

## Society's Vindication of the Wife-Batterer

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(Editor's comment: Del Martin is the woman most identified with the attack on wife-battering; she is the author of the first major and the most definitive book on this subject, she has achieved recognition as an authority and a source of help, and she has appeared by invitation on programs of the American Sociological Association and the American Psychiatric Association on this subject. Her article calls for a new and a more serious approach to the problem and for the recognition that this problem interrelates with other problems that women face. J.R.)

I would like to start by reading an excerpt of a letter from a battered wife that a friend of mine received after discussing wife-beating at a public meeting:

I am in my thirties and so is my husband. I have a high school diploma and am presently attending a local college, trying to obtain the additional education I need. My husband is a college graduate and a professional in his field. We are both attractive and, for the most part, respected and well-liked. We have four children and live in a middle-class home with all the comforts we could possibly want.

I have everything, except life without fear.

For most of my married life I have been periodically beaten by my husband. What do I mean by "beaten"? I mean that parts of my body have been hit violently and repeatedly, and that painful bruises, swelling, bleeding wounds, unconsciousness, and combinations of these things have resulted.

Beating should be distinguished from all other kinds of physical abuse — including being hit and shoved around. When I say my husband threatens me with abuse I do not mean he warns me that he may lose control. I mean that he shakes a fist against my face or nose, makes punching-bag jabs at my shoulder, or makes similar gestures which may quickly turn into a full-fledged beating.

I have had glasses thrown at me. I have been kicked in the abdomen when I was visibly pregnant. I have been kicked off the bed and hit

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while lying on the floor – again, while I was pregnant. I have been whipped, kicked and thrown, picked up again and thrown down again. I have been punched and kicked in the head, chest, face, and abdomen more times than I can count.

I have been slapped for saying something about politics, for having a different view about religion, for swearing, for crying, for wanting to have intercourse.

I have been threatened when I wouldn't do something he told me to do. I have been threatened when he's had a bad day and when he's had a good day . . . .

I have been threatened, slapped, and beaten after stating bitterly that I didn't like what he was doing with another woman.

After each beating my husband has left the house and remained away for days.

Few people have ever seen my black and blue face or swollen lips because I have always stayed indoors afterwards, feeling ashamed. I was never able to drive following one of these beatings, so I could not get myself to a hospital for care. I could never have left my young children alone, even if I could have driven a car.

Hysteria inevitably sets in after a beating. This hysteria – the shaking and crying and mumbling – is not accepted by anyone, so there has never been anyone to call.

My husband on a few occasions did phone a day or so later so we could agree on the excuse I would use for returning to work, the grocery store, the dentist appointment, and so on. I used the excuses – a car accident, oral surgery, things like that.

Now, the first response to this story, which I myself think of, will be “Why didn't you seek help?”

I did. Early in our marriage I went to a clergyman who, after a few visits, told me that my husband meant no real harm, that he was just confused and felt insecure. I was encouraged to be more tolerant and understanding. Most important, I was told to forgive him the beatings just as Christ had forgiven me from the cross. I did that, too.

Things continued. Next time I turned to a doctor. I was given little pills to relax me and told to take things a little easier. I was just too nervous.

I turned to a friend, and when her husband found out, he accused me of either making things up or exaggerating the situation. She was told to stay away from me. She didn't, but she could no longer really help me. Just by believing me she was made to feel disloyal.

I turned to a professional family guidance agency. I was told there that my husband needed help and that I should find a way to control the incidents. I couldn't control the beatings – that was the whole point of my seeking help. At the agency I found I had to defend myself against the suspicion that I wanted to be hit, that I invited the beatings. Good God! Did the Jews invite themselves to be slaughtered in Germany?

I did go to two more doctors. One asked me what I had done to provoke my husband. The other asked if we had made up yet.

I called the police one time. They not only did not respond to the call, they called several hours later to ask if things had “settled down.” I could have been dead by then!

I have nowhere to go if it happens again. No one wants to take in a woman with four children. Even if there were someone kind enough to care, no one wants to become involved in what is commonly referred to as a “domestic situation.”

