

Chapter 15 – Scales Scaling

“In the case of divorce, when one parent is financially or emotionally devastated, the children lose as well because one of the most important people in their lives has been harmed.”
-*Defusing the High-Conflict Divorce; Dysfunctions of the Court System: Judges and Attorneys.*”

Scaling a wall or some other vertical structure is a challenge; and depending on the type or degree of structure, requires equipment and skill. Scaling the figurative structure of divorce—as with “Juggernaut Juggling”—is challenging to be sure. The non-custodial has his work *cut out for him*, considering the monumental effort of trying to maintain some semblance of parenting amid policies and systems that drive him toward a sense of worthlessness save his contribution to state’s revenues and his children’s financial needs.

Besides the degradation and dismissal of his role as parent, the non-custodial is faced with any number of financial burdens coupled with the full measure of the law should he fail in one or more of these obligations. Further, he is regulated by the state as to contact with his own children—a condition that is Draconian in measure for both the parent and his family. Authority is essential to be an effective parent has been seemingly stripped by the state and, to his disadvantage, shifted to the remaining parent for their bidding. Should he want or desire to deviate from the visitation plan, he must collaborate with the remaining parent; and should his visitation be compromised, he must go back to court and plead his rightful role. In short, the non-custodial is no parent at all; but he has lost this rightful role quite possibly for no legitimate or truly justified reason.

From Stephen Baskerville’s *Divorced from Reality*:

Almost invariably, the involuntarily divorced spouse will want and expect to continue enjoying the protections and prerogatives of private life: the right to live in the common home, to possess the common property, or—most vexing of all—to parent the common children. **These claims must be terminated, using the penal system if necessary.**

He continues on the “Draconian” nature of the courts:

... Divorce by its nature requires constant government supervision over family life. Far more than marriage, divorce mobilizes and expands government power.

Depending on the ability to *bounce-back* or begin divorce recovery, the non-custodial must begin his climb or ascent out of the ashes of a real family. He thinks he has survived the onslaught of the juggernaut but is only beginning to realize the full extent of the damage and the reality that life will never be the same. His dreams and goals have been *bottomed-out* by policies and systems capable of condemning him as a *real* parent and incriminating him for nothing more than an attempt to resume a healthy role in his children's lives. He is effectively guilty by way of the losses. He is charged and convicted for wanting to keep a covenant with....Again from Dr. Stephen Baskerville:

Unilateral divorce inescapably involves government agents forcibly removing legally innocent people from their homes, seizing their property, and separating them from their children. It inherently abrogates not only the inviolability of marriage but the very concept of private life.

And as to his effort to protect his own children; well, they become wards of the state as Stephen describes:

By far the most serious consequences involve children, who have become the principal weapons of the divorce machinery. Invariably the first action of a divorce court, once a divorce is filed, is to separate the children from one of their parents, usually the father. Until this happens, no one in the machinery acquires any power or earnings. **The first principle and first action of divorce court therefore: Remove the father.**

And in turn, the state begins its dirty work of condemning—and even criminalizing—the unwilling in the divorce case. Again, Stephen writes:

This happens even if the father is innocent of any legal wrongdoing.... The state seizes control of his children with no burden of proof to justify why. The burden of proof (and the financial burden) falls on the father to demonstrate why they should be returned.

How then is a man to react to such examples of injustice? How would act or respond to this kind of treatment—this preemptive action of dismantling the parent simply because a spouse as filed for divorce? Nature offers a very redeemable quality in parents and adults of many species. The adult is inherently predisposed to protect his young...with even his life, if necessary.

The level of at which a parent will go *to get back to his family* is measured by his depth or source of love. In a somewhat imaginary setting, a village rallies to the protection of their young (children) sacrificing their own safety and life for the care and concern of children. No matter the source of the threat—be it some wild animal or a band of militants—the reaction and conviction is just the same. A natural response to such threats is engineered into a parent or adult whether of the human variety or animal.

One such scenario that may present itself in contemporary America day is the juggernaut—the form of divorce called no-fault, unilateral, or uncontested.... The defendant in such a case hardly *has a leg to stand on*, as they may be helpless in any effort to contest the divorce or enter any argument of dissent. **The state has perhaps already determined that the marriage is irreconcilable or irreparable** in conjunction with the plaintiff's basis for divorce.

