

## *Is the problem more serious than statistics indicate?*

By [Sarah Glazer](#)

### Introduction

Experts can't be sure if domestic violence is on the rise, because of statistics-gathering limitations. But one thing is certain: For a woman living in the United States today, the chances are greater that she will be assaulted or raped in her own home by someone she knows than by a stranger on the street. Only in recent years have doctors, law enforcement officials and judges begun taking new steps to protect women from abusive partners. Does the solution lie in tougher arrest policies for batterers? An overhaul of societal attitudes towards women? New educational programs for schoolchildren? As American society copes with what the American Medical Association calls a problem of "epidemic proportions," such questions are sparking a vigorous debate.

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### Overview

The woman arrived at Dr. Robert E. McAfee's office in a high state of anxiety, complaining of breast soreness. She was afraid she had cancer. Even after McAfee said he saw no evidence of cancer, his fearful patient kept returning.

At first, the Portland, Maine, surgeon was baffled. Finally, on her third visit, McAfee noticed small bruises under the woman's ribs and on her shoulder. "The light bulb went on," McAfee recalls. Under the doctor's prodding, the woman revealed that her husband, a respected local businessman, had been beating her for 10 years.

Much as the light dawned for McAfee, society at large is waking up to the fact that the greatest risk of violence to women lies in the home, not in the street. According to one study, domestic violence is the leading cause of injury to women, accounting for more visits to hospital emergency rooms than car crashes, muggings and rapes combined. More than twice as many women are killed by their

husbands or boyfriends as are murdered by strangers. <sup>1</sup> More than half of all rapes are committed by acquaintances, experts estimate. (See story, p. 180.)

Doctors have long ignored the cause of these injuries. "We tend to focus on the cracked rib and accept the woman's explanation that it was a fall downstairs or a bump into the refrigerator," says McAfee, a member of the American Medical Association (AMA) Board of Trustees, who has spearheaded a new AMA effort to focus members' attention on battering. Although up to 35 percent of women who visit hospital emergency rooms have symptoms of ongoing domestic abuse, doctors identify barely 5 percent, according to outgoing

Surgeon General Antonia C. Novello. <sup>2</sup>

In an unusually strong statement issued last June, the AMA declared that physical and sexual violence against women had reached "epidemic proportions" and recommended that physicians routinely screen all women patients for domestic abuse. <sup>3</sup>

The extent of men's violence against their wives and girlfriends cuts across class lines and may occur much more frequently than official crime statistics would indicate. Only in the past 15 years have large-scale studies begun to document the extent of the problem.


The first national study of domestic violence was conducted by University of New Hampshire sociologist Murray A. Straus, who published the results in a 1980 book, *Behind Closed Doors: Violence in the American Family*. He concluded from telephone interviews that close to 2 million women a year are beaten by their husbands. <sup>4</sup> The AMA now estimates that twice that number are victims of severe assaults by boyfriends and husbands each year, and about one in four women is likely to be abused by a partner in her lifetime. (See story, p. 186.)

Pregnancy is no protection and may even incite batterers to greater violence. Seventeen percent of the women receiving prenatal care at public clinics in Houston and Baltimore had been physically or sexually abused, a study in the *Journal of the American Medical Association* reported last June. <sup>5</sup>

Wife-beating is nothing new. As late as the early 19th century, some American judges still embraced the English common law principle giving a man the right to chastise his wife physically. By the 1870s, wife-beating was illegal in most states. Nevertheless, says Straus, "police officers, prosecutors and juries continued to recognize the marriage license as a hitting license even after courts stopped recognizing it."

The recent flood of media reports about domestic assaults on women reflects society's growing acceptance of equality in relationships between men and women, rather than an actual increase, some scholars believe. "It represents a change in values and in the culture

that we're going to cancel that [hitting] aspect of the marriage license -- in a real sense, not just in a formal, legal sense," says Straus.

No one knows for sure whether domestic abuse is on the rise, since statistics-gathering is a relatively recent and decentralized activity.\* Straus' most recent survey, completed in 1985, reveals a slight decrease in the actual number of wife beatings since 1975, probably because it is becoming less socially acceptable, he speculates. 

The rise of the feminist movement, the founding of rape crisis centers and the growth of battered women's shelters across the country have made it socially permissible for many more women to admit they have been assaulted by an intimate than in years past. The changing climate means more women are calling police, some local law enforcers report. And the number of shelters for battered women has grown from none to some 1,500 in the past 20 years.


But women who have been battered say it still can be extraordinarily humiliating to reveal the truth to someone else, usually the first step toward breaking away from their tormentor. Many women cite the tacit acceptance of domestic violence by their own circle of friends, neighbors and doctors as a contributing factor.

"People keep asking, 'Why does she stay?' Part of it is this craziness that you're trying very hard not to let anyone know anything is going on," explains Christine S. Dotterer, a family doctor in Pennsylvania who was a battered wife for 20 years. "So you're acting as if nothing is going on. Sometimes you're aware that other people do get a glimpse of what's going on. They're embarrassed, and they turn their eyes away as if nothing is happening either. So when you get their reaction, or your husband says it's because you deserved it, you feel crazy. You start distrusting your own reactions and put yourself down."

During her long ordeal, Dotterer actually told several people she was being hit. After she joined a new health plan, her doctor commented on her bruises and asked how she got them. When Dotterer responded that her husband had hit her, the doctor wrote down the information but made no comments. Later, when Dotterer was pregnant with her son, her obstetrician, who had read of the abuse in her medical records, simply told her not to let her husband punch her in the stomach.

Susan Schechter, an author and prominent activist in the battered women's movement, recently interviewed battered women about their contacts with nurses, doctors and other professionals. Many of them had encountered the same lack of responsiveness. "Training doctors and nurses is important," she says, "because when we don't ask victims [questions] and convey that we don't want to hear about abuse in their lives, we shame them. When someone asks in a sympathetic way, 'Are you in danger?' it makes you realize this happens to other people. You're not a freak."

As health professionals and law enforcement officials attempt to cope with violence against women, here are some of the key questions they are asking: Are doctors equipped to screen female patients for domestic abuse?

At 2 a.m. in a crowded emergency room, what doctor has the time to probe gently and hear a woman's outpouring of grief? Asking every woman patient if she has been the victim of beatings could be an offensive invasion of privacy. For these and other reasons, doctors are reluctant to confront domestic abuse in the examination room. As a result, many miss the clues that could lead them to an accurate diagnosis and the prevention of further injury or death. 

"A lot of doctors don't know what they can do to help," says Arthur L. Kellermann, medical director of the emergency department at Regional Medical Center in Memphis, Tenn., "and some physicians think if they're not forced to deal with it, they won't have to confront their limited ability to intervene." Kellermann keeps phone numbers of local shelters handy to give to women patients in need, a practice the AMA is urging all doctors to adopt.


Only one in four battered women will volunteer that she is being victimized, research cited by Kellermann shows. This can make an accurate diagnosis difficult even for a perceptive doctor. "There's a tendency, particularly among male physicians, to assume, 'If it really mattered, she'd tell me,'" Kellermann says. "They don't understand the relentless brainwashing, where a woman has been convinced over the months and years that she's not worth helping. They often don't realize that she's under threat for her life if she talks or that her children at home may be literally hostages of the abuser."

The signals can be downright confusing. Take the woman who shows up in the emergency room in the middle of the night with a toddler in her arms but no obvious physical problem. "Where else can you sit in a room with a security guard for five hours?" asks Kate Paranteau, who trains health professionals to detect domestic violence as coordinator of the Domestic Violence Training Project in New Haven, Conn. In many cases, "You're assessing for fear, not for injury," she tells doctors.

"We realize now," says Kellermann, "that many battered women come in for physical and behavioral problems -- depression, abdominal pain, substance dependency -- that trace their roots to threats, intimidation and physical assault, and we have to look beneath an immediate complaint to seek answers."

In a recent audit of his own emergency room's medical records, Kellermann was astounded at the improbable stories his doctors were buying. The record was replete with accounts of mysterious seizures and falls. In one case, a woman told the doctor she had cut herself while carving a roast for dinner, but the laceration was on an unlikely part of her arm. "We did a pitiful job of consulting victims of

violence,” admits Kellermann, who has the hospital's social services department follow up over the phone with battered women patients. “I think every emergency department in the country can do a better job.”

Nevertheless, some observers doubt that hospitals can tackle such an enormous social problem. “What are you going to do when you find out that they're abused?” asks Yale University sociologist Albert J. Reiss Jr., who chaired a recent National Academy of Sciences study that notes there's little evidence as to whether doctors could reduce the violence.  “Surely you don't want to send them back home, but a shelter is only a temporary place. We don't know what we'll do after that.”

Family physician Dotterer, her own battering experience still vivid, counters that doctors can refer abused patients to shelters, just as they refer a brain tumor patient to a specialist. “We don't need to treat that person and get them out of that situation,” she says. “We can't. It's not in our domain. I can ask someone the initial questions, ‘Where are you going to go tonight? Are you safe right now?’ And I can help them with an initial game plan.” That might simply entail letting the woman use the doctor's phone to talk to a counselor about her next move, Dotterer says.

One of the most helpful things doctors can do, Dotterer stresses, is “just to react and say this is a problem. For me, when I found someone who said, ‘Oh my god, this is terrible,’ it was the first time I was able to move away from living in that kind of situation.”

Yet some doctors say they're uncomfortable with recording an accusation that may be unfounded. “This particular information is hard to use without running into a confrontation or a lawsuit,” says Jeffrey A. Roth, study director for the National Academy of Sciences report.



Doctors who try to help often become frustrated when they find how hard it is to get a woman into a shelter, Paranteau says. Some shelters will not take a woman with an adolescent son. Others refuse women who are intoxicated. In some urban areas, the demand is so great that only one out of every three or four women who calls a shelter can be accommodated, according to the National Coalition Against Domestic Violence.

