

Wife Battering Policies, Programs and Definitions:  
A Social Constructionist Analysis

Craig McLean  
1996

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## ABSTRACT

This thesis examines the social definition process of the social problem of wife battering in Canada from 1970 to 1990. The literature does not provide an exhaustive representation of the regional diversity within Canada. The primary component of the thesis is an examination of the development of various conceptual frameworks. The issue of wife battering would not have evolved as a social problem had it not been for the raised political consciousness of feminism and other social movements.

The early efforts of the battered women's movement to gain legitimacy, awareness, and recognition, soon entered a stage characterized by co-optation, professionalism, and bureaucracy. Government officials, nongovernment officials, social service personnel, criminal justice personnel, activists and academics played an ambivalent role in shaping the public definition of wife battering. On the one hand these agencies and officials would occasionally provide financial support, legitimation, and credibility for the battered women's movement. On the other hand, these agencies and officials would compete against the battered women's movement for funding and control of the social policy agenda.

Information and literature on the battered women's movements in the United States of America and Great Britain are also examined. The American and British movements provided a useful comparison with Canada concerning the

political action strategies, legislative reforms, and social movement processes during the public definition process.

The diversity of founding principles and philosophies held by government and nongovernment officials and activists led to a distrust and competition over the development of a national "official" definition. An attempt was made to document and assess the various positions and perspectives of the various interest groups who were involved in the social construction of wife battering as a major social policy area.

A number of divergent perspectives or frameworks were identified during the national consultative process: the general victims' position, the family violence perspective, the spousal abuse, wife battering and wife assault approaches. The social constructionist framework demonstrated benefits and disadvantages associated with various conceptualizations and highlighted the existence of policy shifts and trends related to wife battering in Canada.

## Chapter I

### INTRODUCTION

#### Violence Against Wives: Social Issue or Private Dilemma

The family setting continues to be viewed as a place of safety and comfort for most individuals in society. The shocking reality is that the family setting can be and, in fact, has become the most dangerous place for many women and children. As Joanne Downey and Jane Howell note:

The veneer of the family as a harmonious, gentle, supportive institution is cracking from increasing evidence that the family is also the scene of varying degrees of violent acts, ranging from punishment of children to slapping, hitting, throwing objects, and sometimes a homicidal assault by one member of the family (typically the husband) on another (the wife).  
(1976, p.1)

This project will attempt to reconstruct the history of the Canadian wife battering movement and how policies were developed to address the plight of many women. This thesis will in no way attempt to trace the entire movement, but will primarily detail the major shifts and trends in the construction of wife battering as a social problem. The central focus of this thesis will be an explication of how the major players involved defined, constructed, and shaped wife battering policies and definitions.<sup>1</sup>

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<sup>1</sup> The majority of research articles examined throughout the thesis represent a broad range of interests and approaches, however, a very limited number of resources were cited concerning the province of Quebec and specific problems of Aboriginal communities or minority/immigrant women.

It is hoped that a study of the major and minor defeats, concessions, and achievements will enable a clear understanding of the Canadian context. A brief overview will be provided in Chapter III of the United States of America and Great Britain battered women's movements to understand and appreciate the mutual influences of each country. Although it is very difficult to claim that the Canadian battered women's movement followed the British and American movements, each country developed similar support services, undertook lobbying and political activism strategies, and produced theoretical knowledge to defend their perspectives.

The topic of wife battering emerged as an important social policy topic in Canada over the past twenty years. It is important to note the origins of the term wife battering and the images conveyed by various concepts. It appears the term wife "battering" was extricated by feminist activists after the identification of the "battered child syndrome" in 1962 by Dr. Kempe and Dr. Helfer (Best, 1989:6). Their article gained immediate legitimacy because it was published in the most prestigious and respected medical journals, the Journal of the American Medical Association. According to Joel Best (1990),

[T]he women's movement provided an 'umbrella constituency' for a wide range of causes; feminists argued that women were at the center of family life and child rearing, so that children's issues were women's issues (p.7).

In their early attempts to bring attention to the plight of

abused women, feminist activists tapped into the rhetorical power associated with a topic concerning violence against children which had gained immediate legitimation and credibility. For the purpose of this project, a battered woman will be generally defined as any woman who has been physically, sexually or psychologically assaulted by her partner (either married or common-law). The violence that battered women experience appears to have some commonalities based on frequency, escalation and control. If the violence becomes a normal part of the relationship and the violence becomes more severe, invariably, it also becomes more controlling. This is better captured by the term "battering" than, for example, "assault". I shall refer to women battering or wife battering with the same definition in mind. Spousal abuse, wife assault, domestic violence, and other similar terms will also be referred to as they correspond to the varying conceptual frameworks or positions discussed within the paper.

The development of battered women movements in Great Britain, the United States, and Canada brought the private crisis of many women into the public arena. It took many years and many difficult struggles for grassroots women groups and subsequent national women organizations to begin intervening and assisting victims of domestic violence. Struggles for legitimation, recognition and control occurred at the grassroots level during the formative years (early to

late 1970s) and at the government level during the public definition phase (early 1980s to present). One of the main areas of contention between representatives of the feminist agenda and the government agenda involves determining who should control the issue. The central focus of this study will be limited to the definitional, conceptual and ideological struggles between academics and government officials.

Historically, the issue of wife battering was considered or addressed as a private concern rather than a social problem. The women's movement in Canada, the United States, and Britain have struggled over the past 20 years to gain a platform of issues from their respective federal governments. Smaller, less effective campaigns led by women activists have been staged over history, but none prior to this current movement succeeded in placing the battered women issue onto the forefront of the public agenda (Gordon, 1988). Eventually, government departments in these countries were encouraged to address the problem of wife battering within their respective mandates because of growing international pressure to more adequately address women in public policy. The political activism during the 1970s, in particular the women's movement, was largely responsible for providing a network from which resources were used to heighten awareness, lobby government and disseminate information.

As the issue of battered women entered the social problem

apparatus (Morgan, 1985), activists, government officials and professionals formally became part of the policy-making process in an attempt to publicly define wife battering. Activists in the women's movement translated the individual experiences of battered women into a particular image of a social problem. Activists held rallies, spoke to government officials, and provided refuge to battered women. Professionals involved in law enforcement, health care, social work, and academic research produced articles and reports on 'family violence'. Statistics were produced from social surveys. Theories were developed to explain the causes of battering and characteristics of the batterer and the victim. With the onset of this activity, the central government began to negotiate and construct a public definition of the issue of wife battering during consultations with a wide variety of professionals and activists. Subsequently, programmes, policies and legislation were developed to address the situation based on a social problem image. As a result, we have witnessed an explosion of activity surrounding the topic of battered women as the issue has become more openly discussed in the academic, professional, and public spheres.

Following the introductory chapter, Chapter II will include a discussion of the methodological questions central to the thesis and the reasons for undertaking such research. A qualitative rather than quantitative research approach was adopted to examine relevant governmental and nongovernmental

documents in the Canadian context. My methodological approach allowed for the collection and interpretation of data within a nonrestrictive, open-ended categorization. Instead of grouping data in advance within preconceived categories, I allowed the data to emerge and determine a better way of categorizing (Yllo and Bograd, 1988:22). My methodology was inspired or informed by the grounded theory approach (Glaser and Strauss, 1967) whose research techniques allow for the gradual and continual development of concepts and theories through a semi-structured method of collecting, sorting, and organizing qualitative data (p.45). This is very important since the project involves an analysis of the social construction of definitions and concepts of a social problem. More importantly, I have adopted a social constructionist perspective (Spector and Kitsuse, 1987) to examine the claims-making activities involved in the identification, creation and reformulation of definitions and concepts.

Chapter III begins with a historical overview of the legal and social norms related to wife battering. The remainder of the chapter focuses on the modern social movements in the United States of America and Great Britain. The information is based on material from the leading authors in each country (e.g., Erin Pizzey, Emerson Dobash and Russell Dobash, Del Martin, Susan Schechter). While the sections on Great Britain and the United States will be brief, they are essential to place the Canadian events in a broader context.

These sections will focus primarily on the early grassroots activity, the organizational involvement and the institutional and government responses in each country.

Chapter IV highlights the Canadian shelter movement and the grassroots definition process. The material examined in this chapter provides an overview of the pioneering efforts of activists and shelter workers at the community level as they pushed the issue of battered women onto the public agenda. The feminist articulation of the problem of wife battering emerged and later changed as the movement grew and diversified.

Chapter V describes the national public definition process. This chapter details the organizational and political developments behind the construction of an "official" definition of wife battering. This includes a discussion of the diverse perspectives of feminism, the Royal Commission on the Status of Women report, the impact of institutional feminism, the first national nongovernment feminist perspective (i.e., CACSW), the criminal justice response and conceptualization concerns. A review of two national reports published by the Canadian Advisory Council on the Status of Women will be included in the fifth chapter because of the profound effect these documents had in terms of expressing one of first national feminist perspectives in Canada concerning wife battering.

The information contained in the fifth chapter focuses on

the processes involved in determining, defining, and negotiating the conceptual frameworks within the national public policy forum. The development of early networks and consultative processes established a foundation for future negotiations. Government mandates were widened and institutions were created to respond and report on issues related to women, in particular wife battering.

Chapter VI examines the consultative process behind the social construction of the public definition of wife battering. Through a descriptive review of government and nongovernment reports an evolution or transformation of the definitions and concepts was apparent. The reports examined reveal shifts in definitions, concepts, and policies. The expansion of conceptual frameworks allowed for the insertion of alternative definitions and the amalgamation between other social issues. Competing interests were evident as government officials, activists and professionals espoused various political and ideological perspectives.

In Chapter VII, I provide a recapitulation of the previous chapters and the implications of my research. The processes of professionalization and institutionalization frequently emerged as a divisive factor for the feminist movement. The conceptual struggles and ideological competition among interest groups and bureaucrats led to an expansion of the definitions and services for battered women. These processes led to a number of implications and obstacles

for the women's movement, battered women and their relationship with state apparatuses and professionals.

## Chapter II

METHODOLOGICAL GUIDELINESThe Grounded Theory and Social Constructionist Research

Feminist writers argue that social science research takes place in a patriarchal social context and is conditioned by it and that social scientists can never function completely independent of dominant ideologies and belief systems. Gillian Walker, for example, draws attention to the academic literature as part of the construction of a social problem because, "the academic discourse and 'the literature' is, itself, part of a political process with implications that go beyond the bounds of studying what is known..." (1990:22). In other words, academic disciplines are bound up with terminology and assumptions that have different biases and outcomes. For example, psychological approaches which use terms such as "personality disorders", "impulse control mechanisms", and "learned helplessness" convey specific assumptions about marital violence as a form of violence committed by and/or experienced by individuals who lack certain psychological or behavioural characteristics. According to feminist activists, these concepts ignore the importance of responsibility and situate the violence within the dysfunctional paradigm. Stark and Flitcraft comment on the implications of academic knowledge, which is evident when a social problem is interpreted by various professional disciplines,

... sociologists, psychologists, and social service providers refuse to recognize how their image of abuse affects it and shapes it, highlighting or repressing certain details and certain principles, all the while establishing a certain command over the subjects they claim merely to be studying or helping....The result is the intellectual portrayal of domestic violence as an apparently self-constituting form of irrationality, a type of family behaviour whose stability derives from its inherent contradictoriness (Stark and Flitcraft, 1983:333).

The process of conceptualization of a social problem must be considered within a very wide frame of reference since the political, professional, and academic mandates or agendas have very different biases and outcomes. A feminist approach suggested by Yllo and Bograd (1988) implies that by challenging 'taken-for-granted' conceptual categories and assumptions it becomes possible to uncover the personal biases and values which typically underlie our explanatory models (pp. 20-21). I recognized a need to become sensitive towards the implications of this epistemological stand.

The qualitative and exploratory method of this research project will be based upon a thorough examination of relevant governmental and non-governmental documents as well as academic literature. Important to the study will be an analysis of Hansard reports, nongovernment documents and government reports detailing the federal response to this problem. Position papers from "interest groups" and government agencies will be examined in order to trace the changes in philosophy, concepts, and meaning.

The material collected for this project was gathered from

various libraries and resource centres. A comprehensive search of major Canadian work on wife battering was undertaken at the following resource centres: Canadian Advisory Council on the Status of Women, the National Health and Welfare Clearinghouse on Family Violence, the Ottawa Women's bookstore, the University of Ottawa Library, the University of Regina Sample Survey and Data Bank Unit, and the Solicitor General of Canada Library.

Documents obtained from the various sources were used to corroborate and elaborate upon the social and political processes involved in the construction of wife battering as a social problem. My methodological approach was informed by Charmaz's version of the grounded theory (1983) in that it stresses discovery of relevant concepts and categories and gradual development of generalizations rather than deductive reasoning which relies on prior theoretical frameworks (Charmaz, 1983:110). The first phase involves collecting data and reading and comparing of the material from various sources (i.e., constant comparison). The second phase includes the construction of concepts and general categories by categorizing and sorting the data under the headings that have emerged from the initial reading. The third phase involves studying and creating order or more general concepts from the emerging data through more focused exploration of the initial categories.

In order to analyze claims-making activities and the

implications of rhetorical statements, I adopted a social constructionist perspective. This perspective, exemplified by Spector and Kitsuse's work (1973), has contributed to the formulation of a model to create a distinctive field within sociology - a sociology of "social problems". The social constructionist perspective is a theoretical and methodological approach which has been applied to very diverse fields of social inquiry.

The social constructionist perspective was developed in response to the functionalist and the value-conflict approaches. According to the social constructionist perspective, structural functionalist theories failed to adequately account for the existence and emergence of social problems. The underlying sociological theories that guide the development of the social constructionist perspective are symbolic interactionism and the labelling theory (Spector and Kitsuse, 1987:74).

The labelling theory changed the focus of social inquiry from theorizing about what makes people different to studying the differences in social reaction to certain events. Symbolic interactionism is also an interpretive theory which examines how situations are structured to restrict or permit certain kinds of symbolic interpretation. Spector and Kitsuse define social problems as, "the activities of individuals or groups making assertions of grievances and claims with respect to some putative conditions" (1987:75).

The use of the term putative is important because social constructionists are not concerned with the objective conditions of social problems rather they are interested in the subjective interpretation of the events surrounding the social problem.

Joel Best (1989) draws a further distinction within the social constructionist perspective between "strict" and "contextual" approaches. It is thus described by Schneider and Kitsuse in the preface to Best's book:

At the heart of the distinction that Best draws between strict and contextual constructionists is the question of whether or not the sociologist-analyst of social problems **should** make evaluative judgements about members' claims and definitions as they go about the activities that constitute social problems (p.xi).

While the strict constructionist believes it is logically inconsistent to make evaluative judgements, the contextual constructionist attempts to differentiate between what participants believe and know about their claims and what is "in fact" known about the objective conditions (Best, 1989:xi). In my thesis, I have attempted to adhere to a "strict" constructionist perspective to document the claims-making process and how participants defined, publicized, redefined, and allied with others surrounding the study of violence against women in the home. However, I recognize that claims should not be removed from the social context in which they occur. To a limited extent, the claims must be evaluated in terms of the underlying assumptions and the origins of the claims. Therefore, I have borrowed features from both the

"strict" and the "contextual" social constructionist perspectives.

According to Spector and Kitsuse (1987), there are four stages which are characteristic of social constructionist models related to social problems:

- 1) Groups attempt to assert the existence of some condition, define it as offensive, harmful, or otherwise undesirable, publicize these assertions, stimulate controversy, and create a public or political issue over the matter.

- 2) Recognition of the legitimacy of these group(s) by some official organization, agency, or institution. This may lead to an official investigation, proposals for reform, and the establishment of an agency to respond to those claims and demands.

- 3) Re-emergence of claims and demands by the original group(s); or by others, expressing dissatisfaction with the established procedures for dealing with the imputed condition, the bureaucratic handling of complaints, the failure to generate a condition of trust and confidence in the procedures and the lack of sympathy for the complaints.

- 4) Rejection by complainant group(s) of the agency's or institution's response, or lack of response to their claims and demands, and the development of activities to create alternative, parallel, or counter-institutions as responses to the established procedures.

(Spector and Kitsuse, 1987:142)

The first stage in the social construction of the wife battering problem is characterized by the claims-making activities of the feminist and community activists as they organized themselves, spoke out against the violence, and began to establish transition houses. Their collective claims-making power stimulated institutional activity and government action through the development of a consultative process. The first stage of Spector and Kitsuse's model

includes an examination of the claims-making activities of a group or groups asserting the existence of some condition defined as offensive, harmful or undesirable (1987:142). A public problem is created when these assertions stimulate enough controversy to elicit public and government attention (Spector and Kitsuse, 1987:143).

The second stage, described by Spector and Kitsuse, begins with the formal recognition of these claims through the establishment of official government proceedings (1987:148). The events surrounding the 1982 Royal Commission on the Status of Women report transformed and recognized wife battering as a social problem rather than a private problem. The formal response towards claims-making activities includes the development of the consultative process and institutional apparatus in response to the original claims. This stage includes the development of an "official" definition and subsequent recommendations based on information from a variety of witnesses or "experts" attending committee hearings (Spector and Kitsuse, 1987:149-150).

The third stage of Spector and Kitsuse's model is concerned with the procedures and methods that were designed to attend to the original claims (1973:147). This stage may include reforms of existing legislation, renegotiations of previous methods, or the establishment of specialized agencies in response to the inadequacies of previous procedures (Spector and Kitsuse, 1987:152). The third stage begins with

the elimination of the original claims or the re-emergence of demands by the original group who are dissatisfied with the original procedures (Spector and Kitsuse, 1987:152).

The fourth stage of this model begins when the groups develop alternative solutions because they believe it is no longer possible to work within the system (Spector and Kitsuse, 1987:153). This dissatisfaction with the status quo may lead to the development of an alternative social structure or an alternative within the same social structure.

The focus of inquiry suggested by the social constructionist perspective is on group dynamics or activities and the continued study of their claims as they attempt to have a problem recognized and addressed by the public. There are three elements to Spector and Kitsuse's approach:

- 1.) groups make claims to protect their interests, whether economic, political or otherwise (1973:146)
- 2.) "Moral indignation" - Spector and Kitsuse theorize that some groups define conditions as problematic because they are an offense to their sense of values (1973:146)
- 3.) Social problems are not static - their development is the result of "a sequence of activities that move through different stages." Entailed here is a "natural history" of the emergence and maintenance of claims-making and responding activities (1973:146).

When terminologies change, when new terms are invented, or existing terms are given new meanings, these actions signal that something important has happened to the career or history of a social problem (1987:8). Rather than investigate how institutional arrangements produce certain social conditions, social constructionists examine how individuals and groups become engaged in collective activities that recognize

putative conditions as problems, and attempt to establish institutional arrangements (1987:72).

### Implications of Social Constructionist Research

Donileen Loseke has written a few articles in the United States from a social constructionist perspective on the issue of battered women. Her research has focused on two questions: 1) how professionals have created an image of battered women which justifies or demands their expert intervention and; 2) how the media have constructed an image of battered women that is quite different from the personal experiences of women involved (Loseke and Cahill, 1984; Loseke, 1987; Loseke, 1989). Through her social construction analysis of wife battering, Loseke illustrated the inherent dangers of social policy intervention and claims-making activities:

social problem concern is mobilized, intervention justified, and policy designed on the basis of social problem images. Yet images of most social problems often are extreme, while many concrete cases lie somewhere in a vast and undefined grey area of social life (Loseke, 1989:202).

However well-intentioned social policies may be, they typically do not reflect the complex reality because they are constructed in accordance with or as a result of claims-making activities representing specific sets of values and interests. One of the primary reasons for undertaking this type of research is to ensure that policies and programs are developed for the people they are intended to assist. This implies that social policy developments and the associated services should

be flexible enough to adapt to the diverse needs of clients. The second reason is that social constructionist research assists in uncovering value judgements and biases of the experts involved in defining and legitimating social problems:

[W]hen persons, professions, or organizations, press for public recognition of their theory or explanation of some condition, they cease to analyze the social problem and become a part of it (Spector and Kitsuse, 1987:69).

There are a number of consequences which result from the construction of wife battering as a social problem requiring 'expert' intervention or governmental regulation. For example, the initial stage in establishing the legitimation of wife battering as a pervasive social problem leads toward the adoption of criminal justice responses aimed at preventing the occurrence of this problem. However, in order to achieve this aim the concept requires that battered wives become treated as a sub-category of the general class of crime victims. The consequences of this type of conceptualization distorts the issue and rejects its gender specificity. In contrast to the problem of a narrow legalistic definition is the problem of broad definitions. Husband battering becomes a more viable category if wife battering is broadly defined to include all types of psychological, emotional and financial abuse. These intended and unintended consequences of the different definitions of the wife battering concept may have an impact on both the feminist and government agendas.

Joel Best (1990) argues that the rhetoric of claims-making deserves attention. According to Best (1990), rhetoric

must be located within its organizational context because claims involve a dialogue of meanings and are mediated through the participants and the mass media (pp.186-187). For example, the term wife battering conveys a graphic message about the violence as an ongoing repeated physical abuse of the woman's body. The rhetorical value of the term is very important when compared with the term wife assault. By comparison, wife assault implies that the violence is the result of one violent incident not the repeated "battering" of the individual. Wife abuse appears to have a "softer" connotation because it implies the violence is not as serious or as violent compared with "assault" or "battering". In terms of persuasive power, the term wife battering appears to hold more value for claims-making activities. In addition, wife battering refers to the continual or repeated violence that women experience. As Joel Best (1987) aptly notes, "rhetoric reflects both the nature of the interaction between particular claims-makers and their audience, and the larger cultural context within which claims-making occurs" (pp.117-118).

The social constructionist perspective has led to a critical analysis of the entire claims-making process as it relates to the identification and creation of strategies to prevent social problems. This perspective asks questions about who is making the claims, who is benefitting from the claims, and what are the consequences of the claims in terms

of funding, prevention, and intervention strategies.

The over-riding concern of the social constructionist perspective when analyzing the claims-making process is that any evidence considered objective contains value judgements which inform social policies. The social constructionist perspective criticizes the objective approach of studying social problems as purely empirical conditions because it minimizes the activities and efforts of claims-maker's in defining social issues. The boundary or domain set by the arbitrary selection of definitions reveals what information is to be included or excluded from the study and guides the interpretation of the issue.

## Chapter III

HISTORICAL MOVEMENTS  
AGAINST WIFE BATTERINGThe History of Legal Norms and Wife Battering

An historical examination of the issue of wife battering clearly reveals it as a fully sanctioned form of chastising women. Demands for law reform to better address the crime of wife battering took a very long time to reach the agenda of governments in North America and Europe. Historical tradition, in the form of legal norms and social mores, explicitly and implicitly condoned the chastisement of women. The Code of Hammurabi (1750 B.C.) was the first known written law which legitimized violence against women. It stated that women who talked back to their husbands were to have their names engraved on a brick which would then be used by their husbands to knock their teeth out. It is evident that the battering of wives has grown out of these and many other ancient, time-honoured traditions (Cotterill and Sloman, 1983:21).

Within the Roman Empire, murdering one's wife for "misbehaviour" was condoned, and beating of wives was regarded as a societal norm. In Europe during the Middle Ages, husbands beat their wives with regularity and the church sanctioned the subordination of wives "in everything" based upon its interpretation of the teachings of St. Paul (Ibid, p.21). In a medieval theological manual men were given

permission to castigate their wives and beat them for correction (Martin, 1976:31). In 1427, Bernard of Siena, a priest, deviated from the norm when he insisted on behalf of wives that the male parishioners exercise a little restraint and treat their wives with as much respect as they would their hens and pigs (Martin, 1976:31).

The historical condonation of wife beating continued in Russia during the 16th century, as evidenced, for example, by the Household Ordinance which stated how and when a man might effectively chastise and beat his wife (Martin, 1976:31). When some Russian women in desperation attempted to revenge their injustice by killing their husbands, a law was developed to allow wife-killing but prohibit husband-killing regardless of the provocation (Martin, 1976:31).

