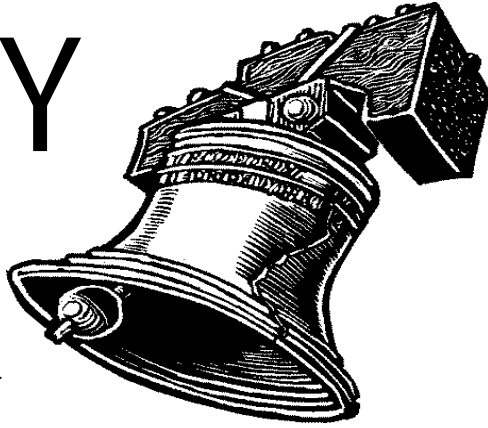


LIBERTY BELL

A News and Commentary Paper



In This Issue:

- ◆ Item in the News
- ◆ Tyranny's Pervasive Reach :Divorce
 - Court -Ordered Tyranny
 - Divorce & Domestic Violence Industry
 - Your Constitutional "Right to Parent"
- ◆ The Bottom Line

The Editor
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Tyranny in America -Where, Why, How, and Fighting Back Part 3

Tyranny's Pervasive Reach: Divorce as Governmental Rape of Fathers & Society

Introduction

This article first examples the tyranny that fathers face under divorce and paternity actions. The courts rape them of their children, their rights, income, and assets with their never having committed a wrong. We paraphrase excerpts of recent articles of Professor Steve Baskerville, Political Scientist at Howard University who chronicles much of this tyranny along with our clarifying and augmenting interjections.

Next, we delineate the factions that compose the government-backed divorce and domestic violence industry (DDVI) who - with their coffers of money extracted from fathers and government handouts - propagandize, influence and lobby the executive, legislature, and public to pervert the family court system of justice, and keep it from applying the equal rights and provisions afforded by our constitution to fathers.

Finally, we close by showing that the rights of fathers -as parents- are truly abridged by the actions of the family court and that all citizens should recognize and speak out against this blatant abridgement of fathers' most fundamental rights which include their parental rights.

Item In The News

Recently, the Massachusetts Supreme Judicial Court decided a child support case in a manner that illustrates the perversion of present day values and rights. The court has a plurality of women and now the first woman chief justice: Margaret Marshall. She wrote the decision.

The case involves a man not married to a woman but deceived by her into thinking that he was the father of her child. He paid child support for years but found out he was not the father. Eventually, though he loved the child, he requested the formal and burdensome child support order be vacated. But, Chief Justice Margaret Marshall decided that he should continue paying child support since he had paid even when he first found out that the child was not his.

This decision is clearly wrong and outraged the sensibilities and values of the public. We consider such a decision criminal and recognize the SJC as outside the law.

We suggest a constitutional decision reflecting the values of a free and responsible people: The woman should be criminally and civilly prosecuted for both defrauding a man as well as kidnapping of her child from the biological father who was deprived of his daughter by her willfull intent. The real father(or both men) should be given custody of the child. The woman should do serious jail time for her crime.

Such a decision would have served to address the substantive constitutional deprivations suffered by both these men and put the responsibility of such criminal acts on the real criminal. It would also have been in accord with the true public morality and sensibilities -although not with the perverted interests of the government funded divorce and domestic violence industry and their benefactors.

Court-ordered tyranny of fathers: the experience

Steve Baskerville serves as a spokesman for Men, Fathers and Children International and writes about the family-court system. In the following we quote and paraphrase his observations from his recent articles, but bracket our interjections and commentaries.

From *Appetite for Family Destruction:* Washington Times, 17 June 2001.

Federal Law requires all states to review their child support guidelines every 4 years. Unfortunately, those who do the reviewing are too often dominated and composed totally of those vested in the present divorce process which criminalizes fathers under the guise of helping his children. [Massachusetts is presently completing its guidelines review. The rubber stamp of past reviews is expected. Professor Baskerville was asked to participate on such a review board in Virginia- one which requires a diversity of opinion. However, when state officials read his articles on the family court injustices, he was prohibited from participating because his diverse views were beyond the 'interested' and the 'politically correct' diversity sought.]

