Domestic Violence as a Social Problem: The Origins of its Construction and Implications for Future Institutional Response

An Intersectionality Approach

INTRODUCTION

> "A husband is responsible for the acts of his wife, and he is required to govern his household, and for that purpose the law permits him to use towards his wife such a degree of force as is necessary to control an unruly temper and make her behave herself."
>
> *– excerpt from opinion, State v. Black 1839, Chief Justice Pearson*

> "A home, a family should be a place of support, should be a peaceful place -- not a place of cruelty and brutality. Domestic violence betrays the most basic duties of life, it violates the law, it's wrong, it is a crime that must be confronted by individuals, by communities and by government."
>
> *– President George W. Bush, 2003*

These statements, both made by powerful government officials in relatively recent American history, exemplify a radical shift in conceptions of women and violence against them. Today, the first excerpt is an embarrassing relic of an unenlightened past. However, until recently, such a statement was not necessarily inappropriate. Inequality and misogyny have permeated American society, persisting as late as the twentieth century. Occasionally select categories of women won legal or political victories, such as the right to own property in the Mississippi Married Women's Property Act of 1839 (which dealt primarily with issues related to slaveholding and thus benefited only white women) (Foner 1991) or the right to vote in 1920 with the passage of the 19th Amendment (though this was approved largely because it was considered entirely unjust to prohibit anyone of the white race from voting while black men enjoyed the franchise). The emergence of the so-called "feminist revolution" in the 1970s, however, created a new paradigm of and for women in the United States. Suddenly, organizations such as the National Organization of Women formed and became a powerful national voice for a growing group of empowered women. Individuals like Betty Freidan, Gloria Steinem, and Helen Reddy became popular icons and national symbols for women vocally taking ownership of their lives and refusing to live as second-class citizens any longer. From 1963 to

1980, in the short period between the publication of Betty Freidan's book *The Feminine Mystique* and President Reagan's public disavowal of the Equal Rights Amendment, a new breed of feminists opened the eyes of a nation and most of the Western world, making the formerly personal plight of women something public, political, and relevant to both men and women – something inherently *social*.

While this may have been the first time many Americans, both male and female, recognized the serious problems confronting women, this was not because they had not existed in the past. The women's movement did not arise out of a sudden increase in domestic violence or pay inequity. In fact, these conditions had existed for many years in many forms, but throughout most of history they were not "problems" needing to be addressed socially and politically. It was simply the "way things were," a part of the private, domestic sphere to be left to families and not meddled in by the state. The 1970s feminist revolution was, by and large, the force that articulated these conditions as unbearable, defined them as social problems, and made them public issues requiring attention from both the populace and the state.

Out of this movement came the recognition of one of the most pervasive, threatening problems facing women today. Domestic violence, defined as physical, mental, emotional, or economic abuse of one partner by another, arose as a major social issue needing to be addressed. At this time, however, it was primarily feminist women and organizations such as the National Organization for Women and Gloria Steinem that were defining public perception and discourse around the problem. As I discuss below, the group of women most responsible for articulating and defining what had formerly been one man's private domestic concern as a public, social, and political issue, was largely homogenous in terms of social class, sexuality, and racial background (Sokoloff 2000). Consequently, and perhaps inevitably, they modeled their definitions and

explanations of domestic violence upon their own experiences and the experiences of those around them.

What were the effects of this tendency on the inclusiveness of the feminist revolution's definition of women's issues? More specifically, how did the founders' identities shape their articulation and construction of the social problem later known as domestic violence, and how has this construction influenced the development of institutions dealing with domestic violence? I propose that the white, middle-class, heterosexual identity of the feminist revolution's prominent figures strongly shaped the definition and treatment developed for domestic violence such that the resulting definitions and services were appropriate for a particular segment of the population but were not, and continue to not be, well-suited to a diverse group of women.

At this point it is necessary to review the literature on the formation of social problems and institutions in order to create a theoretical framework within which to understand the 1970s feminist movement's activities of domestic violence definition-making and organization-building. After discussing the theoretical basis for my concerns, I identify my research question and discuss my hypothesis in greater depth, and provide an outline of my proposed plan for research.

