# When *She* Hits Him: Why the Institutional Response Deserves Reconsideration

**by Lisa Young Larance, MSW, LCSW, LMSW Catholic Social Services of Washtenaw County**

Women are capable of violence. Those of us in the United States are familiar with reports of women who have drowned their children, hazed sorority sisters, and abused prisoners of war – to name just a few. But the question advocates, practitioners, child protective service personnel, and criminal justice system staff must ask is not whether women are capable of intimate partner violence – but whether women's force directed toward their intimate male[1] partners is the equivalent of men's force directed toward intimate female partners in terms of context, motivation, and impact (Dasgupta, 2002). Answering this question is critical (Miller, 2005) because many institutions currently use a gender-neutral approach (Miller, Gregory, and Iovanni, 2005) when responding to women who use force (WWUF) in intimate heterosexual relationships – a gender-specific problem. By doing so, women arrested on domestic violence charges are often ordered to attend intervention programs developed to address male battering behavior (Miller, 2005). Women referred for batterer intervention receive inappropriate services rather than the contextualized assessment, advocacy, education, and supportive intervention they need (Larance, 2006). Through lack of attention to the contextual factors surrounding the incident, not only do these interventions fail to meet the needs of WWUF, but in doing so, may fail to meet the goal of the referring agency – to prevent a recurrence of use of force through lack of attention to the contextual factors surrounding the incident. This article's purpose is to use the author's practice experience working with men and women[2] in anti-domestic violence intervention programs to explain this issue's complexity in terms of the need for: contextual analysis, (re)defined language, gendered distinctions in forceful behavior, and appropriate intervention strategies.

***Contextualizing the Issue***

In the early 1990s, not long after proarrest laws were enacted across the United States, those in the anti-domestic violence movement began to notice an apparent rise in the individual and dual arrest rates (Dasgupta, 2002; House, 2001; Miller, 2005) among women arrested for domestic violence offenses. This, along with decontextualized Conflict Tactics Scale (Straus, 1979) based research, led to the erroneous analysis that women were as violent as men and, in some cases, more violent (Archer, 2000; Dasgupta, 2002; House, 2001; Miller, 2005). When researchers and practitioners took the motivation, intent, and impact of women's and men's forceful actions into consideration they concluded women and men do not use force equally and that the majority of women who use force in their intimate heterosexual relationships are survivors of domestic violence (Dasgupta, 2002; Miller, 2005; Larance, 2006; Miller, 2005; Saunders, 2002).

***(Re)defining Language***

Until there is a better understanding of who did what to whom, why it was done, and what impact it had, we must be especially cautious about the language used when describing actions and actors in forceful intimate partner situations. Language is powerful. It determines how the community perceives

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WWUF, how the referral process is set into motion, the tone for program development, and ultimately shapes how WWUF view themselves. Thorough contextualized assessments, rather than fixed categories, should chart the course for the referral process and program design.

"Use of force" is used in this article as an "umbrella term that refers to physically, verbally, and emotionally detrimental behaviors used by a woman toward her intimate partner" (Larance, 2006, p. 624). Use of force is a desirable term because it accurately describes "use of physical strength to accomplish a task – but does not imply the same degree of wrong doing or harmful intent as [the term 'violence']" (House, 2001, p. 2). It is used here to describe women who have used both primary and retaliatory aggression toward their intimate male partners.

*A hit is not a hit is not a hit. Context matters. A lot. A whole lot.*

The term "violence" is often chosen to describe the unjust, intentional infliction of physical pain or injury by one partner against another (House, 2001). But be careful. By this definition, "violence" could be anything from slapping someone on the knee to knocking someone unconscious with the full force of one's fist. Ideally, concise descriptions such as "she was violent" will be abandoned in favor of the more explanatory (Larance, 2006) "she was/was not a survivor of domestic violence in her relationship for 9 years before resorting to physical force by throwing objects at her partner with the objective of making him change his behavior that she perceived as threatening." The latter description is more time consuming, but its specificity calls for a nuanced intervention approach.

Determining whether or not someone is a batterer is a particularly challenging process, and it should be, because "[b]attering is far more than a single event…it teaches a profound lesson about who controls a relationship and how that control will be exercised" (Schechter, 1982, p. 17). It is helpful to recognize that battering behavior does not necessarily include physical violence. Instead, battering is a pattern of cumulative, coercively controlling (Stark, 2007) actions and behaviors that have the power to instill fear and intimidate the victim for the purpose of long-term behavioral change and relationship control. A batterer can hold the victim hostage mentally – whether or not the batterer is in the same room or city.

