

Chapter 2: Theoretical Frameworks and Review of the Literature

Theoretical Frameworks Guiding the Study

Three topics will be discussed in this chapter: (a) theoretical frameworks guiding this study, (b) a profile of women involved within the criminal justice system, and (c) a review of women offenders of domestic violence. The two theoretical frameworks, feminist and phenomenological perspectives, provide a complementary foundation for this study. A phenomenological approach seeks to describe the phenomenon of rage, whereas a feminist approach creates a context for analysis in understanding rage. The theoretical combination serves to discover the complexities involved within the phenomenon of women experiencing rage towards their intimate partners. As noted by Sommers (1994, p. 234),

Good social theorists are painfully aware of the complexity of the phenomena they seek to explain, and honest researchers tend to be suspicious of single-factor explanations, no matter how beguiling.

A Feminist Critical Theory Perspective

When considering the population of women within the criminal justice system, a Feminist Critical Theory perspective (Ackerly, 2000; Agger, 1993; Miller, 1998) best encapsulates the complexities involved. This lens illuminates the intrinsic role that race, class, and gender have within the lives of incarcerated women, while simultaneously considering the historical problems of domination and social struggles that may contribute to the increase of this population. To avoid proposing reductionistic and simplistic explanations, analysis of this population requires a consideration of macrosociocultural contexts. Dominant social structures that maintain oppression, thus creating voicelessness, invisibility, and marginalization, become scrutinized and challenged (Avis & Turner, 1996; Baber & Allen, 1992).

Through using critical theory, transformations occur when misinformed information is supplanted by more informed insights through a dialectical interaction (Guba & Lincoln, 1994). Through feminist practice, the myth of women being a monolithic group is debunked and changed. Women are given an opportunity to be placed in the center of vision, where individual stories and voices are heard and valued. There is no *woman's* voice or story that is representative of the whole; rather, there are a multitude of voices that may speak collectively, but often must speak individually (Baber & Allen, 1992).

A feminist critical lens creates an encompassing form of analysis when considering the phenomenon of intimate violence. In regard to the controversy of intimate violence, the most glaring factor is gender. As Renzetti (1994) has plainly stated, "Intimate violence *is* gendered, as are individual and institutionalized responses to that violence" (p. 196). Research has depicted gender differences within violence that occurs between men and women, both qualitatively, such as different motives and relational dynamics, and quantitatively, such as frequency, degrees of injury, and classification of dangerousness (Hamberger & Potente, 1994; Johnson, 2000; Vivian & Langhinrichsen-Rohling, 1994). If women use violence within their intimate relationships, however, it should not be assumed that they are "acting like men" (Renzetti, 1999). As feminists have pointed out, this faulty assumption upholds male behavior as normative and evaluates and compares female behavior in terms of this male standard.

Similarly, cultural norms of feminine behavior must be reevaluated and challenged. Women have historically been socialized not to express anger, as femininity was believed to be contingent upon certain temperaments and displays of behaviors (Brody & Hall, 1993; Crawford & Kippax, 1992; Kaye-Kantrowitz, 1992; Lott, 1985; Maccoby & Jacklin, 1980). Ring (1997) discusses the cultural taboos against female anger and notes the double standard. She proposes

that as a society, rationally based anger is respected in men and silenced in women. When anger is acknowledged in women, it is minimized, and deemed “irrational.”

The concept of an “angry woman” contradicts the image of “good victim” (Lamb, 1999; Renzetti, 1999). Explanations granted for women who act out violently often are believed to be acts of self-defense or an uncontrollable eruption of anger from enduring so many years of an abusive relationship. Although this may be true, the possibility that women may act out violently from simply being angry must be considered. For example, when considering the intergenerational transmission of violence (Bartle & Rosen, 1994; Cappell, & Heiner, 1990; Hotaling & Sugarman, 1986; Rosen, Bartle-Haring, & Stith, 2001), it is easy to believe that boys who were abused develop into abusive men (Alexander, Moore, & Alexander, 1991; Straus, 1992; Straus & Kaufman Kantor, 1994) and girls who were abused develop into women who marry abusive men (Walker, 1979). We rarely hear that girls who were abused develop into abusive women. This gendered perception reflects our inability as a culture to entertain thoughts of women being angry without being crazy (Ring, 1997).

Using the lens of feminist critical theory provides a context for acts of violence instead of isolating and reducing those behaviors. It not only focuses on the role of gender, but also considers how gender intersects with other critical components, such as race, culture, social class, and sexual orientation, as well as considering the larger oppressive systems at work within the lives of women. As Avis and Turner (1996) posit, through analyzing some aspect of gender or power dynamics as they presently exist, feminist research attempts to make the invisible visible.