To help such women and take the pressure off physicians, Children's Hospital in Boston keeps two “advocates” on staff to help battered women with housing, a safety plan and trips to court. The program is viewed as a model by AMA officials. Coordinator Susan Schechter initiated the effort in 1986 by questioning mothers who brought in victims of child abuse. Research shows that in almost half of families with abused children, the mothers are also abused. Schechter says the program has identified hundreds of battered women, many of whom would not have visited a doctor for their own sake.



As Children's Hospital staff began receiving training alerting them to possible signals of abuse, cases started to turn up all over the hospital, Schechter says. “Now they're coming from the well-baby clinic, where a mother will look at the doctor and say, ‘I don't want to go home today.’ Now we're asking if they're scared to go home.”

“People can learn to do this work,” Schechter stresses, much as doctors have overcome the awkwardness of taking sexual histories to screen patients for AIDS. “Do we let anyone else walk out of a hospital we think is in danger without dealing with the problem? It's an obligation, and someone has to be assigned to do it.” Should the arrest of batterers be mandatory?

In the 1970s, a woman who phoned the police to complain that her husband had assaulted her had little hope of getting her husband arrested. In most jurisdictions, a police officer could not arrest the suspect unless he had actually seen the beating. Police departments became the target of landmark lawsuits in the 1970s and '80s as critics charged that the failure to make arrests had left women exposed to escalating brutality at home.

In response to that movement, 15 states plus the District of Columbia have passed laws requiring police officers to make an arrest when called to the scene of a domestic violence complaint.\* A 1984 study in Minneapolis, which found arrest an effective deterrent, was also considered influential in moving states toward mandatory arrest. The study found that arrest plus a night in jail cut in half the risk of repeat violence against the victim in the ensuing six months, compared with two other approaches -- advising the couple to calm down and ordering the suspect to leave his home for six hours.  


But a controversial new report by the author of the Minneapolis study, University of Maryland criminologist Lawrence W. Sherman, questions the effectiveness of mandatory arrests. After comparing the use of arrest with warnings and separations in six cities, Sherman concludes that arrests can lead men to beat their wives and lovers more often after they are released, especially in impoverished black neighborhoods.

And while making arrests reduced the number of beatings in the first 24 hours after the arrest, it increased them in the long run, the study found.\* In Milwaukee, for example, a city with a large black population, a year after men were arrested they were found to be beating their partners twice as often as those who were not arrested.  

Joblessness also affects how men react to arrest. Mandatory arrest increases domestic violence among unemployed men with little stake in society, although it reduces it among the employed, Sherman found.

"If you ain't got nothing, you ain't got nothing to lose," Sherman explains. "People who already have little social status, who may have criminal histories, have no reason to avoid further criminal arrest and may have a lot to gain by showing they're not afraid of being arrested. They can gain status in their peer groups."

By contrast, Sherman believes, "If you live in a block where it's quite embarrassing to be handcuffed and put in a paddy wagon, the effect may be more of a deterrent."

Sherman's study and his call for repealing mandatory arrest laws have raised a furor among activists in the field of domestic violence. Very few of the arrests in Milwaukee resulted in prosecutions, critics of Sherman's study point out. Unfortunately, Sherman answers, that's true of most cities, including Minneapolis, where arrest worked as a deterrent. In both Minneapolis and Milwaukee, he describes the experiments as "tests of arrest without prosecution." 

Yet several cities with vigorous prosecution policies boast a high rate of success with offenders. While prosecutors filed charges in only about 3 percent of the Milwaukee arrests, about 70 percent are prosecuted in San Diego, according to Casey Guinn, who supervises the San Diego city attorney's domestic violence unit. Less than 5 percent of the men who have gone through San Diego's comprehensive program are charged with domestic violence again, says Guinn. The program includes a year of required group counseling, with arrest and jail for failing to comply.

Proponents of mandatory arrest say it's not surprising that some men react violently to a night in jail -- the typical stay. They argue that arrests must be accompanied by an array of other programs reinforcing the message that society will not tolerate such beatings. The batterer must hear that message from every official source: the prosecutor, the judge, a group therapist and a probation officer.

"If the batterer understands that after he's arrested, no one indicts or files charges, as in Milwaukee, the message is the community thinks it's a joke," says Barbara Hart, staff counsel for the Pennsylvania Coalition Against Domestic Violence, in Harrisburg. "If it's a joke, why the hell should he comply?" The 24-hour reduction in violence that Sherman found immediately following arrest shouldn't be underestimated, Hart adds. "Getting them out that night may in fact save lives in the short run."

In most cases, that is the only jail time a batterer is likely to serve. For typical misdemeanor cases in San Diego, for example, an arrest translates into only two days in jail followed by three years of probation if the suspect pleads guilty to one of the charges. Very few men choose to fight the charge by going to trial and risking a one-year jail sentence, Guinn says.

Milwaukee's prosecution rate may be unusually low, but most experts agree that San Diego's approach is unusually aggressive and comprehensive. Sherman questions how many cities would be willing to spend the money to replicate the special counseling and prosecution staffs employed by cities like San Diego (see p. 183).

Advocates for battered women are split over whether to support mandatory arrest. In some states, the statutes have led to "dual arrests" of both the man and the woman, since police say they often can't determine who is to blame. The tactic, however, forces women into jail and children into foster care. Some women want police to keep the peace by showing up at the house but don't want their husbands carted off to jail, says Hart. In mandatory arrest states, the law requires a police officer on a domestic violence call to arrest the husband, even over a battered wife's protests.

Just because a city has a mandatory arrest law, however, does not mean police departments necessarily make more arrests. "You have some police officers who hate mandatory arrest because it takes away their discretion," notes Nancy Neylon, chair of the legislative committee for the Cleveland-based National Coalition Against Domestic Violence.

In some jurisdictions, "police decline to follow the law and treat most spouse abuse as a civil matter," says Lisa G. Lerman, associate professor of law at The Catholic University of America in Washington. "That means they don't do anything."

Still, those who work in the field confirm Sherman's finding that the mandatory arrest policy can backfire in black neighborhoods, where police are often viewed with distrust. "Many black women are reluctant to call the police because they're afraid the men will get beat up," says Jeffrey L. Edleson, a professor at the University of Minnesota School of Social Work and an expert on domestic violence programs.

Sherman's opposition to mandatory arrest raises some troubling questions about whether the commonly accepted principle of equal punishments for equal crimes should be applied in domestic abuse cases. "It's pretty hard to advocate different policies for different groups depending on their income category," says Roth, who reviewed Sherman's findings in his role as director of the National Academy of Sciences' recent study of violence.

Police should be able to use other approaches, such as warnings and temporary separations, if appropriate for the neighborhood, Sherman argues. In place of mandatory arrest, he favors statutes that permit, but do not require, police officers to arrest a suspected batterer without a warrant. All but one state (West Virginia) now authorize police to arrest batterers when they have "probable cause" to believe that an assault has occurred. But some activists say relying on a police department's discretion would be a step backward.

"Until we can change societal attitudes, arrest needs to be mandatory," says Lucy Friedman, executive director of the nonprofit Victim Services Agency, which helps 50,000 battered women a year in New York City. "Where it's not mandatory, we see patterns of under-arrest. If you leave it to the police, they downgrade [cases] to harassment, where we see it as assault." Does sexual violence in the media contribute to an increase in actual violence against women?

A drawing of a raped woman adorns an album by the popular rock group "Guns and Roses." A handsome young man ties up a young woman, then appears to be assaulting her as music pounds through an MTV rock video.

Are increasingly prevalent violent images leading men to commit sexual crimes against women? Feminists Fighting Pornography insists they are. "We do know that repetitive exposure [causes] acceptance of what the person is being exposed to," says Page Mellish, president of the New York City group.

"To try to make simplistic connections between a particular set of words or images and subsequent action is ridiculous," counters Leanne Katz, executive director of the National Coalition Against Censorship, another New York group, which represents writers, filmmakers and educators. "Media influences are the least important ways that young people's attitudes about sexuality are formed. The most important influence is the family."

The truth probably lies somewhere in between, at least when explaining sexual crimes like rape. A review of social science studies for the National Academy of Sciences revealed that rapists who view scenes depicting rape are more likely to be sexually aroused than non-rapists. Yet social scientists often point out that while sex offenders tend to be big fans of pornography, so are other men who don't commit crimes against women. <sup>11</sup>

"Sex by itself doesn't do it, and violence by itself doesn't do it," sums up Albert Reiss, who chaired the academy's recent study of violence. "But there are so many other things affecting us that it's hard to know how much effect [violent pornography] is having on a person in society."

Even without a proven causal link, some educators have gone on the war-path. They say it is time to take advertising and rock video images seriously and to immunize young people against the messages they are conveying.

"I don't know anyone saying you see a sexy ad and go out and assault a woman," says Jean Kilbourne, a filmmaker in West Newton, Mass., who lectures to college students about images of women in advertising. "They're part of a climate in which women are seen as things. It's easy to abuse a thing." She argues that women are being "objectified" in such ads as the one for Tanqueray gin showing a woman in a bathing suit with the label stamped on her stomach.

One theory holds that certain individuals already predisposed to violence may find media violence a triggering or reinforcing image. Generally, social scientists find that individuals who were beaten as children or who witnessed beatings in their families are more likely to become batterers as adults than those from loving, stable families.

Carole Lieberman, a Beverly Hills, Calif., psychiatrist who chairs the National Coalition on TV Violence, singles out MTV rock videos for special criticism because she considers the pre-teen and teenage male audience particularly susceptible. The target audience for MTV's simulated rape scenes, she notes, is largely "men who are forming sexual attitudes toward women. What they learn from MTV is, this is what women think is cool, this is what women expect."

As the 1950s model of the two-parent family diminishes in America, Lieberman fears that such images will replace real-life fathers as appropriate male role-models for young men. The solution, she says, is for producers to limit violence in movies and videos. But she concedes that's difficult since "money is the bottom line," and audiences have an enormous appetite for violence.