What is clearly the case from the very start is that the term “no-fault” is a misnomer (or a euphemism)—as someone is definitely at fault for the impending divorce! This juggernaut however is unstoppable from the standpoint that a mutually-agreed upon relationship can be dissolved out of nothing more than sheer want and appeasement. Drawing from the resources of Stephen Baskerville, the following from *Divorced from Reality*:

...the courts can essentially encourage and enable divorce by rewarding those who dissolve the marriage... dismember the family.

Some four decades ago...the Western world embarked on the boldest social experiment in its history...**Today it is not possible to form a binding agreement to create a family.** The government can now, at the request of one spouse, simply dissolve a marriage over the objection of the other.

The courts have long established a precedent that the woman receives the auspicious authority over the children—regardless of the apparent costs to the children, family and societies' greater good. In this precedent, the courts can essentially encourage and enable divorce by rewarding those who dissolve the

marriage and dismember the family. Yes, the juggernaut blows through the countryside, leaving a wake of destruction and despair.

Scales (of justice) are seemingly *fixed from the start* or, as my industry would have, are in desperate need of re-calibration. As to Lady Justice—the blindfold has slipped giving full view of the impending divorce while remaining stone-blind to the true victims, the children. The juggernaut is not impartial as the blindfold represents, but is the antithesis of justice by bending to the wants of one over the needs of the many. The concept of no-fault is framed in expedience and, like the *plea bargain* of criminal prosecution, debunks the notion of innocence until..., due-process, or any other right of the Englishman. It has returned the penal system to the *days of yore* through debtor's prison—a state response that does nothing to benefit the children or to better society.

I have already aired by opinion of the courts, their full representation of which may be referred to “the system” or “The League”; but as a reminder, let me repeat my simply characterization the of courts as the three R's:

- Re-election for the judges or elected officials
- Retainers for the attorneys or lawyers
- Retirement for the balance of for everyone else

At the end of day—or as the chief priority—these “public servants” and elected officials are chiefly concerned about the three R's. As to the rest (of their concerns), expedience is the underlying basis or mode of operation.

I am not trained in the law, and therefore have little credibility in making such criticisms. But I do have firsthand experience as a non-custodial that has been:

- Pressed into a divorce against his desire and the desire of his children
- Removed from his home as a preemptive step toward divorce
- Stripped of his parenthood, his income, his property and other things
- Accused of spousal abuse, child abuse, abandonment in series
- Levied with debt not incurred or otherwise, not my responsibility
- Perjured in court in both libel and slander, testimony and injunctions
- Criminalized due to the injunction or restraining orders

Oh yes, I know what it's like to be a non-custodial who has endured such degradation and its despair! I have witnessed much of Stephen Baskerville's *Divorced from Reality* on a firsthand basis in my ascent of scaling the wall of the juggernaut—in dealing with Lady Justice, her sordid scales, her bias blindfold and her shameless sword.

The content of my writings and this book have made clear that I did not want the divorce—that plain reason could not justify a divorce in my marriage. Yet, the courts stand (or stood) on the side of those who prefer to terminate marriage for the expressed reason that “he does not make me happy.” In this position of promoting divorce, the courts have been complicit to the unjustified and unabashed desires of one—regardless of conduct in court and the veracity of their testimony. The protection of the innocent and punishment of the guilty has given way to expedience, partiality, and even corruption.

The removal from my household occurred through the telephone contact from her attorney in September (a week or two before the divorce trial). Sure, I could have *stood my ground*; but the children had been taken to an undisclosed location for an indefinite period—according to the attorney. As a parent, what would do...in the best interest of your children? In the single act, her attorney followed suit of with “The first principle and first action of divorce court therefore: Remove the father.” This act alone was yet another example of how our children have been leveraged in the sordid schemes of divorce and its consequences—giving full view of the veil hiding the true intentions of the supposed loving parent and her council. Implicating children is beneath contempt, but has been practiced more than once under the auspices that *the end justifies the means*. From “Diffusing the High-Conflict Marriage”,

As long as the co-parents use their children as innocent pawns in their battle, children feel the emotional tug of war between being faithful, helpful, children and being used by their parents to keep the fires of battle burning. Children come to resent being pawns and react with withdrawal, passive defiance, or outright hostility to their parents.