Everyone I have gone to for help has somehow wanted to blame me and vindicate my husband. I can see it lying there between their words and at the end of their sentences. The clergyman, the doctor, the counselor, my friend’s husband, the police – all of them have found a way to vindicate my husband.

No one has to “provoke” a wife-beater. He will strike out when he’s ready and for whatever reason he has at the moment.

I may be his excuse, but I have never been the reason.

I know that I do not want to be hit. I know, too, that I will be beaten again unless I can find a way out for myself and my children. I am terrified for them also.

As a married woman I have no recourse but to remain in the situation which is causing me to be painfully abused. I have suffered physical and emotional battering and spiritual rape because the social structure of my world says I cannot do anything about a man who wants to beat me . . . . But staying with my husband means that my children must be subjected to the emotional battering caused when they see their mother’s beaten face or hear her screams in the middle of the night.

I know that I have to get out. But when you have nowhere to go, you know that you must go on your own and expect no support. I have to be ready for that. I have to be ready to support myself and the children completely, and still provide a decent environment for them. I pray that I can do that before I am murdered in my own home.<sup>1</sup>

Now what this woman says is really quite true – it is a rather common experience. Every institution in our society is designed to keep the marriage intact and the family together regardless of the danger involved. And in the process we are excusing the husband’s violent behavior by our inaction, indifference, reluctance or inability to cope with this marital violence; society in effect condones the husband’s violence.

The actions and attitudes of police are major factors in wife-beating as a social problem. The police department is the only public agency readily accessible on a 24-hour basis in times of crisis. When the battered woman calls the police it is an act of desperation, and she expects an immediate response, but most police departments give domestic disturbance calls a low priority. Response time ranges from twenty minutes to several hours, if indeed they respond at all. The most common complaint heard from wife victims is that if and when the police do arrive on the scene, they don’t do anything. They may try to get the husband to leave the house for a cooling-off period, but they rarely make arrests. Women have been taught to believe that police are there to protect them, but a reality check certainly

indicates otherwise.

Chief James Bannon of the Detroit Police Department believes that the police are probably the worst possible choice to intervene in marital violence cases. Police are socialized, as are most males, to believe that the husband is the owner and the wife his property. Furthermore, they are by occupation absorbed with the use of physical coercive force and dominant masculine role images. Bannon says, "The superordinancy of the male coupled with his socially mandated self-reliance on violence to resolve personal problems without outside assistance assures us that wives will continue to be battered in record numbers. . . . The treatment of female victims of assault of the domestic variety could charitably be termed cavalier," he charges. "Not so charitable, but perhaps more accurate would be an allegation of misfeasance."<sup>2</sup>

At the police training academy in Michigan, the police are told to avoid arrests in such cases and to appeal to the woman's vanity. They are told that they should explain the whole procedure of obtaining a warrant, that she is going to have to sign it, that she will have to appear in court and that she really ought to consider the loss of time and the cost of the court. They are also told to explain that victims' attitudes usually change before court time, and perhaps she really ought to postpone any decision about making an arrest.<sup>3</sup>

The training bulletin of the Oakland, California, Police Department states that when no serious crime has been committed (I'm always having trouble deciding when the police ever think these cases are serious) but when one of the parties demands arrest, the officer should attempt to explain the ramifications like loss of wages, bail procedures, etc., and should encourage the parties to reason with each other. This policy has made the Oakland Police Department the defendant in a class action brought in Federal Court by four battered women on the grounds that the non-arrest police policy is a denial of their right to equal protection under the law and a breach of the duty of police to make arrests. Another class action suit is pending against not only the police department but also the family court in New York City.