THE SOCIAL CONSTRUCTION OF SOCIAL PROBLEMS

Most people think of the discourse surrounding social problems such as alcoholism, child abuse, and environmental degradation as naturally occurring and logical because "obviously" such conditions are problems. Sociologists, however, go beyond this initial reaction to examine how exactly we come to identify certain conditions as problems. Herbert Blumer stated the basic sociological understanding of major social problems most fundamentally and clearly when he

wrote that "social problems are a product of the social process of collective definition, not independently existing, objective conditions" (1971, 298). What exactly does this mean? Let's take an example. According to the Bureau of Justice Statistics 17,650 forcible rapes occurred in the entire U.S. in 1963. Twenty years later, there were 78,920 and ten years after that 106,010 were reported. Did the rape rate increase six-fold in only three decades? Or, with the emergence of definitions for domestic violence and rape out of the 1970s feminist movement, were women simply more able to name and openly report sexualized violence? Blumer and other "constructionists" would argue that the rape rate likely remained basically the same from 1963 to 1993, but what changed was the emergence of a socially accepted definition of forced sexual intercourse as rape. Thus, Blumer's major contribution to the sociology of social problems was to recognize that "problems" do not arise out of new conditions, but "develop" when a society is willing and able to define something as unacceptable.

Since Blumer laid this basic foundation for how we identify and understand social problems, other sociologists have gone on to build upon this view in varying degrees. Strict constructionists such as Spector and Kitsuse (1987) and Best (1989) believe that the study of social problems should not focus on the content of the claims being made about a supposed problem (such as whether or not domestic violence is indeed a widespread social ill), but on the *claims-making activity* involved in this articulation (that is, *who* is telling us domestic violence is a public problem, and *how* are they telling us that?). Best concludes that the important point in social problems work is to avoid being distracted by the social conditions about which claims are being made (1987). Strict constructionists such as Best argue that the existence of the purported condition is in fact irrelevant; that one can study a "social problem" that does not even exist, so long as someone is out there telling us it is an issue for public concern. According to this school

of thought, sociologists should make no assumptions about the content of the supposed social problems claim, but should instead look at how it is being made and who is making it.

Other sociologists disagree with this theory. Best, in his later works (1993), and Miller and Holstein (1993) advocate for what can be termed "contextual constructionism". They argue that strict constructionism is unreasonable and impractical, because it is impossible to even conceptualize social problems for analysis without presuming at least some knowledge of what constitutes the phenomenon around which the claims-making activity is taking place. Woolgar and Pawluch (1985) use the term "ontological gerrymandering" to describe this logically inconsistent way in which they say strict constructionists purport to make no assumptions about the objective nature of a supposed condition, but at the same time analyze the conflict between what they assume to be a constant condition and a sudden increase of public discussion around it. Instead, contextual constructionists advocate for studying social problems in a way that continues to focus on those claiming something as a problem, but situates this analysis within the claims-makers' social and cultural context. Similarly, Miller and Holstein argue that the construction of social problems occurs primarily when people interpret and categorize circumstances and fit them into frames of reference or abstract definitions of problems that they have already conceptualized. That is, these scholars would not only look at who was claiming domestic violence to be a problem, but would also consider their race, sexuality, class position, and other possibly influential contextual factors.

While debate continues over whether theoretical purity or functional applicability is a more important goal to aim for, a general consensus can be seen on the driving factor behind the development of social problems. Fundamental to almost any discussion of social problem construction is an analysis of which individuals or groups are the first to identify and claim

something as a public issue. In the case of domestic violence, this was primarily the prominent women and organizations of the 1960s and 1970s "feminist revolution". Below, I give a very brief history of the movement and include criticisms from feminist scholars who view the movement as non-inclusive in some way. Critical to understanding the way domestic violence was articulated as a public problem by 1970s feminists is a discussion of feminism's deeper roots, the 1970s movement's formation, and critiques of the movement.

