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Myths and Misconceptions About Domestic Violence

Karla M. Digirolamo*

It has been said that the measure of a culture is how it treats women. If this is true, then, as the women portrayed in the Academy Award winning documentary "Defending Our Lives"[1] make clear, we have much reason for concern. The battered women who told us their stories in this documentary suffered brutal abuse at the hands of their partners, were offered no effective help or protection from anyone and were forced to defend their lives and then sent to jail for doing so.

Each year in this country, about 700 women kill abusive partners;[2] almost all have come to believe that no one can or will protect them. They are correct. The formal assistance and protective systems, like the informal community support systems, seem hopelessly broken, unable to offer any effective help or even any hope, until in one of the many ironies these women encounter, the system suddenly begins to work, grinding forward to prosecute them for the crime of staying alive. Whether or not women like this should suffer a consequence for their desperate acts, the widespread existence and terrible consequences of domestic violence, and the history of virtually no sustained efforts to intervene or stop it, represent a significant societal failure and undermines the expectations we all have for equal protection under the law.

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* This paper is adapted from a presentation at the symposium "Domestic Violence and the Law; Getting Through the Legal System Without Being Battered Again," convened by Pace University School of Law, the Battered Women's Justice Center, and the *Pace Law Review* on February 18, 1995. The author, Karla M. Digirolamo, is the Managing Director of Digirolamo Associates, a consulting firm specializing in domestic violence training and program development with the corporate and business communities, public agencies, and not-for-profit organizations. Ms. Digirolamo founded and subsequently became Director of the New York State Office for the Prevention of Domestic Violence. Ms. Digirolamo began her nearly 15 year tenure in 1981 as a VISTA volunteer with the Governor's Task Force on Domestic Violence.

1. DEFENDING OUR LIVES (Cambridge Documentary Films 1993).
2. *Id.*

These women are not alone in suffering the effects of society's failures, in particular the effects of the sexism and violence that run rampant through our homes and communities, on our televisions, in our streets, and in our bedrooms. Each year 1500 women or more are murdered by their partners.[3] These often savage homicides almost always cap a long standing pattern of abuse. The knife in the heart or the cord gaveling the throat is the final act of control and domination. These crimes occur in a culture which has long valued power, and has allowed aggression and violence in varying degrees to be used as tools to acquire and sustain this power in the personal, political, and economic arenas. This acceptance, and even glorification of violence and domination, is perhaps one of the most significant weaknesses in our culture, allowing a vast range of abusive, exploitive, and violent behaviors to take place in our homes and in our intimate relationships.

The problems that so many of us face each day in our professional and personal lives, and our presence at domestic violence symposiums, confirm these societal failures. Approximately 3000 or so women each year are forced to decide whether to kill or be killed.[4] Two to four million women per year are battered by their husbands or partners.[5] This leads to more injuries than those caused by automobile accidents, muggings and rapes combined.[6] In one in three of the reported domestic violence assaults, weapons are involved and/or serious bodily harm results.[7] The FBI tells us that in over ninety percent of these cases, male partners victimize their woman partner.[8] These violent acts may occur in as many as 430 homes in New York State alone each day.[9] Yet, this everyday violence is allowed to flourish, ignored as though it will go away or not effect us, dismissed as a private ill or the fault of the victim.

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3. FBI UNIFORM CRIME REPORTS (1991).

4. *Id.*

5. AMERICAN MEDICAL ASSOCIATION, DIAGNOSTIC AND TREATMENT GUIDELINES ON DOMESTIC VIOLENCE (1992).

6. E. STARK AND ANN FLITCRAFT, *Violence Among Intimates: An Epidemiological Review*, HANDBOOK OF FAMILY VIOLENCE (V.D. VanHasselt 1988).

7. U.S. DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE STATISTICS (1984).

8. U.S. DEPARTMENT OF JUSTICE, BUREAU OF STATISTICS, *Domestic Violence: Violence between Intimates*, (1994).

9. FBI UNIFORM CRIME REPORTS (1987).

In the 1970's, a system of community-based services was developed through the efforts of the grass-roots battered women's movement across the country. These services, including advocacy, support, education, and emergency shelter, help women overcome the multitude of barriers they face when trying to escape or end the violence.

Seventeen years ago, I left my abusive husband when there was no system to help me, no place to go for me to understand what I experienced or to get help to recover from it. Like so many other women before and after me, I left behind everything I owned and everything that was dear to me, except for my two-month-old daughter. We ran for our lives. I was lucky because we were able to get away and stay away. Unlike so many other battered women, after a few months, my ex-husband disappeared from our lives. So, while I struggled to regain a sense of myself and to set a course for our lives, I was safe. I endured the humiliation and frustration of being a "welfare mother," the misunderstanding of family and friends, and faced the challenges of finishing college and raising my daughter alone. I never once regretted the decision to leave. There is nothing more valuable than freedom: freedom to be safe in private, in your home, as well as in the public and political arenas. There is nothing more valuable except perhaps the life and safety of your child.