Some experts have little doubt that popular culture strongly influences wife-beaters. They point to numerous studies indicating that children constantly exposed to violent TV often grow up to be violent at home and on the street. <sup>12</sup>

Rap songs can have the same effect as violent TV, says Robert Gallup, executive director of the Denver organization AMEND, which counsels abusive men. AMEND recently began working with high school students in abusive dating relationships, a growing trend in Gallup's view. When Gallup plays basketball with inner-city youngsters, rap songs blare continually from the boys' boomboxes. "They're open invitations to rape and outrageous anthems to abusing women," he says.

Yet the difficulty in proving causal links was illustrated last year in congressional debate over a bill to permit victims of sexual assault to sue pornographers believed to have influenced the attacker. The Pornography Victims' Compensation bill, sponsored by Sen. Mitch McConnell, R-Ky., was supported by an unusual coalition of conservative Republicans and feminists, although women's groups were split on the issue. The bill was opposed by liberal Democrats in Congress concerned about assaults on free speech, and it died in the Senate.

Such a law, says Franklin Zimring, a professor of law at the University of California-Berkeley, would lower current legal standards of causality. "Let's say the attacker rents the video 'Debbie Does Dallas' and runs out and commits rape," suggests Zimring. "Now what?"



We don't have any disease or contagion mechanism or any causal theory that will help."

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**\*\*** National statistics on arrests for domestic assault are unavailable because there is no separate category for "domestic" crime in state criminal codes. However, according to the FBI's Uniform Crime Reports, arrests for all minor assaults increased nationally by 70% from 1984 to 1989, and "much of that increase was domestic violence arrests," according to University of Maryland criminologist Lawrence W. Sherman.

**\*\*** The 15 states with mandatory arrest laws are Arizona, Connecticut, Hawaii, Iowa, Maine, Massachusetts, Missouri, Nevada, New Jersey, Oregon, Rhode Island, South Dakota, Utah, Washington, and Wisconsin. The District of Columbia also has a mandatory arrest law.

**\*\*** If Milwaukee police left without making an arrest, 7 percent of victims were assaulted again immediately. By contrast, only 2 percent were assaulted immediately by partners who had been arrested and released from jail. But over the course of a year, those arrests doubled the rate of violence by the same suspects. Mandatory arrest backfired in three cities with large black populations (Milwaukee, Charlotte, N.C., and Omaha, Neb.) although it had a deterrent effect in Minneapolis, Colorado Springs and Miami, Sherman reported.

## Background

In 1768, Sir William Blackstone's codification of British common law asserted that a husband had the right to beat his wife as long as the stick was no thicker than his thumb. This "rule of thumb," as it was called at the time, influenced American as well as British judicial thought. <sup>13</sup>

Many scholars have pointed to the rule of thumb as a symbol of men's view of women as property, much like children or slaves who deserved physical punishment. Not all American courts reflected this attitude, however. Judges condemned wife-beating from the bench at least as often as they supported it in the 19th century. By the 1870s, most states had laws making wife-beating illegal. <sup>14</sup>

Feminist leaders of the suffrage and temperance movements singled out wife-beating as one of society's scourges in the 19th and early 20th centuries. But it was not until the 1970s that the beating of women in America moved from the private into the public realm. The belief that it was a private family matter often made police and judges reluctant to intervene. In 1967, for example, the International Association of Chiefs of Police declared in its training manual that, "in dealing with family disputes, arrest should be exercised as a last resort." <sup>15</sup> Anti-Rape Movement

Chroniclers of the battered women's movement say it was the anti-rape movement of the 1970s, with its telephone hotlines, support groups and shelters, that made it socially permissible for woman to reveal their battering experiences. The battered women's movement began as an effort to provide emergency shelter for women who had no place to go. Not until 1974 did the first battered women's shelter open, in St. Paul, Minn.

But the effort was also a political movement that borrowed from the anti-rape movement the belief that many men use violence to maintain power over women. Support groups made women realize they were not alone.

In the 1970s, studies revealed the widespread nature of domestic violence. By 1980, Murray Straus and his colleagues had reported in *Behind Closed Doors* that one partner strikes another in at least one in six American households. The growing awareness of child sexual abuse also broke down the walls of privacy that had surrounded the family. **Laws and Policies Change**

The 1980s witnessed a revolution in the way police treated domestic violence. As recently as 1984, arrests were rarely made in domestic violence cases with no visible injury. And 22 states barred police from making warrantless arrests in cases they had not witnessed. By 1988, many police agencies had started treating domestic violence as a crime against the state, just as if it had been committed by a stranger. <sup>16</sup>

The fear of liability put heavy pressure on police departments to change their policies. In 1984, a jury awarded a \$2.3 million judgment against the Torrington, Conn., Police Department for failing to protect Tracy Thurman and her son from the repeated violence of her husband. The year before, he had stabbed her 13 times and broken her neck while police were at her house in response to her call. The attacks left her scarred and partially paralyzed. The award was based not only on the final incident but also on her claim that her repeated requests to have Thurman arrested for other offenses had been ignored. <sup>17</sup>

In the 1980s, a campaign by the battered women's movement to treat domestic battery as a serious crime, together with mounting lawsuits against police departments, led many states and localities to change their laws and arrest policies. <sup>18</sup>

By 1980, all but six states had enacted some form of domestic violence legislation. The new laws provided funding for shelters, established more effective court procedures and created "protection orders" to prohibit men from abusing their wives. By 1987, for example, more than half of the nation's major police departments had adopted a "pro-arrest" policy, requiring officers to make an arrest unless they could document a good reason not to do so. <sup>19</sup> The "Other" Face of Domestic Violence

Two widely reported cases in the 1980s revealed that beatings could occur in white, upper middle-class families as well as among the poor. In 1985, President Ronald Reagan forced the resignation of the director of enforcement at the Securities and Exchange Commission, John Fedders, after his wife, Charlotte, cited 18 years of beatings as grounds for divorce. At the trial of New York City lawyer Joel Steinberg, who was convicted of beating his illegally adopted daughter, Lisa, to death in 1987, it was disclosed that he had regularly beaten his companion, Hedda Nussbaum, as well.

Many newspaper readers learned for the first time about "battered women's syndrome" when they saw photos of Nussbaum's vacant, badly injured face. Her lack of resistance to Steinberg's tyrannical behavior, her defenders explained, reflected a psychological syndrome characterized by loss of self-esteem, fear, passivity and isolation.

How widespread is wife-beating today? Murray Straus estimates that two-thirds of American wives have been hit by their husbands at some point in their marriage, counting relatively minor incidents of slapping, plate-throwing or shoving. \*

When it comes to assaults that require medical attention, his estimate decreases to about 10 percent of all cases (about 130,000 cases each year). No one knows for sure if wife-beating is going up or down because no systematic national study was made until the 1970s. But a 1985 national telephone survey by Straus found a 21 percent decrease over the previous 10 years among married and cohabiting couples, an improvement that Straus attributes to changing social attitudes. <sup>20</sup>

Most domestic violence cases that police encounter come disproportionately from lower-income and minority households, and many involve unmarried couples. But is domestic violence a class phenomenon? Straus finds that marital violence increases as one descends the socioeconomic ladder. "The more severe the assault, the greater the class difference," he says. "When you get to murders, there's a tremendous difference by class."

But some experts believe that domestic violence in middle-class families is substantially underreported. Middle-class families are much more reluctant to call a policeman, who may be below them in social status, according to one study. The thicker walls and wider spacing of middle-class homes also make it less likely that a neighbor will hear screams in the night and call the police. <sup>21</sup>

Middle-class women are more likely to confide in a doctor, a therapist or a lawyer than in a police officer, surveys and personal testimonials suggest. That's been the experience in San Diego, where in 1988 hospital emergency rooms were required to report cases of domestic violence to the police. "For the first time, we started seeing upper-middle-class women," reports attorney Casey Guinn. In a study two years ago of 6,000 divorce petitions claiming domestic abuse by women who could afford lawyers, Guinn's office found that only 6 percent of the women had ever dialed 911 for help. Debate Over Causes

Why do men beat women? Feminists, domestic violence activists and, increasingly, social scientists see domestic abuse as a logical outcome of a culture that glorifies male dominance and violence. "Society tolerates it" is a common observation.

By contrast, some experts believe serious domestic violence is limited to a small group of dispossessed, unemployed males who feel powerless and angry. "Feminists argue all males are empowered in this society," says sociologist Reiss. "But the reverse may also be true" of black males without jobs, welfare or housing. Such men, says Reiss, have "only one resource left, and that's violence."

Other researchers stress the personal histories of batterers. Many came from homes where they saw their mother beaten, or they were. Some lack the educational and verbal skills that could provide alternatives to violence. Batterers often have unstable personalities. Some flare up at co-workers easily or get into fights.

Jeffrey L. Edleson, an authority on counseling programs for abusers, sees American culture, which encourages aggressive behavior for males, as the broader canvass upon which individuals play out these relationships. "There's got to be larger reasons than a bunch of screwed-up men why most violence in society is by men," he concludes.

Further igniting the debate over sex roles in America are Straus' findings that women hit men as often as men hit women. A blow from a male is far more likely to produce severe injury, Straus concedes. But, he says, the root of such behavior is the belief, shared by both women and men, that violence is an appropriate expression of moral righteousness, much like a child's spanking for disobedience. "They're adult repetitions of 'Johnny, I've told you a hundred times.'"

Feminist Susan Schechter, long active in the battered women's movement, strongly disagrees. "It's not about the number of hits," she says. "It's about who is afraid of whom and who is living in a pattern of coercive control. Yes, women hit back. But does he need to go to a shelter? The powerful use it over the less powerful. It's structured over centuries of institutional behavior, including marriage." Profile of a Batterer

Even as the debate over aggressive behavior rages, counselors across the country paint startlingly similar profiles of abusive men. Repeat abusers tend to be manipulative, persuasive actors. They believe women should be subordinate to men although they are often emotionally quite dependent on their spouse or girlfriend. "They're cons, they can be very smart, charming," says Michael Paymar, who has worked with abusive men in Duluth, Minn. "They don't all wear motorcycle jackets, and they can spot vulnerable women. They put on their best behavior and treat women with great respect," but the real anger they feel toward women is just below the surface.

