

**Fatherhood,  
Activism  
and the Law  
Archive**



J. Steven Svoboda is founder and Executive Director of Attorneys for the Rights of the Child. He graduated summa cum laude from the University of California at Los Angeles in 1983, received a Master's Degree in physics from the University of California at Berkeley in 1985, and then graduated cum laude from Harvard Law School in 1991. He practices human rights law in Berkeley, California. His recent publications include "Prophylactic Interventions on Children: Balancing Human Rights with Public Health" in the February 2002 issue of the Journal of Medical Ethics (co-authored with F. Hodges and R. Van Howe) and "The Limits of the Law: Comparative Analysis of Legal and Extralegal Methods to Control Child Body Mutilation Practices," in Understanding Circumcision, edited by G. C. Denniston et al. and published by Plenum/Kluwer in 2001. He was invited by the United Nations to participate in the Human Rights Sub-Commission's meeting in Geneva in August 2001, where he gave an oral presentation before the committee of experts whose written version became the UN's first official document entirely devoted to the subject of male circumcision as a human rights violation. He was married in 2001 and has a son born in 2002. Check out [www.arclaw.org](http://www.arclaw.org)

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November

**The Case Against Male and Female Circumcision:**(from "In Search of Fatherhood" magazine, Autumn 2009 issue)

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Thought Leaders. They are intuitive...bold...passionate...innovative...not afraid to step out on faith...and mission-driven. While Thought Leaders live in the "here and now", they are constantly asking "what if" as they envision the future and create key "pieces of the puzzle" to transforming "what ifs" into realities. Thought Leaders enlighten, empower and inspire us. J. Steven Svoboda, J.D. , the Founder and Executive Director of Attorneys for the Rights of the Child ([www.arclaw.org](http://www.arclaw.org)), a California-based organization, has devoted, to use his words, "substantial amounts of life energy to the struggle to... protect boys' and men's bodily integrity by stopping circumcision". A practicing attorney and strong opponent of male circumcision, Svoboda has represented plaintiffs in several state and federal lawsuits to protect genital integrity. Svoboda mounted such a strong case against male and female circumcision that the United Nations invited him to participate in the Human Rights Sub-Commission's meeting in Geneva, Switzerland in August 2001. Mr. Svoboda gave an oral presentation before a committee of experts at that meeting. The written text of Svoboda's presentation became the United Nation's first official document entirely devoted to the subject of male circumcision as a human rights violation and transformed the practice of male circumcision into an

international human rights issue. In 2002, he was the recipient of the Human Rights Award from the International Symposium on Human Rights and Modern Society. Mr. Svoboda's work on genital integrity issues has been recognized by, among others, Harvard Law School, the New York Times, the Wall Street Journal, and Men's Health Magazine. On 4 July 2009, Mr. Svoboda, who is viewed as one of the world's Thought Leaders on circumcision and gender integrity issues, gave a talk at the Genital Cutting in a Globalized Age Conference which was held at the Royal Society of Medicine in London, England.

A prolific writer, Mr. Svoboda's publications include "A Rose By Any Other Name: Rethinking The Similarities And Differences Between Male And Female Genital Cutting," which is featured in a recently released book, *Fearful Symmetries: Essays And Testimonies Around Excision And Circumcision*, edited by Chantal Zabus and published by Rodopi Press ([www.rodopi.nl](http://www.rodopi.nl)); "Neonatal Pain Relief And The Helsinki Declaration," which he co-authored with Robert S. Van Howe and is featured in the *Journal of Law, Medicine & Ethics* 2008: 36: 803-823 (<http://www.cirp.org/library/ethics/hodges3/>); "Gender Equity and Genital Integrity," in *Bodily Integrity and the Politics of Circumcision: Culture, Controversy, and Change* (G.C. Denniston et al., eds., Plenum/Kluwer, 2006); "Educating the United Nations about Male Circumcision," in *Flesh and Blood: Perspectives on the Problem of Circumcision in Contemporary Society* (G.C. Denniston et al., eds., Plenum/Kluwer, 2003); "The Limits of the Law: Comparative Analysis of Legal and Extralegal Methods to Control Child Body Mutilation Practices," in *Understanding Circumcision: A Multidisciplinary Approach to a Multidimensional Problem* (G.C. Denniston et al., eds., Plenum/Kluwer, 2001); "Prophylactic Interventions On Children: Balancing Human Rights with Public Health" published in 2002 in the *Journal of Medical Ethics*; and "The Limits Of The Law: Comparative Analysis Of Legal And Extralegal Methods To Control Child Body Mutilation Practices" which was published in 2001. In 2007, Oxford University Press published "Does Feminism Discriminate Against Men?" – a book Mr. Svoboda co-authored with Warren Farrell, Ph.D. and James Sterba.

