

Violence Against Women

<http://vaw.sagepub.com/>

Foreword

Ellen Pence

Violence Against Women 2012 18: 1000

DOI: 10.1177/1077801212460752

The online version of this article can be found at:

<http://vaw.sagepub.com/content/18/9/1000>

Published by:



<http://www.sagepublications.com>

Additional services and information for *Violence Against Women* can be found at:

Email Alerts: <http://vaw.sagepub.com/cgi/alerts>

Subscriptions: <http://vaw.sagepub.com/subscriptions>

Reprints: <http://www.sagepub.com/journalsReprints.nav>

Permissions: <http://www.sagepub.com/journalsPermissions.nav>

>> [Version of Record](#) - Oct 28, 2012

[What is This?](#)

Foreword

Violence Against Women
18(9) 1000–1003

© The Author(s) 2012

Reprints and permission:

sagepub.com/journalsPermissions.nav

DOI: 10.1177/1077801212460752

<http://vaw.sagepub.com>



The idea of social justice is a powerful one. It is this idea, combined with the vision of a righteous and compassionate world that has historically inspired activists to struggle for social change. For most activists, endeavoring to achieve social justice is a conscious and meaningful choice as well as a realizable goal. It is this vision that has fueled the antidoestic violence and antisexual assault movements in our country and motivated advocates to act on behalf of women and children who are violated. Although the imagination of social justice sustains advocacy, it is not always apparent what justice might actually entail.

My own view of social justice for battered women has been profoundly influenced by the work of Archbishop Desmond Tutu of South Africa. According to Archbishop Tutu and his antiapartheid coworkers, where injustice has occurred, achieving justice involves three actions: (a) Exposing the truth; (b) repairing the harm that injustice has caused; and (c) changing the social conditions that brought about the injustice in the first place. These three notions are apparently simple but perhaps not so easy to implement. Let me discuss the three components in more detail.

First, it is not possible to instill justice if the injustice that has occurred remains hidden. To remedy any injustice, we must know what has transpired. Furthermore, we cannot always trust the mainstream media, government, and social institutions that serve the interests of the dominant in society to gather and reveal the truth. The oppressed or harmed communities must be the ones to speak their truth and it is the advocates' job to make this truth visible to the community. Assisting in such revelations and amplifying the facts of oppression is what lies at the heart of social activism. Second, making amends for the damage that was caused must also ensue. Often, reparation may not be feasible as the injuries sustained are intense and indelible. Nonetheless, efforts toward atonement and compensation, as much as humanly possible, must be made. Third and most importantly, the socio-political and cultural conditions that generated the harm must be altered forever. This last action is to ensure that the environment conducive to oppression be obliterated permanently. Keeping these three components in mind, what would justice for women who have experienced intimate violence look like in our communities?

We know that the truth about the abuse women endure is routinely masked by the abusers and frequently also by mental health professionals as well as the legal system. Batterers systematically deny and minimize the violence they inflict upon their partners and/or blame the victims for encouraging abuse by their conduct. Concomitantly, psychologists and psychiatrists, frequently unfamiliar with the dynamics of domestic violence, assess battered women as labile, narcissistic, and malingerers, rendering the violence and its far-reaching effects invisible in their professional evaluations. Battered mothers who attempt to protect their children from abusive fathers are often held responsible by mental health professionals for causing parental alienation, because they overlook the violence that prompted the women to take the action in the first place. Contrarily, battered mothers are

condemned for failing to protect their children if they are unable to quickly sever their relationships with their abusive partners. Here again, it is the victim whose incapacities are focused on rather than the violence she has undergone and the resultant injuries. In the court system, the legal focus on a single incident consistently conceals the pattern of abuse that is essential in recognizing battering. The evidentiary requirement of omitting “prior bad acts” allows batterers to portray their violence as a solitary and unique transgression and escape the legal repercussions of repeated assaults.

The second condition of ringing in justice is to mend the damage that has been caused. How do we repair the harm of domestic or sexual violence? The structures in our society are not erected for that purpose. Let me explain this point with an example of sexual abuse of young women on college campuses. In the United States, when a young woman signs up for her first class at the university, she becomes part of a vulnerable group. She is far more likely to be raped as a student than ever receiving a graduate degree. Why is this truth not openly available to us? What structures are there in the university to repair the harm when such violation occurs? For a young woman, the damage of rape begins, as it always does, by etching deep in her the fear, the self-loathing and the inability to be free again. Nevertheless, the campus police report highlights the victim’s condition during the rape: She was drunk, drugged, was not firm in her refusal, and is not a credible witness due to her lapse in memory. Moreover, it would not be fair to ruin a young man’s life for one poor decision. The issue of justice for the victim is not addressed. Justice demands that we ask the question: What would restore this victim to health and a sense of safety again?

The third and final condition of justice, changing the social conditions that support injustice, is perhaps the most massive task to undertake. To correct the fundamental conditions of violence against women, nearly all of our society’s structures have to be taken apart and modified. Let me present only one example here: The Domestic Incident Report (DIR) completed by responding police officers at a scene of intimate partner violence. These reports act as the eyes and ears of the state at a situation where domestic violence has taken place. I would submit to you that if you could randomly select 50 DIRs from any state, you would not be able to discern the truth of what has actually occurred. These reports are extremely important, because on their basis, arrests are made, charges are filed, and specific legal recourses are pursued. These reports will impact criminal cases, custody determinations, child protection cases, and immigration proceedings. Based on these reports, we have witnessed in many states around the country a steep increase in the rates of arrest and prosecution of battered women on domestic violence charges.