A Phenomenological Perspective

Phenomenology originated as a school of philosophical thought during the 18th century. It later evolved into the science of *describing* what one perceives, senses, and knows in one's immediate awareness and experience. The German philosopher, Husserl, had focused on defining the essences of experiences; phenomenology is knowledge as it appears to one's consciousness (Kockelmans, 1967). The assumption of this framework is that there is an essence to shared experience (Patton, 1990). This essence is discovered through description, rather than through explanations or analysis.

According to the French phenomenologist Merleau-Ponty (1964), every perception takes place within a certain landscape of a person's mind. A person's view of the world is not based upon generic "known" truths, but rather perceptions that are experienced within this mental landscape. It is from this lens that determines a person's view of the world. Merleau-Ponty asserts that life is a string of perceptual moments that transforms into the passage of time.

It is important to note that individual perceptions are based upon a person's locality in life; this position determines the specific angle of view. For instance, when people share similar experiences, it is assumed that each person is beholding the exact same perception, often without question. The realization that an object or experience may have varying vantage points does not come to light until a failure of communication results. These occurrences highlight a perceptual chasm between individuals, thus revealing a person's location socially, emotionally, mentally, and so forth, which in turn forms their mental landscape. As locations in life change, so do perceptions. It is the experience of perception that allows people to discover individual truths, values, and certainties. Conversely, it is also through perception that people are taught the limitations of objectivity.

Researchers, therefore, seek the central underlying meaning of the experience, also referred to as the essential, invariant structure (or essence) (Moustakas, 1994). Emphasis is placed on the intentionality of consciousness where experiences contain both the outward appearance and internal consciousness based on meaning and memory. Evidence from phenomenological research is derived from first-person reports of life experiences. The Duquesne Studies in Phenomenology describe the central principles to this approach as:

to determine what an experience means for the persons who have had the experience and are able to provide a comprehensive description of it. From the individual descriptions, general or universal meanings are derived, in other words, the essences of structures of the experience. (Moustakas, 1994, p.13)

To ascertain the essential structure of a woman's expression of rage, it would be desirable to learn the perceptions of those interactions that take place between women involved within the criminal justice system and their intimate partners.

Summary

By using the two theoretical frameworks, both a phenomenological and a feminist critical theory, a greater understanding of women experiencing rage toward their intimate partners was gained. One framework captures the phenomenon of rage, while the other provides a critical analysis of its development. This further highlights the experiences of women within the criminal justice system—a population in need of more research.

Review of the Literature

Prison Population

The United States has the highest rate of incarceration than any other country within the industrialized world (Beck & Gilliard, 1995). Kaplan and Sasser (1996) estimated that in 1994 more than 1.3 million individuals were behind bars, which averaged costing \$30 billion. By 1999, the number of those within the criminal justice system climbed to nearly 2 million (United States Department of Justice, 1999). Women are accounting for a growing percentage, as they are the fastest growing segment of prison population (Wellisch, Anglin, & Prendergast, 1993). There has been an ever slight decrease (0.2%) among rates of women prisoners, however, from 2000 to 2001 (U.S. Department of Justice, 2001).

The Bureau of Justice Statistics (1992) reported that between the years of 1984 and 1992, the number of women in the federal and state inmate populations increased from 20,853 to 50,409, more than doubling its population within eight years, and tripling its population since 1980 (National Women's Law Center, 1994). During this time, the rate of incarceration for women has surpassed the male rate during every year but one. To further highlight this phenomenon, between 1980 and 1993, the growth rate for the female prison population increased approximately 313%, compared to 182% for men in the same period. At the end of 1993, women accounted for 5.8% of the total prison population and 9.3% of the jail population nationwide. As of 2001, the U.S. Department of Justice reports there being 93,031 women involved within the criminal justice system.

An easily identified explanation for the dramatic increase in the prison population results from the 1980s national correctional policy on the "War on Drugs" (Kaplan & Sasser, 1996). The focus became punishment and incarceration instead of prevention, treatment, and

rehabilitation. A critique of such legislation is that responsibility is placed solely on the offenders, without taking the macro socioeconomic factors into consideration, which may lead individuals to commit crimes. Consequently, the most common reason for women to be incarcerated is drug convictions (Forer, 1994).