Morton Bard and Joseph Zacker claim that in the police family crisis intervention programs that they have conducted — they have conducted two in New York City and one in Norwalk, Connecticut — there was no evidence of assault in 67% of the domestic disturbance cases and no prior history of assault in 61.5% of the cases.<sup>4</sup> If these percentages hold true generally, then we can estimate that out of 46,137 domestic disturbance calls we know were received by Kansas City, Missouri, police in 1971, one-third, or 15,346, did involve assault, and 38.5% of these, or 5,108, were repeat calls. To me that indicates a serious problem, especially in view of the fact that 40% of the murders in Kansas City that year involved spouse killing spouse and that police had been called in 85% of these cases at least once before the murder, and five or more times in 50% of the cases, within a two-year period before the homicide occurred.<sup>5</sup>

A great deal has been said in favor of family crisis intervention training for police. Certainly this kind of training is valuable, but I think we need to explore a little bit more about what it means. Much of that training is to teach the officer how to protect himself, and with just cause. The FBI statistics for 1974 show that one out of five officers who died in the line of

duty was killed trying to break up a family fight.<sup>6</sup> Yet ironically police still regard domestic disturbances as merely “family spats.” If they are dangerous to a trained police officer, they must certainly be dangerous to a defenseless woman and her children.

A Training Guide that has been put out by the U.S. Department of Justice, Law Enforcement Assistance Foundation, points out, “Although the prevailing American culture tolerates a minimum of physical force as a reaction to anger, such physical force is the common response among certain ethnic groups. Therefore, whether or not the use of such force can be considered serious depends in part on the cultural background of the people using it.” It goes on to say, “In some cultures the dominance of the father is especially noticeable. In Puerto Rican families, for example, the need to assert masculinity, *machismo*, is very important to males and taught to them early.”<sup>7</sup> The cultural imperative becomes the excuse for doing nothing. And that’s a police practice, I might add. Many minority women are protesting this way of viewing marital violence, and in Oakland that protest is being made by black women.

I’ve talked to Latina, whose mother was killed by her stepfather, and as far as she is concerned she wants to preserve the Puerto Rican culture but not its negative aspects, that kind of violence.

The Guide also goes on to say that stresses resulting from marked changes in family structure include the breakdown of traditional definitions of masculine and feminine roles by which men and women were guided in the performance of their obligations and the enjoyment of their privileges, such as the wife leaving the traditional housewife role to take a job.<sup>8</sup> Now you can imagine, if there is that kind of an argument going on in the household, which side the police are going to take.

The same attitudes will be taken by male prosecutors and judges who are committed to maintaining the status quo — that is, male supremacy in the home and in the society. Several court decisions have been quite explicit about a wife’s obligation and duty as her husband’s legal dependent, to be his helpmate, to take care of his personal and sexual needs, to do the housework and care for the children without compensation for her labors.

In this Guide, again, there is only a single reference to a wife-beating case. Usually the text speaks of minor “family disputes.” Here is the one example: “A married couple had an argument resulting in the wife’s nose being broken by her husband. The officer asked the wife for her story, if she wanted her husband arrested, if she loved her husband and where he could find her husband. After locating the husband, the officer informed him that his wife was in pain and asked him if he loved his wife and what had happened. He then brought the two together and asked them to talk and apologize to each other. He told them that, after all, this would have an effect on the child in the household. He reminded them that they were really lucky this time — the husband had had no charges brought against him, the wife had only a broken nose. The officer left.” This benevolent non-arrest policy might be satisfactory in some instances if the husband-assailant responded to leniency and kindness by resolving never to resort to violence again. Unfortunately it doesn’t work that way. The man sees this leniency as reinforcement for his abusive behavior, and he quickly learns that lesser

injuries, like a broken nose, are tolerated by the system. The problem is that violence unchecked can lead to murder.

We now have social scientists who are speculating on what makes the difference between a man who merely wounds his wife and the man who kills her. One researcher sees the murderer as a man less experienced in violence who can go too far when he loses control,<sup>9</sup> and another says that alcohol could affect his judgment of the degree of battering a woman could take without dying.<sup>10</sup> This is the help we get from the social scientists. Such speculations lead Jean Arrington, of the Vancouver Status of Women, speaking at a conference in Vancouver on Family Violence, to respond:

Social science as it is practiced doesn't apply to women at all. Just as women are excluded totally from the means of material production and the ownership of that means of production, so are they excluded from the production of the concepts which govern our lives. We are silenced. We do not form the thoughts, we do not produce the concepts that govern how it is we see the world. Our experience is never adequately described by the disciplines in the social sciences. We always end up the objects of the study. We are told, here are some people that we will look at from this particular position, and the position from which we are being looked at is one that we do not occupy.