Mr. Svoboda has published over 175 reviews of books that explore topics relating to men, boys, and gender issues. He has been a Contributor to Men's News Daily and for an eight-year period he authored a column for Everyman Magazine entitled, "Gender, Law And Society." After the birth of his first child, Mr. Svoboda renamed the column, "Gender, Law And Fatherhood." He appeared in an interview on Penn and Teller's television program *Bullshit!* which was aired on Showtime and shared his views of some of the legal aspects concerning male circumcision in the United States. A member of the Advisory Council for The Mens Center (<http://themenscenter.com>) and a senior board member of and Public Relations Director for the National Coalition of Free Men, a non-profit organization which works to educate individuals, policymakers, and institutions about the negative effects of gender discrimination upon men and boys, Svoboda is a performance artist, a tournament chess player who is rated as an expert by the United States Chess Federation, and the founder of the Bus Stop Co-op, a vegetarian organic cooperative in Berkeley, California

So where did the man who has moved circumcision from what has been characterized as an "obscure practice" to an international human rights issue

grow up? Where was he educated?

“I grew up in suburban Southern California. I went to public school for almost all my education, including my Bachelor’s Degrees in Physics and English from the University of California at Los Angeles and a Master’s Degree in Physics from the University of California at Berkeley. Then I broke with tradition and went to Harvard Law School for my law degree,” Mr. Svoboda replied.

When we asked to talk about the role models he had as he made the journey from childhood to adulthood, Mr. Svoboda immediately pointed to his maternal grandfather:

“My grandfather, my mother’s father, was a huge role model. He showed me how to gracefully be a man. Yet he could be tough when times called for that. In the eulogy I wrote and read at his memorial service, I said, “My grandfather trusted in others and loved without fear, walking like a man, and teacher that he was, taught me how to do the same. For this simple, wondrous gift, I will carry him in my heart forever.” My father was physically present and mostly emotionally absent though even from him I learned a few lessons, such as control over one’s own emotions and safeguarding boundaries. But I was especially lucky to have my grandfather.”

Who or what inspires him?

“People who take risks to struggle for what is right, who stand up for something even if it’s not fashionable or convenient to do so. The struggle for fathers has unfortunately become one of many such battlegrounds.”

Svoboda is married to a pediatrician, Paula Brinkley, M.D., and the father of two children – a girl and a boy. When asked to talk about the most rewarding and challenging aspects of being a Dad, he thoughtfully remarked:

“The most rewarding aspect of being a Dad is that the straightjacket that constrained what Dads could do in the last generation have been significantly loosened. I tell my kids I love them every day, and my purest moments of joy come from time I am blessed to spend with them. They have motivated and inspired me to be the best man I can be and to be things I otherwise never would have been. The most challenging aspects of being a Dad are too little time, too many pressures, too many fronts on which we are called on to achieve simultaneously – and not to mention all the challenges the country faces and the earth faces.”

What valuable life lessons are Mr. Svoboda’s children learning from him?

“I hope they are learning to have fun, to laugh at themselves, to think for themselves -- this they are already doing, I know from hard experience --, to work hard for what they believe in, whatever that might be, and coming to believe that for all its problems, the world is basically a good place. I hope so. I father with all my imperfections and all my own learning curves painfully clear, so I can only hope,” Mr. Svoboda answered thoughtfully.

In 1997, six years after graduating magna cum laude from Harvard Law School, Mr. Svoboda founded Attorneys for the Rights of the Child What was going on in the world at that time to cause him to feel that the rights of children

needed protecting? What compelled him to create Attorneys for the Rights of the Child?

“Amidst all the competing identity groups, which are often defined in an adult-centric way, children are often forgotten. As a culture and a country, we seem to feel empowered to treat children in a way we would never dream of treating adults. One example of many is unneeded and harmful childhood surgeries, which some call ‘female circumcision’ or ‘male circumcision’.” There are many other examples. It is great that human rights documents are starting to protect children. It is scandalous that the United States is the only country in the entire world with a functioning government that has not signed the Convention on the Rights of the Child, the main international legal document safeguarding our most vulnerable population, children.”