A major source of common law for England, United States, and Canada was the decision of Justice William Blackstone. The husband was given the right to beat his wife so long as it was not in a "cruel" or "violent manner". Discretion was left in the hands of the husband because "the law thought it reasonable to entrust him [the husband] with the power of restraining her, by domestic chastisement" (Cotterill and Sloman, 1983:23). The rule of thumb restriction was later introduced in Britain which allowed the husband to chastise his wife with a whip or rattan no thicker than his thumb. Legal and social reforms in Britain, United States, and Canada slowly occurred during the 19th and 20th century, but it has

been argued that informal control of wives through violence continues in the modern world. The legal developments over history have reinforced many of the informal norms, traditions and values in our society in which the man is still considered "king of the castle" or "head of the household". These old legal, religious, and community norms were not really the cause of the problem, but they expressed, legitimated, reinforced and often intensified the already existing inequality and subservient position of women. The legislation, in essence, codified the existing morality of the time.

Based on English Common Law precedents, for an offence to occur a greater degree of bodily assault had to be sustained by the wife than in instances of assault between strangers. This was clearly written in The Effects of Marriage on Property and the Wife's Legal Capacity (1879), which stated that: acts which would amount to an assault if committed by a stranger may be legally innocent when committed by a husband against a wife (Martin, 1976:22). This is the double standard implicitly preserved in our legal and social systems today and in which prejudices continue to cloud our attitudes, beliefs, and mores.

In Canada, prior to 1968, a battered woman could obtain a judicial separation provided she could show that there was "actual injury to her health and (her husband's) conduct (was) of a very serious nature" (Small, 1980: 6). Only after the

passage of the Federal Divorce Reform Act in 1968 in Canada was physical cruelty listed as legal grounds for terminating the marriage (Small, 1980: 6). Although legal reforms have occurred over history, the change in perceptions and attitudes among the public has been slow and it is the latter that appear most responsible for the perpetuation of wife battering. It will likely take many more years to change the perceptions and actions of young males and females as they continue to be brought up in a culture based on male dominance and control. Many of these informal and formal sanctions have been engrained in the social norms and relations between husband and wife with the continuation and justification of beliefs surrounding terms like 'head of the household', 'nagging', and 'king of the castle' which appear to condone violence against wives and a patriarchal social structure.

#### The Modern Beginning of a Social Movement Against Wife Battering

The topic of battered women appeared to come out of nowhere during the early 1970s in Canada, Great Britain and the United States. American historians Elizabeth Pleck and Linda Gordon (1988) reveal, however, that wife battering cases were common in the early part of the 20th century as documented by countless case files of battered women and children registered by social service agencies (e.g., Massachusetts Society for the Prevention of Cruelty to

Children and the Boston Children's Service Association).

There has been resistance to wife battering for centuries. Small campaigns against wife battering have taken place in Britain during the mid to late 19th century and in the United States during the early 20th century. These movements, however, never achieved credibility or substantial support from the established order or male dominated political elite. The issue of battered women as a social problem re-emerged in the 1970s due to the changing political consciousness and organizing activity of feminist groups. The "new" feminist agenda included a whole range of issues, like day care, division of labour, sexuality, and employment equity (Schechter, 1982:31). The concern with wife battering developed into a social movement because of the activism and political environment which preceded the movement. In other words, wife battering became an issue of public concern through the assistance persistence of raised political consciousness.

#### The Formation of a Movement in Great Britain:

In 1971, Erin Pizzey and a small group of women came together in Chiswick, England, to voice their concerns over rising prices of staple foods. One of the first problems that the members of the British women's liberation group addressed was the School Milk Bill which eliminated free school milk for children (Hanmer and Maynard, 1987:169). Although the protest

was less than successful, the amount of solidarity achieved in the march resulted in an increasing membership in a new group, Women's Aid (Dobash and Dobash, 1977:404). This humble beginning of a women's group which shared their concerns and provided mutual support among women soon emerged into a national and international movement which focused specifically on the provision of safe refuge for battered women. After discussing and sharing their concerns, young women soon found they had many problems in common including isolation, loneliness, and violence. The idea of a community centre where women and their children could meet and share their concerns was not a new idea, but the primary concern of assisting battered women was unique (Dobash and Dobash, 1979:223). This idea set in motion an informal organization that later became known as Chiswick Women's Aid which struggled for years and continues today to gain support and recognition for many battered women in Britain. The primary need for battered women seemed to be safety and protection from their partners. When the Borough of Hounslow gave the women the keys to a small derelict house in Belmont Terrace it signalled the beginning of a social movement which would cover Great Britain, the United States, and Canada. Chiswick house would soon become a safe haven for many women in Britain where once nothing had existed. Chiswick house and, eventually, other transition houses provided temporary accommodation for women fleeing an abusive husband and allowed them to share

their experiences with other battered women in similar situations (Dobash and Dobash, 1977:404). This temporary forum enabled battered women and activists to begin to redefine their "domestic violence".

Erin Pizzey was adamant when she stressed that the house would always remain a loosely structured entity in which women were members of a support group, "It is run by battered women for battered women" (Pizzey, 1974:131). One of the few rules of Chiswick house was that it belonged to all women, but unfortunately this simple request led to a lot of hostility from men in the community. Windows were broken and threats were constantly made. Clearly this opposition grew out of the men's fear of being challenged by their victims. Erin Pizzey commented that "it has sometimes seemed as though one of us at Women's Aid will have to be killed before anyone will take the situation seriously" (1974: 83).

The personal stories of horror that the battered women had suffered and survived at the hands of their husbands were frequently met with a 'double victimization' from the police, courts, hospitals, churches, and social workers. If the women who stayed at Chiswick house had for years put up with the marital violence it was assumed that they liked it or somehow contributed to it. In reality, Pizzey found that they stayed and put up with the violence because they had nowhere else to go. She referred to this difficult but all too common 'double victimization' process as the 'vicious circle' (1974:37).

By 1973, the little house in Chiswick, England was getting so full that mattresses were put down the hall for people to sleep. The need for additional accommodation and increased funding became a primary concern. Women's Aid began to seek funds for a larger house and to pressure social and legal institutions into action (Dobash and Dobash, 1977:404). As far as Pizzey was concerned, "the reason why 'battered wives' were getting a hearing is that for the first time a middle-class woman said, 'It's happened to me'". (1974:46) Although this statement refers to Pizzey's own experience, the issue of battered women would not have evolved as a social problem had it not been for the eventual support of some community leaders and professionals who made the issue more credible.

Nevertheless, opposition against defining the issue as a social problem came from social workers who felt that Women's Aid was interfering in the development of families by supporting the separation between family members. As Erin Pizzey comments, "they found it difficult to accept that women whom they considered inadequate should ring them up quoting chapter and verse from handbooks that they didn't know existed." (1974:11) Wife battering was a contentious issue because activists were defining the problem from a feminist perspective as opposed to social service agencies' definition that was based on a family-centred approach.

Although support from professional organizations was slow

to develop, the women activists pushed their agenda forward. A year after the Chiswick House opened there were 34 women and children living in the house temporarily. While it was a tremendous achievement and revealing experience, the battered women and activists worked very hard to furnish, finance, and stabilize the centre virtually on their own. They often sold second-hand clothes to pay the bills (Pizzey, 1974).

The early shelters for battered women evolved because battered women continued to seek refuge. Many battered women made regular visits without staying overnight and others would make the move to leave home and stay at the centre. Some battered women soon realized that the violence they had endured was unacceptable and began to fight the indifferent or uncaring social system. Battered women continued to encounter hospital staff, doctors, psychiatrists, social workers, and police professionals who were reluctant to interfere in family matters. The professionals would literally "patch up the injuries" of battered women without seeking to understand the origin of problem. As one social worker stated, "it is not the policy of the social services to interfere with the sanctity of the marriage" (Pizzey, 1974:19). A belief in preserving the family regardless of the violence wives endured was one of the professional and institutional obstacles that Chiswick Women's Aid struggled to overcome during the founding years.

As more cases of wife battering became public, it became

more evident that legal reforms were desperately needed, as were drastic changes in the philosophy of the social service system and its professionals. Battered women were accidentally brought together for the first time in British history in Chiswick, England when they shared their experiences of violence at Chiswick House. It quickly became apparent that the issue of battered women was not an individual problem or family problem but a social problem as women of all areas, classes, and races spoke about their experiences.

This early activity in Chiswick, England was clearly the beginning of a social movement whose message would reverberate around the world. In three years, Women's Aid came a long way from four small rooms to five large houses. However, the same informal house rules continued to predominate, guarding against the intrusion of any sort of 'professionalism' (Pizzey, 1974:130). Battered women who stayed in these refuges were expected to answer the phones, contribute to the general maintenance of the house, write down their emotions or problems in an open diary that everyone could share because it gave them a sense of power, control and self-worth. Equality was stressed in both the activities and the structure or organization of the house. This campaign soon took on national proportions as women's groups recognized a need in their own communities (Dobash and Dobash, 1977:404). The groups developed independently of each other because there was

no organizational structure between them, however, public awareness was stimulated (Dobash and Dobash, 1977:404).

Erin Pizzey's strong belief in a non-professional structure which would remain locally controlled was challenged during the second meeting of the National Women's Aid Federation (NWAFF), in 1975. At a meeting with 39 Women's Aid groups, Pizzey bitterly fought against the establishment of a national feminist organization. The majority of women's groups wanted to work democratically and cooperatively without hierarchies, authoritarian regimes, or star personalities (Dobash and Dobash, 1981:442). The profound differences between Chiswick Women's Aid and NWAFF involved issues such as organizing principles, leadership styles, philosophies, and the definitions of the problem of battered women (Dobash and Dobash, 1979:224). After the conference, Erin Pizzey, who had opposed the establishment of an independent national organization, wrote to the Social Services and Housing Departments to ask them to carefully review the groups attempting to set up refuges (Dobash and Dobash, 1981:442). This move further entrenched the profound differences and led 35 of the 39 groups attending the conference to develop the National Women's Aid Federation (Dobash and Dobash, 1981:442). Chiswick Women's Aid declined to accept the principles on which the National Women's Aid Federation was based and continued in the development of its own separate history.

Despite Pizzey's fight to maintain local control, the

Women's Aid Federation grew from a grassroots organization into a national federation in Wales, Scotland, Northern Ireland, and England (Schechter, 1982: 154). Today, Chiswick Women's Aid, the founding member, still remains separate from the National Women's Aid Federation (NWAFF).

From the humble beginnings of the first shelter in Chiswick emerged the National Women's Aid Federation which presently operates over 250 shelters across England. The National Women's Aid Federation was instrumental in pressuring the British government to establish a Parliamentary Select Committee on Marital Violence which began hearings in 1974 on the topic of wife battering. These hearings were the first official response by the British government and helped to define the violence suffered by battered women in terms of a social problem. The committee suggested legislation which made battered women a priority in housing and financial assistance areas. The Domestic Violence and Matrimonial Proceedings Act passed in 1976 and the Homeless Persons Act adopted in 1977 gave greater protection to battered women and their children. The legislation appears to have been a positive step for the British battered women's movement, but the ultimate success of the legislation required the will and ability of the courts to adequately and properly enforce those expanded powers of protection for battered women (Dobash and Dobash, 1979:231).

The important gains of the battered women's movement in

Britain cannot be underscored enough. The establishment of community shelters for battered women, legislation for supporting and protecting battered women, and a commitment to raising public education contributed to the emergence of similar social movements in the United States and Canada.

#### The Formation of a Movement in the United States

The battered women's movement in the United States began a few years later than its British counterpart, around 1974. Although the American movement was somewhat informed by the British experience, it was influenced more by the domestic campaigns of the women's liberation movement, anti-rape, and anti-child-abuse movements which were more fully entrenched during the early 1970s (Schechter, 1982: 170). Both the American and British movements during the 1970s were influential in expanding the prevailing explanations of and responses to wife battering from an individual approach to a wider social and cultural context, which included a critical analysis of gender relations.

Linda Gordon's (1988) book Heroes of Their Own Lives: The Politics and History of Family Violence, Boston 1880-1960, traces the subversion and defeat of previous campaigns against the abuse of women and children. However, she also acknowledges the progress of recent campaigns: "defining wife-beating as a social problem, not merely a phenomenon of particular violent individuals or relationships, was one of

the great achievements of feminism" (Gordon, 1988:251). According to Gordon, women had always tried to resist battering, but "in the last hundred years they began to resist it politically and ideologically, with considerable success" (Ibid, p.251).

Many historians and social scientists have documented the implicit and explicit condonation of wife battering through legal norms and social mores (see works by authors Del Martin, Dobash and Dobash, Kathleen Hofeller, and Lewis Okun). Linda Gordon, however, disagrees with many of the common arguments which claim that wife battering was not censured in Europe or North America in the late 19th and early 20th century. She argues that not only was unlimited family violence prohibited, but also there were standards which regulated the degree of permissible violence. These standards, according to Gordon (1988), reveal the degree of power women were actually granted (p. 256). This apparent source of regulated marital violence, however, depended upon the discretion of control agencies and their willingness to defend women's rights. The Rule of Thumb, for example, was a legal norm which aimed at limiting the severity of violence, but its enforcement was not necessarily very diligent. This type of regulation of the amount of chastisement by husbands cannot really be treated as an example of power granted to women because the amount of discretion awarded to social control agencies made it virtually ineffective as a tool of protecting women. The

historical norms were, therefore, more a source of the condonation of wife battering practices than an attempt to curb violence in the home through overt legislation.

The legal definition of "wife abuse" during the early to mid 20th century concentrated on issues of financial non-support rather than on issues of physical abuse or cruelty (Gordon, 1988:258). It was believed that women had recourse from the community in which they lived for their financial support but not for protection from physical violence in the marriage. Linda Gordon found in her research of wife battering cases registered by social work agencies during the late 19th to early 20th century that, "complaints about wife-beating or physical violence escalated just as feminism was at its nadir" (1988:259). Prior to the reemergence of the feminist movement during the late 1960s and early 1970s, wife battering cases were fought on an individual level in terms of financial support or child custody issues.

Linda Gordon contends that the second wave of feminism that fought against wife-beating was affected by the temperance movement of the early 20th century. The first U.S. battered women's shelters, which opened in 1973-74, were for wives of alcoholics. The assumed causal relationship between alcoholism and wife-beating placed it in a male culture of recreation or depravity not as a crime against women per se (Gordon, 1988:264). This approach was politically successful because it did not involve a direct confrontation or attack on

male violence but focused on an indirect correlation between alcohol and violence without any mention of gender. This causal argument was adopted by some feminist activists and shelter organizers during the 1970s because it enabled them to push forward the issue of battered women with less opposition from the public, politicians, and social service professionals. Within the last ten years, however, feminist activists and professionals have challenged this argument vehemently because it detracts from the issue of male responsibility.

As Linda Gordon comments: "putting a temperance frame around criticisms of male behaviour allowed feminists to score points obliquely, without attacking marriage or men in general" (1988:254). The image of the beaten wife, who was the indirect victim of drink, was prominent in temperance rhetoric from the 1830s because the 'problem' came from exceptional, "depraved" men, not the male gender as a norm (Gordon, 1988:254).

Until the revival of feminism and the establishment of battered women's shelters in the 1970s, battered wives had three resources: their own individual strategies of resistance; the help of relatives, friends and neighbors; and the intervention of child-welfare agencies (Gordon, 1988:271). Linda Gordon believes that battered women and their advocates turned to child-welfare agencies when their informal networks (i.e., neighbours, relatives, churches) could not protect

them, thus adding these agencies to their reservoir of resistance strategies (1988: 369). None of these strategies, however, were adequate enough to stop or control male violence. Suspected wife abuse cases were handled through informal measures or pre-existing institutions devoted to address the needs of children. Feminist activity during the 1970s somewhat improved the formal response for suspected wife abuse cases through legislative reform, criminal justice intervention and specialized support services.

The child protection agencies originally tried to avoid intervening in husband and wife relationships, but their clients, mainly mothers, virtually dragged the child protectors into wife battering problems (Gordon, 1988:280). Gordon argues that throughout the last 80 years battered women have steadily increased the number of complaints to child protection agencies in the United States. Women's and children's interests had to remain closely intertwined for women to receive assistance, acceptance and action from the helping professions.

By turning to child-protection agencies, battered women expected sympathy and support from social workers as they pursued separation and maintenance agreements. The struggles of battered wives against an uncaring social service and criminal justice system were relatively invisible until battered women organized themselves along with feminist activists during the last two decades as part of a feminist

movement which put political pressure on the American government.

The possibility for American battered women to take control of their lives occurred through the crisis centres, shelters, and transition houses which provided the necessary support and context for victims of marital violence to voice their concerns. The combination of civil rights, anti-war, and black liberation movements during the 1960s and 1970s gave momentum to the women's liberation which set the stage for the battered women's movement (Schechter, 1982:31).

Domination, power, and privilege were the key aspects which would be explored and used in a redefinition of wife battering as a social problem not a private issue. The first shelters in the U.S. were eventually influenced by the organization and ideas of the women's liberation movement. Consciousness-raising groups, rotating leadership, and 'going around the circle' groups, were important components of the early feminist movement and were quickly integrated within the shelter movement.

The initial aim of the refuge movement was to provide a safe haven for abused women (Morgan, 1985:66). Temporary shelters provided activists a forum to educate battered women on the feminist ideas of structural inequality (Morgan, 1985:66). Years later, many of the small refuges which were run by feminist activists were replaced by larger 'service' centres run by boards of directors and staffed by

professionals (Morgan, 1985:66). Professionalism and institutionalization are two areas of contention that developed as the shelter movement grew.

As the shelter movement developed, information on the problem of wife battering was generated by members of the refuge movement and professionals who became involved with the issue peripherally. Books and articles about wife battering were written to promote public awareness, to develop theoretical explanations and to conceptualize the problem within accepted boundaries.

Patricia Morgan (1985) argues that state intervention in social problem management transforms the image of the problem, the definition of the problem and the response to the problem (p.60). Although the article focuses on the United States experience, the findings have implications for most countries, including Canada. The feminist refuges in the United States turned to government agencies for financial assistance which eventually changed the image of the problem through a process of bureaucratization, professionalization and individualization (Morgan, 1985:60). It is important to study the natural history of a social problem and its associated definitions because the process reveals changes in the structure of the organizations involved (community centres, law enforcement, refuges, etc.) and in the image or public definition of the problem (Morgan, 1985:71). In the United States, the public definition of wife battering began to

incorporate mental health and medical approaches when funds were allocated to social welfare organizations to examine the relationships between alcohol, drugs and violence (i.e., National Institute of Mental Health, National Institute of Drug Abuse, National Institute of Alcohol Abuse and Alcoholism, National Institutes of Health and Alcohol and Drug Abuse Mental Health Administration). These and other changes in the public definition process in the United States influenced the approaches and definitions of Canadian organizations and governments as they began to study the problem.

The anti-rape movement of the late 1960s was another movement which influenced the public definition of wife battering in Canada and the United States. It broke the path for the battered women's movement which emerged during the early 1970s (Schechter, 1982:34). Many of the rape crisis centres would later respond to the concerns of battered women specifically. Research on wife battering acquired terminology from pre-existing research on rape. Feminist activists sought to define both issues in terms of male domination and patriarchy. Since women were overwhelmingly the victims in both types of crime and women were being economically, politically, and physically dominated by men, research on rape was used to explain the structural dimension of wife battering. In particular, the anti-rape movement exposed the myth about victim provocation which later was important when

interpreting the myth of masochistic tendencies of battered women.

A popular myth about battered women and rape victims, shared by the general public and criminal justice professionals, was that they somehow provoked the violence by either dressing provocatively or expecting too much from their partner (L. Walker, 1979:29). Allegations of victim provocation appeared to play an important role in the defense strategies in cases of rape and wife assault trials. Women activists were fighting against the assumption that sexual history and victim provocation could have any bearing upon the credibility of the complainant's testimony in cases of either rape or wife battering.

The masochism "theory" suggests that battered women evidently enjoyed, contributed to, or experienced some pleasure from the abusive relationship since many battered women would not leave their batterer and/or had a pattern of selecting abusive men in their relationships (L. Walker, 1979:20). This contributed to the perception that violence was either a normal part of intimate relationships or attributable to poor decision-making by women. Therefore, wife abuse was not considered serious or severe enough to warrant state intervention in this "family problem" (see Okun, 1986:81-82 and Hofeller, 1987:19).

New definitions, terms and theories related to rape victims were developed by academics and activists and were

assimilated into the literature on battered women because there was no information on wife battering prior to the early 1970s. Popular magazines did not contain articles on wife battering until the late 1970s. Academic journals did not even have articles on wife battering prior to 1974 (Loseke, 1989:192). In addition, official statistics on the number of suspected wife battering cases were non-existent because police departments and hospitals did not separate general assault cases from spousal assault cases.

During the mid 1970s, feminist activists, academics, and professionals focused on conducting public awareness campaigns, providing temporary refuge to battered women, and searching for information to substantiate or conceptualize the issue. The phrase "blaming the victim" was originally developed by William Ryan to explain how society perpetuates racial discrimination by maintaining myths and misconceptions (L. Walker, 1979:14). This term quickly became popular and useful for describing how women who had been victimized by men blamed themselves or were blamed by others for somehow contributing to or causing the violence they experienced.

Gradually research on battered women documented why it might not be easy for women to leave their abusive partners. These reasons included: fear of leaving the husband because of expected retaliation, lack of substantive community resources, economic hardships, emotional or psychological dependence, and the belief that wives should not abandon their husbands for

any reason including violence (see Okun, 1986:80-81 or Hofeller, 1987:19-20).

Various beliefs, (challenged vigorously and labelled as myths by American feminists in the 1970s), contributed to a common stereotyping of battered women as somehow contributing to, causing or deserving the violence they endured. The circulation of these "myths" through media, institutions, and organizations was viewed as justifying attitudes about male violence within intimate relationships.

Susan Schechter noted: "by 1975, it was clear that since rape and battering had the same effects upon their victims and depended upon similar sexist mythology, battering had to be declared socially, not privately, caused" (1982: 43). The feminist anti-rape movement laid the foundation for changing public consciousness, establishing political organizations and networks, and creating ideological tools and resources to be utilized by the battered women's movement (Schechter, 1982: 43). These events were more pronounced in the United States than in Canada during the 1970s.

The combination of rape crisis centres, Al-Anon centres for women with alcoholic husbands, and the experience of the British movement led by Erin Pizzey had influenced the early years of the U.S. shelter movement. The first shelters, Haven House in Pasadena, California and Rainbow Retreat in Phoenix, Arizona, opened in 1973 and 1974 (Martin, 1976:207-209).

Feminist women's centres also began to offer a safe place

for women in crisis. Women's Advocates in Minnesota emerged in 1973 from a consciousness raising group and a legal advice phone service (Martin, 1976: 198). Women's Center South, which opened in Pittsburgh in 1973, was designed to provide a comfortable environment for women to share their concerns. Similar to Chiswick Women's Aid, the Women's Center South was designed specifically for women. Violence proved to be the number one concern for the women who arrived at Women's Center South. Other centres opened across the country as women began to share their concerns and organize within the different communities. Violence was a major problem for many women who arrived at the early shelters and centres.

Activist women who were involved in establishing shelters began to document the experiences of battered women. This served as a catalyst for the construction of state, regional, and national coalitions (Schechter, 1982: 68). In the United States, coalitions and networks were used by activists to organize the movement and to address the needs of battered women. These coalitions were established to respond to the shelter, legal, counselling, and publicity needs of women. This informal type of organizing allowed battered women and their advocates to learn from each other and generate changes in service delivery and social attitudes without interference from professionals and institutions. The battered women movement in the United States appears to have followed a similar path as the British movement by adopting a grassroots

approach which would grow in size and challenge the social structure and institutions (Schechter, 1982:69).

Susan Schechter comments on the difficult decisions made during the formative years of the movement, which eventually had negative consequences: "As in the anti-rape movement, once the issue of battering gained legitimacy and funding was made available, more established organizations took over the issue that grassroots women had worked so hard to raise" (1982: 75). Following the early efforts of the women's movement to gain legitimacy, awareness, and recognition, they soon entered a stage characterized by co-optation, professionalism, and bureaucracy.