I look at the literature, and I find the whole situation is masked somehow. It is removed. It is abstracted. When we read about marital violence we look at things like violence in general, where does it come from, is it biologic, is it psychoanalytic, what is violence? Is it a punishment? How many bruises make a battered wife? Is violence legitimate? Is it instrumental or expressive? A whole range of thinking that is totally divorced from anything the battered wife in fact actually experiences. We have to decide, according to some social scientists, what amount of violence is socially approved, and I would suggest that it is never socially approved by the victims.

Also when we read the social scientists on marital violence we can't tell who is doing what to whom. The language is completely neutral. It is completely desexed, which is a very interesting phenomenon since that's what the women's movement has been really striving for. It's so difficult for men to desex language in other instances, but it's very easy when it comes to marital violence. When we read the social scientists on marital violence we hear about violence between family members or intra-family murder and so on. I think we must be very, very clear that when we talk about marital violence we are by and large talking about violence against women.

Ms. Arrington continues, "We have psychiatrists who seem to be obsessed with blaming the victim. We read that women who are beaten are too aggressive, or they are too passive, or they are too passive-aggressive, or they are too masochistic, or they are too assertive, or they are too well educated, or all sorts of other things that somehow justify the situation they are in. The husband, on the other hand, is treated as somehow pathological as well, but the tone is quite different. He is under too much stress, he is worried about sex, he is unemployed, he was intoxicated and didn't know what he

was doing. For any number of reasons, his behavior is somehow excused by whatever it is that we undergo in urban living.

"Men beat their wives because they are permitted to do so and nobody stops them. Women are beaten because they are trained, enforced, and maintained into dependence and nobody helps them."

According to Murray Straus, who has conducted extensive research on violence in the family, perhaps the most fundamental set of factors bringing about wife beating are those connected with the sexist structure of the family and society. Of course, that's my opinion, too. But I note that if I said it as a feminist, that wouldn't be acceptable. I want it clearly understood that this comes from a male researcher. He says that cultural norms and values permit and sometimes encourage husband-to-wife violence.<sup>11</sup> Both he and Richard Gelles, who studied 80 families in Rhode Island, have come to believe that "the marriage license is a hitting license." Gelles' study was based on 40 families in which violence had occurred. They were picked from the police reports and family agency files. For the control group Gelles interviewed 40 neighbors of these families. But in these supposedly non-violent families in the control group he found that 37% had experienced at least one incident of violence and for 12% violence was an ongoing occurrence.<sup>12</sup> To prevent wife-beating, Straus says that for her own protection, no woman should enter marriage without its being firmly and explicitly understood that the husband is *not* the head of the family.<sup>13</sup> Obviously that came from a man who doesn't understand that the system legally, socially and every which way, including economically, makes it impossible for the woman to enforce that understanding. Women lose their rights when they marry, and I wish that in the state of Georgia we would come to that realization. We need the Equal Rights Amendment.

A 1944 Florida Supreme Court decision aptly describes a woman's legal status: "A woman's responsibilities and faculties remain intact from age of maturity until she finds a mate, whereupon incompetency seizes her and she needs protection in an extreme degree. Upon the advent of widowhood she is reinstated with all her capabilities which have been dormant during the marriage, only to lose them again upon remarriage."<sup>14</sup>