Historically, treatment, research, and recovery have been based on the lives of men, often neglecting the experiences of women (Covington, 1998). This trend suggests that many women's programs and services offered to female inmates have been based primarily on the models derived from male inmate's programs which, consequently, fail to be sensitive to gender considerations. For example, many women experience specific medical and health concerns not pertaining to men, such as high-risk pregnancies, gynecological problems, and cervical and breast cancers while in prison (McGaha, 1987). Also, unlike male inmates, women inmates often have limited resources, which affects facilities and programs that are available, such as vocational training and educational opportunities (Human Rights Watch, 1991).

Some reports provided by the Bureau of Justice Statistics can be used to help better understand the national profile of women inmates. For instance, there have been high frequencies of histories of physical abuse (27% to 74%) or sexual abuse (27% to 55%) reported in childhood or adulthood before arrest and imprisonment (Bureau of Justice Statistics, 1994). About half of the imprisoned women have children under the age of 18-years-old, which creates multiple problems within the family units. This is particularly true since female correctional institutions are fewer than male institutions, causing prison locations to be further away from home, thus limiting visits from children (Kaplan & Sasser, 1996). According to the National Women's Law Center (1994), incarcerated women are overwhelmingly poor with 74% being unemployed prior to incarceration. These characteristics depict the need to understand how issues of race and class

significantly affect how incarcerated women are initiated into and managed throughout the criminal justice system.

Women Offenders of Domestic Violence

When considering the incidence rates of intimate violence, the 1975 U.S. National Family Survey (Straus, Gelles, & Steinmetz, 1980) and the 1985 U.S. National Family Resurvey (Straus & Gelles, 1992), indicate patterns of gender symmetry between spousal couples. These surveys have become widely used based upon the large sample sizes and proposed generalizability. The most recent 1985 survey was completed by telephone, using a nationally representative sample of 6,002 individuals, ages 18 years or older, who were either married or heterosexually cohabiting. The respondents answered questions based on the Conflict Tactics Scales (Straus, 1979, 1992). Findings suggested that women were at least as likely as men, if not more so, to report committing physically abusive acts toward their partners.

Violence used in self-defense versus aggression. The concept of gender-symmetric violence between couples is a widely disputed and controversial subject among family violence scholars. Methodological critiques of the Conflict Tactics Scales (Straus, 1979) are often the center of the bi-directional violence debates. The Conflict Tactics Scales is a self-report inventory that measures the presence and frequency of aggressive behaviors. This instrument provides the data from the National Family Surveys that reported women physically assault their male partners at rates nearly equal to or slightly higher than rates of male-to-female violence (Steinmetz, 1977-1978; Straus, et al., 1980; Straus & Gelles, 1992). The questionnaire asked respondents to report the number of times in the past year that they had used and/or had been victims to a variety of acts when seeking to resolve conflicts with their intimate partner. From these responses, certain conclusions were drawn: there were few differences between the type

and the frequency of physical aggression between men and women; many couples experience reciprocal aggression; women were as likely as men to select and initiate physical violence to resolve marital conflicts; men and women had similar intentions when using physical violence.

The results have led to heated debate within the field of domestic violence. While the Conflict Tactics Scales is appropriate for survey research, this methodology has received some very strong criticisms for determining the prevalence of domestic violence (Browne, 1993; Cantos, Neidig, & O'Leary, 1994; Hamberger & Lohr, 1994; Johnson, 1995; Johnson & Ferraro, 2000; Renzetti, 1999; Vivian & Langhinrichsen-Rohling, 1994). The primary objections of this measurement are that it does not provide a context for the aggressive behaviors in that the motivations driving the use of violence within certain circumstances are unknown (such as self-defense vs. control). A further criticism is that the initiation and meanings assigned to the acts by both partners are not provided. Since the inquiry focuses on the most recent physical fight, it does not make clear which partner initiates violence most often or what the overall pattern of initiation is between partners.

Many have argued, consequently, that the results are misleading. These comparative rates of violence have deceived many into believing that all acts of violence are the same, when in fact, they are not. For example, there is a distinct difference in whether women who reported initiating violence had previously been battered and were responding out of fear to some perceived threat of danger. Acts of violence were reported through a description, without considering the impact of aggression. The index question of the survey has also been framed in terms of mutual combat, which some suspect led to underreporting by male respondents of self-generated attacks (Saunders, 1989).

Specific criticisms regarding unfair gender comparisons have emerged from these studies. Researchers who have evaluated these issues have found that husbands' and wives' violence in marriage is far from equal. When injuries from marital aggression have been assessed, bi-directional violence does not appear to be symmetrical. As a result of distinct differences in the size and strength between men and women, wives report more negative consequences than do husbands (Cantos, Neidig, & O'Leary, 1994; Cascardi, Langhinrichsen-Rohling, & Vivian, 1992; Kaufman, Kantor, & Jasinski, 1998; Vivian & Langhinrichsen-Rohling, 1994).