Government departments and various community agencies played an ambivalent role in shaping the battered women's movement. On the one hand, these agencies would occasionally provide financial support, legislation, and credibility for the movement. On the other hand, these agencies would also compete against the movement for more funding and control. It was an ambivalence which the battered women's movement had to address early on and which still remains unresolved.

Grassroots organizations in the early years of the movement provided refuge for battered women, lobbied local governments for funding, and increased public awareness. National feminist organizations also provided further legitimation to the movement, but often struggled over the philosophy and control of the issues.

As in Great Britain, American grassroots organizations eventually became aligned with regional or national women's organizations and centralized newsletters, often despite their reluctance and opposition (e.g., National Organization for Women, YWCA centres, Feminist Alliance Against Rape, and National Communications Network). In some locations this alliance between grassroots and national organizations assisted and legitimated the battered women's movement, but in other regions there were "turf" wars over funding, philosophy, and control issues (Schechter, 1982:75).

Linda Gordon finds it surprising that one of the world's most powerful women's rights movements, in the United States of America, never produced a major campaign specifically directed against cruelty to women (1988:253). The movement appeared to develop under the guise of feminist politics and concentrated on economic or political inequality, in general. Historians, such as Elizabeth Pleck and William O'Neill, have commented that the issue of wife-beating was influential throughout the 19th and early 20th century women's rights movement, but it was addressed indirectly through the temperance, child-welfare, social purity campaigns, and marginally through direct lobbying. In contrast, the British movement against wife battering may have relied more upon the direct lobbying strategies in order to create change rather than indirectly through the temperance or social purity campaigns evident during the 20th century.

The British and American battered women movements both faced similar issues and obstacles as they pressed government for legal reform, funding for shelters, and legitimation of the movement itself. Dobash and Dobash have argued, however, that the American and British movements differed in the approaches taken towards the construction of the social problem of wife battering. They argue that the American movement focused more on the individual rights and personal problems of battered women and sought change in the areas of psycho-medical treatment and law. In contrast, the British movement favoured a community approach leading to changes in housing policy and social service programs (Dobash and Dobash, 1987: 177). Despite these different approaches, however, both countries appeared to have witnessed similar problems and obstacles as the movement against wife battering progressed from the grassroots level of activity to the national level (e.g., co-optation, bureaucratization, hierarchization, conflicts over funding and control, and professionalization).

The first official response to the issue of battered women by government in both countries occurred a few years after the early grassroots activity had started. In Britain, the Parliamentary Select Committee began public hearings on the topic of wife battering in 1974, while in the United States of America, the Civil Rights Commission held hearings in 1978 (Dobash and Dobash, 1987: 173). These hearings, the first official response to the issue in each country, heard

evidence from battered women, women activists, and lawyers.

A feminist analysis of wife battering was evident during the first government hearings in both countries, but a feminist perspective appeared to be more entrenched in the American hearings. This was not, however, without opposition. Antagonism between feminists and 'experts' formally emerged during the 1978 U.S. Civil Rights Commission hearings. For example, researchers, Straus, Gelles, and Steinmetz, produced controversial findings during the commission hearings, which suggested there were more battered husbands than battered wives. The data used to support their claims referred to the frequency of incidents involving violence as defined by the researchers' measurement scale (i.e., the Conflict Tactics Scale). A considerable controversy was sparked when funding was subsequently withdrawn from local shelters on the basis that the research findings on wife battering incident rates suggested that family violence was not disproportionately a problem for women. This event increased the struggle between feminist activists and 'experts' or researchers over who constituted legitimate spokespersons on the issue of battered women (Dobash and Dobash, 1987: 174). The feminist activists staunchly opposed the research findings and the methodology used by Straus, Gelles, and Steinmetz. They argued that the Conflict Tactics Scale (i.e., CTS) used by the researchers misrepresented the facts because it ignored contextual factors and relied simply on frequency counts; the CTS did not

distinguish between intent or level of severity of the actions of the partners involved.

The American battered women's movement focused on grassroots activity during the early 1970s and on institutional activity during the late 1970s. Shelter workers and activists continued to pressure the local communities and national government to obtain support and recognition for battered women's problems. Through national consultations, wife battering was transformed into a social problem as academics, activists, bureaucrats, and other professionals began to formulate and share their own definition and interpretation of the problem. The feminist perspective began to solidify at the 1978 Civil Rights hearings as women's representatives were forced to defend their position in the face of professionals' attempts to define and categorize the problem in their own, seemingly gender neutral, terminology.

## Chapter IV

THE CANADIAN SHELTER MOVEMENT  
AND THE "GRASSROOTS" DEFINITION PROCESSThe Early Concerns about the Definition of Wife Battering

Wife battering emerged as an issue of public concern in Canada due to the efforts of women's groups who provided frontline services, advocacy and research on a variety of women's issues. Government reports and committees have also made reference of the contribution that feminist and community activists made as founders of the battered women's movement (Canada, 1984:1). There is no question that feminism has played a central role in shaping the history of the battered women's movement. The question is how has feminism defined and determined the problem of battered women. This chapter will examine Canadian feminist activity, as it relates to the topic of battered women, in order to reconstruct the feminist perspective.

Negotiations and struggles over the use of such terms as wife assault, wife battering, spouse abuse, domestic violence, and family violence continue to occur among government officials and policy analysts, researchers and community activists. Definitional and conceptual struggles developed as they discussed jurisdictional problems, theoretical dilemmas, and program developments.

Negotiations and competition over terms are characteristic of the public definition phase of the social

problem formation process. Patricia Morgan (1985) uses the term "social problem apparatus" to describe the public definition process. She argues that the state intervenes in the management of social problems and in the construction of an image of social problems:

the state, through its social problem apparatus, manages the image of the problem by a process of bureaucratization, professionalization and individualization. This serves to narrow the definition of the problem, and to depoliticize it by removing it from its class contest and viewing it in terms of individual pathology rather than structure (Morgan, 1985:60).

In this chapter, I intend to highlight some of the events and concerns of the sheltering movement and the broader feminist movement in Canada from the mid 1970s to the early 1990s. The information is based on academic articles, nongovernment reports and activist papers.

### Pioneering Community Activism

Any attempt to define or detail the women's movement is difficult. First, as the authors of Feminist Organizing for Change have commented, "the women's movement has a shifting, amoeba-like character; it is, and has always been, politically, ideologically, and strategically diverse" (Adamson et al., 1988:7). This presents an enormous challenge when trying to document or detail the history or origins of the battered women's movement. Second, the regional diversity of Canada also makes it extremely difficult to generalize about the women's movement. Third, attempting to define the

women's movement organizationally is made difficult because of the organizational diversity of the women's groups involved in the movement itself (Adamson et al., 1988:8). The women's organizations in Canada differ in their attitudes toward co-operation with the government, the establishment of national women's organizations, centralization and hierarchization of the movement and many other issues. Despite the diversity, there are national feminist organizations that translate feminist perspectives into common themes and policies most notably, the Canadian Advisory Council on the Status of Women (CACSW) and the National Action Committee on the Status of Women (NACSW). My analysis will be restricted primarily to these two feminist organizations because of their importance in determining the national public definition of wife battering.

Women's groups who are active in the area of family violence have focused on ensuring that services for battered women exist in most urban centres. These groups, both locally and nationally, have achieved this aim by raising public awareness and political lobbying. The success of these efforts can be witnessed in the adoption by various orders of government of some policies and programmes and the tremendous development of transition houses. This is not to say that success is only measured through government support, legislation or policies; community initiatives and awareness can also be indicators of successful social movement efforts.

Nevertheless, it is at the national level that local concerns are translated into national prerogatives. It is for this reason that I have decided to examine material representing national nongovernment or quasi-government organizations. In particular, the Canadian Advisory Council on the Status of Women, who has provided an avenue for a variety of organizations by sponsoring forums and consultations, enables interested groups to express opinions, perspectives and policies.

Although feminism itself is not a unified political ideology, proponents of varying perspectives of feminism have the following in common: 1) they support equal rights and opportunities for men and women. 2) they recognize that women are oppressed and exploited by virtue of being women, and 3) they organize to make change (Adamson et al., 1988:9). However, given these commonalities, there exists a wide variety of opinion as to the root causes of women's oppression, what political strategies should be used to obtain equality, and how priorities should be determined. The diversity of feminist organizing will be addressed in chapter V in terms of the different feminist perspectives.

Two early feminist books on the issue of battered wives were written by Erin Pizzey (1974) and Del Martin (1976). Their efforts to expose the issue of wife battering, along with other community activists and researchers across the United States, Great Britain and Canada mutually provided

advocates with much needed information and momentum. Books and articles like Erin Pizzey's and Del Martin's not only provided information about feminist groups which had been organizing in the United States and Great Britain around the same time, but also supported the arrival of a feminist articulation of wife battering. Concepts such as 'women's economic and social dependence on men', 'women's domestic oppression', 'women as men's property', as well as challenges to such notions as privacy of the family and 'a man's home is his castle' were all part of the new feminist critique of social institutions (Barnsley, 1985:20).

The battered women's movement in Canada was also inspired by the United States' women's liberation and women's rights politics of the early 1970s. The battered women issue followed concerns with abortion, division of labour, sexuality, employment equity, day care and rape. These issues shared many of the same underlying concepts which ultimately formed the feminist agenda aimed at exposing unequal power and control of women. The topic of battered women encompassed the concerns of most women since it was a blatant example to feminist activists of women's subordination and oppression within the family unit. The topic of battered women became a logical extension of the larger women's movement environment, but it soon developed its own history through the growth of transition houses and shelters designed specifically for battered women.

### Shelter Movement Overview

The first grassroots shelters in Canada were established in 1972 in the provinces of British Columbia and Alberta (MacLeod, 1980a:48). Although there were no formal networks or professional organizations devoted to wife battering problems in place in 1972, public awareness was furthered by speaking tours, marches, rallies, and literature during the mid to late 1970s. The feminist activists and service providers were undoubtedly the front-runners in exposing the issue and establishing crisis services and refuges for women and children. Grassroots women's groups concerned with women battering were active in Vancouver, Toronto, Calgary, Winnipeg, Saskatoon and a few other cities in Canada during the mid 1970s. These women's groups and the transition houses they opened were by no means a clearly structured entity with a generally agreed upon agenda.

The first services developed specifically for battered women and their children were transition houses created by small groups of concerned women some of whom had experienced wife battering themselves (MacLeod, 1989b:36). Emergency shelters and transition houses were developed by women's groups and organizations in other large cities throughout Canada, although the prevailing community attitude or perception at the time was a "non-involved or hands-off" approach (Cotterill and Sloman, 1983:5). The transition houses were very controversial during the formative years as

communities showed a wide range of reactions from general tacit support to embroiled opposition (Walker, 1990:22). Wife battering was a contentious issue as women organized to establish transition houses across Canada .

The controversy within the communities notwithstanding, emergency shelters and transition houses were established in large metropolitan areas and provided general shelter for women and children. Presently, there are still access problems for rural women as the majority of services are concentrated in large urban centres. Given the geographical size of Canada, accessibility of services have been a perennial problem.

Emergency shelters were designed to provide refuge to women and children experiencing various types of crises. Service providers in the early Canadian emergency shelters soon recognized, however, that wife battering was the common problem for the majority of women who sought general shelter. As a result, specific services for battered women were developed in order to protect women who experienced violence in the home and to provide specialized counselling, referrals, and advice independent from the general emergency shelter response (MacLeod, 1987:49).

Transition houses provided temporary refuge for women fleeing from their abusive situation. The main purpose of the transition houses was to provide, 'a refuge run by women for women'. The houses became a clear expression of the battered

women's movement objective of empowering women. The primary concern for many transition house workers' was to provide support and counselling for women as they begin to take control of their lives and make their own decisions. It was crucial for battered women, according to feminist activists, to understand the power dynamics at the heart of the feminist interpretation of the problem. This approach led to the demise of some relationships between the abusive husband and the battered wife, while other women returned to their abusive partners after residing at a transition house. Transition house workers have experienced frustration at the prospect that battered women would return to an abusive partner who has not changed or attempted to seek treatment. It is a dilemma that many shelter workers still anguish over today. Normally, the workers do not advise women to leave their husbands, but make it possible for them to establish their independence once they decide to do so.

The first transition houses in Canada opened in the early 1970s (MacLeod, 1989b:36). Concern over housing problems for women with marital problems led to the opening of the Vancouver Transition House in 1972 (G. Walker, 1990:22). The "Oasis" in Calgary was the second transition house that served battered women in Canada. The latter started as a demonstration project for transient women in 1972, but the organizers discovered that the women seeking shelter were frequently victims of battering by their partners (Cotterill

and Sloman, 1983:5). The staff responded to this more specific need of providing shelter for victims of violence by changing their mandate and by making battered women and their children a priority in 1974 (Cotterill and Sloman, 1983:5).

As Canadian women's groups began to establish shelters for battered women within their local communities, professionals and scholars were forced to examine their position with respect to the crime of "family violence". Academics studying in the social sciences area and professionals working in the social service industry began to document their experience and perspective as they worked on the problem of women battering. What appears to have occurred after the development of transition houses was that the issue of battered women became publicly defined by government officials. Within this arena of professionals, activists, and government officials, the topic of battered women, often disguised under various euphemisms, was constructed as both a social problem and an individual pathology with a persona sometimes very different from the private experiences of women. These differences will be highlighted in the following chapters through a reconstruction of the changing perspectives, definitions, and solutions used by activists and government officials.

#### Articulation of Shelter Response

The community response towards the establishment of

services for battered women across Canada during the early 1970s was generally characterized by indifference. An apathetic response occurred in many communities because the problem of wife battering was viewed as a "family" problem. Victim-blaming and accusations of anti-family propaganda were frequently used by opponents to undermine the efforts of transition house workers and advocates. Opposition to the idea of starting a refuge for battered women was apparent during the formative years of the Transition House in Vancouver:

I remember we had the first public forum on the issue at Christ Church Cathedral. We were accused of trying to break up the family. They said, "the women ask for it." There was reluctance to support a Transition House. And, men would get up and admit it and say "no transition house in my neighbourhood or my wife will leave me and go there." It was a very emotional meeting (Barnsley, 1985:19).

The transition houses in Calgary and Vancouver were initially created to address the general issue of short-term housing for women and children. When service providers recognized the magnitude of wife battering incidents, specialized services were developed for women who were victims of physical violence (Cotterill and Sloman, 1983; Walker, 1990). The initial general social service approach helped deflate much of the negative community response by incorporating this 'controversial' issue within the general social service plan. The inherent danger of this approach was that the specific problem of battered women remained hidden because it was not properly identified or named. As Jan

Barnsley (1985) found out through her analysis of the United Way meetings from 1977 to 1979, contentious issues like wife battering have been either amalgamated with established issues like child abuse or subsumed under general terms like family violence (Barnsley, 1985:68). This renaming of the problem diverts attention away from feminist interpretations of the problem and places it under rubrics deemed by the claim-makers involved to be more widely 'acceptable'.

There has been some debate within the feminist community over the benefits of political action strategies that amalgamate issues in order to gain legitimacy or funding. The main concern is that women's issues ultimately get lost when they are subsumed under more general categories (Barnsley, 1985:70). Some strategists have argued, however, that it is advantageous to link a women's issue to a more 'accepted' social problem like child abuse because it is easier to gain public and political support (Ibid, p.69). My understanding of the possible advantages of this type of 'absorption' is that the contentious issue becomes defined in "public interest" terms in order to move it forward through the political process. Once the social problem is placed within the public definition process it becomes possible for the players (lobbyists or activists) to extricate its specific nature from the general amalgamation and transform the issue so that it properly reflects women's experiences.

### The Development of Shelter Perspectives

The Canadian shelter movement was based primarily on a grassroots, community-based structure that grew in size and diversity. Groups were run by feminist activists, religious organizations, and general social service organizations. The number of transition houses in Canada increased expeditiously from 2 in 1972 to 4 in 1973, 8 in 1974, 22 in 1977, 36 in 1978, 89 in 1979, 108 in 1981, and 130 in 1982 (Rock, 1986:226-227). By 1988 there were 308 transition houses, satellite homes, or emergency shelters serving battered women in Canada (MacLeod, 1989b:38).

These houses were initially designed to provide refuge for women, but they soon offered specialized legal services, counselling, social services, and referrals. Despite attempts by the Canadian Advisory Council on the Status of Women, no national association of transition houses emerged during the 1970s and early 1980s (Rock, 1986:227). Representatives of the transition houses had difficulty agreeing to a common position during a conference of the National Organization for Victim Assistance on October 16, 1981 (Rock, 1986:227).

The different founding principles and philosophies behind individual shelters made it extremely difficult for their representatives to agree upon a general set of guidelines and practices. Coordination was very difficult for service providers because different types of services had different founding principles or mission statements. For example,

strained relationships between shelter groups and religious organizations hampered early attempts to coordinate services for battered women because religious organizations often blamed battered wives by inferring they contributed to the violence they suffered. In addition, the transition houses were viewed by religious organizations as a threat to the preservation of the family unit because they isolated the battered wife from the abusive husband. During a national symposium of family violence, Reverend Robin Smith challenged past attempts by the church to intervene in family violence:

The Church has been blind for a long time. We have rejected and refused the evidence before our eyes. We have made it almost impossible for abused women to come to us .... We have not seen the need to support, to understand, to stand beside, to go to court with them, to do any of those things. We still see ourselves, in this area, primarily as healers and mediators of forgiveness (Muriel McQueen Fergusson Foundation, undated:55).

Reverend Robin Smith's presentation points out that religious institutions have served two primary functions: social support and social control. To the extent that churches upheld family values instead of offering personal protection, battered women were left to struggle without the religious support. This, however, began to change through the work of the Christian Feminist Movement which brought about new understanding among religious leaders concerning family violence and led to the proliferation of programs and services (Muriel McQueen Fergusson Foundation, undated:55). The once strained relationship between religious organizations and transition house representatives has improved considerably in recent

years. Presently, religious organizations are an important part of most community prevention models and community services offered to battered women (P.E.I. Justice, 1988:2). Religious organizations have supported the view of transition house representatives by denouncing violence against wives and by recognizing their right to personal security. Recent religious services for battered women, first, focus on ensuring the protection and safety of battered women and, second, support the treatment of abusive husbands. This has changed from a focus of maintaining the harmony of the family as the sole objective.

There also exist differences within shelter services provided to battered women. Shelter services are founded on diverse perspectives which vary on a continuum from feminism to professionalism. Micheline Beaudry (1985) developed a typology to describe the diverse perspectives identified in shelter provision in Quebec as follows: pure protectionist, legal protectionist, moderate liberationist and radical liberationist. The pure protectionist shelter offers homogeneous services to a wide variety and type of women (e.g., teenage girls, alcoholic women, 'bag-ladies') (Beaudry, 1985:91). The pure protectionist shelter is built on a hierarchical structure which is run by professionals. The legal protectionist shelter is normally run by professional women who seek legal reform of women's rights. The services they provide closely resemble government-run institutions

because of the clear admittance policies and referrals to more professional services (Beaudry, 1985:93). The fundamental difference between protectionist and liberationist services is that the former create structures which emphasize security and comfort while the latter favour choice and independence as a collective force (Beaudry, 1985:94). The moderate liberationist orientation encourages women's independence through self-help and peer support activities (Beaudry, 1985:95). The radical liberationist stresses the collective autonomy of women as the primary objective of the women's shelter movement (Beaudry, 1985:96). Micheline Beaudry's framework of different shelter perspectives reveals the divergent philosophical and ideological opinions concerning the most appropriate services for battered women.

The need for refuge for women experiencing physical violence was very apparent from the movement's outset. As angry and outraged accounts began to appear in feminist newsletters and papers, the mainstream media, both locally and nationally, started to find the subject of battered women newsworthy (G. Walker, 1990:23). The general public slowly began to view this previously "family" dilemma as a "public" problem as they became exposed to a growing number of articles and reports on the issue of battered women.

Information-sharing and more formal networks developed within provinces during the 1980s as every province and territory established a Provincial/Territorial transition

house association except the Northwest Territories (MacLeod, 1989b:38). Although this development of a shelter network was very important in terms of information-sharing and national agendas, it posed considerable difficulty in terms of front-line workers' disapproval of issues such as professionalization and institutionalization. The increased state intervention was in stark contrast to the original mandate of self-help or communal intervention and local control for many feminist-based transition houses and shelters.

Linda MacLeod commented on how the early vision of activists, service providers, and professionals had some clearly positive aspects but had also failed the "test of reality":

Battered women were not always prepared to support the simplistic "bad man-good woman" assumption at the basis of most crisis responses. Battered women did not always want to support a service and crisis response network which gave support to her as an individual but did not offer support to the batterer, to their children, or to the relationship (MacLeod, 1987:4).

Through an introspective evaluation of the shelter movement, activists and service providers began to realize that intervention on behalf of battered women had to become multi-dimensional and flexible.

Included in this debate over the proliferation of services for battered women and the danger of professionalization, co-optation, and institutionalization is the assessment of heterogeneous services. In an article by

Jane Ursel (1991), she examines the impact of state involvement in the provision of services to battered women. She contends that there are essentially two feminist views with respect to assessing the costs and benefits of a relationship involving the battered women's movement and the state. The first view conceives the state as inherently, monolithically and irretrievably patriarchal (Ursel, 1991:263). Originating from this perspective is an apprehensive view of the state and a "vigilant guarding of the feminist ownership of the issue" (Ursel, 1991:285). The "protectionist" perspective emphasizes feminist homogeneity of services. It leads to a distrust of heterogeneity in services and bitter rivalries between service providers.

The second view conceives the state as less monolithic, identifying contradictions in the operation of patriarchy within the state, and the possible convergence of state interests with women's interests (Ursel, 1991:266). The second perspective recognizes that state involvement has led to the development of a diverse range of services that do not necessarily share the same interests or political agenda. A corollary from this argument implies that services for battered women benefit from the availability of state resources and the differentiation of services (Ursel, 1991:268). According to this alternative view, some state involvement in issues of concern to women may be beneficial as it provides them with both the necessary resources and

legitimacy.

The debate over "co-optation" of services and the role of the state in determining or addressing issues of concern to women continues to divide the feminist movement in terms of practical strategies.

#### Summary

The early stages of the battered women's movement in Canada can be portrayed in the form of a process of grassroots activity supplemented and altered by the establishment of national nongovernmental structures during the 1970s. The components of this early process include the establishment of an early definition of the problem and documentation of the experiences of battered women, attempts to gain publicity and legitimation of the issue.

Women's safety became a priority for feminist practice as activists provided a 'safe haven' for battered women. The women's movement challenged the professional services and organizations and identified the problems experienced by battered women. Concern for public awareness and the empowerment of battered women were equally important in the development of the feminist perspective towards this problem. The articulation of a feminist perspective on the problem of battered women developed and transformed this issue into a social problem founded on theories of patriarchy, gender

relations and violence.

The first stage of development of the public definition of wife battering includes the establishment of a definition which highlighted the physical nature of the abuse through the documentation of the experiences of battered women. As more information was collected through the involvement of transition house workers, a new expanded definition evolved that included a variety of forms of abuse: emotional, financial, sexual, verbal, physical and psychological. The first stage also includes attempts to gain publicity and legitimation for the feminist interpretation of the issue through public awareness campaigns and the development of theoretical knowledge.

The second stage focuses on the struggle to place the issue on the political agenda and to control both the issue and the direction of the agenda. This attempt to direct the agenda occurred, during the mid 1980s, through the involvement of national women's organizations and government departments in conferences, consultations and committee hearings.

## Chapter V

THE NATIONAL DEFINITION PROCESSThe "Official" Definition of Wife Battering

Aside from the pioneering efforts of battered women, shelter workers and women activists at the community level, significant change occurred during the public definition phase in terms of the identification and conceptualization of wife battering at the central government level. When the Government of Canada along with nongovernmental organizations began to discuss 'family violence' as a major social policy area it signified the beginning of the public definition phase. This public definition phase involved the introduction of the topic in parliament, the establishment of a standing committee, the creation of departmental and interdepartmental structures, and the construction of a national consultative process.

