

OPEN LETTER to

Members of Congress on the Violence Against Women Act

Recognizing the need to protect all citizens from violence, the Violence Against Women Act (VAWA, S. 1197, HR 2876), as currently written, is deceptive in its purported aims and destructive to American families and freedom. Well-intentioned lawmakers are being misled about its purposes and effects. Feminist advocate Andrea Dworkin acknowledged that the original bill was enacted only because “senators don’t understand the meaning of the legislation that they pass.” We urge you to withhold or withdraw support for this bill until it is significantly modified.

Destruction of Families

First and foremost, this bill is highly destructive to American families. It facilitates family dissolution and increases the number of fatherless children.

Though advertised as a measure to protect women, its provisions are more likely to be used as weapons in divorce and custody battles. As Thomas Kasper writes in the current *Illinois Bar Journal*, domestic violence measures funded by VAWA readily “become part of the gamesmanship of divorce.”

It is well established that most domestic violence occurs outside of marriage or after its breakup and that a married household is the safest environment for women and children. By encouraging marital breakup, this legislation may exacerbate the problem it ostensibly exists to solve.

At a time when governments are spending money to combat “Fatherless America,” we should not simultaneously fund programs that create the very problem that elsewhere we are trying to solve.

Funding of Ideological Advocacy

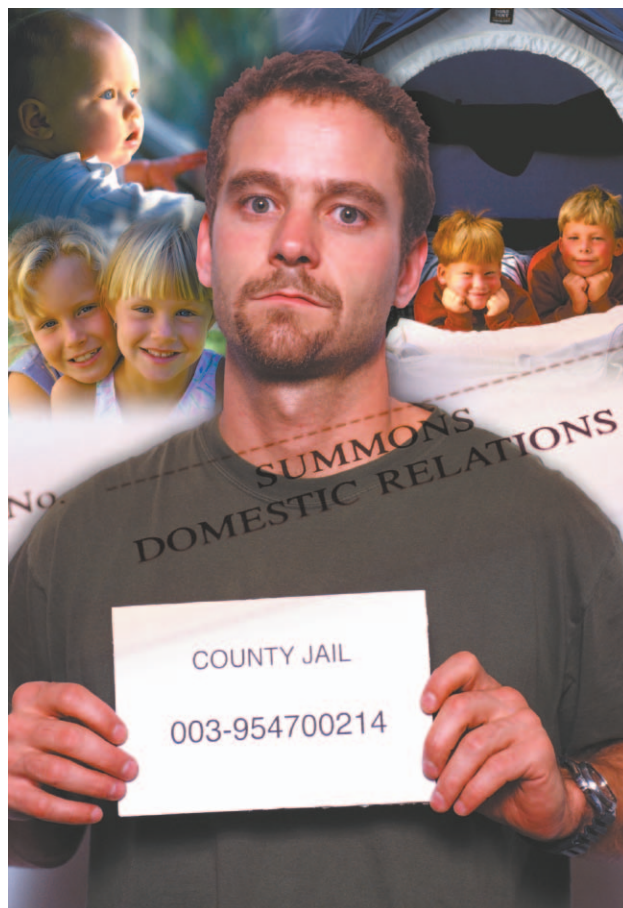
VAWA funds organizations that pursue a strongly feminist and leftist agenda. Regardless of partisanship, it is not proper for the United States government to fund political advocacy or ideologies. “If there is any fixed star in our constitutional constellation,” wrote Supreme Court Justice Robert Jackson, “it is that no official, high or petty, can prescribe what shall be orthodox politics, nationalism, religion, or other matters of opinion.”

Denies the “Equal Protection of the Laws”

Scholars recognize that men and women initiate domestic violence in roughly equal numbers and that a large percentage of victims are male. Though men are more often victims of violence that is premeditated or contracted, they receive no protection under this act. Officials sometimes claim that the act is blind in its allocating resources, though in practice this is not the case. “Strategies for preventing intimate partner violence should focus on risks posed by men,” states a paper by the Department of Justice.

Erodes the Bill of Rights

Criminal statutes against violent assault already exist, which guarantee due process of law to the accused. By bypassing these statutes, VAWA also bypasses due process. The *New Jersey Law Journal* reports on a training seminar where judges were openly instructed to ignore the constitutional rights of Americans:



“Your job is not to become concerned about all the constitutional rights of the man that you’re violating as you grant a restraining order. Throw him out on the street, give him the clothes on his back and tell him, ‘See ya’ around.’ We don’t have to worry about the[ir] rights.”

Politicizes Law Enforcement

VAWA injects political ideology into law enforcement and designates criminals and victims not according to what they have done or suffered but by who they are.

VAWA also blurs the distinction between violent crime and non-violent personal conflict. Federally funded groups and the Justice Department itself use vague terms to describe crimes: “jealousy and possessiveness,” “name-calling and constant criticizing, insulting, and belittling the victim,” “blaming the victim for everything,” “ignoring, dismissing, or ridiculing the victim’s needs,” “lying, breaking promises, and destroying the victim’s trust,” “criticizing the victim and calling her sexually degrading names.”

Expensive and Wasteful

Requiring federal taxpayers to subsidize family destruction is poor public policy. This \$4 billion could be returned or spent more usefully elsewhere.

Recommendations

Though some advocate that VAWA funding be discontinued, **at a minimum, we urge the following modifications:**

- ★ **The name of the legislation should be changed to the Family Violence Prevention Act.**
- ★ **The Act should be amended to explicitly prohibit denial of funding or services to any victims of domestic violence, without regard to race, ethnicity,**

gender, or religious affiliation. We suggest this wording: “Nothing in this statute shall be construed as prohibiting funding for programs focused on or serving male victims of domestic violence. Male victims shall be considered an under-served population.”

- ★ **Funds dispersed under the Act should be strictly prohibited from being used for any political purpose, including campaigns to influence legislation or public policy.**

We are also concerned that legislative hearings receive testimony from a diversity of witnesses, including male victims of domestic violence, women who can testify to the harm VAWA has done to them and their families, and researchers whose work is based on scientific principles rather than ideology. We suggest, in particular, professors Murray Straus of the University of New Hampshire Family Research Laboratory and Richard Gelles, Dean of the School of Social Policy and Practice at the University of Pennsylvania.

Sincerely,

Phyllis Schlafly, President, Eagle Forum

Paul M. Weyrich, National Chairman, Coalitions for America

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