THE FEMINIST REVOLUTION

Generally, the fight for women's rights between approximately 1963 and 1980 is termed "second wave" feminism, with the "first wave" being from 1848-1920 and the "third wave" post-1980s (Harlan 1998, 77). According to Kathleen Berkeley, "until the mid-1970s, second-wave feminism included two distinct wings- liberal, or equal rights feminism and radical feminism, or women's liberation" (1999, 202). As Berkeley goes on to state, radical feminists felt that the legal tactics of liberal feminists were merely a "band-aid solution", and that to truly eradicate sexism there had to be a "fundamental reordering of American institutions" (1999, 202). The liberal feminist movement instead was primarily focused on bringing women into the mainstream of American life and making existing institutions work for them. History has ultimately considered liberal feminism the more ultimately "successful" as it had legislative, organizational, and judicial triumphs such as *Roe v. Wade* and the Women's Educational Equity Act in the 1970s. Consequently it has come to dominate the formation of America's feminist consciousness. As Benita Roth recognizes, the liberal wing of the movement included groups like the National Organization for Women, while the radical branch emerged out of the Civil Rights and New Left movements. Particularly important in this acknowledgment is an analysis

of the ideologically distinct constituencies of groups like the National Organization for Women and the Civil Rights movement. As Roth bluntly states, "in much of the literature on the second wave, one finds a standard conceptualization of what the feminist movement was: white, primarily middle class" (2004, 2). She goes on to tell us that "[these] early characterizations of feminism as white and middle class by the media [have] not been effectively countered" by other feminists or society at large (2004, 10) and thus have come to dominate America's perception and definition of feminism and its related "women's issues".

Recognizing the popular representation of feminism in the 1970s and in the later literature is key to understanding how women's issues such as rape, pay equity, and domestic violence have been constructed as larger social problems through the process discussed above. It is likely true, since white, middle class women were publicly perceived as those who were feminists, that the initial acknowledgement and articulation of domestic violence as a problem was based upon the particular version of domestic violence experienced by this particular group of women. Not necessarily out of malice were other perspectives ignored; rather, white middle-class women were in the most privileged position to claim wife abuse as a serious social problem and thus modeled their discussion of it on the only experience they had ever had – their own. This definitional process went further than just articulating a social problem, however. It provided the basic understanding of domestic violence upon which institutions and organizations to deal with it would be created and structured. I hypothesize that, because the original discussion of domestic violence were both led by and centered upon white, middle-class, heterosexual women, the institutions developed to serve domestic violence victims and the most powerful individuals within these organizations primarily reflected the needs and perspectives of this particular group of women. Because the experience of domestic violence varies greatly for

different identities of women, this means that these services may be unable to effectively serve a diverse population of women. To understand this potential problem further, we must understand the influential factors in how institutions emerge and become organized.

INSTITUTIONS AND SOCIAL MOVEMENT ORGANIZATIONS

According to John Lofland, social movement organizations (SMOs) are "associations of persons making idealistic and moralistic claims about how human personal or group life ought be organized that, *at the time of their claims-making*, are marginal to or excluded from the mainstream society—the then dominant constructions of what is realistic, reasonable, and moral" (1996, 2, emphasis in original). When discussing organizations arising out of the second wave anti-domestic violence movement, this definition would describe associations of individuals claiming that the previously routine treatment of women was no longer acceptable. Lofland specifically cites the National Organization of Women, one of the most prominent second-wave organizations, as an "especially well-known and dramatic example of [an] SMO and [its] larger social movement in American history" (1996, 1). In the case of these feminist organizations, these claims-making activities serve to articulate domestic violence as a social problem, classify the groups making claims as social movement organizations, and provide a nexus for collective action. As Zald and Ash state, social movement organizations "are characterized by an incentive structure in which purposive incentives predominate" (1966, 329). Thus, the activity of claims making not only identifies a social problem, it provides the locus for creating and institutionalizing formal organizations designed to address it. When it is dominated by a particular group of people, the potential exists that this focus will strongly reflect the needs and desires of that specific group.