In addition, notes Paymar, "Battering gets you a very quick response. Your wife or girlfriend is saying something you don't like, you hit her, and it stops. It can be very intoxicating for men."

Typically, men don't beat women in a fit of rage, experts say. If anything, the act may be strangely premeditated. Joan Zorza, senior attorney at the National Center on Women and Family Law in New York, says that men view battering with an eye to the cost-benefits. During a work stint in Boston, she says, she learned that men often ripped out the phone shortly before they beat a woman to prevent her from calling for help. When phone companies started charging a reconnection fee, Zorza reports, husbands began taking the phone with them to work.

Economic considerations also underlie the reason women often stay with their batterers. "The cruel choice often posed to women in violent relationships is whether to be beaten or to be poor," writes Lori Heise, director of the Violence, Health and Development Project at Rutgers University in New Brunswick, N.J. The standard of living for women who divorce in the United States drops by 73 percent in the first year, notes Heise. Leaving often means taking one's children into poverty or moving into cramped quarters with a relative. <sup>22</sup>

Psychologists have likened battering relationships to the "Stockholm syndrome," in which hostages over time identify with their captors. "Women don't behave differently from hostages," says Zorza. "It's a real love-hate relationship."

Entangled in an intimate relationship that often began as romance, many women come to believe their partner's view of them as worthless. Charlotte Fedders' bullying husband had convinced her that her nursing skills were so "antiquated" that she could never support herself and her children if she left him. Often the batterer goes into a "honeymoon" period right after a beating, persuading his partner that he will reform.

For some, leaving is fraught with danger. Tracy Thurman's husband had threatened to kill her if she ever called the police. While she was pregnant, she resolved not to fight back to protect her child. <sup>23</sup>

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\*Straus' estimate is twice the number of women who actually admit to being hit surveys.

## Current Situation

Experts are as divided over solutions as they are over causes. But increasingly, advocates say what's needed is a campaign that fights domestic violence on many fronts.

San Diego was recently cited as a model in this respect by the National Council of Juvenile and Family Court Judges. "One of the remarkable things about San Diego is the total community response," says Merry Hofford, director of the council's family violence project. "It's not just the courts; it's the entire city. They have billboards on the sides of buses saying [domestic violence] is not OK."

San Diego has the largest prosecution unit in the country devoted to domestic violence. As part of its mandatory arrest policy, it requires batterers to undergo a year of group counseling. The city employs special detectives to arrest men who don't attend. Courts follow up with jail time for violators. Volunteers in the prosecutor's office contact battered women to act as their advocates.

The premise of the San Diego prosecutor's office is that early arrest and prosecution can prevent a battering situation from escalating into a fatality. In 1989, there had been an average of five police contacts before a woman died from domestic violence. Over the past three years, San Diego's domestic violence homicide rate has dropped 61 percent. "I'm convinced that's because of our prosecution policy," says Casey Guinn.

Today, approximately 200 to 250 communities use counseling programs, many of which receive court-ordered clients. <sup>24</sup> The proliferation of batterer treatment programs has increased prosecution of abusers by offering judges a sentencing alternative other than jail time, says the Urban Institute's Adele Harrell, who recently studied the program in Baltimore County, Md. Duluth's Comprehensive Approach

Ten years ago, Duluth, Minn., was the first community to take a comprehensive approach to attacking domestic violence. Many experts consider it the leading example of a coordinated program. A 26-week counseling program is mandated for abusers in lieu of a 30-day jail term, which kicks in if the abuser misses three counseling sessions.



To criminologist Sherman, however, Duluth provides “the best evidence on the failure of comprehensive treatment to make a substantial difference.” He points to the program’s own statistics: At least 40 percent of the treated batterers end up reoffending with the same woman or someone else. <sup>25</sup>

Some men never change, concedes Michael Paymar, training coordinator for Duluth’s Domestic Abuse Intervention Project (DAIP), a nonprofit group that aids battered women. But the primary goal of the program, he argues, is safety for the woman, not patching up the couple’s relationship.

“Most of these relationships are not going to work,” Paymar says. “That’s never been our goal in providing rehabilitation to men. We decided we would develop an educational curriculum that would challenge their thinking and confront their beliefs. If they absorbed it, fine. If not, there’s nothing we can do about it.”

The Duluth staff views the one-year probation usually given to first offenders primarily as an opportunity for the victim to plan for the future, according to Paymar. Once a batterer is arrested, DAIP advocates contact the victim to offer her support and information about shelters, protection orders and support groups. They continue to help the woman in her contacts with courts and welfare agencies and sit in on court proceedings.

Subsidized apartments help battering victims make the transition to a new life. About 80 percent of the women who use the Duluth program report they are no longer being abused, according to Paymar. In most cases, their relationships break up, he says.

Duluth’s effort to change men’s beliefs through group sessions has set the tone for most counseling programs across the nation, though their success is mixed. Most studies show that two out of three men no longer beat their wives six to 18 months after completing group counseling, according to Jeffrey Edleson, who has analyzed the existing studies. <sup>26</sup>

But sweetness and light do not necessarily prevail in these households. In about half the cases, women say men still use verbal threats. And half the men who enter programs drop out before completion, according to Edleson.

Some activists are suspicious of such programs because they may lull battered women into a false sense of security. Counselors say the suspicion is justified. “Battered women are more likely to go back to their partner if he’s in a treatment program. I always caution women, ‘You shouldn’t depend on his treatment to change him,’” Edleson says.

In Adele Harrell’s recent study of court-ordered programs in Baltimore County, batterers who participated in group counseling believed just as strongly after the sessions as they had before that wife-beating was justified. “I felt the group dynamic at work there tended to reinforce the behavior rather than argue against it,” says Harrell. “Men met others who had been deviant and it seemed more normal.”

Harrell suggests that individual psychotherapy, which would probe the psychological origins of a man’s anger, might be more successful than group sessions aimed at changing men’s beliefs about women. Very little work has been done in this area, she notes. <sup>27</sup> New Legal Approaches

In many cities, a high percentage of women request that battering charges be dropped or refuse to testify against their abuser after he is arrested. In response, prosecutors in cities with vigorous prosecution philosophies are increasingly adopting a controversial policy known as “no drop.”

In San Diego, for example, if the victim won’t testify prosecutors use photos, tapes from the woman’s 911 calls and testimony from neighbors and police to build the case.

Some advocates for battered women oppose the policy on the grounds that it takes power away from the woman to decide on a course of action and thus “victimizes” her in yet another setting. Attorney Casey Guinn counters that the policy protects a woman who cannot risk becoming the target of the batterer’s rage by testifying. “When you give the victim control over the criminal prosecution,” says Guinn, “in reality you’re giving control to the batterer, because the batterer controls the victim.”

For many women leery of the criminal justice system but threatened by violent partners, protection orders have become the “remedy of choice,” according to Rutgers’ Heise. Now used in all 50 states and the District of Columbia, protection orders are backed up by the threat of jail in some states. In some cases, judges can establish temporary custody for children, forbid telephone threats or harassment and make the husband pay financial support or leave his home.

A temporary protection order can be issued the same day the woman requests it and can be put into effect for a year or even longer. By contrast, a woman could wait months for a criminal prosecution to come to trial or years for a property settlement from a divorce decree, notes Pennsylvania attorney Barbara Hart, a strong supporter of protection orders.

However, enforcement is so weak in some jurisdictions that protection orders can turn into “a cruel hoax on victims,” criminologist Sherman warns. Several women have been killed by their husbands or boyfriends while under protection orders, including one stabbed

last year outside a Milwaukee courtroom. According to a National Institute of Justice study, officers often fail to make arrests even if they have the legal authority. <sup>28</sup>

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Outlook

Even before Bill Clinton took the oath of office in January, advocates for battered women had begun pressing him for expanded services. In a Dec. 18 letter to the then president-elect, a group of state domestic violence organizations -- the Domestic Violence Coalition on Public Policy -- urged funding for additional shelters and emergency services as its first priority.

The coalition also urged swift passage of Sen. Joseph R. Biden Jr.'s, D-Del., Violence Against Women bill, reintroduced in January. The omnibus legislation would provide incentives for states to toughen penalties against domestic violence and would require states to honor each other's protection orders in cases of women who cross state lines to escape a batterer.

Advocates for battered women continue to work with authorities in the legal system in hopes of increasing their sensitivity to abused women. In March, every state will send a delegation of judges to a national training conference on domestic violence. Most judges still "have a philosophy that family business is outside their domain," says Harrell of the Urban Institute, one of the conference organizers. "Every man's home is his castle is the principle, grounded in English common law."

In New Haven, Conn., a pilot program starting this year will experiment with alternative penalties for batterers, including weekend jail stays combined with counseling. The experiment grew out of a study of why prosecutors dismiss 70 to 80 percent of the domestic violence misdemeanors in Connecticut, says Anne Menard, executive director of the Connecticut Coalition Against Domestic Violence. Victims reported they had refused to cooperate with prosecutors because they feared jail terms would mean a loss of income for the family. Weekend jail is intended to let offenders keep their jobs but protect victims on weekends, when batterers often do their drinking and beating.

Some groups have started to look beyond the battered woman's first flight. "Efforts to help abused women are only as good as the living conditions for single mothers and their children," historian Elizabeth Pleck has observed. <sup>29</sup>

In New York City, for example, the Victim Services Agency has 30 permanent subsidized-rent apartments and is planning more for battered women who have left relationships. Having made permanent breaks, women often find they lack the job skills to support a family. Victim Services provides employment training and help with job placement.

Some activists say it is time to turn society's attention to long-term prevention and more extensive social change. "Ultimately, it means moving beyond preventing any one man from battering to creating a generation of individuals who see violent behavior as inappropriate," wrote Heise. "It's one thing to argue for more money for shelters; it's another to ask for pay equity and getting violence off TV." <sup>30</sup>

Counselors who work with battered women have turned their attention to high school students and say they are finding patterns of dating abuse already established. University of Massachusetts psychiatrist Angela Browne is among those urging education in violence prevention at an early age. "Arrest is too late a level" to expect a transformation, she contends. <sup>31</sup> As an adjunct to its domestic violence efforts, Duluth recently introduced a special curriculum into its high schools and junior high schools.