I had, and have, a wonderful network of supportive family members and friends who made it possible for me to survive emotionally and practically. I cannot imagine how difficult it is to face these challenges without this kind of help. I also cannot imagine how terrible it must be to continue to be in danger after leaving an abusive partner. How do so many women manage to survive with so little help and in spite of the abuse which they continue to experience? The creativity, strength, and courage of battered women, many of whom survive unspeakable horrors one night, and bring their daughters to Girl Scouts the next morning, calmly doing what is necessary to stay alive, is remarkable.

Things have changed in the last seventeen years. There is a noticeable shift in the general awareness of the problem; an effective system of services for battered women has been developed throughout the country and significant improvements have been made in the legal "infrastructure" and social norms

relating to domestic violence. But the violence continues, with mini-wars raging in living rooms and bedrooms in all of our neighborhoods.

Whether there is more abuse of women today than there was 20, 50, or 100 years ago is unclear. What is certain is that domestic violence is an age-old problem, rooted in cultural and legal traditions that promoted men's dominance over women in the personal, political and economic arenas. Women could not vote until seventy-five years ago. Is it surprising that the laws which defined women's status treated women unequally and poorly? It follows logically that laws and custom upheld men's right to use force, including physical violence, against their wives and intimate female partners.

Examples of the legal tolerance of domestic violence exist in New York. Until the late 1970's under New York law, married women could not criminally prosecute their husbands for violent assaults committed against them.[10] Women were forced to look for help in the Family Court, which was designated by law at that time "to keep the family intact." It was not a crime to rape your wife in New York until 1984.[11] These are remarkably recent reminders of the barriers the public faces when beginning to confront domestic violence.

Although often frustrated and depressed by the awfulness of this reality, the fight continues. Despite the intransigence of the systems we can still make a difference. We have already made a difference, particularly over the last two decades. One of the keys to making a difference is education. Education would provide a base of accurate information about domestic violence in such areas as what it is, how it happens and evolves, and about what to do about domestic violence in our personal, professional, and public lives.

What is domestic violence? Domestic violence is a pattern of coercive behavior that includes the physical, sexual, economic, emotional, and psychological abuse of one person by another. The "goal" of this abuse is to help one person achieve and maintain power and control over the other. Although it is often referred to as "family violence," this type of abuse also often oc-

10. TASK FORCE ON DOMESTIC VIOLENCE, DOMESTIC VIOLENCE: REPORT TO THE GOVERNOR AND LEGISLATURE 8 (1980).

11. N.Y. PENAL LAW § 130.35 (McKinney 1987).

curs in intimate and past intimate relationships among people with no legal family ties, such as dating teenagers, dating and unmarried cohabitants, and gay and lesbian couples. The essential dynamics of domestic violence are consistent across these relationships and across cultural, ethnic, demographic, religious, and economic lines. Domestic violence is characterized by a fixed imbalance of power which is maintained by the use of these coercive tactics of control. It is also a very gender specific problem. Though we call it "domestic" violence, it is primarily violence against women. It is not man-hating nor victim mongering to call it so; it is the sad reality.

Battered women's experiences and circumstances vary dramatically because the women come from all walks of life and varying places in diverse communities throughout the country. Nevertheless, their experiences are eerily similar in many ways. Batterers engage in physical abuse, and perform acts designed to jeopardize their partner's physical integrity and well-being. Women are pushed, slapped, kicked, and attacked with weapons. Medication or resources needed to maintain their health may be withheld. They may be forced to use or abuse alcohol or other drugs. They are beaten and then forced to have sex with their partners. They are sexually abused, often raped, sodomized, forced to prostitute themselves, or forced to engage in unsafe sex or sex against their will.

Battered women are further controlled through a sophisticated pattern of economic abuse; such tactics are used to make them financially dependent upon their batterers. Women who subsist on welfare and women who are seemingly wealthy are often equally dependent on partners who control every aspect of their family's finances, forcing their wives or partners to ask and account for money for necessities and luxuries alike. Even battered women who work and have their own independent incomes are forced to turn control of their money over to their partners, who decide how much gets spent and where and how the family's resources are used. Women often are denied access to any family assets. Yet, their names may appear on the electric, telephone or other bills that their batterers may run up. This leaves these women responsible for the payment and unable to get utilities under their own names if they decide to establish independent households.

The pattern of coercion is a highly complex system of controlling behaviors which are pervasive throughout nearly all aspects of the relationship. It can also be quite subtle. The control is advanced through a variety of emotionally abusive behaviors batterers use to undermine their partners' sense of self-worth. There is a widespread belief that battered women suffer from an unusually low sense of self-esteem, a characteristic which makes them vulnerable to (and perhaps responsible for) the violence they experience. In fact, battered women are not remarkably different in character from other women. There is no profile or any cluster of traits which can predict whether a woman will be battered. Any self-esteem problems experienced by or observed in battered women in all likelihood should be credited to a successful batterer, who has so degraded, criticized and manipulated his partner that she comes to question her competence or value in the world.