Furthermore, the language used needs to recognize that "domestic violence" is not really "domestic" at all. "Domestic violence" has evolved into a term that erroneously refers to force used between intimate partners within their home (Pence and Dasgupta, 2006). When one person seeks to instill fear and control a partner over the relationship's long term, those actions infiltrate all space and time in both people's lives. By no means is that control restricted to the confines of a given living space. In the "violence" focused, incident based criminal justice system, the coercively controlling aspect of battering is not a crime punishable by law, whereas the response typically is. Sadia was the member of an intervention group I facilitated. Her situation illustrates this conundrum:

> Sadia and Rohit had an arranged marriage in their home country. Rohit promised Sadia's parents that Sadia would receive the best education and opportunities that life in America could offer. Upon their return to the U.S., Rohit would punch, hit, or slap Sadia when she was not "obedient." Rohit prohibited Sadia from talking to the neighbors, driving, enrolling in the community

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college, or doing anything he perceived outside the realm of her domestic duties. In the meantime, Rohit was actively having affairs with women he met at work and on the internet – and spent their savings doing so. Ten years and three children later, Rohit continued to tell Sadia that she was "trash," would be "nothing" without him, and there was absolutely nothing she could do to stop his affairs. One morning Sadia decided she could do something. During his morning shower Sadia stabbed Rohit in the back.

Sadia committed a crime when she stabbed Rohit. But is Sadia a "batterer"? Would she benefit from batterer services? I don't think so. Sadia needed intervention that balanced exploration of viable nonviolent responses and personal responsibility-taking with traditional survivors' support including, at the very least, safety-planning and community resources. For the purpose of this article it is helpful to note that stabbing Rohit only escalated Rohit's forceful, coercively controlling behavior against Sadia. He routinely chased Sadia to her court-mandated intervention group – threatening what he would do to her if she sought a divorce. But the court declined Sadia's request for a Restraining Order due to her criminal history.

This example is not meant to minimize what Sadia chose to do to Rohit with the knife. It is meant to point out that a decontextualized, incident-based approach does not provide an accurate picture of inter-partner aggression. Such a picture is critical because it dictates the institutional response when the law is broken. According to Osthoff, "Not everyone who hits [her] partner is a batterer. A hit is not a hit is not a hit. Context matters. A lot. A whole lot" (2002, p.1540). In other words, much more needs to be known about the context of relationship dynamics before institutions can effectively intervene in the most private aspects of people's lives.

The process of identifying someone who is battering a partner includes formulating multiple questions that need to be asked, asked again, and answered thoroughly (Larance, 2006; Osthoff, 2002; Pence and Dasgupta, 2006). It is a time-intensive process that includes collateral contacts, time to build trust, the opportunity to reframe the same question in many different ways, and time for awareness to be cultivated in the woman receiving services. For example, what was different for her about the referring incident? Do her actions instill fear in her partner? Are they meant to? Is she able to change his behavior over the relationship's long-term by what she does to him, how she does it, and when she does it? Is she afraid of him in ways that other people do not seem to understand and, if so, what is it that she believes he can do to her? After she answers these questions, assess his answers to the same questions.

Alison's situation illustrates how challenging it can be to know who is *really* battering whom and what the nonphysical impact of those actions may be:

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Alison was referred for services by child protective services for allegations, by her partner of 13 years, Brad, that she was abusing Brad and the children. When Alison's child protective services worker was contacted for more information about Alison's situation the response was, "Alison? Oh Alison, now *she* wears the pants in that relationship!" Because Alison was physically bigger than Brad, the only one of the two who worked outside their home, had sole access to the ATM card and family car, Alison had been identified as the "batterer" in the relationship. But wait. It turns out that 3 years into the partnership Brad claimed he was physically unable to work due to back problems. Alison opted to be the sole breadwinner rather than seek public assistance. Alison limited Brad's access to the ATM card because he had gambled their $20,000 savings away only 5 years prior. And as for access to the car? Brad had lost his license due to a DUI. Was Alison afraid of Brad? No, she stated, because Alison was confident Brad could not physically hurt her. Did Alison believe there was something Brad could do to Alison that did not necessarily involve physical harm? According to Alison, Brad had routinely threatened her with loss of the children if she did not comply with his demands. So how had Alison been noncompliant this time? Alison had refused to pick Brad up, at the bar, at 2 a.m. when Alison had to be at work by 7 a.m.