From: *Plundering Fatherhood:*

WorldNetDaily Exclusive -June 16,2001:

Baskerville notes[the emergence of] present government programs "to promote responsible fatherhood". [Responsible is a code word for paying court-ordered child support -not for parenting a child like all free people do. Such programs ultimately seek to brainwash fathers into subservient positions of principally paying child support]. They are a re-

sponse to the criminalization of fathers under such government acts as president Clinton's 1998 "Deadbeat Parents Punishment Act" which announced a "new child support crackdown...to identify, analyze, and investigate [parents] for criminal prosecution." Al Gore called for jailing more fathers. In Virginia, a commission dominated by lawyers, judges, and feminists moves to increase child support obligations. In Alabama, the government calls fathers "dogs" and announces increased measures to hunt them down.

A crisis of fatherhood exists under this divorce-driven culture which now leaves some 40% of American children (60% in the African-American community) without their fathers. The propaganda is that fathers have (in Clinton's words) "chosen to abandon their children". Yet there is no evidence of this at all. [Such unsupported but heavily funded propaganda by those who profit from the present system serves to justify more abridgment of fathers' constitutional- parental rights].

Sandford Braver of Arizona State University had found that it is overwhelmingly mothers, not fathers, who are walking away from marriage -without legal grounds [i.e under no-fault excuses]. Mothers constitute some 75% of divorce initiations. These divorcing mothers have virtual certainty of getting the children and a large portion of the father's income, regardless of any fault on their part. [This is an enormous incentive to divorce -and create fatherlessness in the lives of their children].

"What is happening in divorce court is much more serious than gender bias against fathers. A massive divorce industry is finding it increasingly easy -and lucrative- to simply eliminate fathers from their families with no show of wrongdoing and seize control of their children. The industry consists of judges, lawyers, psychologists, social workers, bureaucratic police and women's groups -all of whom have one interest in common: separating as many children from their fathers as possible. [i.e. denying fathers their constitutional rights as parents.]

A father can then be plundered for almost any amount in coerced attorney's fees, involuntary psychotherapy, and "child support" which his children may never see. Failure to pay frequently results in incarceration without trial." [In Mass. which already has child support levels up to 39% of a father's gross (untaxed) income, courts often make up(attribute) an income to a father which they decide he should be earning- even forcing him to change his job. The courts then assign a child support order based on that 'made up' income.]

[Courts violate the very essence of informed divorced settlements: When a divorcing father and mother have signed a divorce agreement to decide how to raise their children and how much each should contribute after consulting lawyers and a mediator, Family Court judges have been known to refuse to ratify the divorce, while advising the mother that

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she can get a better deal.]

Baskerville goes on to remind us of what Ayn Rand wrote, "The only power any government has is the power to crack down on criminals. When there aren't enough criminals, one makes them. One declares so many things to be a crime that it becomes impossible for men to live without breaking laws." He goes on... "What we are seeing today is nothing less than the criminalization of fatherhood itself: criminal penalties imposed on parents who have committed no act but are made outlaws through the actions of others in ways they are powerless to avoid. Once the father is stripped of custody, his contact with his own children outside government-approved times and locations becomes a criminal act. His criminalization is further consolidated through forced legal fees and impossible child-support burdens."

"Child support obligations are determined by the same enforcement personnel who collect them. Such legislating by courts and enforcement agencies raises serious questions about the separation of powers and the constitutionality of the process. Where government officials develop an interest in hunting "delinquents", it is predictable that they will create delinquents to hunt. The more onerous the child-support levels, and the more defaults and arrearages, the more demand for coercive enforcement and for the personnel and powers required. [State collection agencies - the DOR - actually receive federal funding as an incentive in proportion to the amount of child support it transfers from fathers to mothers.] [Also, a similar jeopardy and feedback process occurs throughout the domestic violence industry laws and its propaganda related to fathers and other men.]

"A presumption of guilt pervades the courts themselves, where "the burden of proof may be shifted to the defendant" according to a legal analysis by the National Council of State Legislatures. [an outrageous and unconstitutional governmental assertion] In clear violation of the Constitution, courts have held that "not all child support contempt proceedings classified as criminal are entitled to a jury trial," [yet another violation of our constitution] and "even indigent obligors are not necessarily entitled to a lawyer." Thus impoverished parents who lose their children through literally "no fault" of their own are the only citizens who - when they are fortunate enough to be formally charged and tried at all, before being incarcerated - must prove their innocence without counsel and without a jury of their peers.

Rather than confronting this appalling violation of both family integrity and constitutional rights, our elected leaders are cooking up fatherhood programs that may [is and will] do more harm than good.