The evolution of the battered women's movement led to a public definition process involving community activists, academics, professionals and government officials. Representatives for nongovernmental organizations and government departments played an important role in the creation, control, management, and transformation of the "official" definition of wife battering and some of the subsequent policies and programs.

In this chapter an attempt is made to document the

various positions and definitions of the professionals, organizations and departments who have been involved in the activity surrounding the construction of "wife battering" as a major social problem. Most of the information examined in this chapter details the activity of nongovernmental organizations and government departments during national consultations and conferences in Canada. The materials and publications examined include government and nongovernment reports, academic books, hansard entries and committee proceedings. This chapter details the historical developments behind the construction of networks and institutions which were used by feminist activists, government officials and professionals to publicly define and produce policies for battered women.

#### Diversity of Feminism

One event that occurred during the 1970s is particularly important in appreciating the diverse nature of Canadian feminism and its organizations. A split occurred within the National Action Committee on the Status of Women (NACSW) during the 1972 convention meeting when a group of women criticized its philosophy (Adamson et al., 1988:65). Their difference of opinion on the objectives of feminism, the issue of co-optation, and the role of the state led to a schism within the feminist organizations in Canada. This philosophical diversity allowed for the emergence of

distinctive feminist organizations in Canada. The women who opposed many of the NACSW objectives formed a 'radical caucus' of women (Adamson et al., 1988:65). Eventually, what occurred was the establishment of distinctive liberal and radical feminist organizations in Canada. The label 'radical' at that time referred to those women who rejected the NAC's belief in the liberal-democratic system (Ibid, p.65). The radical current of feminism turned towards the creation of social and political alternatives to address women's subordination. In particular, this strand of feminism concentrated on the issue of violence against women as an indication of 'systemic violence' (Adamson et al., 1988:65). However, during the late 1970s to early 1980s, the liberal feminist current of the women's movement, embodied in such agencies as NACSW and Canadian Advisory Council on the Status of Women (CACSW), managed to gain public prominence and a form of hegemony over the political process and feminist involvement (Adamson et al., 1988:71). Paul Rock (1986) also found that the most prominent faction of the feminist movement appeared to be that which sought change for battered women by working together with government departments following the path of co-optation. There was and still is another faction of the feminist movement that has sought social change by pushing the 'radical' feminist agenda through the mass media and educational channels. By publishing material and speaking out on women's subordination proponents of this feminist

perspective do not work within the government to seek change but attempt to influence public understanding of the issue and suggest a fundamental restructuring of the social institutions.

The split within the feminist perspective into grassroots and institutional feminism has led to the entrenchment of radical and liberal perspectives in Canada. These strands of feminism focused on different issues within the women's movement. For instance, it was the radical strand that was more concerned with the broad topic "violence against women". They developed political organizations, like Women Against Violence Against Women (WAVAW), to lobby and protest against male violence (Adamson et al., 1988:72). The early strategy of the radical feminist movement focused on protest marches and rallies to denounce violence and oppression against women. However, women battering was only one type of violence that concerned the radical feminist movement.

The term "co-optation" emerged as a dividing factor for feminist groups in the early family violence discussions sponsored by the United Way in Vancouver (Barnsley, 1985). The debate over the role of the state in addressing women's issues has continued for many years and still poses difficult questions for feminist organizations as to the best choice of methods to achieve the greatest gains (for example, Ursel, 1991).

Feminist work on the issue of battered women progressed

from consciousness-raising and informing the public about the existence and nature of women battering to political action aimed at changing the structures of society that perpetuated it (Walker, 1990:24). The development of the battered women's movement can be characterized by a process of development from grassroots feminism to institutional feminism in which diverse organizations emerged, but two national organizations (CACSW and NACSW) held political hegemony over institutional feminism.

#### The Royal Commission on the Status of Women Report

The Government of Canada became directly involved in issues of concern to women in 1970 when the Royal Commission on the Status of Women (RCSW) tabled a report in the Canadian Parliament. The Royal Commission on the Status of Women was set up on February 16, 1967 with the following terms of reference: "inquire into ... the status of women ... to ensure for women equal opportunities with men in all aspects of Canadian society" (Status of Women Canada, 1975:1). The primary purpose of the RCSW was to translate women's issues into policy and provide an agency that would monitor government initiatives that directly affected women. The mandate of the RCSW was very broad in nature, but a number of important networks or structures were established as a result of the report:

The study by the Commission not only clearly defined the economic, political and legal status of women and

identified their needs, it also made it possible to draw up guidelines for future actions to be taken by both women's organizations and by governments (Status of Women Canada, 1975:1).

The idea of a Royal Commission originated when representatives from 20 women's organizations convened in Toronto in 1966 to review the situation of women in Canada. The women attending the meeting felt that more information was required so they recommended that the federal government appoint a Royal Commission to report on the matter. An Ad Hoc committee was created that was comprised of diverse women's groups. Following the publication, in 1970, of the RCSW report, the ad hoc committee continued to lobby government ministries to implement the RCSW's recommendations as it found that the report had been neglected by the government (Rock, 1986:228). The RCSW report mentioned the topic of violence against women only once, but the report did lead to the appointment of a minister responsible for the Status of Women within the Privy Council Office. The creation of the SWC office led to the formation of an Interdepartmental Committee whose mandate was to study the report and recommend a strategy for implementing the recommendations (Status of Women Canada, 1975:1).

The NACSW, which grew out of the meeting in Toronto in 1966, is a nongovernment organization, an umbrella structure for many different women's organizations. It has had considerable influence lobbying on behalf of women at the national level. The NACSW has been involved in a number of

activities to improve the situation of women. Its mandate is pursued through the publication of a monthly journal, the planning of an annual meeting in Ottawa and the lobbying of Parliament (Rock, 1986:229).

The NACSW is composed of rather diverse voluntary organizations whose common commitment is to women. 'Violence against women' was one topic that the NACSW became marginally involved in. As Paul Rock notes in his analysis of the Solicitor General Ministry and the victim's movement of the early 1980s:

The NACSW has not done much about gross assaults on women. A perusal of its publications and accumulated policy recommendations reveals that it has become engaged with the problem of physical attacks recently, peripherally and outside the context set by the victims of crime (1986:230).

Of the annual policy recommendations and resolutions adopted by the NACSW the majority concentrate on employment, discrimination, human rights, income tax, income support, family law, and family planning or abortion. A mere 10 resolutions have been adopted with respect to violence against women over the ten year period from 1972 to 1982 at the annual NACSW conventions (Rock, 1986:231).

The impact of NACSW has not been achieved through the direct lobbying of government. Its contribution has been more in terms of creating an environment for the discussion of specific problems which affect women under the general guise of 'violence against women'. For example, Lorene Clark and Debra Lewis wrote and spoke on behalf of the NACSW about the

issue of rape from a feminist perspective during the mid to late 1970s. The NACSW began to study and became involved in other related issues that were of interest to women, in particular, their participation on the federal government Interdepartmental Committee on Family Violence (IDCFV). While CACSW has done more work on the topic of wife battering than the NACSW, both organizations have shaped federal policies related to wife battering.

### State Feminism

The Royal Commission on the Status of Women established the first formal structure in government which translated women's issues into policy and provided an agency that would monitor government initiatives that directly affected women. Initially, when the Prime Minister endorsed the RCSW report and gave priority to its recommendations he appointed (in March of 1971) a person within the Privy Council to ensure a coherent response to the report (Status of Women Canada, 1975:1). This appointment eventually led to the establishment of the Status of Women Canada (SWC). Founded in 1972, the Status of Women Canada office was designed to co-ordinate the recommendations of the Royal Commission on the Status of Women. In 1976, Status of Women Canada was enlarged and detached from the Privy Council (Rock, 1986:237). The mandate and responsibilities of Status of Women Canada shifted from the implementation of the RCSW report to the continuous

monitoring of federal government policies as they related specifically to women.

Status of Women Canada developed a unique position within the federal government; "it has no direct power to devise and execute policy, but it does have an impressive mandate to exert vicarious influence" (Rock, 1986:238). This federal agency provided an important avenue for women's groups, such as CACSW and NACSW, to formulate and influence policy related to women. The SWC continually managed and reminded federal departments to include or consider women in their policy proposals. Special advisory positions were also created within existing departments such as Solicitor General, National Health and Welfare, Treasury Board, and Manpower and Immigration.

Increasing pressure by a number of lobby groups both inside and outside government resulted in the adoption and publication of a national plan of action regarding women and equality. The federal government's commitment to the United Nations World Plan of Action for Women in 1975 spurred government activity. The resultant document, entitled Toward Equality for Women, was released by the office of the Status of Women Canada in March, 1979. This formal commitment to women obliged federal ministries to submit plans for the implementation of the recommendations contained within the report. Among the recommendations was a commitment to undertake a study of violence against spouses and women,

violence in the family, and crisis assistance in communities (Status of Women Canada, 1979:12). The Department of Justice, the Solicitor General, and Health and Welfare were given the lead research role to undertake a co-ordinated and comprehensive study.

The federal government's commitment to participate in the United Nations World Plan of Action for Women in 1975 and the declaration of the Decade for Women (1975-1985) indirectly marked the beginning of a Canadian government response with respect to 'family violence'. The development of a Canadian plan of action involved the creation of a few working groups, including one on family violence. Eventually, the activity of this working group led in 1979 to the creation of the Interdepartmental Committee on Family Violence (IDCFV) as the Canadian plan of action became a major mandate for the government (Rock, 1986:242). The 1975 working group recommendations formed the government's first mandate with respect to family violence.

The "improper" conceptualization, from a feminist perspective, of wife battering was present from the outset of the federal government's involvement. The eventual demise of the IDCFV can be traced back to a working group that was given the responsibility of developing the federal government's endorsement of a plan of action concerned with domestic violence in 1975. The mandate of the working group was not clearly articulated from the beginning. The initial focus of

the working group was an investigation of "situational facilitating factors and on the source of structural stress with particular emphasis on family 'pressure points'" (Rock, 1986:246).

The initial mandate of the Canadian working group created to study family violence for the 1975 United Nations World Plan of Action was later transformed into a plan of study on violence against women by three federal departments: Health and Welfare, Solicitor General and Justice. The three federal departments approached the wife battering topic within the preconceived notions related to violence, victims, and families. The respective mandates of each department predetermined the way in which the problem was to be understood. For example, Health and Welfare was already concerned with the whole range of family problems: child abuse, child neglect and elder abuse. Its claim to ownership of the wife battering issue was thus portrayed as a "natural" extension of its administrative focus on the family (Rock, 1986:245). According to the federal government, women's interests could only be served by ensuring that in addition to the three federal departments a representative from the Status of Women Canada be included within the IDCFV (Canada, 1984:34). The interdepartmental committee's success was threatened by the disagreement among committee members over conflicting definitions, the type of research projects undertaken, and the need for accommodation of bureaucratic

interests and prevailing feminist ideology. Eventually, the IDCFV dissolved because representatives and bureaucrats disagreed on most issues and were reluctant to cooperate on "controversial" initiatives.

The Interdepartmental Committee on Family Violence (IDCFV), established on March 26, 1979 and abandoned on May 21, 1981, was one example of the federal government's attempt to coordinate its policies on family violence. During its stormy existence, this structure did not provide a unified response; it merely highlighted areas of contention between conflicting mandates (most notably those offered by the Solicitor General, Health and Welfare, and Status of Women Canada). As Paul Rock comments:

From the start, there were signs of strain within the Committee. It was a body that had been required to absorb and reconcile a mass of conflicting politics and ideas.... It was apparent from the beginning that there were pervasive problems of definition, discourse, approach, and ownership (1986:252).

This committee's internal struggles accentuated the difficulty of attempting to control and manage the public definition of a social problem. Competing mandates, political interests, and ideological differences materialized during the consultative process. In essence, there were three major problems that led to the demise of the IDCFV: 1) large government departments did not have the same goals as the women's movement; 2) even among the government departments there were competing and divergent perspectives, responsibilities and discourse; and 3) Status of Women Canada

did not have any authority to execute policy (Rock, 1986:263). These problems have continued to complicate the incorporation of the feminist perspective into government policy.

The topic of 'family violence' meant something very different for government departments and for women's organizations. Usually 'family violence' was used by policy analysts within federal departments to refer to the wide range of violence experienced by family members: child abuse, elder abuse, spousal abuse. When women's organizations referred to family violence they normally were attempting to focus on the more specific problem of wife battering. The struggle over the conceptualization of this problem became a pivotal area of activity as departments formulated policy positions. Women's organizations, such as CACSW, were concerned that the premise of federal policies on family violence did not adequately reflect their sense of the true nature of the problem and they wanted to ensure that women's groups had a 'legitimate' voice on the matter (MacLeod, 1980a, 1980b, 1989a, 1989b).

Based on an examination of the parliamentary records of the proceedings of the House of Commons, the topic of violence against women was relatively absent from the discussions until April 14, 1980 when violence against women was mentioned in the Speech from the Throne as a government priority. The Speech from the Throne was the first formal commitment given by the federal government. In his speech, Prime Minister Pierre Trudeau referred to impending legislative amendments

and improvements to services for victims of violence:

....the serious problem of violence against women [will be] ... addressed along with other amendments to the Criminal Code, and efforts will be made in concert with the provincial and territorial governments to improve health and social services for women who are victims of violence (Hansard, April 14, 1980:5).

Insofar as statements in the House of Commons concerning women, the majority focused on general issues of women's equality, International Year of Women, and employment equity. Quite exceptionally, the Right Hon. Joe Clark made a statement about violence against women on October 18, 1979:

In the social realm, the abuse of women both inside and outside the family is something that must be rectified .... We intend to do our part by rationalizing the sexual assault offences and by calling on the provinces to do their part in relation to the administration of justice in the matter of violence against women. The Interdepartmental committee on family violence is working towards a national consultation to find solutions to the problem of family violence, of whom the chief victims are women (Hansard, October, 18, 1979:365).

Although the topic of battered women was addressed within the general terminology of violence against women and the victim's movement, the inclusion of battered women in the 1980 Speech from the Throne set the stage for several commitments which were to follow in later years. Of particular interest was a private member's motion by Hon. Robert Howie on February 13, 1981. In his motion to parliament he called on the federal government to empower a Standing Committee to:

... examine, inquire into and report from time to time appropriate measures for the prevention, identification, and treatment of abused persons involved in interfamily (sic) violence and in particular, without limiting the generality of the foregoing, to address the issue of battered wives and dependents and for such other measures

in the same matter as the committee may consider desirable (Hansard, February 13, 1981:7239).

The motion presented by Hon. Robert Howie reiterates information from the (1980) CACSW report Wife Battering in Canada: The Vicious Circle. Although the Hon. Robert Howie called attention to the federal government's commitment in the area of child abuse, his motion did indicate a need to investigate the issue of battered women separately from the general family violence research. This motion initiated an inquiry into family violence by the SCHWSA (Standing Committee on Health, Welfare and Social Affairs). Government officials contended that public awareness would be heightened by a Parliamentary discussion of matter of wife battering (Canada, 1984:1).

The SCHWSA was chaired by Marcel Roy and tabled its final report on May 6, 1982. The 17 recommendations were based on information gathered from feminist groups, government researchers, consultants, and police departments (Standing Committee on Health, Welfare and Social Affairs, 1982:31). The recommendations ranged from rearrangements in federal/provincial responsibilities to the improvement of police training and services for battered women. The SCHWSA report encouraged government activity in the development of policies and research on police and judicial training, funding of shelters, legislative amendments, and public education campaigns.

Another significant motion was passed in parliament on

July 8, 1982 by the Hon. Arnold Malone:

That this Parliament encourage all Canadian police forces to establish a practice of having the police regularly lay charges in instances of wife beating, as they are inclined to do with any other case of common assault (Hansard, July 8, 1982:19120).

His motion on the development of an aggressive charging policy was unanimously passed in parliament. Following this motion, a letter from the Solicitor General was sent on July, 1982 to the Executive of the Canadian Association of Chiefs of Police encouraging police forces to lay charges in wife assault cases (MacLeod, 1987:82). Subsequently, the RCMP developed a national charging policy in February, 1983 (MacLeod, 1987:82). The development of mandatory charging guidelines along with amendments to the Criminal Code and the Canada Evidence Act in 1983 signified an important change in the criminal justice response to wife assault.

As the battered women's movement continued to raise awareness at the community level in many of the major Canadian cities, national organizations and associations were forming mandates and strategies which would advance the issue of battered women within the federal political arena. National consultations between provincial and federal governments, nongovernmental organizations, and community agencies were developed during the late 1970s to early 1980s to discuss programs and policies related to the prevention of women battering.

Despite the highly politicized contest over the official

definition, administrative jurisdictions and research fund allocations, violence against women was not a major issue for the Canadian government or nongovernment organizations until CACSW published Wife Battering in Canada: The Vicious Circle in 1980. The 1970 Royal Commission on the Status of Women (RCSW) report, however, had far reaching consequences for the institutionalization of the women's movement in Canada. The Status of Women Canada and the Canadian Advisory Council on the Status of Women both grew out of the RCSW report (Canadian Advisory Council on the Status of Women, 1979:6). Its recommendation number 166 called for the establishment of the CACSW, an agency which would report directly to parliament. However, the terms were slightly altered in that the CACSW was later asked to report through a minister (Ibid, 1979:61). This deviation from the original recommendation has created a quasi-government organizational function for the CACSW.

The Canadian government's endorsement of the UN designation of 1975 as the International Year of Women signalled the first formal commitment to women's issues. A national plan of action was drafted and commitments were undertaken. As Paul Rock comments: "the departments of the federal government had moved into policy-making for women, the International Year being the symbolic marker that furnished ideological and organizational bases and women [-] power to tackle ... problems of women" (1986:225). Federal departments were to provide policies inclusive of women's issues. Their

mandates were widened to develop more representative policies. As a by-product, this commitment set in motion activity with respect to programs and policies on family violence, wife battering, and spousal assault.

Although the issue of battered women was one of many topics of interest to the women's movement, the new formal avenues (i.e., NACSW, CACSW, SWC, and the implementation of the UN declaration) permitted activists to push the issue onto the government agenda. An excerpt from the statement of the Hon. Mr. John Munro, M.P. for Hamilton East confirms the commitment towards realigning government priorities to include the development of policies important to women:

Recognition of society in general of women's changing status is a pre-requisite of true equality. The government is developing its program to celebrate Women's Year in 1975 .... An inter-departmental committee has been meeting and a special secretariat established. Consultations will be undertaken with provincial governments and nongovernment organizations. The main element will be a series of regional and national conferences as well as an informational and educational campaign involving the public media (Hansard, February 27, 1974:188).

This statement from a representative of the government reveals how special mechanisms were devised and priorities were realigned by the federal government to respond to the international pressure. The events prior to 1975 signalled the beginning of the federal government's involvement in family violence and wife battering as its sub-category. The further pressure from the NACSW, the UN declaration, and the CACSW resulted in new avenues for placing the issue firmly

within the government mandate.

In response to the grassroots activism of the women's movement during the early 1970s, nation-wide feminist institutions like the CACSW, the NACSW and the National Association of Women and the Law were created in order to move the feminist agendas forward (Adamson et al., 1988:62). These organizations developed a unique relationship with government departments through their involvement in national consultations, committee hearings and the development of their publications and research.

#### The CACSW Reports on Wife Battering

The Canadian Advisory Council on the Status of Women (CACSW) was formed in 1973 on the recommendation of the 1970 Royal Commission on the Status of Women in Canada (CACSW, 1979:6). The mandate of the CACSW is to advise the federal government and inform the public on matters of interest and concern to women (CACSW, 1991:i).

Violence against women, more specifically wife battering, became a major focus of study for the CACSW when requests were made by transition house workers and women across Canada to investigate the situation (MacLeod, 1980a:1). The CACSW decided to launch a research project on wife battering after meeting in June, 1979. The CACSW research project was guided by a desire to ensure that the victim's perspective became a focal point in any attempt to prevent the problem.

Information was collected from a survey of transition house representatives across Canada.

The first report, Wife Battering in Canada: The Vicious Circle (MacLeod, 1980a), fulfilled the double mandate of pressuring government and informing the public. As part of the strategy of making wife battering a public issue and recommending legislative and administrative changes, the CACSW followed up the publication of the book with a consultation on wife battering (Walker, 1990:39). According to the Walker (1990), the aim of the consultation was to give battered women and women who provide support services to them a voice in the process of deciding federal government action (Ibid, p.39). The consultation occurred because of an internal strategy by feminists in the bureaucracy to undertake movement work while being funded by the state (Ibid, p.39). Questions, concerns, and suspicions were raised by representatives of the women's movement concerning the intentions of the CACSW and their relationship with the government (Ibid, p.39). These concerns were addressed by placing influential movement women and government women in key organizing roles and advisory posts. Their position within government departments and quasi-government organizations improved the ability of movement women to influence and shape the federal government response and recommendations.

The information collected for the 1980 CACSW report was used to provide a comprehensive definition of wife battering

from a feminist perspective. For Linda MacLeod, and the CACSW by implication, wife battering was not to be understood in pathological or personal terms it was a social problem that was far-reaching and perpetuated by social institutions and prevailing belief systems. One of the first accessible and public conceptualizations of wife battering was the operational definition used in The Vicious Circle: Wife Battering in Canada:

wife battering is violence, physical and/or psychological, expressed by a husband or a male or lesbian live-in lover toward his wife or his/her live-in lover, to which the 'wife' does not consent, and which is directly or indirectly condoned by the traditions, laws, and attitudes prevalent in the society in which it occurs (MacLeod, 1980a:7).

It is very interesting to note the broad nature of the definition as it refers to any form of physical or psychological violence against a female victim in any type of marriage, 'common-law', or domestic partner relationship. The other interesting aspect of the definition is the emphasis on condoning violence through traditions, laws, and attitudes in society. In essence, this definition conveyed a message that battered women experienced a combination of two types of violence: personal and institutional.

The primary focus of the study is on the frustrations, dilemmas, and barriers women experience. Additionally, MacLeod made claims about the nation-wide incidence and characteristics of wife battering in Canada from statistical reports, verbal information and case histories submitted by

transition house workers (MacLeod, 1980a:9). Studies and statistics from the United States of America were also used throughout the paper to support Canadian studies and statistics, but occasionally the American information stood alone when no Canadian information was available (MacLeod, 1980a:9). Linda MacLeod cautioned that the statistics only represent a snapshot of battered women because the information was based on those women who sought shelter in transition houses during 1978 (1980a:21). The information collected by Linda MacLeod presents the following picture: wife assault is rarely a one time occurrence, it is frequently severe, battered wives can become homicide victims (according to police statistics of the 107 reported murders in immediate families in Canada in 1975, the wife was killed by the husband in 49 cases, but the husband was killed by the wife in only 8 cases), 70% of wife battering incidents occur between 5:00pm and 7:00am, and battering often occurs during pregnancy (MacLeod, 1980a:9-11). In addition, MacLeod estimated that every year 1 in 10 Canadian women who are married or in a relationship with a lover are battered (MacLeod, 1980a:21).<sup>2</sup> The 1 in 10 statistical figure became frequently cited in many subsequent Canadian studies and reports. It allowed activist

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<sup>2</sup> The incident rates were not developed from methodologically sound research guidelines. The estimates were extrapolated from a number of assumptions concerning nonreporting and under-reporting rates. The one in ten figure provides an example of how rhetorical statements warrant considerable attention from the public and policy-makers.

and lobby group representatives to rhetorically quantify, justify and validate their concerns related to the problem of wife battering.

The first-hand knowledge and information gathered from transition house workers and battered women quickly pointed out that no causal model will account for the multi-dimensional problem of wife battering. Therefore, a very wide frame of reference and definition of wife battering was developed during the late 1970s and early 1980s. Linda MacLeod suggested two steps which should be taken in order to diminish the incidence of wife battering:

- 1) the family must be re-examined as an institution embodying traditions, beliefs, expectations and roles that perpetuate and sanction violence against women in the family; and 2) the family as an institution must be explored in the context of other institutions ... which reinforce the social acceptance of wife battering (1980a:26).