Even in Duluth, with its myriad programs, activists like Michael Paymar see no lessening of the violence against women. As they come up against the hard realities of changing men's behavior, many say they are convinced that true reform requires more than just economic equality between the sexes.

What's needed, the activists say, is a virtual overhaul of society's view of male-female relations. The increased willingness of Americans to discuss domestic violence suggests this is already starting to happen. Sarah Glazer is a freelance writer in Washington, D.C. who specializes in health-related issues.

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Pro/Con

Has the extent of date rape been exaggerated?

Pro	Con
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## Neil Gilbert

Professor of Social Welfare, University of California, Berkeley,. From "The Phantom Epidemic Of Sexual Assault," The Public Interest, Spring 1991.

Most consciousness-raising requires that the public be exposed to the problems of other people. The people who have the problem -- whether it is homelessness, mental illness, poverty or AIDS -- are well aware of it. According to the feminist researchers who promulgate advocacy numbers, sexual assault raises a different sort of issue: It not only afflicts a much higher proportion of people than other social problems (perhaps half of women under 25 and many more afterward), but most of the victims are also unaware of their affliction or unwilling and unable to acknowledge it. In this case the function of advocacy numbers is to alter consciousness more than raise it, to change social perceptions of what constitutes common experience in heterosexual relations. The difference between a sexual-assault rate of 25 or 50 percent and one of 0.1 percent is more than a matter of degree. It is the difference between the view that male-female relations are normally enjoyable for most people and the view that they are inherently antagonistic and dangerous....

While the problem of sexual assault may well be greater than is suggested by the National Crime Survey figures, it has certainly not reached the epidemic proportions indicated by the advocacy numbers. Radical feminists who promote advocacy numbers aim not so much to solve the problem of sexual assault as to change social perceptions of its basic nature.

## Mary P. Koss

Professor of Family and Community Medicine, University of Arizona, Tucson,. From "Defending Date Rape," Journal Of Interpersonal Violence, March 1992.

A major point raised by date rape critics is that the scope of victimization is so large only because it is based on a radical and elastic new definition of rape.... Although educational materials exist that promote broad interpretations of the term "rape," critics err in the assumption that these definitions undergird the empirical data base. Rape was defined in [my 1987 national survey of college students] as "penetration against consent through force, threat of force, or when the victim was incapacitated with alcohol or other drugs." This definition of rape is consistent with the statutes of most North American jurisdictions. A total of 15 percent of college women had one or more experiences since their 14th birthday that met this definition. An additional 12 percent had experienced rape attempts in which penetration did not occur.

The oft-quoted fact that 1 in 4 college women has experienced rape or attempts derives from these prevalence figures. In addition to rape and attempted rape, a spectrum of other sexual victimizations was examined in the national survey, including unwanted touching and intercourse subsequent to menacing verbal coercion. Critics have incorrectly assumed that the responses to questions dealing with psychological coercion were summed along with those dealing with force to obtain the rape rate. They were not. The only instances included in the rape rate were sexual penetrations ... penetrated by force, threat of harm or when the victim was intoxicated....

Critics express further suspicion regarding the validity of date rape because "73 percent of the rape victims classified as rape victims by the researcher did not think they had been raped." This is a deliberately twisted presentation of the data. The women who had experiences that met legal requirements for rape in the national study viewed their incident as follows: one-quarter thought it was rape; one-quarter thought it was some kind of crime, but did not realize it qualified as rape; one-quarter thought it was serious sexual abuse, but did not know it qualified as a crime; and one-quarter did not feel victimized by the experience. Thus the great majority of rape victims conceptualized their experience in highly negative terms and felt victimized whether or not they realized that legal standards for rape had been met.... The failure to embrace the correct legal label for one's victimization does not mean that the victimization did not occur.

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## Chronology

**19th Century  
Family violence is  
discovered by  
charitable  
organizations and  
the feminist moral-  
reform movement.  
By the 1870s, most  
states declare wife-  
beating illegal.  
Societies for the  
prevention of**

1871

<b>cruelty to children expand their focus to include wife abuse.</b>	
<b>1880</b>	Legal aid for battered wives seeking divorce is established in Chicago and later in other cities by the Women's Club movement.
<b>1960s</b>	Marital violence is generally viewed as a private affair by police departments and judges. In most jurisdictions, police may not arrest a husband who beats his wife unless they have witnessed the incident or have a warrant.
<b>1967</b>	International Association of Chiefs of Police declares in training manual that "in dealing with family disputes, the power of arrest should be exercised as a last resort."
<b>1970s</b>	Feminist movement raises spouse assault and rape as major women's issues. Shelters for battered women established in most regions of the country.
<b>1971</b>	First hotline for battered women is started in St. Paul, Minn.
<b>1974</b>	First shelter for battered women opens in St. Paul.
<b>1977</b>	Oregon becomes the first state to enact a mandatory arrest law for domestic violence incidents.
<b>1978</b>	Minnesota becomes the first state to allow arrests without warrants in cases of domestic violence.
<b>1979</b>	Psychologist Lenore Walker introduces the term "battered woman syndrome" in <i>The Battered Woman</i> . President Jimmy Carter establishes the short-lived federal Office on Domestic Violence.
<b>1980s</b>	Most states pass laws mandating or permitting the arrest of batterers. Evidence mounts that wife-battering cuts across class lines. Police departments take a more aggressive stance against domestic violence.
<b>1980</b>	First national study of domestic violence, <i>Behind Closed Doors</i> , reports that spouses strike partners in one out of every six households.
<b>1981</b>	Massachusetts and New Jersey Supreme Courts say a husband can be criminally liable for raping his wife.
<b>1984</b>	A police experiment in Minneapolis indicates that arrests have a deterrent effect on men who beat their wives and girlfriends. Sociologist Diana Russell publishes study reporting one in four women had been raped. A battered wife wins a \$2.3 million judgment in her liability suit against the Torrington, Conn., Police Department, which didn't arrest her abusive husband. The threat of lawsuits persuades many police departments to change their policies to encourage arrest in wife battering cases. Congress passes legislation providing federal funding for domestic violence programs and shelters.
<b>1985</b>	The surgeon general identifies domestic violence as a major health problem. President Ronald Reagan forces the resignation of John Fedders, director of enforcement at the Securities and Exchange Commission, when his wife, Charlotte, cites 18 years of repeated beatings as grounds for divorce. The case highlights violence occurring in middle-class homes.
<b>1988</b>	Ninety percent of police agencies report they either encourage or require arrest in cases of domestic violence.
<b>1990s</b>	Doctors target domestic violence against women as a medical problem. Researchers reconsider the benefits of mandatory arrest laws.

1991

Joint Commission on Accreditation of Hospitals requires training of emergency room personnel in identifying battered women.

1992

American Medical Association issues voluntary guidelines urging screening of all women patients for domestic abuse. Surgeon general supports AMA effort. New study concludes that mandatory arrest laws incite unemployed men to more battering.

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## Short Features

### One Woman's Story -- A Continuing Nightmare

Leaving a batterer does not necessarily end a woman's suffering. Just ask Janet, a Connecticut woman whose last name does not appear here because of continuing concern about her safety.

About three years ago, Janet moved in with her new boyfriend and soon became pregnant. At first, he was sober and hard-working, a "sweetheart who would give his shirt off his back for you," Janet says. But then he began drinking.

"When he drank, he was physically and verbally abusive," Janet recalls. "I almost lost my child three times because of the beatings. He tried to rape me when I was pregnant."

Sometimes the injuries were severe: "He had this head thing where he would smash my head on the floor as hard as he could," Janet says. "Sometimes I passed out. One time I had an epileptic seizure."

After four months, Janet threw her boyfriend out of the house. Then he started harassing her over the phone, threatening to have her killed. He broke into her house twice and would go on day-and-night binges of threatening calls. "He said he'd come after me with guns, knives and gangs," Janet says.

When Janet entered the hospital to give birth, police were put on 24-hour alert because he had threatened to take the baby.

Now married, Janet has moved and changed her phone number. Her former boyfriend is currently in jail for the fourth time in three years on domestic violence charges, awaiting sentencing on a harassment charge brought by Janet.

But Janet doubts he will serve much time because his waiting time in jail is credited against his sentence, and domestic violence sentences are short to begin with. And when he gets out, the threatening phone calls usually start again with new intensity. "He has threatened to kidnap my son and kill my husband," Janet says.

Despite Janet's request for secrecy, her old boyfriend discovered her new address when the court mistakenly printed it on the protection order it served him with. But Janet says she can't afford to move again.

So she lives as a virtual prisoner in her house when her former boyfriend is free on the streets. She keeps windows locked, curtains drawn and does not take her 2 1/2-year-old son out to play. "I live in fear," she says, sobbing. "When he comes out [of jail], what am I going to do?"

Janet's 7 1/2-year-old daughter by another man witnessed the beatings her mother suffered. Janet's concern over the effect the battering was having on her daughter finally gave her the courage to break up with her boyfriend.

When the batterings started, "I was terrified," she says. "I thought maybe if I let him alone and kept my mouth shut, things would stop. As he did it more and more often, I realized that wouldn't happen."

Janet's daughter would leave school in the middle of the day and run home to make sure her mother was safe. "I couldn't take the battering anymore," Janet says. "I couldn't take the way my daughter was cowering all the time. When she was home, she was always sitting down beside me with her arms wrapped around me. She was not a child anymore."

After the boyfriend moved out, her daughter showed a tendency to lash out physically at other people and was temporarily placed in a psychiatric inpatient facility. But Janet worries that the beatings have left her daughter with lasting psychological wounds.





Janet's perception squares with research showing that children from violent families are more likely than most to become abusive later.


"My daughter is a violent little girl and has been since this started -- and guess where she learned? He taught her well."

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## Is Date Rape Really Rape?...


'A woman going to a fraternity party is walking into Testosterone Flats, full of prickly cacti and blazing guns,' writes Camille Paglia in her controversial essay on date rape. "A girl who goes upstairs alone with a brother at a fraternity party is an idiot," adds Paglia, a professor of humanities at the University of the Arts in Philadelphia. "Feminists call this 'blaming the victim.' I call it common sense." 