In Massachusetts, state officials have used federal money to draw up a list of "Five Principles of Fatherhood," including: "give affection to my children" and "demonstrate respect at all times to the mother of my children." One cannot help but wonder [who would draw up such absurd and one-sided principles and] what penalties the state will bring to bear on fathers who fail to show sufficient "affection" and "respect".

[This type of administrative law creation is in violation of the clear requirements of criminal and civil laws. Such unconstitutionally vague laws, rules and suggestions always serve tyrannies who wish to produce criminals at will.]

From *Insight Magazine*,

June 18, 2001:

Baskerville asserts that family court judges routinely violate the legal rights of fathers and their children. As examples, in Massachusetts, a father who opposes judicial wrongdoing

is dragged from his car, assaulted by what appear to be plainclothes police and told to stop making trouble if he wants to see his son again; another father is sentenced to jail for 6 months for opening the outer, nonsecurity, door - too heavy to open for his 5 year old son (who has to go to the bathroom)- of the son's mother's apartment building upon return from visitation. The father had been court-ordered not to get out of the car. Fathers are sometimes arrested for telephoning their children or sending them birthday cards. [These noncriminal acts fulfill neither that nature of an act nor the mindset constitutionally required for a criminal offense and penalty.]

With respect to horrendous court-ordered child-support payments and fees [better identified as child extortion payments] government goons and private bounty hunters pursue fathers for impossible debts they never incurred [yet, such court-imposed, 'non agreed to' debts cannot be irradicated under bankruptcy laws- a government strategy to side step 'debtors' prisons which were done away with with the founding of our constitution.] Their personal papers, bank accounts and homes must be opened and surrendered on request to government officials.

Their children, with the backing of government officials [and phony court findings], are taught to hate them [their fathers] and are used as informers against them. Fathers are incarcerated without trial, charge, or counsel.

What is happening in family court is indeed little less than a reign of terror. Throughout the U.S. and other democracies fathers are losing their children in large numbers, and many mothers as well [... some, mostly to the local Department of Social Services]. The Massachusetts News recently reported how Heidi Howard, a happily married mother, was ordered to get a restraining order against her husband and divorce him, even though she insisted that he had never been violent. When she refused, social workers seized her children. Reporter Nev Moore claims hundreds of such cases exist.

Guiltless parents are subjected to questioning about their private lives-and how they raise their children.

Anything a father has said [or written] to his spouse or children can [and will] be used against him. His personal habits, movements, conversations, purchases and relationship with his children are all subject to inquiry and control by the court. ...Family law is now criminalizing rights as basic as free speech, freedom of the press, and even private conversations. [The state and its courts are now unconstitutionally displacing the father as parent, treating him as having interests adverse to his own children, penalizing any influence he may exercise, but -as we see too- obliging him to pay for his children according to the state's -with the mother's - wishes.

An Arizona father is ordered not to criticize judges to family members. British and Australian family courts have closed Internet sites and prosecuted fathers for criticizing judges. In many American jurisdictions it is likewise a crime to criticize family court judges.

[In Massachusetts, a father who was able to win an appeal of an horrendously unjust child support order and reverse 3 contempt judgments by as many judges wrote to his children how unjust the judges and lawyers are in the family court. The mother and her lawyer - stating such criticisms-were able to have the father's shared legal custody terminated.]

Fathers who speak out against family courts report that their children are used as weapons to silence their dissent, and attorneys regularly advise their clients not to join fathers'

rights groups, speak to the press or otherwise express public criticism of judges. [Court arguments against fathers repeatedly stress his membership in fathers rights groups -like the CPF/The Fatherhood Coalition.]

Family-court judges generally are appointed and promoted by commissions dominated by bar associations and other professional groups who have an interest in maximizing the volume of litigation. "The one great principle of the law," wrote Dickens, "is to make business for itself."

Like all courts, family courts complain of being overburdened. Yet it is clearly in their interests to be overburdened, since judicial powers and salaries, like any other, are determined by demand for services.

These bureaucratic courts emerged in the early 1960s along with the divorce revolution. Their existence and virtually every problem they address - divorce, custody, child abuse, child-support enforcement, even juvenile crime -depend upon one overriding principle: removing the father from the family [i.e. denying the constitutional rights of a father].