Yes, Alison admitted, she had pushed Brad at different times during their relationship and had threatened to leave the relationship if things did not get better. But the impact of her actions seemed to put Alison at a greater risk of Brad's coercively controlling behavior rather than present any risk to Brad's safety.

Are there female batterers? At this point in my practice I believe "batterer" is a gender specific term that refers to coercively controlling tactics exhibited by men in intimate heterosexual relationships. I have not worked with a woman in a heterosexual relationship who has had the capacity to effectively instill fear or intimidate her partner in a way which has changed his behavior over the relationship's long term. According to Pence and Dasgupta, "…it is exceptional for [a woman] to achieve the kind of dominance over her male partner that characterizes battering. Social conditions, which do not condone women's use of violence, patterns of socialization, as well as the typical physical disparities…make the woman 'batterer' an anomaly" (2006, p. 6). Margie was a woman whom I served in an intervention program who initially presented as a batterer:

> Margie and Jim had been married for 11 years and, when angry, Margie was prone to grabbing anything close enough and throwing it at Jim. Why was Margie so angry? Well, Margie liked the dishwasher to be loaded a certain way or the bathtub to be drained within a certain time frame after the kids' baths. In short, Margie wanted Jim to do things Margie's way and if he didn't, she let him know it.

But did Margie instill fear in Jim? No. After Margie threw their china collection at him, Jim only grimaced and encouraged her to seek help. Was she

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able to change Jim's behavior or intimidate him through her actions? No. He continued to load the dishwasher how he wanted and drain the water when he remembered. After weeks of group work Margie disclosed that she had been adopted at 13 in exchange for money her family desperately needed. She believed she was still working out her anger but Margie acknowledged she was doing so inappropriately and on Jim. Margie was angry, volatile, and violent toward Jim. Margie was not a batterer.

***Making Distinctions***

Distinguishing between the force a WWUF uses and the force and coercively controlling tactics a batterer uses is not intended to excuse her behavior or vilify his. It is meant to expose a dynamic that has multiple repercussions for both individuals. The men I have worked with use power, control, and force in order to intimidate and instill fear in their partners for long-term relationship control. If these men acknowledge their behavior during the group process, they often state a belief that their tactics have been effective at controlling their female partners but consistently minimize and deny their actions. Most of the women I have worked with, in contrast, take responsibility for their behavior at the time they call for an intake and are eager to seek help for their partners as well. The women's stated motivations for using force include: the desire to defend their self-respect against their partners' verbal and/or emotional attacks; to defend their children; a refusal to be victimized again; being passive did not work so maybe using violence will; and to gain short-term control over a chaotic/abusive situation (Larance, 2006; for similar findings refer to Dasgupta, 2002; House, 2001; Kernsmith, 2005; Miller, 2005). By using force, these women have not successfully controlled their partners' behaviors. Instead, their use of force has put the women at increased risk of physical injury and escalated the violence against them.

A glimpse of what happened at the scene of one domestic violence arrest, when a woman used force and her partner was a batterer, is instructive of how the differences between her behavior and his can shape the turn of events – for those being helped and those sent to help.

> Tonya had been waiting for George all night. He had not come home and she was worried that he was hurt. When George came home Tonya yelled at him and demanded to know where he had been. George picked Tonya up and threw her against the wall. She responded by grabbing her purse and hitting George with it. Upon impact the purse's zipper scratched George's face. George grabbed Tonya and threw her against the opposite wall. Tonya called the police to have George removed from the home. When the police arrived Tonya was crying and "hysterical." George was calm. Tonya immediately told the police what she had done and why she had done it. George also told the police what *Tonya* had done – taking no responsibility for his own behavior. Tonya did not disclose what George had done to her out of a fear of what he may do to her the next time. Tonya was arrested. George was not.

Physically hurting someone with the use of non-self-defensive physical force is a crime. However, Tonya's call for police intervention is the first clue that this is not a "level playing field." But law enforcement's decontextualized response treats the situation as though it were. Law enforcement's response is

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driven by an incident based approach to justice in which mandatory arrest laws dictate that, in the words of the responding officer, "Because this is a DV call someone is going to jail." From that perspective the police officers' assumptions of what the "good" vs. "bad" victim looks and sounds like, during those few moments of intervention, can have far-reaching consequences. Often a "good victim" is perceived as compliant, quiet, passive, bruised, sympathetic, and white. Tonya presented as none of those. Furthermore, Tonya's voluntary statement of responsibility made further investigation seem unnecessary because the statement made it "clear" to the police who was going to jail and who was not.

