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## The Fathers' War [PDF](#)



**They serve their country and lose their children.**

By [Stephen Baskerville](#)

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While our country focuses on the war abroad, many of our soldiers fight personal battles here at home—or more accurately, can’t fight. They are losing their families and getting little help from an administration that claims to “support the troops” while doing nothing to protect the parental rights of the fathers it sent into combat.

All the services are facing a severe drop in recruitment, and additional recruiters, stepped-up advertising, and bigger bonuses have not reversed the trend. The media points to the war itself, but the shortfall also coincides with a dramatic rise in military divorces, which the Army reports have nearly doubled since 2001. “We’ve seen nothing like this before,” says Col. Glen Bloomstrom, a chaplain who oversees family-support programs. “It indicates the amount of stress on couples, on families, as the Army conducts the global war on terrorism.”

It indicates much more than stress. “There most certainly is a relationship between current recruiting problems and an increase in military divorces,” says Capt. Gene Thomas Gomulka, a retired Navy chaplain and writer on military marriage.

Muffled by feminist orthodoxy, the Army and media are not disclosing the facts behind these divorces or publicizing the threat they pose to preparedness. The important points are these: the divorces are almost all initiated by wives, the servicemen usually lose their children—which for many is their main incentive for serving their country—and finally, they often become liable to criminal prosecution for child support that is impossible for them to pay.

Laws protecting active-duty servicemen against legal actions are ignored by family courts. Deployed servicemen have virtually no protection against unilaterally initiated divorce proceedings that permanently separate them from their children without any show of wrongdoing. Child kidnapping laws likewise do not protect them from having their children relocated, even to foreign countries, while they cannot be present to defend their parental rights. When they return, they have no necessary right to see their children—and can be arrested for trying to do so—who often join the ranks of the permanently fatherless.

The Lansing State Journal recently reported on Joe McNeilly, a National Guardsman who “would still have his son if he hadn’t been deployed,” according to Maj. Dawn Dancer, public-affairs officer for the Michigan National Guard. Invoking the correct legal buzzwords, the mother and her lawyer claimed he lost custody not because of his deployment but because of his “parenting skills.” Yet his parenting skills were clearly defined in terms of his deployment. The court attested that it stripped him of custody because his wife was the “day-to-day caretaker and decision maker in the child’s life” while McNeilly was deployed. His alleged parental deficiencies also proceeded apparently from his duties as a soldier. “My client is making sure to turn off the TV when the news reports deaths in Iraq,” the mother’s lawyer said, “and (McNeilly) was engaging in behaviors that brought fear.” In other words, he was fighting a war.

Even more astounding, vicariously divorced servicemen can be criminally prosecuted for child-support arrearages that are almost impossible not to accrue while they are on duty. Reservists are hit particularly hard because their child-support burdens are based on their civilian pay and do not decrease when their income decreases. Because reservists are often mobilized with little notice, few get modifications before they leave, and modifications are almost never granted anyway. They cannot get relief when they return because federal law prohibits retroactive reductions for any reason. Once arrearages reach \$5,000, the soldier becomes a felon and subject to imprisonment.

Further, states assess interest and penalties on arrearages, which may accrue because of human or computer errors. These too cannot be forgiven, so parents who fall behind for reasons beyond their control can never have these debts erased. Because state agencies are federally subsidized based on how much they collect, they have a powerful incentive not to reduce burdens, to extract every penny they can find, and to make “errors.”

Deployed soldiers are also targeted by women who falsely designate them as the fathers of their newborns. “The military provides a steady, easily garnished income as well as medical care,” says Carnell Smith of Citizens Against Paternity Fraud. It is difficult to contest paternity while fighting a war thousands of miles away.

Spouses have other financial incentives to divorce military personnel. A serviceman must complete 20 years

of active service to qualify for retirement pay. A woman married to the man for one day may claim a portion of the pension for life, without regard to fault or need, simply by filing for divorce. As David Usher points out in Men's News Daily, there is no limit on how many times a woman can do this. (Men have done it too.)

None of this is hypothetical. Many veterans face such hardships now:

- "Gary," an 18-year veteran with an unblemished military and civilian record, was stripped of his child by a California court while deployed in Afghanistan as a Navy SEAL, according to Fox News. Columnist Glenn Sacks reports that he is now being bankrupted by child support and legal fees.
- Bobby Sherrill, a father of two from Parkton, North Carolina, was held hostage in Iraq for nearly five months. The night he returned from the Persian Gulf he was arrested for failing to pay \$1,425 in child support while captive.
- While serving in Iraq, Taron James was ordered to pay support for a child he knew could not be his, and DNA tests confirmed his claim. The district attorney and Los Angeles County Child Support Services nevertheless seized his tax refund annually, blocked him from renewing his notary-public license—which caused him to lose his job—ruined his credit, blocked him from obtaining a passport, and forced him to drop out of college.