The American Journal of Bioethics, in its Spring 2003 issue (Volume 3, Number 2, pages 52-54) published an article Mr. Svoboda authored entitled, Circumcision—A Victorian Relic Lacking Ethical, Medical, Or Legal Justification. What is the message that Svoboda is conveying through his article on circumcision? Isn't male circumcision practiced for health and disease prevention reasons? What are the arguments for male circumcision? Are there any documented adverse effects of male circumcision?

“Here's the message: In the absence of an emergency, children deserve the right to decide what happens to their own bodies. Since doctors worldwide agree that male circumcision is not medically justified, why are we still performing this ostensibly medical procedure? Yes, it is true that those who promote the practice allege health and disease prevention reasons, but these have been disproved, as even American medical organizations such as the American Medical Association agree. It's actually cultural inertia that sustains the practice more than anything else. Discomfort in contemplating children's future sexuality is a secondary force. Documented adverse effects of the procedure include loss of a functional body part that has important erogenous, protective, and immunological functions. The negative impact on sexuality is huge. Even more fundamentally, the individual himself should get to make the decision.”

Is there a connection between a man's circumcision status and HIV infection and AIDS? In other words, does documented evidence exist which reflects the fact that circumcised males have a lesser risk of contracting AIDS or becoming infected with HIV?

“There are a handful of flawed studies that suggest this. The controls and the subjects were treated differently in that the subjects were told not to have sex for a period of time after the procedure. The studies were terminated early to maximize circumcision's apparent effect. Over three times as many study participants suffered a complication as those who were supposedly “protected” from HIV. Even if the African studies were valid, their results would not transfer from Africa to America or any other first-world country because the virus is a different strain, the vectors are different, and we have better access to education, hygiene, and healthcare.

“Research is now emerging suggesting that intact bodies can better protect themselves against HIV. After all, Europeans don't circumcise and have fewer sexually transmitted diseases and lower HIV rates than we do. Moreover, a recent study suggests that women's risk may be 50% higher as a result of the

procedure. Many scientists are starting to “cross party lines” and question the evidence that circumcision advocates claim supports the procedure. In any event, those who would reduce this issue to an asserted “battle of medical research” are promoting a red herring, because a heavy burden of proof must lie with the advocate of the amputation. It makes no sense to violate a child’s body at infancy (and even with anesthesia, the pain is severe) to protect a disease that we are speculating may arise many years later. This is all the more true given recent strides that are being made with an AIDS vaccine. By the time these kids are grownups, this will be an obsolete procedure, but they will have to live with the damage. And by the way, studies also show that female circumcision may help prevent HIV. So should we also be considering circumcising more girls for that reason? Why is it so much easier for us to see the issue for what it is when it involves our beloved female children?”

Let’s talk about female circumcision. Why is female circumcision practiced? What are the arguments for female circumcision? Is it practiced for health reasons? What are the documented adverse effects of female circumcision?

“It may interest our readers to know that the reasons why female circumcision, also known as female genital mutilation or FGM and female genital cutting or FGC is practiced are the same as the reasons why male circumcision is practiced. These include aesthetics, incorrect medical reasons, mistaken theories that it improves sex, or is universal, its use as a rite of initiation into adulthood, and other asserted cultural reasons. So yes, female circumcision is practiced for what are claimed to be health reasons. While the exact harms vary widely according to the particular form of female circumcision, it can also contribute to infertility, problems during childbirth, sexual problems, and can even result in a victim’s death.”

What is the National Organization of Circumcision Information Resource Centers (NOCIRC)? Why did NOCIRC request the United Nations Commission on Human Rights to conduct hearings to ascertain if “involuntary and non-therapeutic” circumcision of male minor children should be considered a human rights violation?

“NOCIRC is a long-standing non-profit organization with whom we work very closely. They run biannual symposia and have to date published seven books collecting presentations from the symposia, to each of which I have contributed. NOCIRC had obtained consultative status with the United Nations and we proceeded in our work in Geneva under their kindly offered auspices. It was ARC, using NOCIRC’s United Nations status, which asked for the United Nations hearings addressing male circumcision as a human rights violation. We made this request based on our concern that children’s rights should be safeguarded.”