The final links in the batterer's chain of control are often a range of psychologically abusive behaviors designed to instill fear in the victim and to isolate her from any outside source of information, support or validation. She is threatened, intimidated, and blackmailed; she is always cognizant of his willingness and ability to use violence to enforce his will. His threats to kill her, the children, her family and friends, and himself are very potent. When he destroys her valued property or injures or kills her pets, she understands that the message is that she could be next if she does not "behave."

The complex nature of the abuse and the extent to which it permeates nearly every aspect of battered women's lives makes it difficult to identify and even more difficult for the victim to escape. It is a dynamic phenomenon, changing over time, often happening more frequently, with increasingly serious forms of violence and control being used. For many battered women, the first acts of physical abuse are relatively minor incidents, perhaps being pushed or slapped with an open hand, which results in no serious injury. In response, she may try to figure out what she, or someone else (other than the batterer) has done to "cause" his violence in order to find a way to stop it. Inevitably, these efforts are unsuccessful, as are her attempts to get help from other people. Her mother or clergyperson may lament that this is a woman's lot in life, her "cross to bear." The physician from whom she seeks treatment for anxiety or a broken

nose never asks if violence at home may be at the root of the symptom or injury but instead stitches her up, gives her a tranquilizer and sends her on her way. Law enforcement officers who respond to a domestic disturbance complaint may be hesitant or unwilling to arrest the batterer for assaulting his wife or partner.[12] Despite her best efforts in and out of the relationship, the violence does not stop. In fact, it gets worse, and she grows increasingly fearful and increasingly isolated from anyone who may help.

Many battered women come to see very clearly that they cannot stop the violence. After experiencing an escalating pattern of abuse, being turned away at every help-seeking encounter, and confronting the enormous barriers of financial need, inadequate housing and child care, social stigma, and countless others, escape becomes nearly impossible. The hope for change, harbored at one time, is transformed into a desperate prayer that she and her children will survive, and her efforts shift to focus on managing the violence so that they do. She is haunted by the fear that she will not succeed and the frightening knowledge that she alone is responsible. Fortunately, most battered women not only survive but live productive lives, contributing to society and their families, raising children and holding jobs. Their survival is a tribute to their strength and perseverance.

Though it is perhaps a tired adage, it is profoundly true that if you are not part of the process of solving the problem, you are, instead, part of the problem. Many people do nothing and say nothing to battered women. This is not because they do not know what lies behind the dark glasses, long sleeve shirts and days of missed work. Instead people say nothing because they are uncertain what to say, afraid to open a "can of worms," and believe that silence is a neutral response. It is not. Silence speaks loudly to battered women and it communicates complicity with the batterer, who has long assured her that no one cares and that no one can or will help her.

We are all responsible for breaking this conspiracy of silence. Whether in our professional or personal lives, we have to tell the battered women we meet that we know what is happening to them and that we are willing to help. We have to promise

12. U.S. DEPARTMENT OF JUSTICE, BUREAU OF STATISTICS, *Domestic Violence: Violence between Intimates*, 5 (1994).

them that we will support them during the long and painful process of ending or escaping the violence. We also have to be prepared to make good on the promise, even when we are afraid for her or frustrated with her. Ignorance is a poor excuse at best, and is no longer an excuse for evading our responsibility to stop violence against women, to help the women and children who are in danger and to call to account the men who are committing these crimes.

The lives of battered women and our responses to their situation are indeed measures of the quality of our culture. We have failed them so far, leaving everyone suffering as a result. We are all affected by violence against women. We may not be victims ourselves but some of our mothers, sisters, friends, daughters, and co-workers surely are. Until our homes are safe, there is little hope that our streets or global relationships will be free of violence. Domestic violence exacts an enormous toll in costs to the health care, social services and criminal justice systems, in lost productivity in the work place, and in the emotional, physical, academic, and behavioral damage inflicted on the children who grow up amidst this everyday violence. These are costs we can no longer afford to bear; nor can we morally justify inaction.

We can and should expect better than this from our society which prides itself on its standards of justice and equity. A generation from now, we can look forward to a future which no longer condemns one in four of our daughters to becoming prisoners in their homes. The alternative, the continuation of an uninterrupted epidemic of violence against women, is almost too frightening to contemplate. Changing the situation requires traveling a long and difficult path, but it will be well worth it. We lack only the will to achieve this goal. "The way" has been given to us: naming the violence, confronting and holding batterers accountable, and offering real, effective support to the women and children who, for too long, have suffered alone and in silence. Perhaps then every woman, child and man in every home in this country can be free of the fear of these domestic wars and we all can truly be safe in our homes.