

But it is very hard to live up to your responsibilities when there are barriers in place to fulfilling them. And when you have been labeled, segregated, marginalized and disenfranchised, it is impossible to maintain your rights or exercise your responsibilities regardless of your gender, religion or race. It is impossible to have a "civil relationship" when you are segregated.

James Hays lives in Clifton Park and is president of the Coalition of Fathers and Families NY. The Gazette encourages readers to submit material on local issues for the Sunday Opinion section.