The scene is also indicative of how a batterer can intentionally try to manipulate law enforcement officers' response. At the scene, George was calm. After all, he had expended much of his energy throwing Tonya across the room (similar to Miller's 2005 findings). Tonya was crying and screaming. George capitalized on his outward calm in a way that, in Tonya's words, "seemed to draw attention to" Tonya's "hysterical" and "out of control" behavior. Furthermore, George's visible wound from the impact of Tonya's purse served him in a way that Tonya's tendency for latent bruising did not. Tonya was shocked that her call for help resulted in *her* designation as "the perpetrator" and his designation as "the victim." The short-term result was that Tonya had to immediately leave the home she owned, was unwelcome at the county's battered women's shelter that does not serve "perpetrators," and spent the weekend in jail. Tonya's situation is similar to Rajah and colleagues' (2006) findings that, due to a decontextualized approach, many survivors who are assigned the "perpetrator" role when they are arrested are later denied job training opportunities, safe shelter, employment options, and issuance of restraining orders.

Similar to Susan Miller's (2005) findings, the partners of the women I have worked with have used the women's "perpetrator" status against the women. The partners of these women have: threatened the women with loss of custody if the women refused to waive their rights to trial or drop divorce proceedings; encouraged the women to violate orders of protection in order to show they "really loved" them; self-inflicted wounds after battering their female partners but before the police arrived to appear "victimized"; threatened to call to the police if the women refused to have sex with them; destroyed property, called the police, and then wrongly accused the women of destroying property based on prior "evidence" that the women were the primary aggressors.

What happens if a woman is not assessed to be a domestic violence survivor in the present relationship? After all, not all WWUF are survivors. However, for the sake of thorough assessment I encourage a closer look. Dasgupta warns, "the history of women's experiences of abuse, which may stretch across several consecutive relationships, is an important consideration because it may influence their perceptions of danger (2002, p. 1374)" in the present relationship – whether their partners are abusive or not. In Hazel's case it was difficult to understand why she had resorted to force when her husband was neither threatening nor controlling. Further assessment brought clarity to how her history had largely motivated her present behavior:

> Hazel had been married for just two years and couldn't figure out why she would "just lose it" with her husband, Eric. Every time Eric voiced a desire to do

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something with someone other than Hazel, she would respond with verbal attacks and would throw objects at Eric. Hazel denied a history of domestic violence survivorship. But after 11 weeks in group Hazel was discussing a "challenging situation." At that time, Hazel noted that her first marriage ended because "we had different ideas" about marriage. She noted that five days a week, for nearly 16 years, Hazel's first husband had come home to eat the lunch he had instructed Hazel to prepare – and then went upstairs and slept with his secretary in the couple's marital bed. Hazel "endured" because, among other things, he threatened to leave her with three children and no money. Hazel didn't believe she had options at that time but now she felt an unfamiliar level of safety in an intimate relationship for the first time.

Hazel's feelings of safety in her nonabusive second marriage provided space for decades of anger and abandonment to surface – but in a way that put Hazel and Eric at risk of injury. Hazel's forceful actions did not change Eric's behavior nor did her actions put Eric in fear or intimidate him. However, Hazel's actions had damaged their relationship and the way Hazel viewed herself. Hazel needed contextualized intervention tailored to her complex history.

***Unintended Consequences***

At the time of sentencing, women's tendency to not only admit to their actions but initiate a statement of full-responsibility – and male batterer's denial about what happened during the incident – does not serve women. Many women have told me, "I believed if I just told the whole truth then everything would be okay." As a result prosecuting attorneys often charge WWUF to the full extent of the law, while the male batterers' denial and minimization are often rewarded with plea bargains. Many of the women I have worked with also state that they "just wanted to get home to the kids" so they agreed to "whatever" their attorneys offered them, not considering the long-term consequences of this choice. Because these women were identified as "perpetrators" they did not have the benefit of victim-witness advocate advice to raise their awareness of other options. Many women have followed their attorney's advice because, in the words of one woman's attorney, "You don't really want to go through a long trial and spend money you don't have when you will probably lose anyway." The end result is a record of criminal history which, in many cases, has meant the loss of jobs or ineligibility for employment for beauticians, nurses, teachers, and others, whose professional licenses are revoked due to domestic violence charges.