The individual nature of actors, especially powerful ones, within SMOs is both created by and creative of a larger social environment. Jepperson and Meyer explain that in "institutionalist imagery, first, actors and technical functions…are represented as being constituted by social environments, that is, given form and legitimacy by them, and then both enabling and constraining organizational form" (1991, 205). In the case of second wave feminist organizations, the women with the majority of resources available to create and sustain associations, while very revolutionary for their time, were nonetheless raised in a middle-class, primarily white, and predominately heterosexual environments. Thus, they went on to create feminist organizations that protected and helped battered women, but at the same time brought with them "constraints" stemming from their formative social environments. Organizational scholar Philip Selznick also draws attention to the way in which organizations "dramatically reflect the myths of their institutional environments instead of the demands of their work activities" (1996, 273). This is important to consider in understanding the development of domestic violence organizations and institutions in the 1970s. During this time, as I discussed above, the rhetoric of domestic violence and consequently public perceptions of domestic violence largely reflected the perspective of white, middle-class, heterosexual women. Because public image of spousal abuse was modeled around these descriptions, so were their expectations of what a domestic violence organization should be and do, expectations which ultimately influenced the development and direction of relevant institutions. As organizations absorbed and reflected their cultural surroundings, their development and direction followed accordingly.

Also relevant is the fact "licensing individual persons as legitimate and rational social actors, with interests having collective standing, facilitates the creation of a great deal of formal organization" (Jepperson 1991, 220). Already fighting an uphill battle against mainstream

cultural ideals of right and wrong, it was difficult for 1970s feminists to be seen as legitimate and rational social actors. Non-heterosexual, non-white, and poor women faced had even more difficulty becoming licensed actors, and a relatively homogenous group of white, heterosexual, and middle-class emerged as the primary group of licensed social actors in the women's movement. Accordingly, their collective interests became the basis for the creation of formal organizations. Further, as Jepperson and Meyer recognize, the "marketlike ecology produces a strategic narrowing and convergence of foci, claims, and agenda" (1991, 221). As SMOs attempt to increase their legitimacy and institutional presence, they must narrow their agenda in an effort to more efficiently direct resources and, likely, decrease the alienation of non-members. According to Zald and Ash, classical approaches to understanding social movements support this, asserting that "a movement organization will become more conservative and…its goals will be displaced in favor of organizational maintenance..[and] movement organization responds to the ebb and flow of sentiment in the larger society" (1966, 327).

This drift toward social acceptability among SMOs, more specifically feminist anti-violence organizations, is important when the identities of those in leadership positions are considered. While second wave feminist SMOs largely concentrated on taking action against domestic violence academic literature dealing with the sociology of organizations is not primarily concerned with the immediate needs and desires of the organization's membership. Many scholars focus more on identifying the driving force behind the association. According to Peter Drucker, "organizations only 'act' insofar as the people act who…are expected to make decisions that affect the results and performance of an organization" (2003, 101). Prominent organizational scholar W. Richard Scott corroborates this assertion that power relations matters in his discussion of how organizations set goals and develop a purpose. He characterizes goals

as emerging from a constant "*bargaining process* among shifting coalitions of the more powerful participants" (1966, 413 emphasis in original). In the context of 1970s domestic violence activism, this would mean that whoever were the most powerful participants in the feminist movement—whoever controlled the most resources, was the loudest claims-maker or had the most public relations pull, for example—would likely also be the most powerful in shaping an organization's formation and direction. If the primary leaders of these organizations were women of a relatively homogenous social identity, goals and change will follow their needs and desires, as "changes in organizations stem from…leadership behavior" (Zald, 1966, 338).

We can see that organizations manifest the personal tendencies of their leaders or most powerful participants, and both reflect and form to the social context in which they have emerged and then been legitimized. This is an important point when the identity of the most influential actors is considered. The unique formative social environment of the most visible women in the second-wave feminist movement, the propensity of these more powerful actors to disproportionately influence an organization, and the tendency of groups to drift toward the center as they fight for more legitimacy, greatly influenced the formation and function of second-wave feminist social movement organizations.