Recent surveys have borne out the sexual dangers of college campuses. In 1987, 7 percent of college women surveyed had experienced at least one rape or rape attempt in a single year. And 57 percent of the assaults involved a date. 

Rape among acquaintances is as old as the Bible, but it was not until the early 1980s that it was given a name. In 1982, a Ms. magazine report on findings by Mary P. Koss of the University of Arizona-Tucson referred to this "new and unusual" form of sexual aggression as "date rape." 

But is rape on a date really rape? Some academics charge that the date rape issue has been blown out of proportion by the failure to recognize the ambiguity inherent in romance. "Courtship," Paglia argues, is "a dangerous game in which the signals are not verbal but subliminal."

University of California social welfare Professor Neil Gilbert attacks "radical feminists" for exaggerating the number of date rapes by redefining the act of rape. "The rape-crisis movement's agenda," he wrote in The Wall Street Journal, "is to change social perceptions of what constitutes acceptable intimate relations between men and women so that the slightest pressure amounts to inappropriate use of force, sweet talk and efforts at verbal persuasion are coercive and the faintest demurral means no." 

Alcohol plays a controversial role in date rape. Approximately 75 percent of men and at least 55 percent of women involved in acquaintance rapes had been drinking or taking drugs, according to Koss, a professor of family and community medicine. 


In most states, notes Koss, a woman in such a severe state of intoxication that she is unable to give her consent to sexual intercourse is treated the same as a mentally retarded woman. Taking advantage of an incapacitated woman is considered rape under such statutes.

As for taking the romance out of courtship, Koss insists critics like Gilbert are the ones who are blurring the dividing line between rape and coercion. "Rape comes not with coercion but with force," she says.

Yet could men be trapped into a criminal act by misinterpreting age-old courtship rituals of female resistance? "The consequences of misunderstanding 'No' are so grave, I don't believe [a man] should risk it," Koss answers.

In Paglia's view, women should view rape as an inevitable "risk" taken in exchange for the freedom they gained in the cultural revolution of the 1960s, when it first became respectable for women to enter bars alone and swear just like men.

Juries often see it the same way as Paglia, according to Mary Ann Largen, executive director of the National Network for Victims of Sexual Assault, in Ivy, Va. "On date rape, attitudes of society are still where they were 20 years ago on stranger rape -- that women bring it on themselves."

The solution advocated by Koss is re-education of men when they are boys, not just warning girls of the dangers that lie ahead. As an example of the misperceptions that adolescents hold, she points to a study of sixth-through-ninth-graders in Rhode Island. Almost one-third said it was acceptable for a man to force sex on a woman if he had spent \$10 on her. 


Koss' statistics could have disturbing implications about young men's attitudes toward rape. "We want to believe rape is perpetuated by a small number of mentally disturbed men," says Koss. "These kinds of numbers suggest these phenomena reside in all of us." Critic Gilbert finds that implication implausible and points to the generally lower statistics produced by government agencies. (See "At Issue," p. 185.)

Experts say it's difficult to know the true extent of rape -- dating or otherwise -- because government statistics in this area have traditionally been so faulty. Academic researchers and private groups consistently find a much higher incidence of rape than that

reported by the government. The National Victim Center, a private group in Arlington, Va., devoted to promoting the rights of violent crime victims, reported rape estimates for 1990 that were five times greater than the government's.

Sometimes, the government's own statistics are at odds. According to the FBI, rape has been rising over the past decade; the Justice Department sees a decline. Both methods suffer from flaws, crime experts agree.







The FBI bases its figures on police reports, but only 16 percent of rapes are ever reported to police, according to the National Victim Center. Reports to local police may have risen in recent years because of a growing willingness on the part of women to reveal a once shameful crime, not because of an actual increase, crime experts say.

The Justice Department's statistics are based on a national sample of American households interviewed about the crimes they suffered in the past year.  ""

It's not just college women who are at risk for date or acquaintance rape. According to a national survey released last year by the National Victim Center, 75 percent of women who reported being raped said the assailant was someone they knew.

As date rape convictions, like that of boxer Mike Tyson, receive growing publicity, more women may become aware that date rape is a crime and report events that once would have remained under cover.

"We're seeing what seem to be dramatic increases in rapes," says Largen, "but since the data were so poor before, we don't know [for sure]."

Since her organization was founded in 1980, she says that rape crisis centers have been reporting average annual increases of 35 percent in the number of rape victims seeking help.   ""   ""   

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## Battered Women Who Kill

After years of beatings, some women find the ultimate escape. They kill their partners. Today, an estimated 800-2,000 such women are in prison, according to Sue Osthoff, director of the Philadelphia- based National Clearinghouse for the Defense of Battered Women. In most cases, she says, evidence supporting a claim of self-defense was not introduced at the trials.

Movements pressing for clemency have sprung up in 26 states, and governors in several states have responded sympathetically. The first mass release occurred in 1990, when Ohio Gov. Richard F. Celeste commuted the sentences of 27 battered women serving time for killing or assaulting male companions. In 1991, Maryland Gov. William Donald Schaefer commuted the sentences of eight battered women in prison for killing their abusers.

Meanwhile, eight states have passed legislation to permit testimony about the effects of prior violence on the defendant, according to the clearinghouse. #

Theoretically, a history of domestic violence should be admissible evidence for a homicide defendant making a self-defense claim, according to Holly Maguigan, an associate professor of clinical law at New York University. But in many cases, she says, trial judges define self-defense too narrowly to admit such testimony. ## For them, a legitimate self-defense claim must involve imminent danger, as in the traditional case of one man defending himself against another in a bar fight, Osthoff says. Battered women don't always fit that model.

Osthoff recalls a woman who had suffered repeated, brutal sexual assaults after her husband handcuffed her to the bed. She killed him after he had threatened her and pointed to his wrists, meaning "Get the handcuffs."

"We're saying, 'Look, jury, you have to understand this in the social context. Maybe to an outsider it may not have looked like an act that would put you in imminent danger, but given her experience, she knew that her children or herself were going to be severely harmed,'" Osthoff argues.

Attorneys for battered women successfully have used expert testimony on the "battered woman syndrome" to explain why a battered woman did not leave her partner but retaliated violently instead.

The term was first used by researcher Lenore Walker to describe three typical phases in the cycle of battering: building tension, acute battering and finally kindness and loving attention from the batterer. The term is also used to describe the psychological and practical

reasons why a woman would stay in such a situation: loss of self-esteem, economic and emotional dependence on the batterer and fear of retaliation.

But because the term is often equated with passivity, it has backfired as a defense for some women who pick up a gun. Prosecutors have started to bring in their own expert witnesses to testify that a woman who takes such a drastic step does not fit the passivity profile, Osthoff notes.

Now activists in the battered women's movement are "re-evaluating the limitations of battered woman syndrome as an explanation for this behavior," says Ann Menard, executive director of the Connecticut Coalition against Domestic Violence. The coalition is pushing for legal review of the cases of up to 20 women in Connecticut prisons. "Many battered women act very aggressively and assertively," she says.

One who finally acted was Shalanda Burt, now serving 17 years for shooting her boyfriend two years ago in Bradenton, Fla., when she was three months pregnant. A week after she delivered their first baby, he raped her and ripped her stitches. Several times she called the police. "I would have a bloody mouth and a swollen face," she told Time magazine. "All the police would do is give me a card with a deputy's name on it and tell me it was a 'lovers' quarrel.' The battered women's shelter was full."

After a particularly bad beating, Burt says, her boyfriend followed her to her aunt's house. She shot him when he came after her again. "They say I'm a violent person, but I'm not," she told Time. "I didn't want revenge, I just wanted out."

Facing a possible life sentence or the electric chair, Burt took the public defender's advice and plea-bargained for a 17-year sentence. "I was in a no-win situation." \* # States permitting testimony about prior violence are California, Louisiana, Maryland, Missouri, Ohio, Oklahoma, Texas and Arizona. ## Holly Maguigan, "Battered Women and Self Defense: Myths and Misconceptions in Current Reform Proposals," University of Pennsylvania Law Review, December 1991, pp. 379-486. \* Nancy Gibbs, "Til Death Do Us Part," Time, Jan. 18, 1993, p. 42. Most Rape Victims Know Attacker MOST RAPE VICTIMS KNOW ATTACKER Contrary to the popular belief that women usually are raped by strangers, most rape victims know their attackers. The biggest group of perpetrators, "other non-relatives," includes friends and neighbors. Perpetrator: Percentage of rapes: Stranger: 22% Husband/ex-husband: 9% Father/stepfather: 11% Boyfriend/ex-boyfriend: 10% Other relatives: 16% Other non-relatives: 29% Not sure/refused: 3% Source: National Victims Center, Rape in America: A Report to the Nation, April 23, 1992. How Many Rapes Per Year? HOW MANY RAPES PER YEAR? A nationwide study conducted by the National Victim Center in Arlington, Va., and the Crime Victims Research and Treatment Center at the Medical University of South Carolina estimated that 683,000 adult American women were raped during a one-year period. FBI and Justice Department statistics on rape are much lower, some experts speculate, because relatively few rapes are reported to police. Organization: Number of rapes per year: FBI Uniform Crime Report

for 1990 102,560 U.S. Dept. Of Justice

Bureau of Justice Statistics

(NCS)1990 130,000 National Women's Study 683,000 Source: National Victim Center, Rape in America: A Report to the Nation, April 23, 1992. Domestic Crimes Reported to Police DOMESTIC CRIMES REPORTED TO POLICE Based on domestic crime data kept by 17 states, experts estimate that 1.37 million domestic violence offenses were reported to the police in 1991; women were the victims in an estimated 83 percent of the cases.