In 2001, Mr. Svoboda helped transform the practice of male circumcision into an international human rights issue when his oral and written submissions concerning circumcision became a part of the official United Nations record and the first document to have ever been accepted on male circumcision by the United Nations. This came about as a result of his travel to Geneva during the months of July 2001 and August 2001 for the purposes of consulting on behalf of ARC with the United Nations’ Sub-Commission for the Promotion and Protection of Human Rights. In Svoboda’s view, why is male circumcision a human rights issue? We asked him to take us back to 2001 and to talk to about the compelling case that he presented against circumcision to the United

Nations' Sub-Commission for the Promotion and Protection of Human Rights, thereby helping move circumcision from an "obscure practice" to an international human rights issue.

"In our United Nations presentation, we noted that we are pleased to see panoply of protections being extended to women and girls to assist them in overcoming all the various systemic and individual burdens which tend to fall on females around the world. These are needed and are good. We observed that everywhere that Female Genital Mutilation occurs, male circumcision also occurs. Elimination of one practice may therefore go hand-in-hand with elimination of the other. We noted that if one had just arrived in Geneva from another planet and spent time reviewing all the work done there, one might be forgiven for wondering: Are males not also human beings? Do they not also enjoy the right against removal of healthy tissue from their bodies without their consent? We repeated that, as one of many people answering 'Yes', Jacqueline Smith of the Netherlands Institute of Human Rights wrote, 'By condemning one practice and not the other, another basic human right, namely the right to freedom from discrimination, is at stake.'

My research in the bowels of the United Nation's Geneva headquarters turned up some surprising information. The mandate of the officer charged with investigating circumcision and related practices originally encompassed traditional practices affecting the health of women and children but her mandate was then redefined to focus exclusively on traditional practices affecting the health of women and the girl child, thus excluding boys from protection. This change was made without ever going through proper channels or even being announced, thereby directly violating required UN procedures.

It may be tempting, we noted, to dismiss the issue as trivial. But nothing could be further from trivial for David Reimer, whose penis was entirely burned off. He was raised and surgically 'reassigned' as a girl but his life and the lives of everyone in his family were catastrophically altered. Later both he and his twin brother, who was not circumcised, committed suicide as direct results of these events. Nothing could be further from trivial for Demetrius Manker of Carol City, Florida, one of the many boys who have died in hospital after a circumcision.

The pain has been proven conclusively, and cannot be prevented even with anesthetic, which carries its own risks. Male circumcision harms infant neurological development and memory, has permanent impacts on sexuality, and deaths occur regularly. Do medical benefits exist which justify routine circumcision? No, according to the American Medical Association and every other national medical association throughout the world that has examined the issue.

What about religion? For boys and girls alike, under basic human rights principles, another's right to practice a religion must end where that individual's body begins. Otherwise, individual protections carry little meaning. Many Jews and Muslims are involved with organizations working to stop male circumcision, and many are questioning whether removal of healthy tissue from the bodies of their children is required by or even consistent with their faith. When the child is of the age of consent, he or she can make up his or her own mind about his or her own body. Some day, we will come to understand the misguided nature of our attempts to explain why any violation of female genitals is criminal while a serious, extremely painful, and

disfiguring alteration of male genitals is permissible. In the meantime, we noted in conclusion, the screaming babies can't tell the difference. All we need do is open our ears and start to hear their cries. As an action item, we asked that the mandate of the Special Rapporteur on Traditional Practices Affecting the Health of Women and the Girl Child be revised to again encompass traditional practices affecting the health of women and children.”

If our readers want to support the work of Attorneys for the Rights of the Child, how can they contact the organization?

“They can call 510-595-5550 or email us at [arc@post.harvard.edu](mailto:arc@post.harvard.edu). They can write to us at ARC, 2961 Ashby Avenue, Berkeley, CA 94705. Or they can visit us on the Internet at [www.arclaw.org](http://www.arclaw.org).”

What's next for J. Steven Svoboda, J.D.?

“Editor Albert Fields and I are pleased to announce the publication of the 21st issue of our newsletter, which is distributed by the three leading content providers (EBSCO, ProQuest, and Gale) to libraries throughout North America and the world. While ARC is not directly involved in litigation, we frequently advise potential plaintiffs on their options. Years of experience with countless aggrieved individuals have motivated us to work on releasing to the public accessible information on legal rights relating to circumcision. In coming months, two legal brochures will be posted to our website, a short brochure to provide basic information and a longer brochure providing more detailed information for those wishing to delve deeper. A longer-range plan is to prepare a video downloadable from our website that will give people down-to-earth advice on rights relating to circumcision. The newsletter is available free of charge to anyone who is interested by emailing us at [arc@post.harvard.edu](mailto:arc@post.harvard.edu). We are also preparing to return to the United Nations to continue addressing these issues in front of the Sub-Commission's successor organization, the Human Rights Council.”