RESEARCH MOTIVATION, QUESTION, AND HYPOTHESIS

Examining the roles of powerful individuals and organizations is critical to understanding the creation of domestic violence as a social problem and the construction of institutions designed specifically to deal with it. For the most part, battered women were publicly defined and represented in the image of the most visible and influential figures in 1970s feminism: white, middle-class, heterosexual women. Similarly, it was such women who had the most weight in

shaping feminist organizations and institutions dealing with domestic violence. We must examine, then, the consequences of such a relatively homogenous group of founders on the definition of domestic violence as a social problem and the creation of organizations and institutions addressing it. If those doing the most publicly visible defining and founding were primarily of a single identity, how responsive and inclusive have the resulting definitions and services been for other groups of women? The question I pose, is how 1970s feminist discourse shaped the articulation and construction of domestic violence as a social problem, and what the implications of this construction are for the ability of organizations and institutions dealing with domestic violence to serve a diverse population.

I hypothesize that the construction of domestic violence as a social problem arose from the 1970s feminist movement and situated white, middle class, heterosexual women as the archetypal victims of abuse. Because these women were the most visible, organizations and institutions dealing with domestic violence are similarly build to service this norm. This has led to the growth of institutions prepared to deal with a particular group of women's experiences, but without the ability to comprehensively serve women of diverse identities who were not as visible in the initial definition of domestic violence. Such a situation creates many potential barriers for women seeking domestic violence services today. Thus, it is imperative to critically examine the U.S.'s recent history with feminism and domestic violence construction to determine how a past biased public representation of the typical "battered woman," even if completely unintentional, affected the later development and efficacy of organizations and institutions.

RESEARCH DESIGN

In order to answer the question that is guiding this research, I propose a through review of domestic violence coverage in popular media from 1971 (the year of the first "speakout" where women publicly discussed their experience with rape and the year when the first battered women's shelter opened in the Western world) to 1979 (when the U.S. government first officially responds to domestic violence, creating the Office of Domestic Violence). I will examine the discourse surrounding domestic violence in The New York Times, The Washington Post, The L.A. Times, The Chicago Tribune, and the Miami Herald, especially noting the identities of women covered in news stories, and the opinions expressed in editorials. I will also examine the discourse surrounding domestic violence presented in *Ms.* Magazine, the first feminist magazine ever published beginning in 1971. I plan to compare the mission statements and logistical organization of "typical" domestic violence shelters with those specifically created to serve non-white, non-middle class, and/or non-heterosexual women. I will do so by contacting shelters and requesting access to past public documents which I can analyze. I will also examine major documents relating to domestic violence and feminism during the 1970s such as mission statements, position papers, and speeches of the National Organization for Women, the National Black Feminist Organization, and the Boston Women's Health Book Collective. It would also be relevant to look at major women's rights legislation of the time, including the Equal Rights Amendment as well as the official documents of the opposing organization, the STOP-ERA.

CONCLUSION

In the past 50 years Western women, and American women in particular, have made great strides toward a more equal, tolerant, and protective society. Along the way, however, particular people

of particular identities have arisen as more visible and powerful than others and thus have largely shaped the discourse surrounding feminism and domestic violence. Because women of these identities have been the most vocal in articulating domestic violence as unacceptable, they have also had the most influence in creating its definition as a social problem. Their access to greater influence within the feminist movement and positions of higher visibility on the public stage also allowed them to be the driving force in shaping organizations and institutions specifically designed to address domestic violence. The consequence of this heightened level of influence and visibility has likely been that domestic violence as a social problem, and the resulting institutions to deal with it, has been largely defined by and for white, middle-class, heterosexual women similar to those who were the 1970s movement's founders. For a variety of reasons, these definitions and organizations are not well-suited to comprehensively meet the needs of nonwhite, non-middle-class, non-heterosexual women. In order to further the feminist revolution's goals of equality, understanding, and inclusion, we need to critically analyze domestic violence's raced, classed, and sexualized history, identify the resultant shortcomings, and work to rectify those for the future.

Selected Bibliography

Berkeley, Kathleen C. 1999. *The Women's Liberation Movement in America*. Westport, Connecticut: Greenwood Press.

Best, Joel. 1989. *Images of Issues: Typifying Contemporary Social Problems.* New York: Aldine de Gruyter.