Reported

domestic State Population violence

offenses Alabama 4,089,000 5,400 California 30,380,000 203,638 Connecticut 3,291,000 21,520 Delaware 680,000 6,548 Florida 13,277,000 99,802 Maine 1,235,000 3,760 Maryland 4,860,000 16,388 Michigan 9,368,000 27,204 Montana 808,000 2,091 New Jersey 7,760,000 55,698 New York 18,058,000 79,190 Oklahoma 3,175,000 15,020 South Carolina 3,560,000 20,016 Vermont 567,000 1,343 West Virginia 1,802,000 4,142 Wisconsin 4,955,000 24,163 Wyoming 460,000 3,305 Total 108,325,000 589,228 Total Population of the U.S.: 252,177,000 Estimated total of reported domestic

crimes in the United States: 1,370,000 Total female victims of reported

domestic crime in the United States: 1,130,000 Source: "Violence Against Women: A Week in the Life of America," Senate Judiciary Committee, October 1992. Is Arrest the Answer? IS ARREST THE ANSWER? Repeat incidents of violence drop the farthest when police arrest the suspect and jail him overnight. Repeat violence is highest when police make no arrest but advise the fighters to calm down or send the suspect away. Police action: Percent of suspects repeating

violence within a 6-month

period: Arrest: 10% Advise: 19% Send suspect away: 24% Source: Lawrence W. Sherman, Policing Domestic Violence (1992).

## Bibliography

### Books

**Gordon, Linda , *Heroes of Their Own Lives: The Politics and History of Family Violence*, Viking, 1988.** An American historian notes that campaigns against wife-beating were closely tied to feminist movements and crusades against child abuse.

**Schechter, Susan , *Women and Male Violence*, South End Press, 1982.** This is probably the most thorough history of the battered women's movement and its efforts starting in 1974 to organize shelters and other services. The author, a feminist and former activist in the movement, takes an openly partisan tone in her analysis of the underlying social issues.

**Sherman, Lawrence , *Policing Domestic Violence*, Free Press, 1992.** University of Maryland criminologist Sherman takes a provocative look at domestic violence from the crime-fighter's point of view in this lively book. He also discusses his influential 1984 study, which indicated that arresting batterers was helpful, and his latest study reversing some of his conclusions.

**Straus, Murray A. , *Behind Closed Doors: Violence in the American Family*, Anchor Books, 1981.** Even as its conclusions are debated, this classic, ground-breaking study of domestic violence continues to be the benchmark for newer studies.

### Articles

**Flitcraft, Anne H. , "Violence, Values and Gender," *The Journal of the American Medical Association*, June 17, 1992, pp. 3194-3195.** The American Medical Association used this editorial to lead off the special issue of JAMA in which the association launched its campaign to treat abused women. The issue includes reports on the extent of medical injury to women from battering, a survey of doctors and a call to medical activism from outgoing Surgeon General Antonia C. Novello.

**Gibbs, Nancy , "Til Death Do Us Part," *Time*, Jan. 18, 1993, pp. 38-45.** Battered women who killed their partners tell their stories in this feature on the movement to gain clemency for battered women now in prison.

**Jane Roberts Chapman , "Reflections on A Movement: The U.S. Battle Against Women Abuse," in Schuler, Margaret, ed., *Freedom from Violence: Women's Strategies Round the World*, OEF International, 1992 (Available from the United Nations Fund for Women).** A comprehensive status report on reforms and controversies relating to the battered women's movement.

**Hoffman, Jan , "When Men Hit Women, *New York Times Magazine*, Feb. 16, 1992, pp. 23-70.** This report on the widely praised mandatory arrest program for batterers in Duluth, Minn., takes a clear-eyed view of the problem's intractability.

### Reports and Studies

**U.S. Senate, Committee on the Judiciary , *Violence Against Women: Victims of the System*, April 9, 1991 (Serial No. J-102-10),** . This is the most recent in a series of hearings held by Judiciary Committee Chairman Joseph R. Biden Jr., D-Del., in connection with his omnibus Violence Against Women bill (S 15), which he reintroduced in January. The broad-ranging hearings address rape, domestic abuse and pornography.

**Jeffrey A. Roth , *Understanding and Preventing Violence*, National Academy Press, 1993.** In this broad study, some illuminating chapters summarize social science research on the causes and prevalence of violence against women.

**Center, National Victim , *Rape in America: A Report to the Nation*, April 23, 1992.** In this national survey, an Arlington, Va., group devoted to helping victims of crime finds much higher rates of rape than government agencies.

## The Next Step

### (for further research)

#### Book reviews

**Theroux, Phyllis , "Aftermath of a Rape," *The Washington Post*, Feb. 7, 1992.** Reviews the book *Taking Back My Life* by Nancy Ziegenmeyer with Larkin Warren. Ziegenmeyer gives a first-person account of her attack and her life since then. After her rape occurred, she was the first rape victim to allow her name to be used in the Des Moines Register.

**Levin, Tamar** , **"In Short," The New York Times, April 28, 1991, p. 16.** Reviews the book *Fraternity Gang Rape: Sex, Brotherhood and Privilege on Campus* by Peggy Reeves Sanday.

## Community programs

**Nordheimer, Jon** , **"In Domestic Violence, These Charges Stick," The New York Times, Sept. 13, 1992, p. 56.** In an effort to crack down of the number of domestic abuse cases in Sussex County, N.J., police and the courts have developed "pro-arrest" and "pro-prosecution" policies. If a husband or wife calls the police for help in a domestic dispute, the assailant is charged with assault and has to stand before a judge even if the spouse decides to drop the charges. In addition to jail time, the offender has to attend 29 weekly sessions of counseling through the Domestic Abuse Services department. While these policy changes are new to the area, preliminary findings have revealed that repeat cases of domestic abuse are already decreasing.

**Smolowe, Jill** , **"What the Doctor Should Do," Time, June 29, 1992, p. 57.** Every year over 4 million women are assaulted by their present or former partner and more than half of the female murder victims have been killed by their husband or boyfriend. After years of watching the epidemic grow, the surgeon general and the American Medical Association are asking doctors to take more of an active role in identifying domestic abuse. The Texas Council of Family Violence is one of many organizations that is hopeful that these new directives will help reduce the number of assaults. They say the traditional response by doctors has been a prescription for relaxants. While doctors want to help the victims of domestic violence, who account for about one-third of all emergency treatment and one-fourth of prenatal care, they are concerned about possible legal ramifications. Recently, doctors have been required to monitor child abuse, and when some children have been further injured or killed, the doctors have been sued.

## Domestic violence

**"Battered Women: Murders or Victims?"**, **The Economist, Jan. 16, 1993, pp. 30-31.** At a prison for women in Frontera, Calif., victims of domestic abuse who have killed their mates to stop the violence have formed a support group called Convicted Women Against Abuse. In 1991, they approached the women's caucus of the state Legislature to hold a hearing at the prison in order to educate lawmakers on the dynamics and intricacies of domestic violence. As a result of the hearings, California now has passed new laws that allow evidence of domestic abuse in court. Their next hope is that legislators will allow evidence of brutal domestic violence as a defense in murder cases. The women are also asking Gov. Pete Wilson to commute their sentences, and they are encouraged by the governor of Maryland releasing eight women and the governor of Ohio releasing 23 on the grounds of "battered women's syndrome."

**Larrabee, John** , **"A Cry Against Domestic Violence," USA Today, Jan. 13, 1993.** On April 28, 1992, in Holliston, Mass., John Seguin allegedly killed his son and daughter, left them in a lake and then returned home and killed his wife. A study of 1992 murders in Mass. revealed that 75 percent of female victims knew their killers intimately, and the number of women who were killed by their husbands or boyfriends rose from 14 in 1990 to 26 in 1991. National statistics compiled by the FBI show similar findings: 28 percent of female murder victims were killed by husbands or boyfriends while only 4 percent of male victims were killed by wives or girlfriends. Some experts blame the rise in this type of violence on the availability of handguns, while anti-domestic violence activists say the rise is due to weak laws for punishing the perpetrators. In response to the recent upsurge in violence, Massachusetts has formed the Jane Doe Safety Fund, which among other contributions, provides money for the state's 27 shelters for battered women. Massachusetts police and lawmakers have also joined California, Florida, Virginia, Tennessee and Connecticut in passing an anti-stalking law and developed the first computer registry of men under restraining orders.

**Randall, Terry** , **"ACOG Renews Domestic Violence Campaign, Calls for Change in Medical School Curricula," The Journal of the American Medical Association, June 17, 1992, p. 3131.** The president of the American College of Obstetricians and Gynecologists (ACOG) announced that the college will be implementing a new plan to address the needs of battered women. He has developed a four-part program that includes putting domestic violence courses in the curriculum at the graduate and undergraduate level, adding domestic violence to the list of questions in the written and oral board examinations, teaching medical students how to ask patients about domestic abuse and ensuring that the physicians know where to go for help with the issue.

**"Vital Statistics," Washington Post Health, Sept. 1, 1992, p. 5.** Yale University conducted a study on violence against women and found that battering may account for one-fifth of all visits to the emergency room for women. They published the study in a pamphlet called "Women's Health Data Book," and among other statistics, the study revealed that from 1979 to 1987 nearly 5.6 million women were assaulted by someone they knew well. The researchers caution those who are using the study to keep in mind that because victims and their physicians are reluctant to report statistics, the figures may not be complete. Inset: Figures from the Jacob Institute of Women's Health on the number of attacks by strangers, acquaintances and intimate aggressors, including figures on how many attacks were done by siblings, spouses, children, and more.

## Redefining rape

**Fritsch, Jane** , **"Debating Whether 'Yes' Means 'No,'" The New York Times, Dec. 13, 1992, p. 49.** The circumstances of a criminal sexual assault case in Glen Ridge, N.J., are presenting some challenges to the traditional definitions of rape. The case involves a woman who followed a group of boys into a basement, removed her clothes and consented to engaging in an afternoon of sexual activity. The woman is mentally retarded, has an I.Q. of 64 and the social skills of an 8-year-old. Legal experts are using the case to demonstrate the evolving definition of consent, and her attorneys are hoping to persuade the jury that although she did outwardly consent to having sex with the boys, she really did not consent because she is not capable of understanding the concept. This case is one of many that is pushing the boundaries of the definition. In a case in Texas, a grand jury found a man who broke into a woman's



home and had intercourse with her innocent because the woman had requested that he wear a condom so she would be protected from pregnancy and disease.