In recent years, some police departments have taken up the idea of screening out predominant aggressors at the initial point or DIR stage. These departments have installed procedures that weed out battered women using self-defense and what I call “mosquito violence.” Why should it be that when one person is beating the other person black and blue and the other kicks back, both should be arrested and charged similarly? When law enforcement changes its protocols to discriminate between the predominant aggressor and resistor, the rates of dual arrests and arrests of battered women drop drastically as exemplified in Duluth, MN. Fundamental changes must occur at the DIR level in terms of

truth-telling and making amends. These changes in the police protocol must also be included in the legal arena. In cases of dual arrests and battered women charged with domestic violence, prosecutors must take a closer look at what kind of violence has occurred: oppressive or resistive. Then, the prosecutor's office must recommend further investigation or divert the case into a different and reparative outcome. However, to divert battered women to batterers intervention programs is to impose further injustice on them.

Here, I do not want to assert that women are not capable of being violent and therefore should always be left alone. Women are proficient in using abusive and oppressive aggression. We only have to take a look at our country's history of slavery to know how women have participated in and benefited from the violence of purchasing and maintaining slaves. But because of the cultures and structures of our society, very few women seem capable of inflicting violence against their intimate, opposite-sex partners. My problem is not that women are grouped with others who use violence, but that the wrong women are enrolled in batterers intervention programs.

My skepticism becomes comprehensible if we consider how society would change with the end of men's and women's violence against their intimate partners. For instance, even if we could halt all violence by women, I do not believe we would get rid of the scourge of domestic violence from our communities. In fact, we may actually see an increase in men's aggression, as much of women's violence works to contain their partners' hostilities. In contrast, if we could stop all male violence against women, then we could truly hope to see a society more or less free of domestic violence. Thus, the efforts to pursue and prosecute battered women for domestic violence carry little significance in the ultimate struggle to end domestic violence.

Here again I want to ask the question, do battered women have the right to resist their oppressors? History indicates that wherever there is oppression and domination, there is resistance by the subjugated. Human nature seeks liberation and freedom from repression. Thus, it is rare not to have individuals fight back if they are being violated. Often, such resistance is violent. If this is the reality, why does it surprise us when battered women hit back at the abusers? I believe the confusion occurs due to the equation of all types of violence. But the violence used by the oppressors and the oppressed is not the same in motive, effect, outcome, and consequences even if much of it might look similar on the surface. Hence, it is important to disentangle battered women's use of force from all other types of violence and classify it properly.

Battering is about the sustained use of coercion, intimidation, and violence by the dominant that pushes the victim into fear of disintegration of her physical and sexual self. Battering is an attempt to break down the personhood of an individual and make the individual become who the oppressor wants her to be. Battering is about one person establishing power and control over another. In contrast, resistive violence is the reaction of the oppressed against her subjugator. The two are different in nature, content, and purpose. Unfortunately, this distinction has been lost in our eagerness to appear unbiased in our endeavor to end all domestic violence. Consequently, if someone throws a packet of potato chips at her partner let alone physically resists the beating she is getting, we consider her to be committing an act of domestic violence.

To ensure justice for battered women, we have to recognize at least two kinds of violence, oppressive violence or battering, and resistive violence. Some of the resistive violence may be legal such as self-defense, and some illegal, which has a higher probability of being confused with battering. Furthermore, in this confounding we fail to notice that battering is about gender oppression and not just arbitrary abuse of an individual. Thus, an individual woman's resistive violence is also about women's collective resistance to male oppression. I would argue that the best way to stop women's violence is to end all male violence toward them.

As a country, we have joined together to strike against international terrorism, and most citizens publicly support this action as fitting justice. And yet, we seem not to be able to extend the same understanding to battered women who might react similarly to domestic terrorism. This is not to say that one act of aggression justifies another, but that we must understand battered women's need to resist domestic violence and eke out a semblance of justice in an unresponsive society.

Ellen Pence

Formerly Executive Director, Praxis International, St. Paul, MN, USA

Guest Editors' Note

Shamita Das Dasgupta wrote this foreword from the keynote speech given by Ellen Pence on November 4, 2010 at the Batterers Intervention Services Coalition-MI (BISC-MI) national conference, "When *She Hits Him*: Why Gender and Context Matter," November, 4-5, 2010. Sadly, Ellen died in 2012.

Bio

Ellen Pence, PhD, was the founder and former executive director of Praxis International. She was a founder of the Duluth Domestic Abuse Intervention Project, an interagency collaboration model used widely. She developed the Praxis Institutional Audit to identify and correct institutional failures to protect people. She worked on assessing and redesigning policies and practices of supervised visitation centers and led the development of the Blueprint for Safety, a prototype to link criminal justice agencies together. She wrote extensively on battered women's safety. At the time of her death in 2012, she was working to examine custody determination practices within family courts and coleading the Praxis Advocacy Learning Center.