------. 1993. But Seriously Folks: The Limitations of the Strict Constructionist Interpretation of Social Problems. In *Reconsidering Social Constructionism: Debates in Social Problems Theory*, eds. James A. Holstein and Gale Miller, 129-147. New York: Aldine de Gruyter.

Blumer, Herbert. 1971. Social Problems as Collective Behavior. *Social Problems* 18 (3): 298-306.

Bureau of Justice Statistics. *Reported crime in U.S.- Total*. Prepared by the U.S. Department of

Justice. Washington, DC, 2004.

Bush, George W. October 8, 2003. *President Bush Proclaims October Domestic Violence Awareness Month: Remarks by the President on Domestic Violence Prevention*. Office of the Press Secretary: Washington, DC.

Davenport, Doris. 1981. The Pathology of Racism: A Conversation with Third World Wimmin. In *This Bridge Called My Back*, eds. Cherríe Moraga and Gloria Anzaldúa, 85-90. New York: Kitchen Table Press.

Drucker, Peter F. 2003. *A Functioning Society*. New Brunswick: Transaction Publishers.

Foner, Eric and John A. Garraty, eds. 1991. *The Reader's companion to American history*. Boston: Houghton Mifflin Company

Harlan, Judith. 1998. *Feminism: A Reference Handbook*. Santa Barbara: Contemporary World Issues.

Hilgartner, Stephen and Charles L. Bosk. 1988. The Rise and Fall of Social Problems: A Public Arenas Model. *The American Journal of Sociology* 94 (1): 53-78.

Jepperson, Ronald L. and John W. Meyer. 1991. The Public Order and the Construction of Formal Organizations. In *The New Institutionalism in Organizational Analysis*, eds. Walter W. Powell and Paul J. DiMaggio, 204-231. Chicago: The University of Chicago Press.

Lofland, John. 1996. *Social Movement Organizations: Guide to Research on Insurgent Realities*. New York: Aldine de Gruyter.

Loseke, Donileen R. 1992. *The battered woman and shelters: the social construction of wife abuse*. Albany: State University of New York Press.

Miller, Gale, and James A. Holstein. 1993. Reconsidering Social Constructionism. In *Reconsidering Social Constructionism: Debates in Social Problems Theory*, eds. James A. Holstein and Gale Miller, 5-23. New York: Aldine de Gruyter.

Newman, Louise Michele. 1999. *White Women's Rights*. New York: Oxford University Press.

Rosen, Ruth. 2000. *The World Split Open*. New York: Viking.

Roth, Benita. 2004. *Separate Roads to Feminism: Black, Chicana, and White Feminist Movements in America's Second Wave*. Cambridge University Press.

Scott, W. Richard. 1966. Some implications of organization theory for research on health services. *The Milbank Memorial Fund Quarterly* 44 (4): 35-64.

Selznick, Philip. 1996. Institutionalism "Old" and "New". *Administrative Science Quarterly* 41 (2): 270-277.

Sokoloff, Natalie J. and Ida Dupont. 2000. *Bibliographical References for Multicultural Perspectives on Domestic Violence in the U.S*. New York: Sociology Department, John Jay College of Criminal Justice, CUNY.

Spector, Malcolm, and John I. Kitsuse. 1987. *Constructing Social Problems*. New York: Aldine de Gruyter.

State v. Black, 60 NC 266 (1864).

Woolgar, Steve, and Dorothy Pawluch. 1985. Ontological Gerrymandering: The Anatomy of Social Problems Explanation. *Social Problems* 32 (3): 214-227.

Zald, Mayer N. and Roberta Ash. 1966. Social Movement Organizations: Growth, Decay and Change. *Social Forces* 44 (3): 327-341.

Appendix: Timeline

May/June 2005: Identify as potential print, video, and other available public record sources for research

September 6, 2005 – December 1, 2005: Reading and compiling analysis/data

December 1, 2005 – January 4, 2006: Draft complete, detailed outline of thesis

January 5, 2006 – February 25, 2006: Have a very rough, but relatively complete initial draft

March 6, 2006 – March 15, 2006: Initial revising and editing

March 15, 2006: Turn in first draft for review

March 29, 2006 – April 15, 2006: Make final modifications