Without this power, family courts[and its attendant plethora of agencies and people -see DDVI following this] could not survive, since these problems seldom appear in intact families. While mothers also fall afoul of family-court bullying, it is fathers against whom the enmity is largely directed, because fathers are their rivals [under the present system and the well-funded DDVI (see following section) heavily lobbies and propagandizes the alleged domestic violence against women].

The judges' contempt for both fathers and constitutional rights was openly expressed by New Jersey Municipal Court judge Richard Russell who, according to Cathy Young in her recent book *Ceasefire: Why Women and Men Must Join Forces to Achieve True Equality*, said at a judges' training seminar in 1994: "Your job is not to be concerned about the constitutional rights of the man that your violating." "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 rights," he reportedly told his colleagues.

The words "prejudice" and "corruption" do not really convey what family courts are about. They [the courts] are the linchpin of a massive political machine that thrives and grows by systematically destroying families. Within this machine individual judges are "no more than blind executors of the system's own internal laws." "...far more powerful than the will of any individual." What we have... is a system of bureaucratic terror, the kind of terror that has never before been seen in the U.S.

From *Insight Magazine*,

June 26, 2000:

Sanford Braver -in the largest federally-funded study on the subject, conclusively demonstrated that the so-called 'deadbeat dad', who deserts his children and evades child support, largely is a myth. Columnist Kathleen Parker likewise has written that "the deadbeat dad is an egregious exaggeration, a caricature." Sylvia Ann Hewlett and Cornel West, coauthors of *The War Against Parents*, also questions the state's war against fathers, calling it "ugly and fierce".

The deadbeat dad is typically a full responsible and loving father who has been divorced over his objections, whose children the have been taken with no evidence of wrongdoing on his part and who has been thoroughly plundered by a power machine of judges, lawyers, psychotherapists, and enforcement bureaucrats. Once the state has seized control of his children, a father can be forced to pay almost any amount

of attorney's fees, psychotherapy and child support (which his children may never see); he can be summoned to court so often he loses his job; and he can be jailed without charge, trial, or counsel.

We hear the term "totalitarian" used to characterize the criminalization of private behavior through sexual harassment and date-rape laws [clearly another area of invasive governmental tyranny based on criminalizing at will men under vague standards]. But the criminalization of fathers is far more invasive and follows the forced dissolution of their families, the invasion of their homes, the raiding of the bank accounts, the micromanagement of their personal and family lives, the use of their children as informers and coerced psychotherapy.

[The rights deprivation and criminalization of fathers created in present divorce processes is, by far, the most significant issue corrupting our constitutional government and our society today.]

Fathers and children also are separated by protective orders that are issued without any evidence of wrongdoing and that cannot protect anyone because they serve to criminalize not violence (which is already criminal) but a father's contact with his own children.

It is now well-known that every major social pathology of our time—including violent crime, drug and alcohol abuse, unwed pregnancy, truancy and suicide—all correlate more strongly to fatherless homes than to any other factor. It also is established beyond doubt that removing the father from the home dramatically increases the exposure of children to violence and sexual abuse -up to 33 times more -according to a British Study.

[In fact, the safest and most productive custodial position for a child - other than with his intact biological parents - is with his biological father. So much for social engineer's 'best interests' of the children as an excuse to overwhelmingly place children solely with their mother while unconstitutionally denying the father's constitutional parental, as well as other fundamental, rights. The court's extra-constitutional 'best interest of the child' standard had been shown to be a fraud. Such rubrics are merely a verbal front for tyrannical power against men.]

Rick Brita, a father in Massachusetts who has never been convicted on child abuse, is forced to use the government-instituted supervised visitation center. He says, "It's like being in jail. Everything the father does on the visitation has to be permissioned. Even hugging your own children could end your visit." He can't even take pictures of his own children.

Expansion of these centers is being pushed by the Cambridge Mass-based Supervised Visitation Network, described by Massachusetts News as a "matrix of lawyers, judges, social workers, academics, and domestic-violence activists who have networked, talked with each other, serve on various commissions, boosted each other's careers, and helped to expand state and federal funding massively."

Not since the overthrow of the Weimar Republic have the leaders of a major democracy used their offices and the mass media to disseminate invective against millions of their own citizens.

In fact it was Adolf Hitler who urged that "the state must declare the child to be the most precious treasure of the people" and who explained, in the words of Rabbi Daniel Lapin, that "as long as government is perceived as working

for the benefit of children [that's the 'greater good' of a tyranny], the people happily will endure almost any curtailment of liberty."