***Appropriate Interventions***

When women resort to non-self-defensive physical force in their intimate heterosexual relationships, they are without what they recognize as viable behavioral options. Proactive anti-domestic violence intervention, focused on the contextual analysis of women's use of force, needs to be an integral component of middle and high school curricula; teen dating violence prevention programming; and domestic violence survivors' services. Effective proactive interventions for girls and women will raise their awareness of healthy relationship dynamics; viable nonforceful responses to abusive partners; and short- and long-term consequences of resorting to nonself-defensive physical force in intimate relationships.

By using force, women are putting themselves and others at increased risk of harm and physical injury (Kernsmith,

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2005; Larance, 2006; Miller, 2005; Stark, 2007). According to Pence and Dasgupta, "A woman who believes that there is no recourse or one who cannot access any resource, may use violence as a method of self protection more readily than those who can access alternative recourses and resources" (2006, p. 11). Therefore, it is critical that attention be focused on reactive interventions as well. From my experience, effective micro-level intervention is a mix of thorough contextualized assessment, targeted advocacy, relevant education, and emotional support in a group setting (Refer to Larance, 2006 and Larance and Hoffman, forthcoming for a more detailed explanation). Assessment needs to be viewed as an ongoing process, at all points of agency contact, rather than a time-limited interview and/or completion of finite paperwork. "By thoroughly analyzing the history and dynamics of the relationship, the intent, purpose and effect of the violent act can be better understood. The deeper understanding of the nature of the violence that comes from the analysis" (Miles, 2007, p. 3) allows for a more effective institutional response.

Providing WWUF with relevant educational information and emotional support in a group setting, can be a bridge between many women's chaotic pasts and/or current relationship dynamics, toward possibilities for the future. This "bridge" should consist of opportunities to:

- process possible victimization and plan for their safety;
- identify appropriate levels of responsibility for their actions;
- address the shame felt for their actions;
- raise awareness of what they view as viable nonviolent behaviors in their relationships; and
- build social networks with other group members that have the potential to sustain the women long after they have left the agency setting (Larance and Porter, 2004).

Those from referring agencies may not understand the women's complex circumstances that led to their choices to use force or that "change" may not happen at the pace or in the manner the referring agencies desire. Therefore, advocating for WWUF by communicating the complexities of this process is critical to effective service provision.

The Duluth Abuse Intervention Project in Duluth, Minnesota, used a coordinated community response to design an innovative macro-level approach to addressing women's use of force. The City Attorney's Office created a provision for victims who were arrested for the first time that referred the women to an education and advocacy program (Pence and Dasgupta, 2006). Likewise, the police department drafted a "predominant aggressor policy" in which officers avoid arresting victims of ongoing abuse who have retaliated against their abusers (Pence and Dasgupta, 2006). The combination of both programs has resulted in an impressive reduction in the recidivism rates of survivors of DV using force against their partners.

In general, women's forceful behaviors toward their intimate male partners can be thought of as "pushing back" against their male partners' coercively-controlling battering tactics that "push down" on the women – an "ascending" vs. "descending" power dynamic. Therefore, interventions and policies developed to address women's use of force should not be considered panaceas for eradicating domestic violence. Instead they should be understand to be additonal responses to the core problem of men who batter women.

***Summary***

Intervening in the intimate lives of others is a time-sensitive opportunity for lasting change. Misjudging who is

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"battering" whom and intervening incorrectly could mean an opportunity lost and, in some cases, the "difference between life and death" (Pence and Dasgupta, 2006, p. 16). Recognizing that women's use of force in intimate heterosexual relationships is a gender-specific issue that requires contextualized questions and answers is the first step in appropriately tailoring the institutional response. By doing so, women who use force and male batterers will receive appropriate intervention. An informed institutional response has the potential to contribute to the goal of encouraging nonviolence through personal responsibility, survivor support, and true batterer accountability.

### *Endnotes*

1 The author focuses on heterosexual relationships because homosexual relationship dynamics and societal responses to those relationships are unique and therefore warrant a separate discussion.

2 All intervention program group participant names have been changed and defining case details have been omitted to promote the individuals' anonymity.

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# Who is Lisa Larance?

Lisa Young Larance is a Fulbright scholar who holds a Masters of Social Work Degree from Washington University's George Warren Brown School of Social Work. Lisa co-created, implemented, and managed the Jersey Battered Women's Service, Inc.'s. VISTA Program, in Morristown, New Jersey that continues to serve women who have used force in their intimate relationships. Lisa currently serves women who have used force as the RENEW Program Coordinator for Catholic Social Services of Washtenaw County in Ann Arbor, Michigan. Lisa is a published author and national presenter on the topic of women's use of force.