Women are caught in a double bind. In a patriarchal society which depends upon the subjugation and control of women, rules and roles are defined and enforced by male-dominated institutions. Marriage is the means by which women are routinely and systematically cast in the role of victim. A woman is taught from birth that her goal in life is marriage and motherhood. Otherwise she will never be "fulfilled" or "whole." In some religions she acquires a soul along with the husband. To catch a husband a woman must be "feminine," which means she must adopt the characteristics of a subordinate. She must be acquiescent, passive, dependent, and permissive, and she must cheerfully accept her role as her husband's servant. When she submerges her own personality and adapts to society's expectations, then she may be considered "normal" and "well-adjusted." It is this way that the patriarchy legitimizes inequality between the sexes and at the same time obscures the existence of this inequality. Commonly accepted roles and values become part of the culture, are incorporated into its moral and social structure and are considered "natural" to human

behavior. But the woman who follows the dictates of male society may find herself subject to physical abuse at the hands of her husband. Her very passivity and submissiveness make her a doormat which provokes abuse. If, on the other hand, she steps out of character and is assertive and strong instead of weak and dependent, she also invites abuse to put her in her place, to force her to be passive, again to provoke abuse, and again to be shoved back into her place. It's a vicious circle. Either way she is vulnerable. In other words, women are in a no-win situation, no matter what they do or don't do. Society not only places the wife in a position to be victimized but blames her when the inevitable happens.

The battered wife is constantly accused of being masochistic. Why else would she stay? She stays because society has not made room for her in any other place, because she cannot obtain help, and because she is economically dependent. She stays because the structure of her society says she cannot do anything about a man who wants to beat her. Religiously she is tied to him "for better or for worse, until death do us part" — and that often happens. Socially she is looked upon as a failure unless she holds the family together, and family service agencies are more concerned with reconciliation than with her safety. Legally the wife cannot find relief or protection. Economically she is likely to be destitute, and in trying to apply for welfare she finds that she has to have an already established separate domicile of her own, something which she can't do if she has no money. Psychologically and emotionally she is completely demoralized and devastated.

Gelles agrees that the battered wife is influenced by the constraints and lack of understanding by police, social agencies, and the court. The fewer resources a woman has, the less power she has, and the more entrapped she is in her marriage, the more she suffers at the hands of her husband without calling for outside help.<sup>15</sup> To leave it to a lone woman to buck what amounts to the institutionalization of marital violence by an entire society is both cruel and unrealistic, despite occasional successes. If any real progress is to be made, wife-victims need the support of feminists groups, the legal profession, human service agencies and individual practitioners.

But it must be understood that tradition has made the woman victim. Therefore, traditional ways of meeting the problem will not do. Social attitudes need to be changed and the roles of women and men in society reevaluated and redefined. If marriage is to survive — that is, if we are going to stop husbands and wives from killing each other — the balance of power in the relationship must be equalized and the rights of both spouses protected. Marriage should be a partnership, an egalitarian relationship rather than a means by which one sex subjugates the other. The impetus for change at the present time is coming from women — naturally — who are developing support systems for victims of violence: crisis hot-lines and crisis counseling, supplemented by consciousness-raising, assertiveness training, self-defense, and feminist therapy. Self-respect and a sense of one's value as a person are the basic goals of all these approaches. Women are redefining themselves on the basis of their own reality, the relevance of their own experience, their own thoughts, actions, feelings. "Counseling with the battered wife needs to be aimed at changing her low self-esteem. A woman needs to see that she is unconditionally of value, and that she deserves to be treated with respect.



After she sees that she is of value, she needs to look at the illusion that somehow she has a real affiliation with her husband in spite of his behavior. However, no amount of awareness will help unless she feels capable of self-support. First she needs traditional assistance like temporary shelter. In order to become autonomous she needs a job, vocational counseling, day-care for her children and help in finding a permanent place to live."<sup>16</sup>

Women are organizing task forces across the country to establish emergency housing for battered women and their children, to offer them a safe refuge and a supportive environment where such services are provided. These refuges are generally run by women for women. The address is kept secret for security reasons, and for the most part men are excluded from the premises. Emphasis is on self-help, with women gaining strength from sharing their concern and common experiences with other women. The battered woman gains confidence and strength from her peers and begins to recognize her capabilities. She learns to evaluate her circumstances by sorting out what part is her responsibility and what part is imposed upon her by society. She becomes aware that there are other options open to her and that whatever decision she makes, whether it means to go back home or to try to get out on her own, that she will be supported. Experience shows that if a woman is permitted to stay in a refuge like this for a period of at least three weeks to a month, she has a better chance of becoming independent.

