

Newman Weekly

By Dr. Muriel Newman
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The New Zealand Centre for Political Debate

Nature Knows Best

Every day, in a myriad of ways, nature reminds us of her ancient powers: whether it's the sight of birds flocking ready to migrate on their autumn journey across the globe, or the awful devastation of cyclones, earthquakes and volcanoes, nature has a time-clock and a mind of her own. And while it is true that man has learned to harness the power of nature to some extent, and through sensible preparation minimise her devastation, our world remains largely at her beck and call.

One of nature's most successful devices is the "pair" bond, evolving through the process of natural selection to ensure the continuation of species. The strength of the pair bond - whether it is formed for a season or for a lifetime - is determined by the characteristics of the offspring: if the mother is fully capable of rearing the young without aid of a mate, then the bond tends to be short, but if the task is too difficult or the young take too long to be able to live independently, then a pair will bond for life.

Left to natural devices, human beings pair for life, as they share in the complex task of raising their children. They also share a natural inclination - common to most pairing animals - to establish their own territory, a place to call their own, to build a home and raise their family

Anthropologist Richard Ardrey in his fascinating book "The Territorial Imperative: A personal inquiry into the Animal Origins of Property and Nations" puts it this way: "our attachment for property is of an ancient biological order. Through isolation of the pair on the mutual property, a guarantee is effected that neither will desert the family obligations. But I also suggest that the mysterious enhancement of powers which a territory invariably summons in its male proprietor places energy otherwise unavailable at family disposal".

He goes on to suggest that there are three basic needs that motivate the behaviour of all higher animals including man: "the needs for identity, for stimulation, and for security". He defines identity is the opposite of

anonymity: "the endless quest to achieve recognition of oneself as an individual in one's own eyes and in the eyes of one's kind". Stimulation he defines as the opposite of boredom, the need for excitement and challenge, enjoyment and apprehension, and security he defines as the opposite of anxiety, with the need for security - a place of refuge - tending to be strongest in females.

Over time, human evolution gave rise to the two-parent married family, often described as the most successful child rearing institution ever invented. But by the middle of the 19th century, socialism had begun its march and in its sights, the destruction of the nuclear family: in 1948 Carl Marx called for the 'abolition of the family' in his Communist Manifesto and, aided and abetted by the feminist movement, what had taken more than a million years to evolve, has, in just over 150 years been largely undermined.

Each step of this erosion of the family has been incremental: the introduction of no-fault divorce made it easy to walk away from the commitment of marriage; the establishment of the domestic purposes benefit with its built-in incentives to reward mothers who split up from their husbands; the practice of awarding sole custody of children to mothers (I recall seeing research some years ago which showed that around 70 percent of marriage break-ups were instigated by mothers who were confident they would gain sole custody of their children); the enforcement of a punishing child support regime which fails to take into account the financial circumstances of both parents or to ensure the money is spent on the children.

Many of these changes have taken place under the veil of secrecy, which has surrounded the operation of the Family Court. As a result, the situation where an estimated 15,000 New Zealand children a year will lose all effective contact with their fathers - and often their grandparents - has occurred outside of mainstream public awareness.

As a result of a misguided mix of laws and state incentives, New Zealand society has now reached the stage

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where tens of thousands of mothers are living on their own struggling to raise their children, but unable to give them the nurturing of two parents. Meanwhile tens of thousands of willing fathers remain cast adrift from their traditional role as breadwinners, husbands and fathers, while their children are forced to suffer the well-documented consequences of living without their fathers (see the excellent analysis by Civitas, *Experiments in Living: The Fatherless Family*).

As a Member of Parliament, I campaigned to change all of this: I called for a major overhaul of the social welfare system and the child support system, for the family court to be opened to public scrutiny, and for 'shared parenting' to be introduced to replace sole maternal custody.

Shared parenting is based on the presumption that just as two parents are equal in their responsibility to their children before a relationship breaks up, so too they are equal afterwards - unless one can prove the other is unfit to be a parent. According to some family lawyers, this would revolutionise what has become a complex, lucrative, but destructive industry, massively simplifying the law and clarifying expectations for all concerned: at present a father has to prove that he is fit to be a parent, effectively challenging the mother. Under shared parenting the suitability of both parents is taken for granted.

This change would put the needs - and rights - of a child to be raised by their mother and their father, even though the family may no longer live together, ahead of parental animosity. The effect would be to significantly reduce the damaging family warfare that all too often dominates custody cases. Shared parenting also tends to reduce welfare dependency as parents work

cooperatively in caring for their children.

While the feminists in the Labour Government opposed my Private Members' Bills to open up the family court and introduce shared parenting, not wanting to see the gains hard won by the feminist movement undermined by giving some of those rights back to fathers, their actions are in stark contrast to recent international trends.

Further, the fathers groups who supported these parliamentary campaigns, frustrated by Labour's refusal to take their concerns seriously, are now taking their struggle to the streets, targeting the homes of judges, psychologists and others that they believe to be exacerbating the increase in family breakdown. These developments are examined in more detail by this

week's NZCPD Guest, Massey University's Director of the Centre for Public Policy Evaluation, Stuart Birks (www.nzcpd.co.nz).

So while USA has abolished welfare laws that cause family breakdown leading to fewer broken homes, fewer fatherless children and more marriage, and Belgium and Italy have this year introduced shared parenting to ensure that if families do break down the father-bond is maintained, the New Zealand government continues to turn its back on nature and put its head in the sand by progressing the feminist socialist dream which will inevitably lead to yet more unhappiness, more crime and more disaffected and ruined lives.

This week's poll asks, Do you agree that family law in NZ is in urgent need of change?

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