**Young, Cathy** , **"Women, Sex and Rape: Have Some Feminists Exaggerated the Problem?"**, **The Washington Post**, **May 31, 1992**, p. **C1**. The author writes that while there have been many positive advances through the women's movement, and attitudes about rape is certainly one of those areas, she says we need to be cautious about some of the recent extremism regarding rape. In a panel discussion on ABC called "Men, Sex and Rape," many feminists called for a broadening of the definition of rape to include "psychological coercion" and not necessarily include physical force or threat. The author calls this effort "definitional shenanigans" and adds that this has the potential to trivialize the horror of real sexual violence by implying that "rape at knife point in a parking lot is not different from an ambitious encounter in which a woman is pushed further sexually than she wanted to go."

## Reports and Studies

**Affairs, Council on Scientific** , **American Medical Association**, **"Violence Against Women: Relevance for Medical Practitioners," The Journal of the American Medical Association**, **June 17, 1992**, pp. **3184-3189**. While most emergency departments of hospitals have established policies to aid rape and assault victims, victims often seek the assistance of private physicians, and the Council on Scientific Affairs found that private physicians need help from the American Medical Association to become sensitized to the needs of victims of violence. They suggested that physicians be educated in how to routinely screen female patients to identify cases of violence. This training should include interviewing techniques, risk assessment, safety planning and procedures for referral.

## Sexual assault on college campuses

**Carmody, Deirdre** , **"Increasing Rapes on Campus Spur Colleges to Fight Back," The New York Times**, **Jan. 1, 1989**, p. **1**. A 1985 survey showed that one in six women reported that they had been raped or attempted to be raped since they were 14. When a professor of psychiatry looked at the data from the same survey, she found that 38 of the 1,000 students said that had been raped in the last six months, and most of the rapes had occurred on college campuses. Some universities like the University of Southern California in Los Angeles have begun improving security, passing out whistles and holding rape awareness seminars. Officials at the Rape Treatment Center at the Santa Monica Hospital Medical Center urge college administrators to take steps to alleviate the problem. They say that rape on college campuses is a problem that can be solved through increased security and enhanced prevention programs.

**Celes, William** , **"Students Trying to Draw Line Between Sex and an Assault," The New York Times**, **Jan. 2, 1991**, p. **A1**. Soon after the 1975 book *Against Our Will: Men, Women and Rape* was published, the term date rape or acquaintance rape began to be used, and with its use came an increased awareness of the number of rapes. The author asserts that with the growing prominence of date rape, questions have begun to be raised about the crime and about the "subtleties in male-female relationships." Some experts suggest that college students be educated in the differences in communication styles between men and women. When male college students were interviewed for the article, they often said that they thought a woman's refusal for sex was just part of the dating ritual.

**Foster, Catherine** , **"Problem of Rape on Campus Tackled Anew by Activists," The Christian Science Monitor**, **Dec. 26, 1990**. The Project on the Status and Education of Women at the Association of American Colleges reports that a large percentage of women on college campuses are likely to be raped by someone they know. The author asserts that colleges are not equipped to handle felonies like rape, and therefore discipline offenders who have committed rape the same way that they punish those that have vandalized or played their stereos too loud. Students at colleges across the country are demanding more resources be devoted to this issue, and they are making their voices heard through vigils, marches and even writing the perpetrators names on bathroom walls.

**Gilbert, Neil** , **"The Campus Rape Scare," The Wall Street Journal**, **June 25, 1992**, p. **A14**. The author, a professor of social welfare at the University of California-Berkeley, is concerned that figures about campus date rape are greatly exaggerated. He says some college officials are suggesting it can be beneficial for men falsely accused of rape to go to trial and others say it may not be foolish for women to regard most men as a potential rapist. The statistics most often quoted, he says, come from a study done by Ms. magazine in conjunction with the National Institute of Mental Health, and these figures have even been used in a bill that proposes to devote \$80 million over the next four years to make campuses safer for women and provide more funding for rape crisis centers.

## Violence and the media

**Andrews, Suzanne** , **"She's Bare. He's Covered. Is There a Problem?"**, **The New York Times**, **Nov. 1, 1992**, p. **H13**. Although both Broadway and dance companies have featured naked men in their productions, Hollywood continues to shy away from uncovering men in film. This trend, many experts say, creates a double standard because the industry has few hesitations about undressing women. Directors and producers claim that the double standard exists because people have always worshipped the female form, and men want to see female bodies while women may not want to see men's. Experts warn that there may be a kind of power trip going on when filmmakers want to strip women and protect men. They also warn that this may be a subtle form of exploitation and that becoming desensitized to female nudity may be as dangerous as becoming desensitized to violence against women.

**Cameron, Julia** , **"Sex for Kicks," American Film**, **October 1990**, pp. **45-47**. The author asserts that over the last decade the level of sex and violence in movies is drastically increasing, and the combination of the two is becoming a "substitute for human connection," which is almost like a drug. The National Coalition on Television Violence has found that one out of every eight movies today contains a

rape scene. Experts are very concerned with these findings, especially when confessions of serial rapists and killers like Ted Bundy reveal that watching violent pornography stimulated his urge to sexually assault and kill.

**Hall, Cameron** , “In Los Angeles, Freeze Frame on Violence,” **The Washington Post**, Nov. 4, 1991, p. D1. Film industry directors and producers, the NAACP, two handgun control groups and the Carnegie Council on Adolescent Development met in a conference to discuss the effect of violence in film. The conference, which was titled “Violence in America -- the War at Home,” raised more questions than answers for the panelists, but participants said they were glad the issues were being discussed. While some experts disagreed on whether violence in film is translated into violence in society, all agreed that violence in film was acceptable if it has a constructive purpose. They cited “The Burning Bed,” a film about domestic violence, as one such example because it portrays the “ugliness of violence against women.”

**Hickey, Neil** , “Violence on TV,” **TV Guide**, Aug. 22, 1992, pp. 9-23. While experts have pondered the effects of violence on television for years, an overwhelming majority now support the view that television violence contributes to real violence in the United States. To investigate this phenomenon, TV Guide commissioned the Center for Media and Public Affairs to compile statistics on how much violence is shown on television and then presented the findings to a panel of television analysts. In the 18 hours surveyed, 1,846 individual acts of violence occurred, and cartoons turned out to be the most violent program form. The article also cited a study conducted in New York which found that the more frequently participants watched television at age 8, the more often they committed serious crimes by the age of 30.

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## Footnotes

[1] Arthur N. Kellermann et al., “Men, Women and Murder,” *The Journal of Trauma*, July 1992, pp. 1-5.

[2] Antonia C. Novello et al., “From the Surgeon General, U.S. Public Health Service, A Medical Response to Domestic Violence,” *Journal of the American Medical Association*, June 17, 1992, p. 3132.

[3] American Medical Association, *Diagnostic Treatment Guidelines on Domestic Violence* (1992).

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[5] Anne H. Flitcraft, “Violence, Values and Gender,” *The Journal of the American Medical Association*, June 17, 1992, p. 3194.

[6] Nancy Kathleen Sugg, “Primary Care Physicians' Response to Domestic Violence,” *The Journal of the American Medical Association*, June 17, 1992, pp. 3157-3160.

[7] Albert J. Reiss, Jr. and Jeffrey A. Roth, ed., *Understanding and Preventing Violence* (1993).

[8] Lawrence W. Sherman, *Policing Domestic Violence* (1992), p. 2.

[9] *Ibid.*, p. 190.

[10] *Ibid.*, pp. 336-337.

[11] Reiss and Roth, *op. cit.*, pp. 111-112.

[12] *Ibid.*, p. 106. See also “Violence in Schools,” *The CQ Researcher*, Sept. 11, 1992, p. 802.

[13] See “Under the Rule of Thumb,” U.S. Commission on Civil Rights, January 1982 and Murray A. Straus and Richard J. Gelles, “Societal Change and Change in Family Violence from 1975 to 1985 as Revealed by Two National Surveys,” *Journal of Marriage and the Family*, August 1986, p. 466.

[14] Elizabeth Pleck, “Wife-Beating in Nineteenth-Century America,” *Victimology*, Vol. 1, No. 1, 1979, pp. 60-74.

[15] Sherman, *op. cit.*, p. 26.

[16] *Ibid.*, p. 2.

[17] Hearings before the Committee on the Judiciary, U.S. Senate, *Women and Violence*, Aug. 29 and Dec. 11, 1990, p. 99.

[18] The principal lawsuits brought against police departments are described in Joan Zorza, "The Criminal Law of Misdemeanor Domestic Violence, 1970-1990," *The Journal of Criminal Law and Criminology*, spring 1992, pp. 46-72.

[19] Lori Heise and Jane Roberts Chapman, "Reflections on a Movement: The U.S. Battle Against Women Abuse" in Margaret Schuler, Ed., *Freedom from Violence: Women's Strategies Round the World* (1990), pp. 5, 12.

[20] Straus and Gelles, op. cit., pp. 465-479.

[21] Sherman, op. cit., p. 5.

[22] Heise and Chapman, op. cit., p. 34.

[23] Testimony of Tracy Motuzick (formerly Tracy Thurman) and Charlotte Fedders, hearings before the Committee on the Judiciary, U.S. Senate, op. cit., p. 107.

[24] Quoted in Heise and Chapman, op. cit., p. 18.

[25] Sherman, op. cit., pp. 249-50.

[26] Zvi C. Eiskovitz, and Jeffrey L. Edleson, "Intervening with Men Who Batter," *Social Service Review*, September 1989, pp. 387-414.

[27] Adele Harrell, *Evaluation of Court-Ordered Treatment for Domestic Violence Offenders*, October 1981.

[28] Sherman, op. cit., pp. 238-243.

[29] Quoted in Heise and Chapman, op. cit., p. 31

[30] *Ibid.*, p. 32.

[31] Judiciary Committee hearings, op. cit., p. 159.

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