Using children to tug on our heartstrings may be not only weakness of the sentimental. It also may be a ploy by those cynical and unscrupulous enough to exploit children for their own purposes.

This is likely to be remembered as one of the most diabolical perversions of governmental power in our history, a time when we allowed children to be used and abused by fast-talking government officials and paid for it with our families, our social order, and our constitutional rights. (End of Baskerville's comments)

Divorce & Domestic Violence Industry (DDVI)

The special interest groups of this industry thrive on court-ordered fees, payments, and litigation cost that go on forever. The special interest groups of DDVI and their interests are: **Lawyers, Judges** -divorce and criminal (for domestic violence cases) are never ending; **Women's** (changed now to **victims**) **advocates** in court rooms (which all judges know to be women's advocates - advise women how to plead their case and monitor judge behaviors and anti-women decision. There are no men's advocates); **Free legal aid organization** (for helping parents with children in court -if the parents are women that is, - no free legal aid for men); **Visitation centers** (for basically men to see the children for \$50 per hour when they never have committed any act that a reasonable person would consider 'actionable' abuse if any at all... and the fastest growing industry in Mass. -some judges have indirect investments here. "when in doubt send him there!); **Batterers groups** (instituted only for training men -like dog school- and paid for by men to attend -under court order, but, overwhelmingly not for commission of assault or battery! There are none for women who abuse men); **Battered women aid shelters** (obviously only for women -no men allowed. They advise women how to get an 'effective' divorce with trumped-up abuse allegations); **Psychologists** to treat all the children in the divorce and restraining order actions; **Mental health evaluation clinics** (where men in divorce are deemed angry and therefore unfit too often); **Anger Management Classes** (where men who have had their rights unjustly ripped from are told that they should not be angry -i.e. more dog-training school). **Parenting Classes** (required for all divorcing parents -but only men must really go); **Guardian Ad Litem** -appointed by judges (they are friends and finders of what ever judge wants -sometimes judge's wives); **Social service agencies** (DSS who tells mothers that if they don't get a restraining order against fathers, then DSS will take over custody of children!); **Abuse training, helping, and awareness organizations** that train police and counsel judges how men are in denial (and women only should be believed) if they don't admit their abusiveness. They write rules and legislative laws on domestic violence), and; **State prosecuting agencies** that receive extra funds for domestic violence; **Department of revenue and the courts** who receive federal money in proportion to the amount of court-ordered child support that is handed out; and **Universities** like Northeastern University who received a \$93million in Federal grants to set up a department of Domestic Violence and define more abuse to pad their coffers). Judges are intimidated by the influential power of DDVI activists and are looking for promotions sponsored by just such groups!

Follow the Money that the DDVI thrives on: Influence, participation, and extortion of the Divorce and Domestic Violence Industry from the fountainhead -fathers:

The Divorce and Domestic Violence Industry (DDVI) has it root in the unequal divorce and paternity laws that defaults a fit parent (overwhelmingly the father) of two 'fit parents' into a noncustodial position thereby losing - what all agree are -fundamental parenting right (i.e. financial and hands-on care, custody, and management of child) and thereby have child support (more accurately child extortion) payments to (overwhelmingly) women amounting to ten's to 100's of thousands of dollars over as much as 23 years.

The State routinely orders fathers how much to earn in order to pay the assigned child support, to pay for college—even if you have to go into debt, to work many jobs, not leave the country if he owes child support—or else go to jail. 'Parenting is both a responsibility and its own reward. Slavery is the divorcing of responsibility from reward which is the circumstance of the noncustodial parent.

Present divorce law and with its constitutionally-depriving results would be reprehensible to the founding fathers and is reprehensible to decent—non special interest group—people. The laws and its processes promote unending legal actions and concomitant requirements that continually harass and irreparably harm noncustodial parents (overwhelmingly fathers) for up to 23 years per child and provokes additional 10s to 100's of thousands of dollars to be expended by him on court-ordered or court-needed fees and costs which accrue to all other DDV Industry special interest groups making them grow and demand more money from government for their 'important' task.

Vagueness in the MGL209a abuse standard together with the unconstitutional due process of associated with its operation effectively and perniciously allows even those fathers who's family actions put them in the state-proclaimed 'prime caretaker' position to be ousted from the house and labeled 'an abuser', thereby negating his opportunity to be a custodial parent. With government extorted wealth, the DDVI strongly lobbies the legislature and influences the executive and ultimately the judiciary to foster the horrendous unequal treatment, harassment, and persecution that noncustodials (fathers) receive all at the expense of fathers and the taxpayers. The few women in positions of noncustodials or restraining order defendants are not generally harmed at all to the degree men are- showing the unconstitutionally unequal treatment of these horrendous laws.

