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## Psychology and Family Law

### The Timely Abolishment of “Gay Reparative Therapy”



By Mark Baer, Esq.

I have become rather known for speaking out about problems in the family law system and the way in which family law is handled, because it destroys families. Please don't think that my concerns about people being unfairly and carelessly

injured are limited to my efforts to transform the family law system. They also happen to include speaking out when any one person's or group's personal beliefs happen to harm other persons. I personally don't care what anybody's beliefs are--as long as those beliefs do not harm others.

It should go without saying that mental health professionals must not allow their personal beliefs to harm others, and especially not when acting in their professional capacity. One would think that this is such a basic concept, it should need not be spoken. Unfortunately, recent governmental legislation became necessary for just this reason.

On September 30, 2012, Governor Brown signed Senate Bill 1172 into law. This bill banned the use of Sexual Orientation Change Efforts (SOCE) with minors. SOCE is commonly known as reparative therapy, conversion therapy, or ex-gay therapy. Mental health professionals who are practicing any form of SOCE are by definition allowing their personal beliefs harm others. Such “treatment” has been found to be ineffective, and often to cause severe emotional harm, including suicidality. In other words, it is akin to psychological abuse.

Homosexuality was declassified as a mental disorder by the American Psychiatric Association in 1973, and removed from the DSM, 39 years ago. Nevertheless, the implicit premise of SOCE is that homosexuality is a psychological disorder, because otherwise such therapeutic efforts make no sense. Thus, therapists who utilize some form of SOCE in their practice need to evaluate their personal beliefs with regard to homosexuality, because such “treatment” is not based on a pathology diagnosis.

In the March/April 2012 edition of *Analyze This!* I published an article titled “Judicial Bias in Family Court.” In that article, I stated, “No amount of bias elimination training can educate a judge to forget about their life experiences, assumptions, personal beliefs, and opinions.” This statement is obviously not limited to judges, but applies to all human

beings, even highly trained ones, and even mental health practitioners.

As a man, I will never understand what it is like to be a woman. Similarly, heterosexuals will never understand what it is like to be homosexual. Heterosexuals should not pass judgment against homosexuals and discriminate against them, including assuming that they somehow can, and should, become heterosexual. The fact of the matter is that homosexuals are different from heterosexuals, primarily by virtue of their experiences in the greater social situation. Heterosexuals can't relate because they have never had to walk in their shoes. By the same token, male lawmakers should not be regulating women's bodies, when they will never know what it is like to be a woman, and will never get pregnant, and face the kind of choices women must face.

Certainly, nobody will dispute the fact that some homosexuals don't want to be homosexual, and seek SOCE. But that is only because they have been forced to hide their true selves in response to the way social norms have discriminated against them so strongly. They would prefer not having to hide the sexual orientation aspect of their lives, and not feel ashamed about it. The reason they have issues with their sexual orientation is due to the guilt, fear, and shame they experience--or expect to experience--from their family, friends and society. If society would stop shaming homosexuals, maybe homosexuals would not want to change their sexual orientation -- something that cannot be changed, in any case, because it is not a psychological disorder but a natural human condition.

Perhaps we should change our families, our schools and our culture instead, so that homosexuals feel safe, accepted, and respected. Once we've moved beyond violence, political disenfranchisement and homophobia, then let's see how many homosexuals want to be “converted.”

Instead of helping homosexuals to accept and love themselves for who they are, mental health care professionals who practice any form of SOCE are in essence reinforcing the guilt, fear, and shame that their parents and society have caused them to experience. Some therapists who advertise they are “gay friendly” or “gay affirming” actually utilize reparative therapy. In my opinion, this is highly unethical. When any profession fails to monitor itself, the government will do so. SOCE is not therapy. The credibility of therapy and your profession depends on people understanding this fact.

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