## May

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Having arrived back in Berkeley after four years on a small Pacific island, I almost instantly found myself observing a drama that has also proven a volatile cultural war—the battle over gay marriage. As nearly everyone knows by now, the mayor of near-by San Francisco elected to authorize same-sex matrimony despite the California ballot proposition which the people of my very politically mixed state passed a few years ago specifically banning such unions. As other scattered towns in the US such as the village of New Paltz, New York followed suit, traditionalists armed themselves to the teeth for what promises to be an extended, pitched battle between forces of the future and the past, conservatives and liberals, lovers and opponents of same-sex unions. With Canada having instituted immigration benefits for partners in same-sex marriage back in 2002, the US is behind the times, but at least the Massachusetts Supreme Court ruling (on my son Eli's second birthday, February 4, 2004!) clears the way for gay weddings there through at minimum November 2006, the earliest date by which a constitutional amendment can possibly be instituted to stop the ceremonies.

To my mind, what we are seeing is a lot of people acting in their own interests while purporting to be acting from principles. San Francisco mayor Gavin

Newsom, exceeded in his profound affinity with downtown interests only by his immediate predecessor--the notoriously developer-addicted Willie Brown, can be relied on always to test the wind before tossing his kite up in the air. I can only applaud the San Jose City Council's somewhat surprising decision to offer identical benefits to all married city employees, whether gay or straight, though again, so close to San Francisco, one can assume they also realize that they have a large gay and lesbian taxpayer base. Meanwhile, religious leaders and conservative do what they consider correspondingly necessary to pander to their own constituents, and Republican politicians adopt "San Francisco" as a euphemism for non-conformists of all stripes. To paraphrase, P.T. Barnum, no one ever went broke underestimating Americans' tolerance for fellow citizens who dare to step outside the norm. Maybe I'm just an overly cynical middle-aged ex-hippie.

One of the issues I had with becoming a father is it turns out to be so demanding simply to do the musts that I find myself running out of time to meditate on where my life is going and certainly to keep up with issues in others' lives. There is always the next thing that must be done—buy groceries, keep gas in the car, hold onto a job or in my case search for one, keep your children entertained and healthy, occasionally toss a word or two to your partner as you frantically rush by each other on your way to the next tasks. Of course, especially living as I do in one of the most hectic of areas, it's not all that different before you have a child, but the addition to one's family does tend to further crimp your time and further sap your energy. So in principle I feel outraged about the resistance to gay marriage. And in practice I just have a hard time sustaining the same level of focused, vociferous adrenalin I used to run with ease when I was younger.

Not that I'm complaining, mind you. I love being a father and there is nothing on earth that could induce me to trade it for my previous life. Right now we are in particular crunch time as we are buying a house in Berkeley (the prices are unbelievable), I am frustrated and feeling a bit vulnerable about my problem landing employment, we are trying to produce a companion for Eli, and many other things too mundane to bore all of you with.

I have served as a warrior in a variety of ways in my life, devoting substantial amounts of life energy to the struggles to advance men's rights and to protect boys' and men's bodily integrity by stopping circumcision. I spent half a year doing human rights work in rural Guatemala with the peasants, visiting morgues, confronting Army officers in their bases over murders they had helped orchestrate, and the like. Could have easily lost my life somewhere in there, but I lucked out. Also worked as an immigration lawyer for several years, struggling to earn political asylum for immigrants, which amounts to roughly the supply end of the work I was doing in Central America. Slept on the steps of the administration building at UC Berkeley for a month to help stop apartheid. And so on.

One of my biggest struggles was the one I found myself embroiled in to avoid a literal battle—draft registration. I was born in 1960 and so was required to register for the draft and yet was unwilling to do so. I was also receiving financial aid on which I depended since my parents were unable or unwilling to fund my college education. So what did I do? I pulled off a tricky little end-around with the certifications you were required to file stating that you had registered or were exempt from registering. I hand-wrote an explanation



regarding my failure to register into the card I received every year, and never once did the university notice my unusual notation on the card and ask for further information. My financial aid continued to faithfully arrive until I left Harvard Law School in 1991.