Linda MacLeod uses this type of feminist framework in her analysis of the prominent theories of causation of wife battering. She insists that it is important to remember that the treatment models and the theories which support them must be evaluated:

Wife battering is so deeply rooted in our society that the treatment itself frequently perpetuates the problem. The treatment and the beliefs about the causes of wife battering which are behind these treatments must also be recognized as part of the problem of wife battering - part of the psychological battering women experience when they ask for help to stop the battering (MacLeod, 1980a:22).

An examination of the common myths propagated by legal, medical or social service institutions reveals how they

perpetuate a family image that condones violence against wives (MacLeod, 1980a:8). Some of the theories and beliefs that support the traditional family image are based on an assumption of causal relationships stemming from correlations between wife battering and the following factors: alcohol, mental illness, natural male aggression, victim precipitation, intergenerational violence, status imbalance, alienation, inability to communicate, stress, or social pathology (MacLeod, 1980a:22-26). While these theories have been recognized in the research community, feminist theorists criticized their failure to account for the issue of gender and the impact of social institutions.

The second CACSW report, published in 1987, and also prepared by Linda MacLeod, gave an updated overview of the problems experienced by the shelter movement from 1980 to 1985. This second report offered a thorough discussion of practical options in terms of prevention strategies, criminal justice responses, enhanced services and community supports. Information collected in the second report reveals how transition house representatives changed their philosophy, approach and strategies over the years on the prevention of wife battering and the services for battered women.

In the second report, Linda MacLeod highlighted the need for continual evaluation and a battered women advocacy approach. She emphasized that wife battering was a very complex problem and suggested that past attempts to

"individualize" the problem by service providers have confounded the solutions. Early treatment approaches were based almost entirely on psychological models which focused on treating the individual symptoms not on improving social structural, gender or power dynamics. The shifts in service programming and in the ideology which underlies them have changed the orientation from a "crisis" to a "preventive" focus. Service providers' early attempts to prevent wife battering were undermined by a narrow treatment approach and by the variety of definitions, conceptions and perceptions of what constituted "wife battering". Transition house workers and other service providers have improved their provision of services to battered women by reaching out to the entire range of battered women in the community (e.g., low income, upper income, aboriginal, with various religious and immigrant backgrounds, those that return to husbands and those that do not wish to return). According to MacLeod, service provision for battered women changed and improved over the years as their needs became primary and the politics of feminism became secondary:

At one time it was politics, an ideology of empowerment and feminism that held us together and kept us going. Now we focus more on the service, the quality of the service, and how well it meets the needs of the women. We haven't given up our feminist ideals, but we feel we have to provide a really professional service to gain the trust and support of battered women and of the community (MacLeod, 1987:54).

Transition house workers, in conjunction with other service providers, developed more professionalized services for

battered women and their families to gain the support and trust of battered women and the community. Government support increased and relationships between services improved. Originally, the first two types of shelters, feminist-based and religious-based, were diametrically opposed. Eventually, these two types of shelters moved closer together ideologically and practically:

Many church-based houses have become more secular and more focussed on the particular problems of battered women. Eleven per cent of these houses explicitly said they had become more feminist. Conversely, most of the houses which saw themselves as feminist, although they have not abandoned their feminist convictions, had made concessions in their terminology, public explanation and education of the issue, and counselling of battered women to ensure that they were more in tune with the women in their communities (MacLeod, 1987:55).

The growing emphasis on professionalism has led to more comprehensive provision and referral networks. A majority of shelters now provide multi-faceted programming that include social, financial, legal, health, housing, crisis and follow-up counselling. MacLeod argued that specialized services provided by experts (psychologists, etc.) often perpetuated the victims' entrapment in ambivalence by suggesting that "they know best" (MacLeod, 1987:13). This type of service provision by social service and psychological professionals hindered the development of operational definitions that adequately reflected the experiences of battered women (MacLeod, 1987:13).

Service providers, policy-makers, and program coordinators gradually recognized that wife battering was a

very complex and multi-dimensional problem which required the development of a wider and expanded definition. While the definition of wife abuse provided in Wife Battering in Canada: The Vicious Circle (1980a) included psychological violence, the report itself focused on the physical and institutional abuse. Other Canadian reports, such as Wife Battering: A Review and Preliminary Enquiry into Local Incidence, Needs, and Resources which was sponsored by the United Way of the Lower Mainland (Downey and Howell, 1976) and Wife Assault: An Overview of the Problem in Canada which was sponsored by the Toronto Support Services for Assaulted Women (Small, 1980), also focused on the physical nature of wife battering because it was easier to identify and document the experiences of battered women as physical rather than psychological in nature. The psychological abuse was mentioned during the late 1970s and early 1980s, but it was difficult to clarify its exact nature and communicate it to the public:

The emphasis on physical violence, sometimes to the exclusion of psychological violence, was not generally a sign of insensitivity, but rather a conscious decision to deal with the physical dimension because it could be life-threatening and because it was through the physical battering that battered women could be most readily identified and helped (MacLeod, 1987:14).

The definition contained in the 1987 report not only recognizes the physical nature of wife battering, but also emphasizes the psychological violence as a legitimate concern (MacLeod, 1987:15). Services and programming during the late 1980s have been based on a wider, more comprehensive

definition that includes psychological, sexual, emotional, financial and social abuse. Early in the 1980s, the CACSW highlighted the severity of physical violence that battered women experienced. Public awareness was heightened and government support was received. The following definition was developed by Linda MacLeod, for the second CACSW report, to reflect the diverse nature of wife battering:

Wife battering is the loss of dignity, control, and safety as well as the feeling of powerlessness and entrapment experienced by women who are the direct victims of **ongoing or repeated** physical, psychological, economic, sexual and/or verbal violence or who are subjected to **persistent** threats or the witnessing of such violence against their children, other relatives, friends, pets and/or cherished possessions, by their boyfriends, husbands, live-in lovers, ex-husbands or ex-lovers, whether male or female. The term "wife battering" will also be understood to encompass the ramifications of the violence for the woman, her children, her friends and relatives, and for society as a whole (MacLeod, 1987:16).

Although this definition became more inclusive of the multidimensional nature of the violence, in keeping with feminist demands, it also proved counter-productive because the sweeping claims appear to include a very broad range of phenomena making the concept less distinct.

Linda MacLeod stressed that the shelter movement increased both our understanding and awareness of wife battering, but two problems may undermine these developments: 1) their "intervention" philosophy and, 2) the lack of appropriate funding. These two problems have contributed to some unanticipated consequences of many feminist shelter services.

Throughout the 1987 CACSW report, Linda MacLeod argues that service delivery and prevention goals were being compromised by two developments: rhetoric of restraint and philosophy of autonomy (1987:50). Coinciding with the demand for and proliferation of the expansion of services for battered women has been the development of fiscal restraint policies. This type of political agenda has resulted in competition for resources between services, amalgamation of services, resistance, fear of change and ownership debates (MacLeod, 1987:115). The philosophy of autonomy stressed that the individual must accept full responsibility for his or her actions. This emphasis on ensuring the batterer takes full responsibility for his actions has individualized the problem by diverting attention and responsibility away from the social context (MacLeod, 1987:115). These factors have also detracted from the original goal of addressing the needs of battered women. Linda MacLeod claims that as a result of the emphasis on rhetorical restraint and autonomy, six main policy trends have threatened the goal of prevention:

- 1) Battered women have been portrayed as a homogenous group, but in reality there are different women with diverse problems involved. For example, policies have not included solutions that meet the specific needs of aboriginal, immigrant, or rural women, although they are mentioned routinely. This policy trend feeds into a syndrome which encourages the general public to distance itself from battered

women by assuring that they are "different", "abnormal" or "underprivileged" (MacLeod, 1987:115). 2) The diverse and changing experiences and expectations of many battered women are perceived as an obstacle to the "success" of programs. The latter not only fail to respond to battered women's changing needs, but also often treat their vacillation as a sign of instability or irresponsibility.

3) The lack of long-term financial support for community-based programs by the government places pressure upon the individual communities to support them. Survival of community programs and resources in the long-term becomes dependent upon the stability of the community.

4) Despite the policy-makers' attempts to provide inter-agency coordination, the practical implementation of these attempts seldom occurs, due to the competition and concern over who will control the design and delivery of these services.

5) There is a fear that a commitment to prevention services by the government will merely shift financial support away from crisis services.

6) There is a risk that institutional structures may take on a life of their own. The growing trend towards the development of institutional based programming and services threatens their sensitivity with the needs of victims.

(MacLeod, 1987:115-116)

These unanticipated policy trends and contradictions may

inadvertently have hindered the pursuit of prevention efforts in Canada. Concerns raised by Linda MacLeod focused on funding, institutionalization, competition and control of services, flexibility of services, and conceptualizations of wife battering.

The first report published by CACSW made a strong public and political statement on wife battering. The report conveyed a message that crisis services were to be applauded for their perseverance and pioneering efforts. It also stressed the importance of institutional reform and public education aimed towards the prevention of wife battering. A new perception was forming that wife battering was a crime and it would no longer go unnoticed.

The second CACSW report, Battered But Not Beaten...Preventing Wife Battering in Canada, extended the scope of the previous work by reviewing the progress, assessing some of the official responses, and suggesting alternatives for the future. Linda MacLeod found that the early vision of feminist activists and service providers overlooked the diversity and changing realities of battered women (MacLeod, 1987:4). The complexity and diverse nature of wife battering was stressed throughout the second report. This recognition led to the development of a multi-dimensional perspective and response.

Criminal Justice Response

The conceptualization of battered women within the criminal justice perspective has frequently been communicated through the term wife assault. This conceptualization denotes the criminal nature of the problem since it is constructed within a legal framework. The concept of wife assault infers a message of criminality and implies that an assault against a woman by a male partner warrants legal intervention. The Canadian Criminal Code from 1909 to 1965 contained a special offence of wife-beating. The implication, however, was the victim had to undergo a greater degree of bodily harm than was the case in other assault offences (Small, 1980:7). Since 1983, however, recent legislative changes and criminal justice reforms have focused on ensuring that victims of wife assault are given equal, if not, special protection under the law.

The legal battle to declare the "special nature" of battered women as victims of a crime has occurred primarily over the past fourteen years. Legal activists are divided over the question of whether the crime of wife assault requires a special status within the Criminal Code. The Law Reform Commission of Canada advanced a legislative proposal which recognized the "special risk" to family members by suggesting that assaults committed against a spouse or child should be treated as aggravated assaults (Sheehy, 1987:10). This proposal publicly affirms that assaults occurring within the family may be more serious than other forms of assault

(Sheehy, 1987:11). However, this proposal requires dedicated law enforcement to be successful. The proposal also falls short because the offence is defined in gender neutral terms (Sheehy, 1987:12).

An alternative proposal to the Law Reform Commission suggested that domestic violence requires a substantive offence. By labelling "domestic violence" as a separate offence, the criminal justice system may have more of a deterrent effect (Sheehy, 1987:13). Although this proposal is also gender-neutral, it conveys an important public message denouncing domestic violence as a crime. The Canadian Advisory Council on the Status of Women preferred the latter proposal over the Law Reform Commission proposal mentioned above, but cautioned that battered women may become susceptible to both retaliatory violence by their partners and contempt of court proceedings in the case they refuse to participate in the criminal process (Sheehy, 1987:14).

On July 15, 1982, the Federal Ministry of the Solicitor General sent a letter to the executive of the Canadian Association of Chiefs of Police requesting their support to develop guidelines for family violence cases (MacLeod, 1987:82). This letter represented the first formal criminal justice guideline with respect to wife battering. In February of 1983, the RCMP and the provincial Attorneys General developed a national charging policy for domestic violence cases. Although the law enforcement guidelines are not

legally binding, mandatory arrest policies and evidentiary guidelines ensure that strict law enforcement intervention occurs during suspected spousal assault incidents.

Many of the criminal justice reforms were initiated in response to recommendations made by the Parliamentary Standing Committee on Health, Welfare and Social Affairs (SCHWSA) which reported on May, 1982. Changes to the mandatory arrest guidelines were made because spousal assault cases were not given the same treatment by police and prosecutors as other assault cases. The hidden and particularly dangerous nature of wife assault was not recognized within the criminal justice system until women's groups challenged government institutions to formally declare and respond to this problem as a crime.

This decision to include spousal assault within the prosecutorial guidelines of other types of assault removed responsibility for laying charges from the victims and ensured that their cases would be pursued to final disposition. Initially, this policy was viewed as a positive step towards defining spousal assault as a crime, but it soon became apparent that it also obscured the special nature of wife battering within the category of general assault. Sections within the Criminal Code that pertain to cases of wife assault are as follows:

Section 264	Uttering Threats
Section 265	Assault
Section 267	Assault with a weapon or causing bodily harm
Section 268	Aggravated assault
Section 271	Sexual assault
Section 272	Sexual assault with a weapon, threats to a

	third party or causing bodily harm
Section 273	Aggravated sexual assault
Section 278	Spouse may be charged
Section 810	Sureties to keep the peace

These sections of the Criminal Code along with revisions to the Canada Evidence Act and sexual assault legislation have formally ensured equal protection for both male and female victims. Sexual offenses, including rape, became assault offenses due in great measure to the pressure by those feminist advocates who felt that the change of terms would emphasize the violent aspect of the crime and de-emphasize the sexist attitudes which encouraged defence cross-examinations, evidentiary summations and dismissal based on lack of witness corroboration (Readers Digest Association, 1984). Feminist pressure and lobbying efforts combined with the Charter of Rights and Freedoms equality clause led to the Criminal Code amendments requiring gender neutrality concerning sexual assault. Moreover, the sexual assault legislation led to the removal of the spousal exemption clause which was present in the old rape law.

Statistical reports and surveys have shown that violence against wives occurs much more frequently than violence against husbands and that "spousal assault" is a misleading term because most of the violence is directed towards women. The seriousness of wife assault and spousal homicide has been reported repeatedly. Over the 19 year period from 1974 through 1992, 1,435 women and 451 men were slain by their

spouses (Canadian Center for Justice Statistics, 1994a:2). Spousal homicide represents a significant component of Canadian homicide: the 1,886 women and men killed by spouses between 1974 and 1992 represents 15% of all Canadian homicide victims, 38% of adult female victims and 6% of adult male victims (Canadian Center for Justice Statistics, 1994a:12). In 1989, 76 women were killed by their husbands, compared to 22 men killed by their wives (Canadian Advisory Council on the Status of Women, 1991:6). Desmond Ellis (1987) found that in approximately 82% (565) of the spousal homicides between 1971 and 1981, husbands were the suspects (p.161). Canadian and United States surveys have consistently shown that approximately 11% of women who live with men are abused by their partners in any given year (Ellis, 1987:164). According to the Statistics Canada National Survey on Violence Against Women, 3 in 10 women currently or previously married have experienced at least one incident of physical or sexual violence at the hands of a marital partner (Canadian Center for Justice Statistics, 1994a:1). These survey results and data reveal that violence directed against wives by their partners accounts for a disproportionate amount of all spousal violence and that the problem is quite substantial. Given the data on incident rates, terms such as "family violence", "spousal assault", and "domestic violence" obscure the problem of wife battering, wife assault or violence against women by their partners.

Political activism and divergent professional research have encouraged criminal justice reform. Since 1983, significant change has occurred within the criminal justice system for cases involving domestic violence. Criminal justice developments have centred on areas of legislative and law enforcement reform.

Prior to the early 1980s, research on criminal justice responses was often critical of police mediation techniques and the lack of seriousness in dealing with "domestic" disputes by police. Early studies on police responses to family violence were critical of their refusal to get involved, their avoidance of arrest, and their inappropriate use of nonlegal remedies such as mediation (Fagan, 1988: 160). For example, research by Dutton and Levens on police intervention found that police were typically reluctant to become involved in "domestic" disputes:

in men-women fights where police presence was specifically requested a car was dispatched 53.8% of the time .... in only about 10% of the cases where police service was requested in a family violence situation was a car dispatched on a priority one basis, which is not very often, compared to calls for service on ... breaking and entering, where a car is dispatched virtually 100% of the time (cited in Small, 1980:3).

Historically, police have been reluctant to make arrests when responding to "domestic violence" situations. Police intervention prior to developments started in 1983 was relatively more dangerous to both police officers and battered women because of the lack of relevant police training. The

husband was usually not arrested unless a very serious assault had occurred. Mediation techniques were commonly used only to temporarily diffuse a violent situation. Peace bonds were and still are ineffective in ensuring adequate protection for women and their children. A winnowing process occurred throughout court proceedings because only the most serious cases were followed through to final disposition.

Police investigation and intervention procedures changed in Canada and the United States because of two main factors: 1) political pressure from women's groups and 2) class action lawsuits in the United States. Representatives for women's groups were very critical of police insensitivity and non-arrest practices as well as the indifferent reaction towards wife assault cases by members of the judiciary. Activists for battered women stressed that the criminal justice system should highlight the criminal nature of wife assault rather than condone the social institutions which permit wife assault to occur. In 1980, recommendations from a national women's group consultation reaffirmed the concerns of women activists regarding the crime of wife assault:

One method this group used to publicly redefine wife battering as a woman's issue was to replace the term "wife battering" with the term "wife assault" to emphasize the fact that violence against women in the home is a crime (MacLeod, 1980b:24).

Additional recommendations stressed the need for women activists and transition house workers to play a watch-dog role in the court system and report inconsistencies in the

legal system, the need for alternative sentencing options, the restriction of the diversion of wife battering cases and the development of research aimed at devising more appropriate models of protection (MacLeod, 1980b:31-32).

The second major factor that led to changes in police intervention in the United States and indirectly in Canada were the widely publicized class action lawsuits in New York (Bruno v. McGuire) and in California (Scott v. Hart) (Fagan, 1988:162). These lawsuits were launched on behalf of women against police departments for failing to respond to "domestic disputes". These lawsuits in the United States resulted in improvements in police intervention while responding to "domestic violence" calls. Police department policy was changed to guarantee police response to all reports of violence, including domestic violence. As a result of the class action lawsuits in the United States, Canadian police forces recognized the need for improved police intervention procedures as well.

Specialized crisis intervention teams were developed in major cities and police departments across Canada to respond more effectively to domestic violence cases. Special police teams combine the expertise of police officers and social workers as a preferred response team for "domestic" violence calls. These developments, according to Linda MacLeod, led to improvements in safety for victims, perpetrators, witnesses and police officers (MacLeod, 1987:82-83).

These "special" police programs were developed after mandatory arrest guidelines were issued and amendments were made to the Canada Evidence Act in 1983 (File, 1987:134). The amendments expanded the situations in which a wife (or husband) could be compelled to give evidence against her or his spouse to include offences related to wife battering or child abuse. The crisis intervention programs were first developed in London, Ontario, Restigouche, New Brunswick and Vancouver, British Columbia. The success of these programs attracted a great deal of interest from other provinces and cities in Canada. By 1989, almost every province in Canada developed special crisis intervention teams to improve police responsiveness. These teams either attend to the immediate crisis or they provide follow-up services with the help of volunteers and social workers. The development of the specialized crisis intervention teams temporarily resulted in more arrests and charges being laid for domestic assault and increased safety for police officers, victims and offenders. Following the implementation of specialized police programs, a dramatic rise in charging rates never sustained itself as the rates soon began to fall back to original levels (File, 1987:135). Nevertheless, crisis responses were improved in some Canadian cities, because trained social workers worked alongside police officers to observe and intervene in violent situations.

Research on criminal justice developments during the mid

1980s has led to confusing conclusions over the relevance of criminal justice policies (Loseke, 1989; MacLeod, 1987; File, 1987; MacLeod and Picard, 1989). Activists working for women's groups who insisted on prudent criminal justice reform from the outset have now forewarned representatives working within the criminal justice system that overly aggressive developments deny battered women's experiences and/or do not allow adequate flexibility (MacLeod, 1987; MacLeod and Picard, 1989; File, 1987).

Representatives working for battered women began re-examining the role of the state and what impact state intervention and control has in determining private issues involving battered women. Women activists were concerned that public control over battered women coerced them to accept criminal justice intervention and definitions regardless of their intentions:

"Participation in the criminal justice system wasn't presented to me as a right. It was an obligation. I was made to feel that I had no choice if I wanted any other kind of support or help" (MacLeod, 1989a:8).

MacLeod (1989a) argued that the reliance on the criminal justice system to provide protection for battered women produced negative consequences. The controlling, punitive and stigmatizing presence of the criminal justice system made it difficult to deal with the individual characteristics of each case properly (MacLeod, 1989a:18). The concern about an overzealous criminal justice response led to the recommendation of frequent evaluations and monitoring of the

criminal justice developments. The expansion of services and policies to prevent wife battering appeared to have occurred without evaluation standards. During the late 1980s, feminist activists and academics began to evaluate and question prior policy and service developments. It was a period of re-examination and questioning.

The criminal justice developments in the 1980s attempted to provide more protection and a clear statement denouncing wife battering as a crime, however, they also led to the abrogation of the victims perspective. Patricia File cautiously measures the success of the criminal justice developments:

The criminalization of wife battering not only increases state intervention in families, and state control over the victim's actions, but it also pursues the "problem" in a way defined by the legislator which can deny the woman's experience and concerns and place additional pressure on her to redefine her problem in a way that can be dealt with by the criminal justice system, to "cooperate" with the system, and ultimately to accept the mandate of the criminal justice system to focus on the offender, and to attribute successful disposal of the problem to the criminal justice agents.

(File, 1987:136)

The criminal justice developments during the 1980s led to some fundamental concerns. Although the law played, "an important symbolic function in publicly affirming the criminality of wife battering", it did not allow battered women enough options (File, 1987:137). Information obtained through interviews with battered women revealed that they approved of criminal justice alternatives if prevention, protection, and treatment were stressed instead of punishment

(File, 1987:137). In essence, they expected the criminal justice system to be supportive, constructive, and sensitive to their needs and their abusive partners.

Research on the efficacy of police intervention techniques and mandatory arrest policies have shown that recidivism rates decrease with the availability of a comprehensive response program (mandatory arrest, court mandated treatment programs, public education campaigns, etc.) (Dutton, 1987). One of the best examples of a community-based criminal justice model was developed by the community of London, Ontario. The success of this community model was based upon an inter-agency co-operation among police, courts, transition houses, and social services (File, 1987: 138).

Initially, advocates working on behalf of battered women insisted on victim oriented programming and victim participation in sentencing processes. While the criminal justice system was only to be used as a last resort by some battered women, advocates argued that it should be an integral part in the prevention of wife battering.

The highly visible role of the criminal justice system influenced the public perception of wife assault as a crime. With increasing bureaucratization and government control, however, advocates working for battered women began to question whether the benefits outweighed the consequences:

While there is widespread support for a strong societal message that wife assault is a crime, those working to prevent wife battering are beginning to ask whether the use of the criminal justice sanctions as a major social

response to stop violence and to change public attitudes is too heavy-handed an approach to the problem (MacLeod, 1989a:8).

Robert Elias (1991:40) contends that victim participation in the criminal justice system may further alienate and frustrate victims. Meaningful victim participation may be difficult in conventional sentencing-based programs (plea-bargaining, parole hearings) because victims are generally excluded from or have a negligible impact on sentencing outcome (Elias, 1991:40). The participation of victims in the sentencing process may be counterproductive to the extent that it delays their psychological healing (Elias, 1991:49). According to Elias, alternative sentencing options appear to provide promise because mediation and alternative dispute resolution may empower victims by preventing further victimization and by allowing victims more control over the entire process (pp.50-51).

Family violence was identified as an important and complex phenomenon confronting the criminal justice system during the late 1970s and early 1980s. Feminist activists have exerted pressure on the criminal justice system to protect victims of crime and treat violence against women as a serious crime (Fagan, 1988:160). Eventually, the criminal justice system responded by developing specialized police training, gender sensitive training for judges, mandatory arrest guidelines, revisions to the Criminal Code, and alternative sentencing options. Presently, the criminal

justice system has entered a stage of re-examination and evaluation. Victim programming has remained an important component within the criminal justice response. Some provinces have expanded their powers to allow for the removal of the abusive husband from the family home and increased use of alternative sentencing options, including electronic monitoring.

