



Written by [Selwyn Duke](#) on August 27, 2014

U.K. May Make Psychological Abuse, Humiliation Jailable Offenses

Polygamy may still be illegal in most of the  West, but, increasingly, marriages today often include more than just two members: husband, wife — and Big Brother. The latest example is a proposal in the United Kingdom that would make actions such as “bullying” and withholding money in intimate relationships jailable offenses. Writes the *Telegraph*’s [David Barrett](#):

Husbands who keep their wives downtrodden could face prison under new plans set out by the Government today.

Theresa May, the Home Secretary, published proposals for a new offence of “domestic abuse” that would criminalise men or women who bully, cause psychological harm or deny money to their partners.

The law would make the worst cases of non-violent “controlling behaviour” a jailable offence.

Exact terms of the offence are yet to be defined, but it could involve humiliating, frightening or intimidating a partner, keeping them away from friends or family or restricting their access to money.

The plans are laid out in a 16-page “consultation” document in which the government [states](#) that it is focused on whether it “should create a specific offence that captures patterns of coercive and controlling behaviour.” While this is already illegal in Britain under legislation governing stalking and harassment, the proposed law would explicitly apply it to intimate relationships. And in this area, Home Secretary May clearly believes the government should play a larger role. As she [told](#) *The Guardian*, “Tackling domestic abuse is one of this government’s top priorities. The government is clear that abuse is not just physical. Victims who are subjected to a living hell by their partners must have the confidence to come forward. Meanwhile, I want perpetrators to be in no doubt that their cruel and controlling behaviour is criminal.”

Yet the U.K. isn’t the first country to boldly go where only marriage counselors have gone before. As the *Daily Mail*’s Peter Allen [wrote](#) in 2010:

Married couples in France could end up with criminal records for insulting each other during arguments.

Under a new law, France is to become the first country in the world to ban “psychological violence” within marriage.

The law would apply to cohabiting couples and to both men and women.

It would cover men who shout at their wives and women who hurl abuse at their husbands....

The law is expected to cover every kind of insult including repeated rude remarks about a partner’s appearance, false allegations of infidelity and threats of physical violence.



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Of course, many would agree that emotional abuse can transcend the physical variety; no small number of us might prefer one firm slap to a 20-minute nagging session. But critics would also ask: Is micromanaging such things the legitimate role of government? After all, physical abuse can leave bruises and broken bones, yet even in this area, false accusations are leveled and, sometimes, successfully used to gain leverage in court. So how much more nebulous can matters become when authorities must assess accusations of “humiliating, frightening or intimidating a partner”? And what of restricting “access to money”? How much restriction is too restrictive? Will women with Imelda Marcos silk-and-satin [tastes](#) and well-heeled husbands be judged by different standards? As psychologist Anne Giraud [said](#) when commenting on the French law, “Squabbling couples will allege all kinds of things about each other, but often it will be a case of one person’s word against the other.”

Moreover, while the U.K. proposal would apply in letter to “abusers” of both sexes, critics might wonder about its spirit; they could note that new domestic-abuse laws are pushed by feminist groups and are invariably aimed at men, and that in court many men already feel as if they’re guilty until proven innocent. In fact, this targeted intent was even reflected in Barrett’s *Telegraph* [headline](#): “Bullying husbands face jail under new proposals by Theresa May.”

Whatever the motivation, modern governments aren’t shy about inserting themselves into the family. Recently, for example, we learned of Britain’s new “[Cinderella law](#),” which makes “emotional cruelty” to a child a crime and could give parents prison time for anything that deliberately impairs their offspring’s “physical intellectual, emotional, social or behavioural development.” And how could this cure be worse than the disease? *The Telegraph*’s Allison Pearson [weighs in](#):

Here’s a brainteaser for you. For which new crime would the Queen, Evelyn Waugh, Margaret Thatcher, every single parent who sent their child to boarding school aged eight and pretty much any parent born before 1950 be jailed? Answer: emotional neglect of their children.

... The new offence of “emotional neglect” is both alarmingly vague and worryingly wide-ranging. For example, the National Society for the Prevention of Cruelty to Children claims that emotional abuse includes “making fun of what a child says or how they communicate”. Blimey.

One of the great pleasures of having children is seeing them stumble into the possession of language as they grow up. And, later, the attitudes that they start to try on. I remember Small Boy coming home and announcing: “In Sweden, parents aren’t allowed to shout at their children. In Sweden, parents have to be nice.”

“Well, go and live in Sweden then,” said Himself and I in unison. Does that count as belittling and abusive? Or was it two parents exercising their right to lightly mock their priggish offspring and set him right about the ways of the imperfect world?

But if traditionalists think Big Brother as compulsory marriage counselor and a Cinderella law are bad, know that at one time legislators in Germany and Austria proposed using state coercion to reverse, [wrote](#) the BBC, “the ‘Allerednic effect’ — that’s ‘Cinderella’ backwards — in which a prince marries a princess and turns her into a scullery-maid.” The German law would have *forced* husbands to do 50 percent of housework. How government would figure out the percentage performed is unknown, but perhaps politicians would use the same formulas they rely on to balance their budgets.



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