Kudos again go out to what is currently perhaps our strongest and greatest fighting team, Fathers 4 Justice (F4J) of the United Kingdom. In December 2003, five F4J activists dressed up as Santa Claus and held a three-hour protest on a walkway above The Strand in Liverpool. Some 300 protesters participated in a similar event in central London, marching to the High Courts and the Houses of Parliament while 21-year-old drama student Darryl Westell—also dressed as Santa—spent his third day on a crane 140 feet above the offices of Children’s Minister Margaret Hodge. Ms. Hodge was later presented with a giant turkey and branded “Turkey of the Year” for refusing to change old child access laws which favor mothers.

In late January, registered childcare worker Jolly Stanesby braved cold weather for a full week sitting 20 feet above the ground on the Tamar Bridge that connects Devon to Cornwall. Mr. Stanesby carried with him only seven army surplus ration packs (how appropriate for this issue’s theme!), a flask of soup, some brandy and a sleeping bag. He then successfully clambered down and escaped without drawing police attention to himself. Then in the early hours of February 2, 2004, four F4J members took over the Clifton Suspension Bridge in Bristol, England. Dressed up as Batman, Robin, Superman, and Spiderman, these fine folks held up a banner that read, “Superhero Fathers 4 Justice—Fighting for Your Right to See Your Kids.” This act of civil disobedience eventually led to denial of public access to the bridge for part of the day and, combined with simultaneous actions by five members in London and four on Newcastle’s Tyne Bridge, drew national attention to F4J’s important and impressively successful campaign for fathers’ rights to access to their children and children’s rights to access to their fathers. Then early the next day, F4J members waged a successful graffiti attack on a Yorkshire law firm notorious for its father-hostile legal services to mothers, scrawling such messages as “F4J here to stay,” “child thieves,” and “parasites” in large purple letters on the building. Police have responded to some of these events with raids at addresses in London and other parts of England. Sounds like war to me!

Possibly inspired by F4J’s stunning string of successes, protests have been breaking out all over the place. A group of 15 to 20 angry Dutch fathers involved in custody battles for their children peacefully occupied an office of the Dutch child protection agency on November 20, 2003, the International Day of the Child. Refusing to allow anyone into or out of the building, they hung banners from the office windows demanding fair treatment and justice and also a meeting with the Justice Minister and the child protection agency director. On December 22, 2003, a group of fathers calling for changes in Nebraska’s custody laws set up a picket line to call attention to their grievances, protesting outside the Douglas County Hall of Justice. On Christmas Day, a group of fourteen Vancouver dads erected a Christmas tree and pickets outside the Supreme Court of British Columbia to remind people that Christmas is a lonely time when you can’t see your children. The group faulted outdated family laws and biased judges for their problems with custody and access to their children.

Perhaps F4J's impact is extending even further than we realize, as one safe house for battered men has reportedly already opened at a secret location in southwest England, with a second slated to open soon in northwest England. At the same time, I am very sorry to have to report that in early December, the British Home Secretary announced an extensive set of changes in domestic violence laws, further extending the potential for bad faith use of restraining orders by allowing them to be imposed even on men who have been acquitted of domestic violence accusations due to a lack of evidence! The reason I say "men" rather than "domestic violence defendants" is because the British government's official announcement similarly discriminates against men despite the wealth of evidence of women's at least equal involvement in spouse-bashing. (Elsewhere in this issue, you can read my review of lawyer Thomas James' new book on this subject.) Furthermore, the government came right out and said, "Just because there isn't enough criminal evidence to secure a conviction doesn't mean the victim doesn't need protecting." Come again? What happened to the rule of law? Melanie Phillips notes in the Daily Mail, "This measure will destroy the very concept of innocence itself."

As if that weren't enough, on January 28, virtually on the eve of these major F4J events, the UK Court of Appeal handed down a judgment in the case of "Re: S" confirming that British courts will allow a mother to maliciously destroy the relationship between child and father and even though the child would be better off having contact with Dad, will bar the child from reuniting with Dad. The reasoning? Where Mom is so opposed, it will be even worse for the child if the court forces her to let the Dad back into the kid's life.

Compliments to Pittsburgh police for arresting and charging a 38-year-old woman with falsely claiming rape by members of the St. John's University basketball team. Turns out the gal willingly had sex with the athletes and then threatened them with rape accusations when they weren't in the mood to meet her subsequent demands for money! Similar recognition is due a British Columbia Court of Appeal that upheld an award of custody to a father after the mother falsely accused the father of sexually abusing his young sons.

