

## A MALE MANIFESTO:

It's time for some guy to sue his wife for Intentional Infliction of Emotional Distress

Enter any court in America and you will see many cases of idiotic males who are there for having allegedly beaten up their girlfriends, wives, fiancés, etc. They are there, in the vast majority of cases, because they did something wrong, and deserve to be there. But what of the female aggressions and emotional assaults on men? As any psychologist—or anybody, male or female, with any sensitivity—will tell you, emotional manipulations, deliberate emotional assaults and aggressions can leave scars as painful and long-lasting as any physical ones.

But since those scars are not physical—and since men are unlikely to try to litigate them, even if they knew there is a way to do so—we do not see men in court using legal process instead of the fist, guns, baseball bats or other blunt objects that are regularly alleged, as their response to an emotionally destructive spouse or girlfriend.

Certainly, not all instances of male aggression result from emotionally destructive female behavior. There are, sadly, lots of men who are immature enough, violent enough or just plain stupid enough, to respond to a female's disagreement or debate with a closed fist. And the country and world—not just female involved—are all better off with these guys behind bars.

But it remains a basic inequality of our time that women have an array of legal tools and punishments to bring to bear against the abusive male. A man even just accused of physically harming or threatening his wife or girlfriend can lose his hunting rights and even his fishing rights (and the later seems to have no link to the risk of potential future harms to the female). The men can, and often do, lose the right to have custody of their children, occasionally cannot see them by court order, and more often, cannot see them due to impairment of the man's residual rights under the court order by the manipulative or deceitful female.

Yet men have little legal recourse against the frequently abusive, emotionally destructive, or harmfully manipulative female. Once in a while, a man will seek and obtain a protective order against the female who assaults or batters him, but that is rare.

In short, men suffer from a lack of equal protection under the law, and under the 14th Amendment, that is probably discriminatory and unconstitutional.

The lack of physical marks from emotionally destructive assaults, extended manipulations and similar destructive behavior makes it harder to rectify this constitutional imbalance, but that lack does not make it impossible.

For one thing, though verbal threats do not leave marks, they do constitute assaults. (In law the actual hitting is a "battery" and the threat of it—a verbal thing—is the "assault") Verbal threats are not the same thing as deliberate verbal infliction of emotional distress. But the fact that such verbal assaults are illegal shows that non-physical verbal aggressions can be acted upon by the law.

Also, there actually is a tort that men can use in court against emotionally destructive women. A "tort" is a negligent or intentional, but non-criminal, wrong. Torts include things like negligent homicide (say, by heedless car drivers), and toxic torts (say, by polluters who poison a town's water supply). They can be acted upon in court, and they often are. There is another tort, called "intentional infliction of emotional distress" which men who have suffered from extended and deliberate abusive behavior by women can use--if only they knew about it, and were willing to suffer airing a potentially embarrassing tale of abuse by a female, in court.

It would surely be difficult to convince any individual guy to go to court and recount how his wife or girlfriend engaged in a long series of verbal abuses, public embarrassments and humiliations, destructive games and manipulations. No man would like to do that.

Still, feminists have been able to convince women to slough off the feeling of embarrassment and humiliation when they are the victims and take the matter to a judge. Men should counsel other men to do the same when it is the guy who is the victim of a legally actionable wrong, an intentional infliction of emotional distress.

For a behavior to be this, it must be long-standing and severe. It cannot be merely one or two verbal deceits, one or two acts of deliberate infidelity, one or two lies, one or two complex games. It must be a long train of these types of behaviors. And the guy would have to prove that the girl's intent was actually to inflict emotional pain on him—which is not easy, but which can be inferred from the behavior, if it is extreme enough and frequent enough.

It seems that male physical abusiveness may well be, as feminists say, built into male genes. Despite the feminist claims, most men do not physically abuse their wives or girlfriends—that calumny was

common in earlier generations of feminism, but seems to have waned. Still, a horribly high number of guys do resort to fists (and worse) as their reply in a dispute with a female. And that is unacceptable, even though it may well be built in. Yes, males have been the hunter in homo sapiens for several million years; and females probably chose bigger, tougher, stronger guys for millions of years to be their mates, to protect them against other males, ensure food, and protect their offspring. So social role, greater physical strength and sexual selection have probably all conditioned human males towards aggressiveness. But that does not make beating up one's girlfriend or wife acceptable. That is one of the differences between civilized life and cave life.

Similarly, women are probably hard-wired to manipulate and cause hurt in the men they become close to. They need to know that the man really, really wants them—so much so that he will put up with hunger and hardship to feed and protect the female and child or children. So females engage in testing behavior—testing to see how much misbehavior the male will put up with, as the only way of distinguishing a male who just wants some quick sex (and might leave the female pregnant without a mate) from the male who really wants to stay with the female for the long haul. Thus the female engages in behaviors that seem, to the male, bizarre, emotionally destructive to the man, and harmful to the relationship or potential relationship. Some men reply with their fists, and properly go to jail. Most just go somewhere else. The ones who are truly in love (or truly in lust) put up with it. Until, that is, after the girl has stopped that behavior and bonded with the male—which is usually after sex, for the obvious reason that, at that point, the female needs to draw the male nearer, not push him away. After the girl has bonded, the shoe is on the other foot, and the male is likely to begin releasing his pent-up anger, making his natural aggressiveness even worse.

This is, also, not acceptable, and properly against the law. But it does not provide recourse for the abused male.

In fact, giving men the legal capacity to sue for deliberate, continual, emotionally painful or destructive behaviors should, ultimately, reduce male aggression against women. It will not only benefit men; it will benefit women. It should do so in three ways.

First, it will provide men with an alternative to violence. If they learn they can go to court and have some chance to win there, they will be less likely to beat up their women when they feel aggrieved.

(They will still, however, likely have a far smaller chance to prevail in court than current laws give women in cases of domestic violence. This is because a female can get a protective order on her say so, and the guy then bears the burden of proving the falsehood of her claim. It is the only area of American criminal law where the burden of proof is not on the one asserting that a crime was committed. We do not here suggest that an equivalent unfairness be built into the law of intentional infliction of emotional distress. Guys are supposed to be "big enough to take it" and are not supposed to hit girls, no matter

what the provocation. If they breach it, they suffer the consequence. But men should have some balance weight, something they can use that's better than violence, with at least some chance of legal victory, in response to emotionally destructive or aggressive female behavior.)

Second, the use of intentional infliction of emotional distress charges will prevent (or at least reduce) the build-up, in many male hearts, of resentment for the hurts inflicted by the emotionally destructive female. By having lawful recourse, such men can let those feelings out through legal, rather than physical, conflict.

Third, the increased use of the tort of intentional infliction of emotional distress may actually provide a deterrent to aggressive female emotional destructiveness and hurtfulness. And deterrence, of course, is one of the main purposes of the law, and a more lawful society helps all, women as well as men.

So let's get this essay out to every male possible.

Women suffered for several centuries under laws that made them less than equal citizens. It was good and right that they should protest those laws and change them. But the pendulum has swung to the point where now it is men who suffer from an unequal, and lesser, status in the law. This is one way to help bring the pendulum back to the middle, hopefully to a point where neither physical violence nor deliberately emotionally destructive behavior will be tolerated in law, whether done by men or women.