#### Summary

Chapter V examines the development of the public definition process. This includes an historical analysis of the institutional structures and networks created by the federal government and the national nongovernment organizations.

An attempt was made to trace the origins of the "family violence" topic as it emerged as a major social policy area. Through the selective positioning of feminist activists and government officials, "family violence" and "violence against women" materialized as an important social issue on the political agenda. Negotiations and struggles were apparent during the consultative process. Competition among political and ideological adversaries led to the development of alternative frameworks and conceptualizations based on their respective mandates.

Starting with the federal government's endorsement of the

United Nations World Plan of Action for Women in 1975, the topic of wife battering entered into the public definition process. Special departmental and inter-departmental structures were established as a result of this initiative. Paul Rock provided an excellent account of the political maneuvering amidst conflicting departmental mandates.

Divergent perspectives emerged during national consultations and committee hearings. The frameworks which were identified include: the general victims movement, the family violence perspective, the spousal abuse, the wife battering approach and wife assault position. The amalgamation of issues under gender neutral terms and the insertion of other forms of violence under broad definitions such as family violence or domestic violence proved highly contentious.

Through the CACSW and NACSW, a feminist perspective of wife battering was developed and pushed forward onto the national social policy agenda. Once established within the political apparatus, feminist activists struggled to control the public definition. The two CACSW reports (MacLeod, 1980a and MacLeod, 1987) clearly articulated a feminist perspective based on the experiences of transition house workers and the battered women who sought refuge. The early CACSW perspective highlighted the criminal nature of wife beating, accentuated the frequency of its occurrence and provided a scathing criticism of institutional and professional arrangements which

allowed for the perpetuation of wife battering. The second CACSW report provided an updated overview of the sheltering movement and carefully evaluated the progress as well as unanticipated consequences of government programs, reforms and policies. The proliferation and diversity of services through processes of professionalization, specialization and institutionalization have altered the early feminist vision of the shelter movement, while contributing to competition and ownership debates over the issue.

The criminal justice response was actively pursued by women's groups and feminist activists as a viable and necessary option. The change from the domestic violence to wife assault perspective stressed the criminal nature of the behaviour, however, this led to a number of unanticipated consequences (e.g., loss of control by battered women over the definition of the problem and lack of flexibility). Perhaps inevitably, the criminalization of wife battering increased state intervention and control over families and battered women themselves. Feminist activists began to recognize the implications and consequences of their alliance with the governments in the pursuit of a solution to the wife battering problem.

## Chapter VI

THE CONSULTATIVE PROCESS BEHIND THE CONSTRUCTION  
OF AN "OFFICIAL" DEFINITIONIntroduction

In the sixth chapter, I have chosen to examine and summarize documents which specifically highlight policy-making activity involving government officials, nongovernment officials, criminal justice personnel, social service personnel, academics and activists during consultations, conferences or committee hearings from 1979 to 1989. The documents I have selected include briefs prepared by Status of Women Canada (1979a), the Canadian Advisory Council on the Status of Women (MacLeod, 1980b), the Solicitor General (1980), the Canadian Advisory Council on the Status of Women (Lewis, 1982); a report submitted by the Standing Committee on Health, Welfare, and Social Affairs (1982); a report by the Federal-Provincial Task Force on Justice for Victims of Crime (Canada, 1983); a report written during the Federal/Provincial/ Territorial meeting of ministers responsible for the Status of Women (Canada, 1984); and a report detailing the Proceedings of the National Forum on Family Violence (Canada, 1989a). Although these reports are not an exhaustive documentation of all policy-making activity related to this topic, they do provide a representative body of information to substantiate policy trends and conceptual changes.

The participants attending these consultations were normally selected by government officials who worked for the Status of Women Canada office or an interdepartmental planning committee and were chosen to express a wide range of views of service providers, activists, and other professionals who have been involved in research and services for battered women. The selection process which determined the participants attending the conferences was generally representative of the field of "experts" who worked with battered women; however, some feminist groups (LEAF, DAWN, NACSW) and some professional organizations (CPA, CASW, CCJA) have objected to the conference mandates from time to time. For example, the National Action Committee on the Status of Women (NACSW), the Disabled Women's Network of Canada, the Congress of Black Women of Canada, and the Canadian Association of Sexual Assault Centres withdrew their support from the 1991 National Panel which was set up to examine ways to reduce violence against women (Leader-Post, 1992:p.F6). These four groups did not believe that the committee members on the panel represented immigrant, handicapped or visible minority women. They protested that panel members did not share decision-making powers with the other women who represent the visible minorities (LeaderPost; 1992:p.F6).

Many of the same participants or "experts" attended and were frequently cited in many of the same consultative proceedings (e.g., Dr. Donald Dutton, Dr. Peter Jaffe, Dr.

David Currie, Sally Andrews, Lorraine Berzins, Gillian Walker, Jillian Riddington, Jan Barnsley, and Linda MacLeod). An overview of the recommendations, perspectives and definitions of the participants attending the conferences and/or consultations indicates the presence of natural history stages elaborated in social constructionist research. The stages are not always clearly visible, but there are changes in the definitions, concepts and frames of reference which are consistent with claims-making activity.

In this chapter, I present eight reports/collections of briefs and discuss their main recommendations and frames of reference indicative of policy trends and conceptual changes.

"Status of Women Canada Recommendations"

(November, 1979; 36pp.)

This paper consists of a compilation of recommendations from government officials, professionals, and community activists who attended conferences and symposia during the late 1970s. These recommendations were prepared on behalf of the Status of Women Canada. The report recommends federal government action in the following areas: training of professionals, funding of support services and shelters, and improving police intervention and the legal system responses.

#### Training of Professionals:

Recommendations found in this section stress the development of prevention efforts which seek to upgrade the training of professionals (doctors, police, educators, social service personnel) through curriculum development and improved on the job training or in-services (SWC, 1979a:8). The recognition of "the failure of the professions to identify, understand, analyze, and deal with the problem of wife battering adequately" appears to be a motivating factor behind the recommendations related to the "re-education" of professionals (SWC, 1979a:8). This dissatisfaction with the interpretation and response by professionals during the late 1970s indicates that feminist activists were alarmed by the lack of "appropriate" intervention techniques. These early recommendations reflect a dissatisfaction with the "professional" and/or "dominant" conceptualization of the problem at the time and allowed for the development of "alternative" concepts.

#### Support services and shelters:

Recommendations regarding support services reveal a dissatisfaction with the treatment approaches for both the victim and the offender. Counselling services during the mid 1970s were inclined to treat only the symptoms of violence through improved communication and did not attempt to address the underlying causes of wife battering, namely sexism, gender

inequities and the condonation use of violence against women:

Most institutional responses to the concept of services regarding family violence have been toward the provision of counselling and individual and group therapy. These are by and large not innovative services, but are based on a model of family or couples therapy that views wife-beating as one of a number of forms of family dysfunction that can be remedied by improved communication (SWC, 1979a:14).

In response to the dissatisfaction, "innovative" support services were developed by women's groups in Toronto and Vancouver and a few other cities across Canada based on feminist ideals (i.e., transition houses). These "new" innovative support services included self-help, referral, and crisis intervention for battered women. The support services were developed primarily in a few large urban Canadian cities by women's groups who had very little community support or financial support at the time. Feminist thought emerged as a catalyst for an alternative conceptualization of wife battering.

Treatment programs for batterers were first developed in 1980 and 1981 in Vancouver, Toronto, and London, but critics were soon skeptical of the success of these "new" programs because treatment was usually mandatory and drop-out rates were high (MacLeod, 1989b:46). Given this reality, successful treatment of the batterer was doubtful. In addition, critics expressed skepticism over the lack of appropriate evaluation methods for the research of treatment programs (i.e., reliability and validity).

The concluding SWC recommendation with regard to support

services reiterated the need for conceptual changes in terms of service provision:

The important conceptual change from the institutional services to those being developed by women's groups is the move away from seeing wife-battering as an interpersonal or intrapsychic problem toward seeing it as a socio-economic one, with the resulting emphasis among women's groups on measures toward independence for the woman and her children, and toward supporting what is seen to be a viable family unit; i.e., one that exists apart from a violent husband (SWC, 1979a:14).

Women activists have continually stressed the importance of altering the public understanding of wife battering from a interpersonal, relational problem to a problem based on socio-economic inequities and patriarchal social structures. Feminist activists have also suggested the development of support services which encourage independence. This view changed over time as shelter workers re-evaluated the intent of support services:

When we first started this house I guess in retrospect some of us just assumed that if a woman came to us, she must want to leave her husband. We also thought that if she didn't want to leave, she should because no woman should live with brutality. We didn't want to make decisions for her, to force her to do anything she didn't want to do. We just wanted what was best for her. Most of us have softened our position on the men and we've done it for the sake of the women ... We now know that most of the women we see aren't ready to leave their husbands and may never want to leave.

(MacLeod, 1987:55)

This change in service philosophy occurred as the image and conceptualization of battered women developed. The debate surrounding service provision focuses on determining which perspective and/or theory (e.g., feminist, systems, behaviourist, etc.) deserves support and which treatment

program (e.g., social service, psychiatric, transition house) deserves funding. The participants attending the Status of Women Canada conferences stressed that support services developed by women's groups must become an integral component of every prevention program and the feminist perspective must be given a voice in the public definition process (SWC, 1979a:17).

Another concern expressed in the Status of Women Canada recommendations may also have had an impact on future consultations. Funding sources were identified as an area of strain because the support usually had qualifications attached that determined the type and criteria of services delivered:

Often funding sources shape the kinds of services provided or the criteria for who can be served. [A] Shelter that was conceived as being for women and their children escaping a violent domestic situation may find that it must accommodate ex-prisoners, unwed mothers, psychiatric patients, transients, etc. in order to maintain adequate funding. The problem[s] around funding have resulted in [a] breakdown in communication between transition houses and government in some cases. Some transition houses are reluctant to [be involved] in any consultation [especially one proposed by government], and express a lack of confidence that their needs would be served by such a procedure (SWC, 1979a:32).

Recommendations regarding law enforcement intervention and the legal system:

The Status of Women Canada recommendations noted that reforms in the law enforcement area may have the most profound positive impact in the short and long term. There were, however, dissenting opinions as to the role of

law enforcement intervention and whether the approach should be strictly punitive or rehabilitative or a combination (SWC, 1979a:20).

The early feminist perspective believed that the criminal justice process must serve an authoritarian and coercive function by arresting, charging, convicting and sentencing batterers. This approach would protect battered women in the short-term and convey a message that wife battering would not be tolerated (SWC, 1979a:20). The alternative approach concentrated on the rehabilitative function of the criminal justice system through diversion, mandatory treatment, and mediation (SWC, 1979a:20).

The principal component of any law enforcement recommendation related to wife assault is the protection of battered women. The recommendations focused on the respective benefits of different law enforcement approaches. Critics of the existing policies argued that police officers should be obligated to lay charges against the batterer instead of relying on the strength of battered woman to pursue charges through to final disposition.

The key component of the SWC recommendations focused on altering socialization patterns through public education and professional training and providing assistance or protection to battered women through the criminalization of wife battering.

Police departments in Vancouver, British Columbia and

London, Ontario implemented innovative crisis intervention programs which combined the expertise of police officers and social workers. The programs involving police and social workers were fairly new at the time and there was a great deal of interest expressed from the conference participants.

The recommendations concerning the legal system included options in the following areas: sentencing, restraining orders, peace bonds, family court, and mandatory reporting. Legislative and administrative reforms were suggested as options to improve the criminal justice response. Some participants defended family law mechanisms while others supported criminal law alternatives. There was disagreement about the message conveyed by the Family court option because it infers that wife battering is viewed as a private matter not a criminal matter. Most participants felt that the adversarial, punitive nature of the legal system was a necessary prerequisite in the development of a definition of wife battering as a crime:

There was some disagreement about the emphasis put on ensuring that wife-battering be considered a criminal offense. A few felt that given that the penal system as it is does no one justice, and only in the long term exacerbates the situation, we should not try to push for more convictions or longer sentences. Most however felt that while it may be very true that the penal system is hopelessly inadequate, wives still have a right to be protected from violence and death by the law, and that an assault on her be considered just as much a crime against the state as any other assault (SWC, 1979a:23).

The concern over the unified Family court concept was based

largely on the tendency of the legal process to minimize the seriousness of the violent behaviour (SWC, 1979a:26).

To recapitulate, the recommendations contained in the 1979 Status of Women Canada report identified areas of concern related to service delivery, training and institutional response. Participants disagreed over the impact of criminal proceedings and the message conveyed by the legal options (i.e., family or criminal matter). Another important conceptual change was addressed in terms of service delivery. The participants expressed concern over the development of professional services which viewed wife battering as an interpersonal problem which should be remedied through improved communication. They recommended that feminist support services must become an integral part of every prevention program and that the victim's perspective expressed through feminist support services must be given a voice in the decision-making processes. In addition, the Status of Women Canada recommendations expressed a desire to develop a concept of wife battering which revealed the criminal nature of the issue. This conceptual struggle over the criminalization of wife battering also emerged during the proceedings of the next consultation, Wife Battering is Everywoman's Issue.

"Wife Battering is Everywoman's Issue" (MacLeod, 1980b; 38pp.)

This report summarizes a consultation on wife battering

held in Ottawa on March 5 to 7, 1980. The report and consultation were sponsored by the Canadian Advisory Council on the Status of Women (CACSW) and it was their intention to examine service delivery problems experienced by transition house workers and battered women. The information was then used to guide the development of recommendations submitted to the federal government (MacLeod, 1980b:2).

Dorothy Smith, a noted feminist scholar and professor of Sociology at the Ontario Institute of Studies in Education, facilitated the consultation. Linda MacLeod, feminist researcher, free-lance consultant and author of Wife Battering in Canada: The Vicious Circle (1980a), wrote the report which summarized the proceedings of the consultation. Their expertise in the areas of feminism and wife battering was instrumental in the development and conceptualization of issues which emerged during the proceedings.

This consultation was important because it quickly followed the release of the first national study on wife battering (MacLeod, 1980a) and it served to identify, highlight and accentuate common themes and recommendations produced by the CACSW. The CACSW consultation maintained visibility of the issue and promoted or supported their perspective on the issue. The information gathered through this consultation was used to prepare recommendations for the Federal government on behalf of the CACSW.

In the participants' discussions, three themes emerged:

1. Wife battering must be seen as only one manifestation of the pervasive violence against women in our patriarchal society, which keeps women dependent, subordinate, victimized and poor (MacLeod, 1980b).

2. The reliance by governments and private social agencies on "professionals" for leadership and advice in the area of wife battering has resulted in ineffective, token action based on the assumption that wife battering is a private problem of abnormal family interaction. The reliance on professionals with this view negates the seriousness of wife battering as a major social problem, and has encouraged governments to largely ignore reports, accounts and recommendations from women who are assaulted or who work at the grass roots level in the field of wife battering (MacLeod, 1980b).

3. The public frying pan is often worse than the private fire because the woman is constantly faced with "Catch-22" situations - inconsistencies of the system which purport to help her but in fact deepen her powerlessness, her dependence, and so her imprisonment in her situation (MacLeod, 1980b:3).

These three themes in the claims-making of participants established a frame of reference from which the information was conceptualized. First, the issue of wife battering should be defined in feminist terms through theories of patriarchy. Second, battered women, women activists and transition house workers should be consulted as "experts" and given the lead decision-making role. Third, service delivery inconsistencies must be eliminated because institutional barriers allow wife battering to continue. In addition, three themes typify claims-making activity by attempting to define wife battering as a social problem not a private dilemma. Three action goals were identified as a guide for future feminist organizing:

1. To publicly re-define wife battering as a crime against women and to assert the expertise and credibility of women's groups in this area;
2. To analyze the place of women's groups in the system

and how the parts of the system that perpetuate wife battering through "Catch-22 solutions" operate;

3. To maintain the women's perspective in controlling directions for change. Broadening the base of support for the women's perspective is essential to this goal.

(MacLeod, 1980b:4)

These three action goals illustrate the primary objectives of the consultation in terms of defining wife battering as a crime, analyzing the institutional abuse and supporting the feminist perspective.

The consultation was structured around three topics: the realities of battered women, the system's response and the response by women's groups. The participants emphasized that the experiences of battered women must be paramount in any attempt to understand wife battering and to prevent its occurrences. The second topic dealt with the "system's" conceptualization of the problem and how this perspective condones the existence of the problem. An important component of the discussion focused on the critique of abuse as a "private" or abnormal phenomena supported through the development of a social construction of wife battering that de-emphasized gender stratification theories. The final topic contains an examination of how women's groups working in the field provide services, the differences between these and other services and what can be done to improve the situation for battered women. The emphasis is on changing the social construction of wife battering from an individual problem to a social problem defined by feminist perspectives.

The consultation starts with a statement implying that

every woman is affected by the problem of wife battering. The opening question contained in the presentation establishes a very large frame of reference:

do you see yourself as a victim of violence against you? Have you ever felt battered by a T.V. commercial, being put down by your boss, by a movie or newspaper article, being the token woman on a board, committee or council. having your appearance questioned positively or negatively, being asked how you manage having a full-time job and a family, having your face slapped in an approving sort of way, having your face slapped in a disapproving sort of way, being pushed, shoved or kicked, or having your hair pulled, having forced sexual activity or forced sexual inactivity? If you can answer yes to any of these, then you are a battered woman. Wife battering affects every woman, none of us is exempt. (MacLeod, 1980b:1)

The opening statement creates a very wide definition which is effective in gaining public attention, however, the implication is that service providers and/or activists are creating a vast clientele base by suggesting and labelling every woman as a battered woman. By the same token they may trivialize the experience of victims of violent abuse by their partners by implying that any form of "abuse" deserves our attention. Through the classification and definition of battered women, service providers and activists are creating an image of the problem so vast that the meaning and rhetoric is lost.

Research conducted by Donileen Loseke and Spencer Cahill (1984) in the United States of America examined how social service professionals socially constructed a new category of deviance and clientele for services. Battered women who remain with their abusive partners are the focus of inquiry

for their research. Their research focuses on the question of why assaulted wives who remain with their mates are perceived as more needy and deserving of public and expert concern than those who do not:

By asking why battered women stay, therefore, the experts implicitly define leaving one's mate as the normatively expected response to the experience of wife assault. Staying, on the other hand, is implicitly defined as deviant, an act 'which is perceived (i.e., recognized) as violating expectations' (Loseke and Cahill, 1984:297).

The questions researchers and policy analysts ask and the answers they provide define the parameters of the social problem. The definitions and concepts create an image of the social problem which often differs from personal experiences of individuals touched by it. The social constructionist perspective analyzes the personal and professional biases evident in claims-making activity.

The CACSW document (MacLeod, 1980b) represents a redefinition and reconstruction of wife battering. This document exposes the conceptual struggles which occurred between activists and professionals and the dissatisfaction with institutional responses. In summary, this document was important because it recommended that wife battering be defined as a crime, promoted the feminist perspective as a credible alternative to the professional response, and investigated the organizational behaviour of formal institutions. The 1980 CACSW brief maintained visibility and legitimation of the feminist perspective. However, the sweeping definitions were not well received by policy-makers

who described these claims as outrageous and counter-productive to the battered women. The CACSW report differed from the SWC brief in terms of placing more emphasis on theories of patriarchy rather than socio-economic factors. Both reports re-defined wife battering in feminist terms, supported the criminalization of wife battering, and encouraged the development of feminist support services.

"National Workshop on Services to Crime Victims"

(Solicitor General, 1980)

This workshop, organized by the department of the Solicitor General, provides some important evidence on the attempts to conceptualize wife battering as a crime and the special status it deserves within the criminal justice system. The majority of the workshop proceedings focused on the development of comprehensive victim services rather than the development of specialized victim services:

Tension sometimes exists between those dedicated to the development of comprehensive victim/witness programs and those who maintain that services should be aimed at specific victim groups. The specialized/comprehensive conflict reflects the wide range of views that exist on the role and responsibilities of the criminal justice system as well as its ability to meet the needs of victims (Solicitor General, 1980:9).

A number of observations were made by Linda MacLeod and Flora McLeod during their presentations at the workshop (see Appendix II). The seven points made in the presentations by Linda MacLeod and Flora McLeod at the national workshop for crime victims were important because wife battering was

included within the purview of the criminal justice system for the first time. The information presented in their papers created an image and definition of the problem which was consistent with the feminist perspective and some psychosocial theories (e.g., social learning perspective). It is also interesting to note the apparent conceptual and linguistic looseness of their presentation. They frequently interchanged a variety of terms (e.g., family violence, spousal battering, wife battering), however, many of their observations were specifically directed towards wife battering instead of other forms of family violence.

Statistics were presented to estimate the seriousness of the problem (e.g., at least ten percent of married women have been beaten at least once by their husbands). This estimate was used to reflect the seriousness of the problem and identify wife battering as a major social problem. A theoretical assumption was made which linked sex role inequity with the causes of wife battering. The feminist conceptualization of wife battering challenged many of the existing institutions and dominant ideologies and suggested that an "alternative" conceptualization was required. Linda MacLeod and Flora McLeod presented the "feminist" perspective of wife battering at the national workshop to ensure the criminalization of this problem.

Although the primary focus of the workshop was on comprehensive services to victims of all types of crime, the

section on specialized services for crime victims allowed feminist activists to express their concerns with respect to the criminal justice intervention of "domestic" crimes.

"A Brief on Wife Battering with Proposals for Federal Action"

(Lewis, 1982; 24pp)

This brief was written by Debra Lewis and was based on information obtained from women who worked for various support services for battered women. It was prepared on behalf of the Canadian Advisory Council on the Status of Women (CACSW) during consultations for the Standing Committee on Health, Welfare and Social Affairs (SCHWSA) hearings which reported on May 6, 1982.

An important component of the brief examines the need to re-define the social problem of battered women:

The first assumption we make challenges the very language that is generally used to define violence in the family. There are many euphemisms used to portray that violence: 'inter-spousal assault', 'family violence', 'domestic violence', and so on. It cannot be emphasized too strongly that what most frequently occurs is wife battering.... If we are taking the problem seriously, then we must call it what it is. To do otherwise is to obscure where the violence comes from and who it is directed toward. It makes the recipients of that violence - women - invisible (Lewis, 1982:2).

The feminist framework of the brief challenges the language used by professionals to describe the problem of wife battering and the institutional barriers which isolate and impede the proper treatment of battered women. Lewis' concern for more sensitive language is important because of the

rhetorical value associated with the various euphemisms. The issue of gender is obscured when general terms are used to refer to wife battering. However, it is also worth noting that the brief expressly treats other forms of violence within family (e.g., elder, sibling, and child abuse) as having little significance, thereby sacrificing them to the primary agenda of the shelter movement.

In the brief discussed, criticism was also directed at the inability of the health institutions to properly identify and investigate cases of wife battering:

the medical model teaches its practitioners to treat symptoms only, rather than identify their social causes. In practice, this indicates to battered women that they should continue to keep the battering a secret. It also reinforces for them that it is their fault, since they are the ones being treated or even institutionalized in hospitals or mental health facilities (Lewis, 1982:5).

In addition, the legal and social welfare institutions were identified as reflecting an unwillingness to properly assist and define the experiences of battered women through their policies and programs. Criticism was expressed at the procedures utilized by police departments that effectively screened out domestic violence cases, courts which heard domestic cases in family court rather than criminal court, and lawyers who tended to ignore the seriousness of domestic cases:

the woman who is battered is likely to encounter the inadequacies of the legal system in responding to her need for protection...the assumption implicit in the operation of the law is that wife battering is not as serious as other forms of assault (Lewis, 1982:10).

Lewis argues that the tendency of professionals who work within the legal system (i.e., lawyers, judges, police) to disregard or overlook the seriousness of spousal assault cases continues to support the stereotypes, attitudes, and behaviours which contribute to its occurrence.