And you may wonder, “Why would a father voluntarily leave his own property...to allow his children to return?” Because of that powerful force called love.

To describe the condition of being “stripped of your parenthood...”, consider the following personalized example:

The state comes to your home unannounced and informs you that your property is being seized. Without much detail and no legitimate basis, the state’s representative indicates you must vacate, transfer the deed, and find other living arrangements at your expense. But wait, there’s more: though your property is being taken from you, you will still be responsible for paying for it—both the mortgage and taxes! Yes, you will remain liable and indebted for the property you no longer own. Albeit that your accounts are in good standing, your effort to question this action is moot; the state has imposed its authority....and any resistance will render you a criminal punishable with prison.

You might think this “personalized example” is ridiculous; yet in many ways, this abuse of authority is standard practice for those that function within expedience and the three R’s.

False accusations of child or spousal abuse are also standard fare the lot of this so-called justice system. My experience alone has much to offer in the collection of devices of the divorce scheme. Before bringing these personal experiences to bear, I turn again to Stephen Baskerville on the broader context:

The growth of the divorce machinery during the 1970s and 1980s did not follow but preceded (in other words, it generated) a series of hysterias against parents—especially fathers—so hideous and inflammatory that no one, left or right, dared question them or defend those accused: child abuse and molestation, wife-beating, and nonpayment of “child support.” Each of these hysterias has been propagated largely by feminists, bar associations, and social work bureaucracies, whose federal funding is generously shared with state and local law-enforcement officials.

In these “hysterias” is quite possibly the “do-gooders” of social reform (referring to statement and terms by Milton Friedman); but *in the mix* of such programs, so too is the special interests. Hysteria (or a crisis) is the perfect forum to incubate public support for populist action. Stephen describes these “hysterias” as analogous to the witch-hunts of the 1700’s.

What is ironic about these witch-hunts is the fact that it is easily

demonstrable that the child abuse epidemic—which is very real—is almost entirely the creation of feminism and the welfare bureaucracies themselves.

He continues:

Yet patently false accusations of both child abuse and domestic violence are rampant in divorce courts, almost always for purposes of breaking up families, securing child custody, and eliminating fathers. “With child abuse and spouse abuse you don’t have to prove anything,” the leader of a legal seminar tells divorcing mothers, according to the Chicago Tribune. “You just have to accuse.”

The testimony of the victim has been the single source of evidence in my experience; even to the extent that the court will effectively disregard evidence that the prosecution or court has ordered no less. Whatever apparent or appearing as invalid or spurious testimony, the victim is (or has been) endowed with impunity and, in turn, the right to commit perjury. Once again, Stephen:

The parent on the receiving end of such accusations—even in the absence of any formal charge, evidence, or conviction—not only loses his children summarily and often permanently; he also finds himself abandoned by friends and family members, parishioners and pastors, co-workers and employers (and he may well lose his job)—all terrified to be associated with an accused “pedophile,” “batterer,” or “deadbeat dad.”

I guess it could be worse. The accused could be burned at the stake, dunked repeatedly as an early form of *water-boarding*, or something worse—like the unintended and enforced neglect of his children!

The chapter, “Gondola Grand”, offers much on the debt or financial burdens of the non-custodial. Inundated and imputed with child support and other obligations, the non-custodial has every reason to believe his reduced *persona* as *non grata* with the possible, though temporary, exception of his children. His child support (as a supplemental contribution to the tax base) and other financial obligations represent his single purpose from the viewpoint of the state; otherwise, he is deemed expendable at best and worthless, even contemptible at the mere words of the other parent.

What's worse is that his child support obligation actually perpetuates the problem (the devaluation and dilution of marriage...incentive for divorce) as Stephen explains in *Divorced from Reality*:

Like the welfare it was supposed to replace, child support finances family dissolution by paying mothers to divorce....Kimberly Folse and Hugo Varela-Alvarez write in the Journal of Socio-Economics that child support serves as an “economic incentive for middle-class women to seek divorce.”