The DDVI have created an atmosphere of intimidation that promotes a bad faith judicial process and its concomitant harassment of fathers/men. The unconstitutional immunity of judges plays no small part in the judges' willingness to participate in this fraud. The fact that only ticketed lawyers can practice law undermines their willingness to risk the ire of judges who act badly. Lastly, there is no jury to protect defendants against bad law as envisioned by the founding fathers when they constitutionally allotted 'right of trial by jury' to the people. Ofcourse, all that is at stake for the father is his right to parent his children, all the money he has ever earned and will earn for up to 23 years, and all the assets he has or will acquire. **Clearly, a jury trial is necessary!**

Our court systems has denied much of that redress which the founding fathers through the Bill of Rights and the 14th amendment sought to guarantee To ALL The People. Corruption of the Courts occurs through the executive influence on judge appointments, legislative influence on votes and lobbying (even writing rules) and the maintaining and fostering vague (and thereby unconstitutional) laws and court processes.

Clear defacto exploitation, discrimination, and criminalization of fathers under court-orders is evident by the father-only visitation centers and batterers' groups and almost-father only noncustodials as opposed to mother-only legal aid and battered women-shelters,-victim (women's)court advocates (actually allowed beyond the 'bar'!), almost only-father arrearage posters, and all the propaganda on 'deadbeat dads' and men batters, and more... This tyranny thrives and grows stronger daily.

Is the Family Court Unconstitutionally Denying Your Parental rights? YES!

Constitutional law does say that you have a right to parent your child. If it didn't, it still would be an inalienable right for which YOU must fight.

The right to the care, custody, and management of one's own children has been an explicit constitutional right - i.e. a fundamental liberty - since 1923. Fundamental rights are those expressed or implied in the amendments of our constitution.

A key clause of the 14th Amendment says that 'no state shall deprive a person of life, liberty or property without due process of law'. This engenders the essence of our Declaration of Independence from oppressive rule.

In Meyer v. Nebraska 262 U.S. 390 (1923) 399). The Supreme Court established that the word 'liberty' in the 14th amendment clause includes the right to parent one's child. There has been an unbroken string of Supreme Court cases upholding your parental rights since then. In fact, U.S. Supreme Court has held in Board. of Dirs. of Rotary Int'l v. Rotary Club, 481 U.S. 537 at 545 (1987) that parental rights flow from the First Amendment also.

Fundamental rights -which includes your parental rights- are essential for your freedom. For the state to try to limit any of the fundamental rights of a person in any way requires the highest level of due process - i.e. fair trial procedure with a jury trial since these rights are considered in-

alienable; to not have a fundamental right is to be oppressed. That's why the 14th amendment clause requires 'due process' to impose any limitation whatsoever.

Specifically, the state is not supposed to interfere in fundamental rights without first proving a compelling interest of the state. A compelling interest implies a serious, imminent, life-threatening danger clearly proven under due process.

In the case of parental rights, a compelling state interest means that a grave and immediate danger threatens the life of the child. And then the state may only interfere in the exercise of your fundamental right to parent to the least extent necessary to meet(i.e remedy) that state's compelling interest.

An example (you may know from the news) would be that if parents are withholding chemotherapy and the child will die otherwise, the state would see this almost certain probability of death as a compelling interest to interfere with the parent's right(to oversee the health of their child). However, the state may interfere only to order chemotherapy for the child, but not to deprive the parents of custody of the child since the latter would be more than the least state interference necessary to save the child's life.

Your constitutional right to parent should mean that under divorce or paternity actions, the initially equal rights that both parents have should not be disturbed by state power, except to the least extent necessary to prevent substantial (life threatening) injury to the child as must be proven in a full jury trial by ground level (most fundamental) facts and clear causal connections.

The state (i.e. Massachusetts, other states, and the federal government) is in the process of dismantling the rights of fathers. We see this in the persecution of fathers by the family court and its officers, and by the existence of illegal restraining-order laws that require no substantial due process.