The conceptual implications examined in this CACSW brief are as follows: (1) there is an assumption that wife battering is less serious than other forms of assault (Lewis, 1982:10); (2) there is an inadequacy of the legal system when responding to the needs of battered women in terms of protection (Lewis, 1982:10); (3) funding problems contribute to the myth that wife battering occurs in lower class families because the per diem system provides funding only for those women who qualify for welfare support (Lewis, 1982:7); and, (4) treating the family as a private institution only serves to protect those who have power within the family (Lewis, 1982:5).

The feminist perspectives examined in this paper make the claim that there are common myths that are disguised under the "professionalized" conceptualization of wife battering. The first challenge involves reconstructing the language used to describe the problem of wife battering. The continual use of terms such as family violence and domestic violence to describe wife battering does not adequately reflect the problem (Lewis, 1982:2). The second challenge also involves reconstructing the concept of wife battering, but it focuses on the biased information. Battered wives are not passive

victims, but are entrapped by institutions which do not support their needs (Lewis, 1982:2). The third challenge recognizes that "all institutions, either overtly or implicitly, serve to uphold the family in its most traditional sense" (Lewis, 1982:3). According to Lewis, these institutional barriers make it extremely difficult for battered women to leave their abusive situation.

Lewis argued that these three challenges highlight the mystification of wife battering and its improper conceptualization. She recommended that the problem of wife battering be understood and defined from the perspective of battered women whose insight is enhanced by feminist thought. She argued that formal and social institutions (e.g., health-related, legal, educational) had contributed to the improper conceptualization of battered women by isolating and upholding the traditional social relations and roles within the family. This brief was important because it espoused a feminist definition and perspective of wife battering during the 1982 SCHWSA consultative proceedings.

"Report on Violence in the Family: Wife Battering" (Standing Committee on Health, Welfare and Social Affairs, 1982)

This report was based on the compilation of information received from written submissions and witnesses during the 1982 proceedings of the Standing Committee on Health, Welfare and Social Affairs (SCHWSA). The SCHWSA received an order of

reference on February 13, 1981 to examine and inquire into family violence and the issue of battered wives and their dependents (Hansard, 1981:7239). The motion, proposed by Hon. J. Robert Howie, received unanimous agreement in the House of Commons to study intrafamily violence with particular attention on the area of wife battering (SCHWSA, 1982:3).

The committee heard testimony from a cross-section of interest groups and regional representatives on the subject of wife battering. Officials from the Status of Women Canada (SWC), the Royal Canadian Mounted Police (RCMP), the Department of Justice, Health and Welfare, and the Solicitor General of Canada provided background information and advice to the committee in briefing sessions (SCHWSA, 1982:33). Information was also obtained from written submissions and witnesses who appeared before the committee. The following individuals appeared before the committee: Dr. Dutton, Dr. Jaffe, Jan Barnsley (WRC), Debra Lewis (CACSW), Lucie Pepin (CACSW), Hon. M.P. Judy Erola (SWC), as well as persons representing transition house associations across Canada (SCHWSA, 1982:31). The witnesses represented organizations such as: Canadian Advisory Council on the Status of Women (CACSW), the Women's Research Centre (WRC), the Canadian Association of Social Workers (CASW) and transition house associations in Toronto, Regina, Charlottetown, Halifax, and Cape Breton (SCHWSA, 1982:31).

From the evidence submitted by the organizations, two

frames of reference were developed to conceptualize the problem of wife battering. The first perspective highlighted the social learning approach and the generational transmission of violence which states that male children who experience or witness violence within the home are more likely to continue the cycle of violence in future generations (SCHWSA, 1982:8).

The second perspective emphasized feminist theories of patriarchy which contend that the traditional roles of men and women within social relations are reinforced by social institutions which encourage a man to strike out at his wife rather than someone else (SCHWSA, 1982:8). These two perspectives guide the development of the SCHWSA recommendations and conceptualized the problem according to feminist theories and psychosocial theories. The committee's support of these two perspectives established credibility for these theories. By including these two perspectives within the committee's report, the feminist and psychosocial perspectives were incorporated within the public definition process.

The committee was presented with a clear picture of the events surrounding the wife battering issue:

whatever the causes are of society's neglect or ignorance of wife battering the evidence presented to us has made it clear what the consequences are for battered women. The police and the courts do not protect them. Temporary shelter is generally not available to them. Existing welfare legislation is often not flexible enough to provide for them. Welfare workers, counsellors, and health care workers are not trained to deal with their problems. As for the batterer, he is not treated as a wrong-doer, as someone whose behaviour society finds

unacceptable. Criminal charges are rarely brought against him. If he is prosecuted and convicted his sentence will be a nominal one (SCHWSA, 1982:9).

In the concluding remarks, the committee members stressed the need to provide protection for battered women, promote public awareness, encourage research, and regularly process wife battering cases through the criminal justice system (SCHWSA, 1982:15-16). In order to achieve the goals set out in the conclusion, a number of recommendations were developed to specifically address the problems in service delivery, funding, research, and public awareness. The following recommendations were submitted by the SCHWSA committee:

Recommendations 1 through 4 addressed improvements with police training. For example, training of police officers should be developed with co-operation of community members who provide support services to battered women (SCHWSA, 1982:19). Other recommendations suggested that affirmative action hiring policies be established to increase ratio of female to male officers and to institute a reward system to improve family violence response calls (SCHWSA, 1982:19).

Recommendations 5 through 9 focus on supporting and funding shelters and support services. The concern expressed by committee members was that funding for shelters must be maintained over the long-term through block funding instead of per diem rates because there was a lack of available spaces for battered women. If funding is dependent upon the number of clients being served, support services and crisis

intervention declines as the numbers fluctuate. It is impossible to maintain a consistent delivery of service based on the unpredictable funding levels for transition houses.

Recommendations 10 through 14 encouraged government departments to devote funds to develop treatment programs, educational programs, public awareness campaigns, and research on the causes of wife battering (SCHWSA, 1982:20). The final recommendations submitted by the SCHWSA committee suggested improvements in the enforcement and administration of the law with respect to cases of wife assault through superior judge appointments, Unified Family Court projects, and federal-provincial conferences examining the criminal justice treatment of wife assault cases (SCHWSA, 1982:21).

A number of the SCHWSA recommendations were subsequently developed and implemented by the appropriate departments and within the respective jurisdictions. National guidelines were issued to police departments and prosecutors recommending the implementation of mandatory arrest policies. Police training was improved to include specialized training on domestic assault cases. More treatment programs for men were developed. In 1981, there were only four treatment programs, but in 1983, there were twenty treatment programs (Health and Welfare Canada, 1994:2). Treatment programs for men who abuse their partners increased expeditiously from 1984 to 1988 when a total of 63 programs were in existence (Health and Welfare Canada, 1994:2).

Health and Welfare Canada produced television and radio campaigns to publicize the problem and included inserts with family allowance cheques describing the forms of wife abuse and the services available. The departments of Health and Welfare and Justice also devoted funds to develop treatment programs for men who batter their wives. In addition, long-term research was developed to investigate causes of wife battering and to promote public education initiatives which were designed to eradicate traditional attitudes about male/female roles and the "legitimate" use of violence within the home.

It appears that while the SCHWSA recommendations increased prevention and intervention programs for victims of wife battering, the most important recommendation was that, "wife battering should be treated as a crime and not merely as a behavioural aberration" (SCHWSA, 1982:26). The SCHWSA report increased the visibility of the wife battering issue and ensured that government departments establish programs and policies accordingly. Not only did this parliamentary discussion on wife battering heighten public awareness, but it also publicly defined wife battering as a crime. The criminalization of wife battering materialized in the public definition process.

"Federal-Provincial Task Force on Justice for Victims of Crime" (Canada, 1983)

The involvement of criminal justice officials in the area of family violence became part of their broader concern for victims of crime during their participation in a number of committees and task forces during the 1980s. The Federal/Provincial Task Force on Justice for Victims of Crime was created at the Federal/Provincial conference of Ministers responsible for Criminal Justice in December, 1981. The Task Force members were mandated to examine the needs of victims of crime, to enquire into their experience with the criminal justice system and to recommend action which could be taken to improve present methods of assistance to victims (Canada, 1983:1). The Task Force completed its examination and presented on July 11 and 12, 1983 79 recommendations. Only 16 were specifically addressed to services for battered women to the Ministers responsible for Criminal Justice (Canada, 1983:1). One of the primary questions addressed by the Task Force was not whether victims should participate in the criminal justice system, but rather the extent of victim participation (Canada, 1983:6).

The majority of recommendations found in the Task Force report concentrate on improvements within the criminal justice system with respect to crimes involving theft and robbery. The first seven recommendations of the Task Force deal with changes to the Criminal Code and police department procedures for victims of theft. This reveals that the primary focus of the proceedings was on improvements to the operation of the

criminal justice system in cases involving stranger crimes not "domestic" crimes.

Some of the issues examined in the 1983 Task Force report include: the return of property, restitution, criminal injuries compensation, victim impact statements, protection from intimidation, trial procedures, and specialized services for the elderly, children, assaulted wives, sexual assault victims, native victims, and families of homicide victims. Despite the relative insignificance of wife assault within the overall structure of the Task Force report, it was endorsed as a crime that required special attention:

Assaulted wives require special attention because they differ in several important respects from other crime victims. They are not perceived traditionally as being victims of crime. They are likely to be subject to repeated violence from their assailants. They are likely to require interventions that afford them protection within and outside their homes. They are financially dependent on their assailants and are, therefore, more likely to require long-term financial assistance. They are victimized in a manner that may well have serious consequences for their children (Canada, 1983:113-114).

This endorsement by the Task Force members improved the visibility, seriousness, and attention that victims of wife assault required. Ten of the sixteen recommendations developed specifically for assaulted wives pertain to improvements in police procedures. The remaining six recommendations suggest improvements to support services for assaulted wives and their children and research projects on sentencing options. The Task Force recommendations are presented in Appendix I.

The recommendations contained within the 1983 Task Force report affected the crime victim policy directly and wife assault policy indirectly. The first recommendation concerning wife battering strongly asserts that wife assault is a criminal offence and that police officers must respond to these cases by arresting and laying charges on the abusive husband. This statement identifies the marked changes in the public definition and perception of this crime.

Linda MacLeod and Flora McLeod's presentation during the 1980 National Workshop on Services to Crime Victims allowed for the inclusion of wife battering within the criminal justice framework and the crime victims initiative. Both speakers challenged the existing services and decision makers who were unable to understand the plight of assaulted women and develop appropriate services (Solicitor General, 1980:23). These studies also questioned the development of generalized services for victims within existing networks, charging that this could lessen the attention given to the needs of specific types of victims, including battered wives. Feminist activists were concerned that integrating services for battered wives into existing victim/witness service agencies within the criminal justice system might restrict the freedom of staff to challenge existing institutions and dominant ideologies (Solicitor General, 1980:23). These concerns expressed only three years earlier appear to have been addressed within the crime victims initiative during the 1983

Task Force proceedings.

The Federal-Provincial Task Force on Justice for Victims of Crime called for an increase in victim participation within the criminal justice system. More interestingly, this Task Force expressed special attention to victims of wife assault. Although wife assault was included as a part of the general crime victims initiative, the involvement of the criminal justice system affirmed the seriousness of the crime of wife assault. Wife assault officially became a topic of note for the criminal justice system.

"Federal Section of the Federal/Provincial/Territorial Report on Wife Battering to the meeting of Ministers Responsible for the Status of Women" (Canada, 1984)

This report (Canada, 1984) contains information on federal, provincial, and territorial initiatives which were developed in response to recommendations submitted by the SCHWSA (1982). This report became part of a process of establishing a work plan to develop and evaluate prevention programs and reform policies as well as allocate funds to existing support services for battered women. A number of federal government departments participated in the proceedings and submitted reports.

An important section of the Federal /Provincial/ Territorial report contains briefs which outline departmental mandates and objectives as they were elaborated in response to

the 1982 SCHWSA recommendations. The section reviews existing federal programs, policies, and legislation of the following departments: Health and Welfare, Solicitor General, Justice, Canada Employment and Immigration Centre, Canada Housing and Mortgage Corporation, Indian Affairs and Northern Development, Secretary of State, and Status of Women Canada. The federal government briefs reveal important conceptual differences and the frames of reference which have contributed to the construction of competing public definitions of wife battering.

#### Response to SCHWSA Recommendations

The SCHWSA recommendations 1 through 4 dealt primarily with improvements to R.C.M.P. training procedures and federal policing issues. The SCHWSA recommendations stressed that R.C.M.P. members should play an important role in investigating cases, supporting victims and laying charges. In response, the Solicitor General ministry and the Department of Justice issued policy directives, on December 21, 1983, instructing R.C.M.P. members and Crown Attorneys to charge and prosecute cases of wife assault where there are reasonable and probable grounds to believe that an offence had been committed (Canada, 1984:83). These mandatory guidelines became part of the first national charging policy for wife assault cases in Canada. A commitment was given by the Solicitor General to continue to provide training to R.C.M.P. members with the

assistance of community members who provide services to battered women (Ibid, p.84) The R.C.M.P. curriculum was revised to include information about wife assault with the collaboration of transition house workers. This R.C.M.P. commitment has enhanced law enforcement procedures, but the total amount of time and money devoted to this issue in the training program was very small. Nevertheless, there is clear evidence that law enforcement procedures and training have been altered in response to the SCHWSA recommendations.

The SCHWSA recommendations 5 through 8 focused on improving funding for shelters through Canada Mortgage and Housing Corporation (CMHC). The concern expressed by community support workers and activists at the SCHWSA consultations focused on the lack of available space for battered women at transition houses. Although CMHC provided funding for non-profit organizations, there were no special provisions for transition house associations. These organizations had to compete with other community groups for any available funding source. This situation persisted at the time of the 1984 meeting of Ministers responsible for the Status of Women.

The SCHWSA recommendations 9 through 14 suggested improvements through research, public awareness campaigns, and treatment programs in the area of wife battering. The departments of Health and Welfare, Justice and Solicitor General responded by devoting funds to develop treatment programs for batterers, to research the causes of wife

battering and to develop public awareness programs. The establishment of the National Clearinghouse on Family Violence (NCFV), which occurred in 1982 in response to a recommendation made in the National Plan of Action on the Status of Women and the subsequent recommendation made in the SCHWSA report, improved the collection and dissemination of research articles and prevention programs on family violence (Canada, 1984:102). In 1984, the NCFV continued to provide information and consultative services to agencies, groups, governments and concerned individuals (Canada, 1984:102).

The Secretary of State, Solicitor General, and Health and Welfare supported research and policy development on the causes of wife battering (Canada, 1984:102-103). The department of Health and Welfare provided funding for research projects on the inter-generational transmission of family violence and the Ministry of the Solicitor General identified wife assault as an integral part of its crime prevention and victim assistance initiatives (Canada, 1984:104-105).

The departments of Health and Welfare, Justice, and Solicitor General played an important role conceptualizing two different public definition approaches. The two main approaches that emerged from the Federal/Provincial/Territorial proceedings are the family violence and the wife assault perspectives. The family violence perspective was developed from a social service approach presented by the department of Health and Welfare. By contrast, the wife

assault perspective emanated from the criminal justice approach prepared by the departments of Justice and Solicitor General.

The mandate of Health and Welfare was to provide support, assistance and guidance on issues related to the health and welfare of Canadian families. The issue of violence against women was addressed as one topic among many within the family violence perspective (e.g., elder abuse, child abuse, sibling abuse, and wife abuse). The department of Health and Welfare supported the development of inter-generational transmission of violence theories and gender-based theories which contend that violence is a socially learned method of chastisement and that violence directed towards women by their male partners occurs due to sex-role stereotyping and patriarchal legitimacy (Canada, 1984:102-104). The support for these research initiatives identified and shaped the public definition of the issue of wife battering by lending credence to these theories.

The second approach promoted the criminalization perspective through the support of the wife assault framework by the Departments of Justice and Solicitor General. The Departments of Justice and Solicitor General focused their attention on legislative reform and federal policing issues in agreement with their respective mandates. The departmental initiatives undertaken by Justice and Solicitor General included legislative reform of assault provisions within the Criminal Code, amendments to the Canada Evidence Act, research

and demonstration projects related to policing practices, criminal justice system alternatives and programs for victims of crime (Canada, 1984:35). Although wife assault was not given special status within the Criminal Code, amendments were introduced to the the Evidence Act to improve the prosecution guidelines for wife assault cases under the general assault section. The wife assault perspective promoted the focus on the criminal nature of the offence, thereby highlighting the seriousness of the issue.

The SCHWSA recommendations 15 through 17 dealt primarily with improvements to court proceedings and the administration of the criminal law. The SCHWSA committee recommended that a federal-provincial conference be held on the subject of wife battering and family violence as it related to the enforcement and administration of the criminal law (SCHWSA, 1982:23). This recommendation was discussed at the Federal-Provincial meeting of Deputy Ministers responsible for Criminal Justice on November 30, December 1 and 2, 1982 (Canada, 1984:115). As a result, "the involvement of the Department of Justice in the area of family violence has become part of our broader concern of victims of crime" (Canada, 1984:115). The Ministry of the Solicitor General ensured that victims of family violence, including but not limited to battered women, were specifically addressed within the general crime victims initiative:

The Department of Justice and Solicitor General has developed resources for police, crown attorneys, judges on issues affecting victims of crime. Although these efforts will focus on the overall issue of victims of

crime, it is assured that the Ministry of Solicitor General will ensure the victims of family violence have a high profile in these various initiatives (Canada, 1984:110).

The activity of the department of Justice and Solicitor General surrounding the crime victims initiative included their participation in the Interdepartmental Committee on Justice for Victims of Crime and the Federal-Provincial Task Force on Justice for Victims of Crime. These activities were part of an attempt to develop a coordinated approach for victims of crime. Critics argued that services for abused wives must be developed separately from general crime victim initiatives because of the danger of amalgamation. It was argued that not only would specialized services for battered wives suffer, but so would the proper conceptualization of the problem.

The Federal/Provincial/Territorial Report on Wife Battering is an important document within the public definition process and problem construction because it includes information pertaining to federal departmental initiatives and responses regarding parliamentary recommendations. The Federal/Provincial/ Territorial report was designed to ensure that federal government departments became more accountable and responsive to recommendations regarding their involvement and responsibility with the issue of wife battering.

"Working Together: 1989 National Forum on Family Violence"  
(Canada, 1989a; 300pp.)

The proceedings of the National Forum were part of a four-year federal initiative on family violence (1988-1992). The National Forum was an attempt by the Federal Government "to develop a long-term national approach to family violence" (Canada, 1989a:xii). Four hundred individuals were invited to participate in the working conference to represent many organizations who had been involved in the issue. An Interdepartmental Planning Committee decided which participants were to be invited. The members of the planning committee included officials from the Secretary of State, Health and Welfare, Justice, Status of Women Canada, the Department of Indian and Northern Development, and the Solicitor General (Canada, 1989a:290). The participants were assigned to one of 20 working groups and were asked to address the following five themes:

- Theme I extent and nature of family violence
- Theme II education of the public , professions and workers in the field
- Theme III prevention of violence and protection of the vulnerable
- Theme IV justice in the intervention and prosecution of family violence
- Theme V support and treatment for victims and offenders

The report includes keynote addresses, minutes of group discussions and recommendations. I will give a brief overview of the important components of the report as they pertain to the construction of a national public definition and the concerns expressed by the participants.

### Keynote Addresses

A few of the keynote addresses reveal the competing perspectives and frames of reference that emerged during discussions at the conference. The opening keynote address given by Hon. Perrin Beatty (Minister responsible for Health and Welfare) focused on the "family violence" perspective. In his speech, the minister gave a brief history of the development of family violence as a public problem. The frame of reference of the speech included all forms of family violence (e.g., elder abuse, child abuse, and wife abuse).

In contrast, Linda MacLeod's keynote address centred on the topic of wife battering. In her speech, she traced some of the main developmental stages in the public definition of wife abuse and reflected on the attempts to understand, prevent and define wife abuse:

In 15 short years, our definition of wife abuse and our attempts to understand it, have grown in complexity. Similarly, the number and groups of people involved have grown .... with the multiplication of our energies and achievements in trying to reduce the impact and incidence of wife abuse have come a confusing plethora of solutions, hostilities and fragmentation across groups which share the same goals .... We are at risk of trying to build toward the same goal, but being frustrated by our differences, by our inability to speak the same language, by our inability to see beyond differing ideologies and words to our common goal and hope (Canada, 1989a:10).

Linda MacLeod commented upon the fragmented and disjointed history of wife abuse research and policy-making activity. Based on her involvement in the area of wife battering research, she distinguished four stages that

characterized attempts to understand and deal with wife abuse in Canada: (1) caring and sharing, (2) anger and control, (3) denial and ownership, and (4) questioning and pushing the limits of our institutions and values (Canada, 1989a:11). The first stage included the establishment of transition houses and an ideology of empowerment based on the women's movement (Canada, 1989a:11). Wife battering was defined subjectively. As public awareness grew, a second stage evolved which included rapid growth of services, research and information. The result of this activity was the development of a more clear and dramatic public definition which focused primarily on physical violence (Canada, 1989a:12). The third stage involved the expansion of services, definitions, and ownership of the problem. There was significant service and research growth as competition among the various organizations developed. The definition of wife abuse expanded to include psychological, verbal, financial, sexual as well as physical abuse (Canada, 1989a:13). The fourth stage was characterized by the continual questioning of the understanding of the problem:

Our attempts to prevent wife abuse have brought us face to face with the realization that wife abuse is but one manifestation of a number of interrelated problems. More and more people are also recognizing that these varied social problems have roots in our institutions, in our ways of living together, in our values (Canada, 1989a:15).

The keynote address given by Linda MacLeod presents some interesting findings and opinions about the development of

wife battering as a social problem. The four stages identified by her closely resemble stages identified by other researchers using the social constructionist perspective.

Another frame of reference or position evident during the proceedings was the "child abuse" perspective. This perspective was presented by Andy Wachtel in his keynote address on child abuse. In his speech, he argued: "there is the problem that the concept of family violence dumps children's issues in with adult ones" (1989a:17). Although he expressed concern over the competition of interest groups and ownership of the issue of family violence, Andy Wachtel asserted the paramount importance of addressing this issue: "family violence has currency .... while these groups diverge considerably in their interests and the nature of their analysis of the issues, at least there is the hope that national concern can be focused on these problems for some time" (Canada, 1989a:18).

The other keynote addresses focused on topics such as: business involvement in family violence prevention policies, criminal justice intervention, abuse of the elderly, abuse of the disabled, and abuse in native communities. After examining the speeches, it became apparent that different positions, frames of reference and conceptualizations emerged. Family violence allowed a variety of activists, government officials, and professionals to develop or include positions and perspectives based on their ideological and or

professional mandate. This expansion of the definition process and the widening of the frame of reference led to the development of challenges directed against the feminist perspective.

Throughout the forum proceedings, competing interests were merged within the National Forum proceedings (i.e., child abuse, elder abuse, abuse of disabled, etc.). During the banquet address by Hon. Kim Campbell, the government's intention to maintain a wide frame of reference became evident:

I think that in terms of the subject that you are dealing with in this conference, family violence, there are many variations on that particular theme .... Family violence is a pervasive problem that has no boundaries. It affects women, men and children of every age, race and religion, of every socio-economic level - from generation to generation .... family violence is not a women's issue nor is it just a simple matter of finding new techniques to control anger or provide emergency shelter for victims, although these are vital (Canada, 1989a:29).

This speech was very similar to the speech given by another member of government, Hon. Perrin Beatty. Both speeches referred to the term "family violence" and the variety of forms and types of violence that may entail. I would argue that the "family violence" perspective which emerged during these proceedings was an attempt to organize the state's response through a process of amalgamation. As Gillian Walker notes, "family violence as ideology operates to turn away the feminist focus on the gendered organization of power relations in the family" (1990:216).

Opposing perspectives also surfaced during the

proceedings as competing interest groups attempted to establish ownership of the issue of family violence, child abuse, wife abuse and elder abuse. Throughout the summary of working group discussions and recommendations, these competing interests and perspectives began to fester. There was conflict over what the topic of discussion should be, how the topic should be defined and what should be included in the definition. After reviewing the notes of the working group discussions, it became clear that philosophical and conceptual differences existed among the participants.