It is imperative that traditional agencies understand that theirs must not be a primary role in the shelter but rather a backup role. Peer counseling, women helping women, is essential to the process of the victim's rehabilitation. She needs to get in touch with the reality of her womanness, and identify as a person of worth and value in and of herself. So long as she remains trapped in the dominant male culture's theories about the nature of women and continues to try to reconcile the unreconcilable, she will continue to be victimized. Certainly the shelter will need the support of agencies like the legal system, social services, and mental health professionals. Admittedly the refuge as a rescue operation for victims is only an emergency band-aid measure. It does not solve the basic problem. Public and private agencies whose operations in any way bear upon the problem of marital violence could best form a consortium, identify the services they provide and learn how they can work together in dealing with the batterer. No one is now dealing with the batterer. Most of the emphasis to date has been on the victim.

Such innovative ideas have been developed in some communities. In Hayward, California, there is Project Outreach. Mental health professionals go out on domestic disturbance calls with the police on weekends. When the officer is satisfied that the potential for further violence has subsided, he is free to leave. The mental health professional can stay and counsel the couple. There is a follow-through program in which the couple is offered a series of up to ten counseling sessions free of charge. This program is under the auspices of the police department; the mental health professionals are hired by the police department.

A judge in Hammond, Indiana, decided the best way to stop the violence would be to appoint the wife-victim as the husband's probation officer. And he explains, "We impress the husband that if he hits his wife again he is not

only hitting his wife, he is hitting his probation officer and he is hitting somebody who is working for the court. The idea behind that being that the husband might not think twice about beating his wife, but maybe he'll think twice about hitting the officer of the court."<sup>17</sup> If the wife is beaten again, she can call the judge at work or at home and obtain an order revoking the probation and directing the police to make an arrest of the husband.

Usually there is a hue and cry when you say something like that, where the woman has that kind of control, because after all there are those vindictive wives who are going to cry wolf and abuse any kind of power they might have a chance to use. But the experience of a pre-trial release, victim-witness-advocate program in Tucson, Arizona, indicates that this is not so. In this program judges are receptive to the wife's wishes and usually comply with her suggestions for conditions of release. Most often the defendant is released to relatives or a friend's residence and ordered not to have any contact with the victim, either by phone or in person, during the course of judicial proceedings. More often than not, the wives feel their husbands need treatment more than punishment because of severe alcohol or emotional problems. They so indicate to the judge, who can order the husbands into some kind of treatment.<sup>18</sup>

In Milwaukee, Wisconsin, the first offender is ordered to appear at an informal hearing in the District Attorney's office. This is the usual procedure in many locations, but in Milwaukee they have put some teeth into it. They have taken steps to enforce the husband's pledge that he won't do it again. If, for example, alcoholism is the problem, the D.A. requires the man to participate in a treatment program — either that or face prosecution. In any case, the D.A. warns the husband that although the incident will be held confidential, the case will also be held open. A recurrence of the offense would result in charges of two counts of battery, arrest at home or work, and advice to the court that the man had already been given an opportunity of probation.<sup>19</sup>

An assistant district attorney in Spokane, Washington, suggested that the quickest way to stop wife-beating would be through peer pressure. If men would stop making jokes about wife-beating, if they would let it be known to battering husbands that this is not acceptable behavior, if uniformed police officers would go on television and warn the men that laws prohibiting assault and battery will henceforth be enforced against wife beaters, if men would form support groups for batterers who want to change their behavior much in the same way as women are now working with the victims, we would be jumps ahead in solving the problem of marital violence.

Finally, I would like to share with you the sequel to the letter from the battered wife that I started out with. I learned later that her husband was a prominent doctor and that she documented her case, turned it over to the women at La Casa de la Madras, the refuge in her area, and asked that if anything happened to her, the information be made public. She then went home and told her husband what she had done. It's been a year and a half now. He has not laid a finger on her — which says to me that if a man has something to lose he quickly learns how to control his behavior.

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