A few years ago, the clear issue of the constitutionality of parental rights under divorce was put before the Mass. Appeals Court by Robert Carr. The Mass. Appeals court in Carr vs. Carr, 44 Mass.Ap.Ct. 924 (1998), made the utterly absurd statement that the 14th Amendment does not apply in divorce, because it is the other parent trying to interfere with parental liberties and not the state. I.e., present

divorce laws and its enforcements -and all the persecution of fathers and children that it fosters- is not a 'state action'. The court said the state is merely thrust into the role of mediator by necessity.

Common sense says that this pronouncement is absurd. We know divorce is the most severe state action taking place today. Private parties cannot take away other private parties rights using the state as a mediator anyway. Constitutional rights supercede any law that interferes with a person's constitutional rights - no matter who makes or enforces them.

The Mass. Appeals Court -in making such a ruling -shows itself to be outside of the constitution and thereby tyrants usurping the constitutional rights of the people for their own personal or nonconstitutional ends.

John Flaherty of CPF and LBU, Earl Sholley, James Nollet, and James Carroll appealed a Federal District Court ruling that Judges are not state actors when adjudicating cases -as in a divorce. The 1st Circuit Court of Appeals said judges are state actors. Therefore, the determinations that divorce court judges make are state actions. We'll be back to Federal Court on this issue. But, all of us must keep fighting to overcome this tyranny because it will take the support by all to succeed.

Wake up people. Fundamental rights were declared inalienable by our founding fathers and are recognizable by free men of common sense.

You don't have to be a constitutional lawyer to recognize the rights of free men! But you must have the courage to stand up against tyranny. This is also a prerequisite of men to maintain freedom -as our founders warned us!

Don't settle for the malicious -with an evil eye- interpretations of tyrants. They can always be identified by their denial of any of your fundamental right under the guise of some 'greater good'.

Fundamental rights -as restrictions from government intrusion - don't come last after all greater goods are resolved; they come first because they are the greater good from which all other goods will flow. This is the fundamental assumption of a free society engendered by our constitution with the protection of its Bill of Rights and the further amendments. END

The Bottom Line:

Family Court judges unquestionably deny a father's constitutional right to parent his children in divorce and paternity. This denial includes violating the equal protection clause of the 14th amendment when courts- by law and discretion- deny a fit father custody equal in title and operation to the mother.

For more than a century after the founding of this republic, fathers were directly responsible for raising their children even after the rare incidence of divorce. In the early decades of the 20th century, divorce (still relatively rare) made the father noncustodial since he had long working hours generally in factories while mothers generally didn't work.

This last half-century saw more than equal opportunity for women created in the workplace under affirmative action with now more women graduating from college than men. Parity in economical opportunity has now been achieved. Currently, though, divorce has become rampant. Indeed, a divorce culture with government engineering through its divorce courts is perverting and destroying families and natu-

ral relations long established through human history.

The constitutional error of unequal treatment of mothers and fathers in divorce (or paternity) introduced at the beginning of the century has not only survived but has been exacerbated greatly especially within the last quarter century due the government subsidized divorce and domestic violence industry. This unique circumstance is in complete opposition to the Equal Rights Act and its enforced affirmation throughout almost every facet of our society. How so?

This DDVI which owes it's existence solely on the outright denial of equal protection and parental rights of fit fathers has undermined, prevented, or corrupted any application of equal rights in divorce by its growing governmental funding, influence, and power. It is a government-backed tyranny.

Through this denial, the state usurps -without constitutional justification- a fit father's parental role and then declaring its (formerly the father's) impelling state interests for his children and thereby tyrannically justifies extorting and enslaving the father by denying further of his constitutional protections of his property and self-determination in employment to fulfill the state's(in partnership with the mother) demands.

A Call To Arms

The public must arm themselves with the truth of present circumstances and against the PC propanganda of DDVI and conventional media. We must demand the constitutional alternative to present divorce.

Demand:

- Equal rights be applied in divorce and paternity to guarantee every person their full constitutional right to parent and participate freely in society.
- Divorce Agreements between informed parents should be contracts inviolate by courts.
- If parent don't agree at all, then a direct equal partitioning of time with child (perhaps alternate weeks) will be ordered, with the child raised in the town where the family resided and attend local public school, and each parent's church during his custodial time. Each parent will care for and maintain his child as a single parent and thereby be guaranteed his constitutional freedom.
- All parents must be informed immediately of the birth of his child and his full rights to parent or criminal kidnapping charges should ensue and damage awards as signed.

Reject: Participation and demands of the DDVI in your life