There was concern expressed about the "lumping together" all the different types of abuse under the umbrella of family violence. The family violence perspective neglects the issue of gender and age by obscuring the fact that women and children are the majority of victims (Canada, 1989a:94). "Violence against women and children" was suggested as an alternative to "family violence" (Canada, 1989a:93).

In opposition to the feminist perspective, some participants argued that women abuse family members as well. One participant insisted that women can be just as violent as men (Canada, 1989a:82). The working groups appeared to debate at length whether or not women are the majority of victims of domestic violence. There was concern that the public was not aware that there were male victims of domestic violence and that violence is a societal issue and should not be tagged as a "woman's issue" because it shuts out men and limits a priori

the extent to which violence is addressed (Canada, 1989a:132). These challenges to the feminist perspective were an attempt to widen the frame of reference by suggesting that a focus on domestic violence against men was also a credible approach.

Attempts to amalgamate social issues have occurred by voluntary organizations and professional organizations throughout history. For example, research conducted by Jan Barnsley (1985) on behalf of the Women's Research Centre in Vancouver examined the institutional activity of the United Way during the 1977 symposium and subsequent taskforce proceedings. Her research revealed that women's issues have been redefined beyond recognition through a process of institutionalization and professionalism:

Specifically we discuss how institutional response can function to redefine an issue - with particular emphasis on the dangers of amalgamating issues and on the significance of language and semantics....issue definition emerged repeatedly as a significant and contentious point. Indeed, we contend that how an issue is defined is a central factor in how institutions respond and that issue redefinition is a subtle but critical feature of institutional response which warrants further discussion (Barnsley, 1985:63).

Attempts to control and direct the process of issue definition reveal important characteristics present in the reconstruction of many social problems (e.g., who are the interest groups?; what are the underlying perspectives?; which perspective emerged as the most credible?).

### Summary

The four stages of the Spector and Kitsuse social constructionist model of the natural history of social problems are helpful in the categorization of government and non-government activity during the public definition process. It is unclear, however, whether or not the development of a public definition of wife battering has progressed through four distinct stages. Rather, there appears to be a cryptic evolution of the issue of wife battering which may not be quite consistent with the Spector and Kitsuse social constructionist research model. The reports and consultations examined in Chapter 6 reveal a pattern resembling that discovered in several other investigations that examined the process of claims-making and how the issue of wife battering was created, justified and defined (e.g., Walker, 1990; Stark et al., 1979; Morgan, 1985; Loseke and Cahill, 1984; Loseke, 1987). My research provides further confirmation and elaboration of a process whereby the issue of wife battering was transformed from a politically charged feminist issue founded on communal ideas into a professionalized issue founded on bureaucracy. The adoption of the Spector and Kitsuse social construction model was very useful in this context because the approach categorized claims-making activities and allowed for the reconstruction of alternative perspectives, definitions, and concepts.

Generally, I have found that the documents examined in

this chapter and previous chapters indicate the presence of a complex evolution of the definitions and concepts related to this issue. The early definitions highlighted the seriousness and physical nature of wife battering. The wife assault perspective emerged as feminist activists probed the utility of the criminal justice system. This perhaps inevitably led to the appropriation of the issue by the bureaucracies and agencies related to the criminal justice system. While the "wife assault is a crime" statement emphasized the serious nature of the issue, it also suggested that formal sanctions may be required, thus opening the door to reconceptualizations of the problem in the dominant crime terminology.

The definitions and concepts evolved to include the psychological, economic and institutional abuse when the definition was widened by shelter workers and through the federal consultations on "family violence". The expansion of definitions and perspectives led to the development of superficially similar definitions with very different intentions when promoted by different groups.

Topics such as elder abuse and child abuse were discretely and routinely inserted within the frame of reference of government consultations to widen the definition and undermine the feminist perspective or feminist control of the agenda (Walker, 1990; Barnsley, 1985). As distrust, criticism and misunderstanding mounted during the consultative process, the issue of wife battering re-emerged under the

rubric of violence against women which continued to cloud many feminist advocates' interpretations of the issue by including diverse types of violence against women ranging from abduction to stalking (e.g., the first report of the Standing Committee on Health and Welfare, Social Affairs, Seniors and the Status of Women, 1991 and the final report of the Canadian Panel on Violence Against Women, 1993). Violence by strangers was amalgamated with other forms of violence to obscure the fact that most violence is directed against women in the home by men they know intimately. The consultative process elicited a wide range of views of national nongovernment organizations and the federal government departments. Some of the factors which have led to an environment of misunderstanding and mistrust among feminist activists, academics and government officials include: different expectations, different needs, different mandates, different language/jargon, and different agendas (Canada, 1989b:69).

## Chapter VII

CONCLUSION

I have presented an examination of the processes involved in the social construction of definitions and alternative conceptualizations of the problem labelled variably as wife battering, wife assault or family violence. I have shown how with the proliferation of alternative frameworks, a number of processes emerged which effectively limited the role of feminist activists, service providers and battered women themselves as they attempted to control the definition of the issue, the direction of the issue and the policy recommendations. Some feminist activists believed that the processes of professionalisation and institutionalization have disenfranchised them and grassroots community workers from the public definition process. These activists argued that, under the guise of progress, these two processes appeared to limit their power and control over ideological constructs related to women battering issue. In contrast, other feminist activists (e.g., Ursel, 1991) argued that these processes led to positive developments which far outweighed the negative consequences.

Conceptual struggles and ideological competition among interest groups and bureaucrats, including academics, social service professionals, government officials, nongovernment officials, and activists, definitely contributed to both the

proliferation of definitions and the expansion of services for battered spouses. The social constructionist perspective adopted in this thesis provided an analytical framework that enabled me to identify the mechanisms through which images and definitions produced by claims-makers shape, highlight, repress and influence the subject of their claims. I feel this is probably the most important contribution of this perspective. Throughout my thesis, my goal was to provide a fair and balanced presentation of views and perspectives through the incorporation of a very wide frame of reference. A careful analysis of feminist perspectives was essential given the nature of the topic; feminist claims-making was carefully assessed and the diverse and ambiguous nature of these claims was scrutinized. My methodology was further informed by general directives derived from the grounded theory approach which led to the gradual development of generalizations and the discovery of relevant concepts through a textual analysis.

The social constructionist perspective provided an interesting analytical framework. This framework allowed me to identify activity surrounding the public definition process, lobbying efforts, and interest group formation. Unlike several other researchers of social construction of social problems, I did not attempt to show that stages of development or a natural history of social problems existed. However, stages of development of the social problem of wife

battering were identifiable. Originally, claims were made by feminist activists and community workers concerning the apparent crisis facing battered women. The first stage included claims that wives were physically abused by their husbands and the problem warranted the development of transition houses to protect them. Public awareness furthered political activism and initiated the construction of professionalized services. This second stage included the development of a diverse range of definitions and approaches including wife battering, wife assault, domestic violence, and family violence. The distinct stages of development, as defined by Spector and Kitsuse model, were difficult to discern. Rather the social construction of wife battering demonstrated a haphazard evolution not a unilinear development through distinctive stages. The social constructionist perspective enabled me to understand how images of the social problem changed over time. The primary goal was to uncover the tacit value judgements and what impact the related images, definitions and concepts had in determining the public agenda.

I found that a number of implications emerged from the gradual development of "alternative" frameworks during the public definition process. First, the public definition process led to numerous transformations of the subject. The public image of the problem and the associated definitions ranged from the legalistic concept of common assault to systemic inequality frameworks. Second, the gradual expansion

of conceptual frameworks and the professionalization jointly contributed to the legitimation of state intervention. State intervention procedures were developed primarily through the criminal justice system and the social service system. At this stage of the public definition process, broad conceptual frameworks and definitions became reduced to narrow clinical frameworks supported by professional terminology (e.g., learned helplessness, battered wife syndrome, intergenerational transmission of violence, etc.) which effectively removed or replaced the gender dimension. Third, boundaries emerged that excluded or included particular ideological constructs based on professional or political interests. For example, social service perspectives (family counselling, mediation, anger management, etc.) competed with and were in contrast to feminist perspectives (women's empowerment, safety, independence, etc). Competition flourished among professionals, activists, and academics to identify appropriate service delivery models. The boundaries became even more divisive during the national consultative process in hearings, committees, and conferences because of the pressure to come up with one unified definition and solution.

Although the boundaries were readily identifiable because of the political and ideological differences, there was also an underlying complexity. I discovered this when I identified a *deceptiveness of superficially similar claims and*

definitions despite apparent political and ideological differences. For example, attempts by feminist activists to change the conceptual framework from wife battering to wife assault led to criminal justice support, but only in principle not in substance. Criminalization meant going away from the social problem focus and re-focusing on the individual situation and personal pathology framework. In contrast, for some feminist activists this new term identified the serious nature of the crime and illuminated the gender aspect. The conceptual frameworks of "family violence" also had a varied and ambiguous nature. For many professionals and government officials this concept included all forms of abuse (spouse, child, elder, sibling), but for women's groups it meant only or primarily wife battering.

State involvement and intervention transformed the image of the social problem and opened up the focus allowing for alternative, nonfeminist conceptualizations. As the expansion of definitions occurred, the battered women's movement and its representatives fought to control the agenda not only inside the movement, but outside the movement as well. Yet the early vision of shelter workers and other activists underwent some changes as they recognized that services had to become more diversified because battered women's subjective image of the problem did not always support the feminist view of the problem.

A number of important findings and concerns were

expressed by feminist activists and transition house workers during a recent consultation in 1995. The challenge posed to feminist activists was that their early work identifying and defining wife battering was rendered invisible because the issue had become mainstreamed (Prieur, 1995:1). As the feminist analysis of wife battering disappeared through the official re-definition process, gender-neutral terms replaced gender specific terminology describing male perpetrators and female victims.

During this consultation in 1995, feminist activists recognized and commented on the external and internal pressures that led to the mainstreaming of wife battering. The external pressures occurred from community boards and governments as they compelled transition houses to professionalize and standardize their services. In addition, internal pressures or challenges came from within the battered women's movement in terms of diversity, inclusiveness and accessibility:

There is an ongoing debate about whether separate services [i.e., for battered women] are the best strategy or whether they further compartmentalize women's experiences. As well, there is the resistance and practical challenges some transition house workers are encountering in their efforts to involve battered women in the movement (Prieur, 1995:4).

Throughout their discussion, feminist activists kept coming back to the same conclusion; "there is an urgent need to re-radicalize our movement" (Prieur, 1995:4). For the activists attending the discussion, re-radicalizing meant:

believing women when they say they are abused regardless of the need to confirm it by psychiatrists or women's groups . . . . resisting the social and economic forces that reverse the progress made over the past 20 years . . . . reclaiming feminist language structures and processes regardless of whether or not they fit funding criteria (Prieur, 1995:4).

In addition to these challenges, feminist activists and academics encountered important theoretical and practical dilemmas involving divergent conceptualizations of political activism and the state. Some feminists argued that the state cannot be viewed as a monolithic structure with inherent patriarchal intentions. As Jane Ursel (1991) suggests it may not always be in the interest of the state to support all aspects of the patriarchal order. As I have mentioned throughout the thesis, Canadian feminist organizing is characterized by a complex diversity of structures, ideologies, and actions. However, institutional feminism acquired hegemonic control of the liberal feminist perspective through the involvement of nongovernment organizations such as the Canadian Advisory Council on the Status of Women. I commented on the two primary perspectives I believe exist in Canadian feminism in relation to the wife battering initiative (i.e., liberal and radical). The two different perspectives are founded on underlying philosophies based on either a conception of the state as inherently and monolithically patriarchal or as dynamic and contradictory (Ursel, 1991:285). The implications of these two divergent analyses of the state led to either a "vigilant guarding of the feminist ownership

of the issue" and a distrust of heterogenic services, or allowing women's groups to strategically converge interests with the state (Ursel, 1991:285).

A number of the reports examined in my thesis highlighted the negative consequences of state involvement for the feminist movement: redefinition of the issue of wife battering, professionalization of services, competition among services and lack of control or ownership of the issue. These findings contrasted with other feminist reports that recognized, albeit cautiously, the potential benefits of state intervention. The expansion of services, availability of funding, and the legitimation of criminal justice options was a motivating factor for those feminist organizers.

The documents studied during the thesis project have revealed that practical and/or political solutions sought by feminist groups concerning wife battering have changed over time. Initially, feminist, grassroots activists resisted state intervention. Subsequently, the "feminist" position cautiously embraced state intervention to ensure that the criminalization of wife battering occurred. Eventually, however, feminist activists reluctantly re-evaluated their position and began to insist that state intervention had cost more than the benefits received. While feminist activists actively pursued state involvement to gain funding, legitimation of the issue and credibility during the mid 1980s, state institutions appeared to support feminist

concerns superficially which led to the state's underlying control of the agenda.

Some of the research articles were written with the primary intention of espousing a "feminist" perspective, while other research represented a "professional/expert" perspective based upon the fields of psychology, social work, sociology, etc. The remainder of research acquired a mixed identity borrowing ideas from a variety of positions although never fully emerging as a distinct perspective.

The goals (objectives) of the feminist perspectives ranged from attempts aimed at acquiring state funds for shelters to public awareness campaigns designed to alter the social and political structures in society. Professional research, by contrast was guided by the need to validate specialized intervention. This type of research which embraced professional language, led to the legitimation of statistics and ultimately the development of theoretical frameworks on wife battering/family violence. Stanley Cohen (1985) provides an excellent commentary on the role of professionals and their relation to the state in terms of their control over social problems. Cohen argues that the professionalization of deviancy control is characterized by continual expansion and diversification (1985:161). He locates professionals within a "new class" of mind bureaucrats that provide a framework of collective interests, while simultaneously enabling them to cultivate their "guild

advantage" (1985:164). Therefore, professionals are viewed as maintaining control over their work and the people they study or serve and may not necessarily act in the best interests of the state. Professional expansion occurs through classification, diversion, community-control and privatization. The language and logic of helping professionals (or "people-processing" professionals, Cohen, 1985:164) leads to the development of scientific definitions, which serves as a self-fulfilling prophecy. Cohen's arguments are helpful in understanding the motivating factors behind the development of professionalized services and concepts related to wife battering. The proliferation of services to control wife battering include: transition houses, second-stage housing, treatment programs for batterers, specialized police crisis teams, victim programming, mediation, psychiatric counselling, and couples therapy. The professional ideology of social problems depends upon the process of classification through the creation of new categories of deviance (Cohen, 1985:195). As Stanley Cohen (1985) contends:

The whole social problems industry is organized, staffed and financed on the assumptions of permanence and long-term growth. Every problem has to be seen simultaneously as more or less intractable, yet more or less under control.... Insolubility is built into the language of social-problem definition (p.171).

Throughout my exploration, I found it extremely difficult distinguishing between rhetorical statements and the actual substantiated "facts". Rhetorical statements were often accepted and promoted as the "truth". Also, generalizations

were often made based on skewed evidence, for example, the majority of feminist research relied on information obtained from battered women who sought shelter and professional help as a last resort, therefore, generalizations were made based primarily on those battered women identified by the social and criminal justice system.

Their diverse experiences were subsumed under simplified notions of syndromes or cycles of battering. At the beginning of the thesis, I set out to examine "wife battering" research in Canada to try to find out how and why certain frameworks or perspectives emerged as dominant ones. I have found out the process whereby wife battering emerged as an issue of public concern did not occur as a result of a unilinear evolution from a private to a social problem. Its development as a social problem was part of broader processes involving the struggles of the growing women's movement, the state's increased focus on crime control and victim advocacy, and a general crisis of faith in "experts" and professionals.

The diversity and tension among grassroots and "institutional" feminism led to different ideological implications. There was obvious tension over such issues as the definition of wife battering. The grassroots perspective supported the development of definitions and concepts based on subjective criteria (individual woman's experiences) and policies devoted to self-help or nonhierarchical communal approaches. Institutional feminism promoted the objective

definition of wife battering based on the understanding of the patriarchal subjugation of women within the family which required policies based on state intervention and sanctions.

Divergence of opinion occurred between and within the women's movement on race and class issues. Initially, the women's movement was reluctant to appreciate the diversity of women and the importance of their social and cultural locations. Gradually, it began to recognize the diversity of women's experience, priorities and needs, and attempted to balance this new accessibility against the advantages of "speaking in one voice".

Governments were also grappling with the implications of the multicultural nature of Canada during the 1980s. A specific recommendation from a federal nongovernment consultation clearly identifies the diverse nature and implications of concept developments:

a federal government strategy was to work with NGOs to develop a language that is acceptable for national initiatives and find ways to promote the use of language which is acceptable to individual communities. An example of a language difficulty at the consultation was the use of 'spousal abuse/wife abuse/family violence'. Aboriginal representatives used 'family violence' or 'spousal abuse' and recorded in one report that the term 'wife abuse' was offensive to them. This comes from their viewpoint that aboriginal men are as victimized as women. However, the terms 'spousal abuse' and 'family violence' were seen as misleading and unacceptable to other groups who believe that the fact women and children are the victims must not in any way be 'watered down' (Canada, 1989b:37).

The belated recognition by women activists that it is impossible to separate gender from other aspects of one's

identity, such as ethnic/racial membership, culture, and social class led to changes in strategy for the battered women's movement. Feminists struggled with the multidimensional nature and experience of battered women (e.g., francophone, aboriginal, rural, immigrant) during the national consultative process. Women's organizations were confronted with opposing views and conceptualizations of violence against women and were challenged to provide a unified approach. Feminist activists were challenged to develop an all encompassing, unified perspective without losing cohesiveness within the movement. The implications of developing a unified perspective led to the creation of rather cumbersome definitions including all the dimensions of wife battering. This unifying strategy effectively diminished the significance of gender.

Discord also appeared within the Canadian government between the Justice, the Solicitor General, the Health and Welfare, the Status of Women Canada, and the Secretary of State for Women departments. The departmental mandates and perspectives ranged from upholding the law with crime control measures to protecting family values with family rehabilitation techniques. Their ideological differences cannot be understood apart from ongoing budget rivalries and the related needs for legitimation of respective mandates. These factors contributed to selective alliances with women's groups (within and outside government), whereby each

department tried to capitalize on some superficial similarities between some aspects of their agendas and feminist concerns without, however, endorsing the feminist worldview.

The social problem of wife battering was transformed from a politically charged feminist issue founded on communal self-help ideals into a professionalized issue founded on bureaucratic interests. The historical reconstruction of the interplay among such diverse actors as the women's movement, the professional organizations, nongovernment institutions and the government departments revealed the many hidden agendas concerning the social construction of wife battering. The existence of these hidden agendas in the construction of social problems signifies that programs, policies and services are also marked by those unrevealed assumptions and aspirations.

Appendix I  
Recommendations of Federal/Provincial Task Force  
on Justice for Victims of Wife Assault

34. Written guidelines should be developed which emphasize that wife assault is a criminal offence and should be dealt with as such; the guidelines should state the criteria for law enforcement officers and prosecutors to consider in deciding whether to lay charges and make arrests in assault cases; the guidelines should advise specifically against basing decisions about charging or arresting on the officers' perceptions of the victims' wishes or the likely action of prosecutors or the courts (Canada, 1983:116).

35. A comprehensive police training manual should be produced for use by officers and it should include, but not be limited to, providing police officers with current information about the nature of wife assault, the needs of wife assault victims, the changing police role in responding to wife assault, relevant sections of the Criminal Code, and the importance of making referrals to community services (Ibid, p.116).

36. Police officers should respond to all wife assault calls by attending the scene and should keep records on all calls regardless of whether they lay a charge or make an arrest (Ibid, p.116).

37. Police record-keeping systems should permit officers responding to each call to know whether there has been a history of assault, the nature of previous incidents, and whether weapons have been involved. The relationship between the victim and assailant should be indicated on all occurrence reports and charge sheets (Ibid, p.116).

38. All Canadian police education and training centres should offer a course on family violence with an emphasis on wife assault and these courses should be developed with assistance from people in the community who provide services to wife assault victims (Ibid, p.116).

39. All current court orders which prevent a man from seeing or harassing his spouse should be enforced by all police forces (Ibid, p.117).

40. Police forces should institute domestic crisis intervention teams in collaboration with social and mental health services. These teams should be used in addition to, not as a substitute for laying charges and making arrests where grounds exist for these actions (Ibid, p.117).

41. Police officers should make every reasonable effort

to provide or arrange for transportation for assaulted wives and their children when the victims seek shelter outside the family residence (Ibid, p.117).

42. Court orders providing protection for the physical safety of wife assault victims and their children should be obtainable expeditiously (Ibid, p.117).

43. The Ministers responsible for social services in all jurisdictions should:

a) Review, with the aid of representatives from transition houses, the kinds of services for assaulted wives and their children which are provided by transition house staff and the funding problems which inhibit the creation and jeopardize the maintenance of emergency shelters for assaulted wives across Canada;

b) Draft a funding agreement that would ensure capital and operating costs are adequately met for houses providing emergency shelter for assaulted wives and their children as well as for necessary support services; start-up grants should be available for emergency shelters and second-stage housing where such facilities are required but do not exist.

c) Review alternative means of providing protection and services to special groups of wife assault victims including rural, native, immigrant women, and women of language minorities (Ibid, p.117).

44. Ministers responsible for housing in each jurisdiction should ensure that wife assault victims and their children have greater access to subsidized housing units as emergency shelters, second-stage housing and permanent housing (Ibid, p.117-118).

45. Programmes for research and demonstration projects within Health and Welfare Canada, and the federal departments of Justice and the Solicitor General should provide funds for the development and assessment of counselling services for abusing spouses; the services should be available as sentencing options for the Court and for referrals from other court officials (Ibid, p.118).

46. The National Clearinghouse on Family Violence should continue to provide information on wife assault issues and the kinds of services that community groups may choose to establish to help meet the needs of wife assault victims, children from violent homes and abusing spouses (Ibid, p.118).

47. Police departments should be urged to assist in providing information to the public about wife assault and the legal and social service options available to victims (Ibid, p.118).

48. Provincial Ministries of Education should consider incorporating materials on family violence and wife assault into appropriate school curricula (Ibid, p.118).

49. Research should be conducted on decision-making in wife assault cases at various stages in the criminal justice system and on the effectiveness of different dispositions for preventing further violence (Ibid, p.118).

Appendix II

Highlights of Presentation by Linda MacLeod and Flora McLeod  
During the National Workshop on Services to Crime Victims

1. The family environment is often violent. Precise statistics on family violence have not been compiled, but the author of Wife Battering in Canada estimates that at least ten percent of married women have been beaten at least once by their husbands (Solicitor General, 1980:23).
2. Beatings are often related to the expected social and legal roles of members of a family, especially to the perceived inequities women face in the home (Solicitor General, 1980:24).
3. Family abuse patterns appear often to be chronic situations. For example, wife battering is rarely a one-time occurrence. Abused children will, as adults, often demonstrate spouse battering behaviour. Women are most susceptible to beatings during pregnancy. Wife battering appears to cut across socio-economic classes (Solicitor General, 1980:24).
4. Battered wives are often not given consistent advice and support by members of both the criminal justice and social development systems. For example, they may be criticized for not charging their husbands with a criminal offence and leaving home, but many would have nowhere to go if they did leave their husbands (Solicitor General, 1980:24).
5. Battered women need support and understanding and want protection. They also require assistance in overcoming the isolation, fear, blame, and guilt which often results from being mentally and physically abused (Solicitor General, 1980:24).
6. Policy makers and officials within the criminal justice system often do not recognize the distinctive needs of the battered wife. Specialized services are usually required to meet these needs (Solicitor General, 1980:24).
7. Wife battering is often not fully recognized by many representatives of criminal justice and social development systems as being a violent act and a crime. Many stress reconciliation as a solution, or propose treatment as the cure. The matter of legal rights is consequently not given serious consideration and battered wives may be discouraged by institutional and social pressures from exercising their rights (Solicitor General, 1980:24).

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