Further raves are due the American Civil Liberties Union, of which I was a member until resigning several years ago due to their neglect of men's rights. I may have to reactivate my membership given their recent involvement in facilitating the release of 100 men in Montgomery County, Pennsylvania whom, according to the ACLU's notice to the court, had been jailed for alleged nonpayment of alimony/support without being told they had a right to an attorney, thereby violating due process. The court has since agreed to provide adequate notice of impending proceedings and also to ensure the presence of legal counsel to assist all similarly situated people in the future. This success comes a year after the ACLU sued state court officials in Lawrence County, Pennsylvania for improperly jailing non-custodial parents.

Sometimes the news reads like satire. A Gender Recognition Bill has been proposed in the UK which will allow transsexuals to register for a new birth certificate in their adopted sex, and to marry in that sex. An eight-year-old boy was forced to enroll in a sex offender program after he pinned at least one female classmate and touched her breasts and genital areas while they were both at school. Equally absurdly, Staten Island has joined the growing ranks of jurisdictions opening "integrated domestic violence courts." These tribunals permit "ex parte" testimony without being required to hear the defendant's side

of the story. Such courts will circumvent the protections of criminal law by reducing or removing the burden of proof and tossing out the previously sacrosanct presumption of innocence until proven guilty beyond a reasonable doubt.

As I settle into middle age, I definitely still have some fight in me. These sorts of battles still attract me and in fact I am preparing to wage war on a new frontier—working to form a Men’s Law Center with Marc Angelucci of the Los Angeles chapter of the National Coalition of Free Men (N

## April

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It’s four in the morning, and I have been up for more than an hour. As a father, and as someone currently plumb in the midst of preparing a move nearly halfway around the planet (from Guam to California), I have been fully exploiting the 24-hour clock lately, from both directions.

Although I have changed my residence more than 20 times in my life, this is likely to prove my most significant move yet. Having come (metaphorically speaking) to the “wilderness” and “gotten the girl” (not to mention the boy, my son Eli), we are all coming back to “civilization.” I will be transitioning toward paid work while my wife Paula will be focusing more on caring for Eli while still keeping her physician skills sharp by seeing patients part-time.

Of course, this change is at least equally significant for Paula. Having grown up on this small, friendly, primarily Catholic, family-oriented island, she is preparing to say goodbye to many dear friends, not to mention her mother. Paula was working as the Medical Director of Guam’s Public Health Department so had a highly visible role here in her career, frequently appearing in the media to discuss medical developments such as SARS or immunization programs. This will be a big step for both of us.

Getting to a place where we were ready to make the change took a lot of patience, careful thinking and feeling, and hard work from both of us. One critical key to this process has been our weekly couples’ meetings, which have nominally now become family meetings (and once he starts talking his participation won’t be so nominal). Suggested by a number of insightful folks including Warren Farrell, such meetings give space and time to vent, get caught up on what is going on with each other, make practical plans, as well as say the things that somehow there is never the opportunity to mention in the hubbub of daily life.

Here are the issues I am struggling with (and by the way this month’s theme of pornography feels very far from the surfacing issues in my life at the moment so I’m going to for once give the theme a total pass in this column): How do I find employment as a lawyer that will satisfy all three of my minimum requirements: decent pay, decent hours, and work in which I believe? And how sad it is that work as a lawyer that satisfies these three seemingly simple requirements is so rare.

I honestly am a bit unsure exactly where my work is going. Although I have been a lawyer for thirteen years now, I have spent the last seven years as the Executive Director of the anti-circumcision non-profit Attorneys for the Rights of the Child. I have been extremely gratified at the financial support

individuals have given us, which have covered our expenses but haven't allowed for me to receive any pay at all for this work. I am certainly not complaining as following this path was entirely voluntary and made it possible for me to come to this island and join with Paula to create a family. While ARC will certainly continue, it also feels like time for me to expand that effort into other areas.

A good friend of mine in Los Angeles—Marc Angelucci--and I have been seriously discussing starting a “Men’s Law Center” to provide legal services to males. One idea is to take some relatively well-heeled clients and apply part of the fees from their representation to enable us to accept cases from low-income men who are otherwise incapable of affording a lawyer. Whether we can make this fly I don’t know; certainly it’s never been done before to my knowledge. A number of barriers exist--institutional, political, public perception, practical. And yet Marc and I are both very committed to transforming the concept of a law center for men (in some form) into a reality.