Domestic assaults by men are six times more likely to cause injury than domestic assaults by women (Dobash, Dobash, Cavanaugh, & Lewis, 1998; Vivian & Langhinrichsen-Rohling, 1994). Vivian and Langhinrichsen-Rohling (1994) discuss how the presence and frequency of aggression between partners are not always directly related to the severity of impact or injury. This imbalance was depicted in a study conducted by Cascardi and colleagues (1992) that showed as many as 15% of the wives who reported being "mildly" victimized, according to the Conflict Tactics Scales (items 11-13) and 11% of wives who were categorized as being "severely" victimized (items 14-18) reported significant injuries (such as broken limbs or teeth, damage to sensory organs) as compared to 2% and 0% of the husbands. These reports suggest that any type of victimization by men toward women would have serious consequences.

In addition, studies exploring bi-directional violence indicate that violent husbands attribute their aggression to external causes, situational factors, or to coercive and controlling factors (Cascardi & Vivian, 1993; Holtzworth-Munroe, Smutzler, & Bates, 1997). Violent wives, on the other hand, have reported their aggression is due to self-defense or retaliation (Cascardi, Vivian, & Meyer, 1991; O'Keefe, 1997). Primary themes found when exploring motives of bi-

directional violence reflect that men generally use violence as a means of control, whereas women tend to use violence as a means of self-defense (Barnett & Thelen, 1992; Cascardi, et al., 1991; Hamberger, 1991). These patterns also hold true for homicide between partners, as women are more likely to be killed by a male partner than vice-versa (Browne & Williams, 1990). When men are killed by women, however, it is typically out of self-defense, or at least in response to violence initiated by the male partner/victim.

Johnson (1995; Johnson & Ferraro, 2000) delineated distinctions among types of violence based upon the interpersonal roots of conflict between partners. He proposed four major types of violence against partners: (a) common couple violence, (b) intimate terrorism, (c) violent resistance, and (d) mutual violent control. According to these distinctions, “common couple violence” arises in the context of a specific argument in which one or both partners act out physically toward the other. This type of violence is believed to be mutual, having a low frequency and expectation of escalation over time between couples. “Intimate terrorism” reflects an unequal general pattern of control, expected to escalate over time, perpetrated primarily by men. The other type of violence perpetrated nearly entirely by women is “violent resistance.” This form of violence generally includes acts in self-defense. The last type of violence is “mutual violent control,” where both partners are controlling and violent toward the other.

Lloyd and Emery (2000) make similar distinctions for women who hit their partners in acts of intimate violence. Based upon their analysis of 20 women’s narratives experiencing physical aggression in their intimate relationships, 50% of these women fought back with physical violence. In all cases but one, the male partner initiated physical aggression. The women’s acts of violence were both qualitatively and quantitatively different than the acts of

violence perpetrated by men. For example, women's acts of aggression were less frequent than her male partner's acts of aggression, along with being less severe.

Two primary themes were discovered for women acting violently. The first theme served to establish a balance of control within the relationship. For some, it was an attempt to actually end his abuse, while simultaneously attempting to regain control over her life. The second theme was an expression of frustration or anger. This often resulted from the partner's use of non-responsiveness as a form of control, the partner's consistent blame toward the woman for his actions of hitting her, and as a result of the woman not being able to express her thoughts verbally when in the heat of anger. Such distinctions help illuminate gender differences within the different types of intimate violence.

Acts of intimate violence by women. Physically abusive acts may range from minor forms of aggression such as pushing or slapping to more brutal forms of violence such as beating, choking, threatening or using a weapon (Straus, 1979). Partner violence can often lead to homicide. According to statistics of a 10-year period ranging from 1976 to 1987, intimate partners committed over 38,000 homicides. From these deaths, 61% were women killed by male partners, and 39% were men killed by women (Browne & Williams, 1990). A significant amount of women charged with killing their partners had histories of being battered within those relationships (Chimbos, 1978; Daly & Wilson, 1988; Daniel & Harris, 1982).

Although little research is available on women who have killed their partners, studies that do exist suggest that most of these homicides by women are a result of self defense following many years of severe abuse (Browne, 1987; Dutton, Hohnacker, Halle, & Burghardt, 1994; Ewing, 1987; Walker, 1984). In comparison to battered women who have not killed their partners, women committing homicide often experienced more severe and frequent acts of

violence. These women often reported using lethal violence as a last attempt of self-protection or to stop further harm of their children (Walker, 1989).