But “Mothers are not the only ones who can profit by creating fatherless children.” Stephen continues:

State governments receive federal funds for every child-support dollar collected—money they can add to their general funds and use for any purpose they choose. This gives states a financial incentive to create as many single-parent households as possible by encouraging middle-class divorce. While very little child support—or government revenue—is generated from the impecunious young unmarried fathers for whom the program was ostensibly created, involuntarily divorced middle-class fathers have deeper pockets to loot.

To say again that divorce has moved upward to the middle classes and, in doing so, has leveraged the lives of yet more children on the alter of greed, power and its special interests.

Roughly three years after my divorce, my ex-wife filed for a modification to child support in Florida. The state raised my obligation by over fifty percent and, in addition, assumed their role as the intermediate. Prior child support was paid directly to my ex-wife; and though alienated from my children, I had maintained my obligation without arrears. Since that time, my payment performance has not been so stellar; to my regret, my one purpose in regard to my children (as far as the state is concerned) has been thwarted by irregular and contracted employment—and a general malaise that men may experience when their roles as parents are perverted into one of contempt, even criminal.

Restraining orders and an injunction are at the root of the general malaise. When “the victim” is given a license to lie and the latitude to create law, they can enact the restraining order with a single, undisputed statement. Referring to this process under such titles and phrases as “The Ruse” and “abusing the system aimed to protect the abused”, I have been the culprit of such egregious acts of:

- Attending my children ball game to see them play in the marching band
- Sending letters to my children of which the content is loving, healthy and other normal parental dialogue and discourse
- Sending monies and gifts for special occasions such as birthdays and Christmas
- Sending my oldest a graduation gift along with an offer to assist him with his post-graduate plans

Such conduct or behavior—that falls well within the norm of parental care—has been perverted through the collaboration of an angry parent and a complicit court. Once referred to as “politically motivated” by a public defender, the treatment of such benign behavior is perverted to maliciousness and abuse.

Why can millions of parent do what I did and not worry—or even consider—their actions to be prosecutable? Because they do have someone (namely, a former spouse) who is able or willing to abuse a system; they do not have someone whose chief objective is to ensure the destruction of the paternal relationship with their children. The difference between being a parent and being prosecuted can be reduced to the restraining order; and the restraining order or injunction can be issued merely on a statement—irrespective of veracity. The juggernaut is able to grow in strength on the liberties that go beyond lying and law making; indeed, the victim is also above the law—as they can violate the restraining in principal to implicate the so-called perpetrator. I call this last of such liberties as “the bait and switch”—or some semblance of a sting.

In the fall 2008 issue of *The Liberator*, an article by Mike McCormick and Glenn Sacks offers further insight into restraining orders in the context of divorce and family law. From their article, “Restraining orders: restraining justice?”, they begin, “A large body of evidence shows that restraining orders are frequently misused. “ They site some of the evidence from The California Bar Association’s family law section, the official publication Family Law News:

Protective orders are increasingly being used in family law cases to help one side jockey for an advantage in child custody... (They are) almost routinely issued by the court in family law proceedings even when there is relatively meager evidence and usually without notice to the restrained person...it is troubling that they appear to be sought more and more frequently for retaliation and litigation purposes.

Citing another source from the Newark (New Jersey) family law, attorney Bruce Pitman says, “Anybody who practices law sees people who abuse the restraining order process. He continues:

Some create false allegations or take minor or insignificant acts and use them to remove their spouse or partner from the home for advantage in litigation. Such abuses undermine victims of real abuse and violence who seek protection.

Is it possible that a system aimed at helping the abused, could be abused? Well, let us not forget the relevant words of Lord Acton: “Power tends to corrupt, and absolute power corrupts absolutely.” When the courts divert the mutual authority of parents, the endowed parent is given new found liberties that not only offer absolute power over the children but a very real threat to the other parent as well. Who is the victim?

“Scales Scaling” might be compared in difficulty with climbing Mount Everest or some similar peak; a monumental challenge for the non-custodial against the juggernaut that has been relentless in the destruction of families, homes, children and their fathers. Love is the one ally of the parent who is willing to make great sacrifices—even violation of the system of justice—to offer even the slightest evidence that has not forgotten his children...and never will.