The work has already started to some extent, as Marc has been involved in initiating a number of men’s rights lawsuits, some of which I have previously discussed in these pages. Back in June, Marc was instrumental in filing a sex discrimination case against ten taxpayer-funded domestic violence shelters in Los Angeles County. In October, the district court judge granted a “demurrer” (motion to dismiss based strictly on the law) by the shelters and repeatedly refused to explain on the record his response to the constitutional challenge to California Government Code section 11139, which carves out an exception to discrimination laws for “women and minorities.” He could not answer, and refused to do so. The case is currently under appeal.

Across the pond, Fathers 4 Justice continues to show us the UK style of activism. In September, three protesters in Suffolk (including one woman) layered purple paint on the door of the Children and Family Courts Advisory Support Service (CAFCASS) office in Ipswich. Then work on one of Exeter’s biggest building sites abruptly halted when a father tied himself to the top of a massive crane. Later the same month, a group of twenty F4J protesters visited the offices of a leading family law firm in reading, dressed in chemical decontamination suits. After announcing their intention to “clean up family law,” the visitors occupied the firm’s offices and put hazard tape across the door while supporters outside gave out “warning notices” to passersby.

In October, David Chick, a 36-year-old father, spent six days perched on top of a 120-foot crane beside London’s Tower Bridge, leading to the bridge’s closure and drawing tremendous attention to the issue of gender equity in family law in the UK. Later that month, two men from F4J dressed as Batman and Robin climbed onto the roof of the Royal Courts of Justice in London to protest fathers’ treatment in family court. Wonderful photographs of the masked crusader and his fearless sidekick showed up in leading newspapers, both of them raising their arms in front of a banner with their organization’s name. Newspaper reporting of F4J’s latest plans exemplifies the forces that are being confronted. The Sun wrote that the group is “planning to raid family law courts,” raising the specter of masked masculinists stealing law books and perhaps grabbing the judge’s wig and robe. Later in the article the paper is forced to admit that this “raid” is actually planned to consist of “members dressed up as Santas singing carols into courts across the North East to disrupt family court proceedings.”

In November, a march of supporters drew attention as it snaked its way through London from Trafalgar Square to the Royal Courts of Justice, to burn underpants in symbolic rejection of the biased family court system. The march itself also drew attention for its real armored tank at the front, followed by eight men and a woman in white protective clothing, using brooms to sweep away the “family law gravy train.” Sir Bob Geldof, of “I Don’t Like Mondays” fame with the Boomtown Rats, has taken up fathers’ rights and written several excellent articles on the topic lately, in the wake of his own horrendous custody battle with his late ex-wife. Concrete results are ensuing, as British ministers are considering plans to grant fathers expanded access to their children through “parenting plans” which would be required of divorcing couples.

Meanwhile, back on the home front, we have Craig, a Seattle father of two who was sentenced to three months in jail for returning his ex-wife’s phone call. Jaw-droppingly, a judge has granted Clara Harris, who is serving a 20-year sentence in prison after murdering her husband with her Mercedes-Benz, joint custody of their 5-year-old twin sons along with her former neighbors, Pat and Ana Jones. The boys’ paternal grandparents, Gerald and Mildred Harris, who would seem to be the only viable candidates for custody, instead will have visitation rights. Kudos to the Ohio judge who jailed a rape victim with a criminal record to force her to testify, leading to the discovery that her claim was fabricated and to the exoneration of the accused man. Plaudits also to the Washington state Supreme Court for upholding a contempt citation against a divorced mother who claimed she couldn’t force her 13-year-old daughter to visit her father. In the unanimous (!) opinion, the court noted that a custodial parent “may be held in contempt... for failing to make reasonable efforts to require a child to visit the other parent as required by a parenting plan and court order establishing visitation.”

To my astonishment, this is my thirtieth column for Everyman. I am planning to continue this quarterly adventure once we are back in California though probably my book reviews will become less frequent due to my continually shrinking time. So many gender paradoxes and men’s issues are cropping up in concrete ways right now in my own life. I am going to be giving up some of my time with the thing I absolutely love the most—taking care of my son—in order to plunge more deeply into the more typically masculine pursuit of career. And yet my wife and I both feel that this move is the right one. I feel uncertainty about whether I can find a career that will encompass my basic requirements, modest though I think they are, and fear about whether I can cut the mustard back in the workaday life. And when my mood is right, I can flip that emotion into the excitement that it genuinely represents as I ride my own personal-roller coaster on toward the next unforeseeable curve and loop-the-loop that life and God have in store for me.

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