Profile of women who use physical violence against their partners. Although many studies examining women who use physical violence in their intimate relationships are often small in sample size, making the generalizability difficult at this point, there are some significant characteristics that are worth noting. Hamberger (1997) evaluated a sample of 52 women arrested for domestic violence, and found that a total of 67.3% reported at least a high school education, and over half (56.8%) were employed outside the home, with 68% denying having an alcohol problem. In regard to experiencing past abuse, 48% reported experiencing emotional abuse, physical abuse, or both from their family of origins. Furthermore, almost 54% of the women reported observing father-to-mother violence. Over one-third of the women reported some type of sexual victimization, either within their families or by non-family members. Finally, nearly half (49%) of the women reported having been battered in a previous relationship.

When looking at spousal violence culminating in homicide by the wife killing the husband, certain trends are found. Statistics from a 10-year period from 1976 to suggest that there were 38,000 homicides committed by intimate partners (Browne & Williams, 1993). From these deaths, 39% were men killed by women. Past research suggests that in the vast majority of partner homicides, the woman has been battered (Browne, 1987; Daly & Wilson, 1988; Daniel & Harris, 1982; Ewing, 1987). Dutton and her colleagues (1994) found that battered women who kill their partners were isolated and generally had few social supports.

Through a comparative study of battered women incarcerated for seriously assaulting or killing their abusive partners with battered women incarcerated for other offenses, O'Keefe (1997) found that battered women who kill or seriously assaulted their partners tend to be older,

in the relationship longer, and experienced more frequent and severe battering (including sexual assault). She also found that these women experienced a longer duration of violence in these relationships, as well sustaining more injuries than the comparison group. From this study of 50 incarcerated women killing their partners, 80% had no previous arrest history, in contrast to 57% of the comparison group had previous arrests.

Although most research on intimate violence is focused on heterosexual couples, battering within lesbian relationships is gaining an increasing awareness. Lesbians who have reported physical violence within their relationships have demonstrated that violence tends to increase in frequency and severity over time (Renzetti, 1988, 1992). While no studies have specifically examined personality correlates of lesbian batterers, there does seem to be some similarities between violence in heterosexual couples as compared to violence in lesbian relationships. Specifically, when reviewing the literature on lesbians who abuse their partners, personality traits of abusive heterosexual men appear similar. Renzetti's sample of 100 self-identified battered lesbians suggests a correlation between the batterer's level of dependency, jealousy, substance abuse, and the use of violence. Other reports indicate lesbian batterers tend to feel powerless, have low self-esteem, tend to be overly dependent and jealous, and frequently abuse alcohol or drugs (Leeder, 1988; Schilit & Lie, 1990).

When looking at women with past arrest histories and those who are violent toward their partners, Abel (1999) found some significant similarities between the women arrested for domestic violence and the women receiving domestic violence victim services. Both female respondents reported similar patterns of calling the police, having partners arrested for domestic violence, and serving their partners with injunctions for protection. Women in batterer programs

reported higher incidence rates of dual arrest than their male counterparts. This study suggests that women batterers were more similar to victims than to perpetrators.

Significance of Proposed Research to Existing Work

One limitation of the research on women offenders of domestic violence is that little is understood pertaining to the actual experiences of those women who are not responding in self-defense or perceived threat. Emery and Lloyd (1994; Lloyd & Emery, 2000) posit that reasons for women hitting in acts of intimate violence are complex, going deeper than the usual explanation of self-protection or self-defense. Rather, these acts encompass a sense of fighting for one's very "self," whether it is an attempt to establish a balance of control in the relationship, as well as a woman's violence emanating from frustration and anger.

Based upon Johnson's (1995; Johnson & Ferraro, 2000) distinctions of types of violence, there are women within the categories of "common couple violence" and "mutually violent control" that fall outside the self-defense categories. Couples experiencing "common couple violence" are not believed to have established patterns of control within the relationship. Rather, these incidences generally occur within the context of a specific argument in which one or both partners reach a "breaking point" and physically act out toward the other. Although believed to be much less common than the type previously mentioned, couples experiencing "mutually violent control" within the relationship suggests both husband and wife are controlling and violent, and competing for power within the relationship.

In this study, my goal was to capture experiences from women who would fall within these two identified categories, as they describe their rage expressed toward their intimate partners. Research is limited in providing explanations for understanding the factors that influence women in those circumstances in which they may act out violently. By utilizing the

theoretical constructs of phenomenology and feminist critical theory, this study contributes to the existing literature of women offenders of domestic violence who are currently involved in the criminal justice system.