These are not aberrations. They proceed from the ideologically and bureaucratically driven logic of the custody-support industry, which depends for its justification on removing children and criminalizing the fathers.

The Army's response has been to spend millions on therapeutic gimmicks in a futile effort to reduce the divorces: counseling services, support groups, romantic getaways, even advice to single soldiers on how to pick partners wisely.

"Our hope is to change the culture," says Bloomstrom, who also adopts civilian-sector jargon. "Initially there's a stigma about any program to do with relationships. We need to teach that there's nothing wrong with preventive maintenance for marriage."

The Army is burying its head in the sand. We can only hope that communications workshops and cultural understanding are not the approach they take to opponents in the field. They do so in this case because the threat is not Islamic radicals but feminist radicals.

Those affected see through the obfuscation. "This is outrageous," said Kathy Moakler, deputy director of government relations of the National Military Family Association. "It's a scary precedent to set, charging the parent with abandonment because he was deployed."

Obviously these men have not abandoned their children. Yet what justifies criminal penalties, if it is not to catch those who have? If these fathers are being stripped of their children and criminalized through no fault of their own, why should we assume that others are being treated any less unjustly? This points to the larger issue, since the obvious injustices to soldiers, sailors, and airmen are simply the logical next step from what has been inflicted on others for years. The dysfunctional effects on military efficiency are also paralleled elsewhere in society.

The flight of men from the military strikingly parallels the flight of men from marriage, with its attendant

drop in birth rates, that has come to preoccupy policymakers up to the level of president. Men are staying away from both institutions for the same reasons: for many they have become a ticket to jail.

The National Marriage Project at Rutgers University reports a continued drop in the marriage rate. They too ignore the criminal penalties that men can incur when they marry, instead urging therapy and formulaically excoriating men for their lack of “commitment.” Citing the Rutgers study, Assistant Secretary of Health and Human Services Wade Horn promotes federal marriage programs inculcating “conflict-resolution skills.”

Men do not risk their lives, fight, and die for a country that is an abstraction. They fight and die for their families and homes and freedom, all of which are being taken away by the courts. “Sometimes I wonder what I risked my life for [in Afghanistan],” “Gary” tells Sacks. “I went to fight for freedom but what freedom and what rights mean anything if a man doesn’t have the right to be a father to his own child?”

Gordon Dollar was a reservist for 16 years in the National Guard and Naval Reserves. “I have friends that are very motivated and dedicated people, Frogmen/SEALS, Green Berets, and Rangers, and they were getting out too,” he tells Usher. “I think people who served this country are feeling betrayed by it, and see no point in serving it.”

California Gov. Arnold Schwarzenegger has just signed legislation protecting military personnel in custody and child-support cases. Missouri is the only other state to protect reservists on active duty by requiring automatic adjustments in their child support. More states need to act.

Federally, the Servicemembers Civil Relief Act, which protects deployed military persons from other civil suits, should be amended to include specifically the actions of divorce courts and child-support bureaucracies. The Uniform Child Custody Jurisdiction and Enforcement Act, designed to prevent parental kidnappings, could also be modified to protect service personnel whose children are snatched away. Finally, Congress should repeal the infamous Bradley Amendment, so that judges can exercise reasonable discretion to modify child-support debts downward as well as upward in cases in patent injustice.

It is ironic that, as we defend a questionable military policy with patriotic appeals to support the troops who must execute it, we allow the breakdown of traditional morality and the erosion of ancient legal protections for the family to ruin those same troops once they return home. This undermines not only the military, of course, but also the patriotic appeals. But even more, in the long run it also undermines our national defense. It would be difficult to find a single policy that so simultaneously weakens the nation within and without.

What we are seeing here is only one vindication of now forgotten prophecies from critics like G.K. Chesterton that easy divorce would destroy not only the family but civilization itself. Yet as the prediction is fulfilled before our eyes, our leaders obfuscate it with clichés and psychobabble.

The much-belabored parallel with Rome is irresistible. External threats are successfully withstood until the internal moral decay that accompanies the breakdown of republican freedom and virtue. For Islamists who regard the West as a morally and sexually decadent culture, the prospect must be encouraging.

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