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National College of Art & Design

Faculty of Fine Art / Sculpture

"Punctuations of Dehiscence"

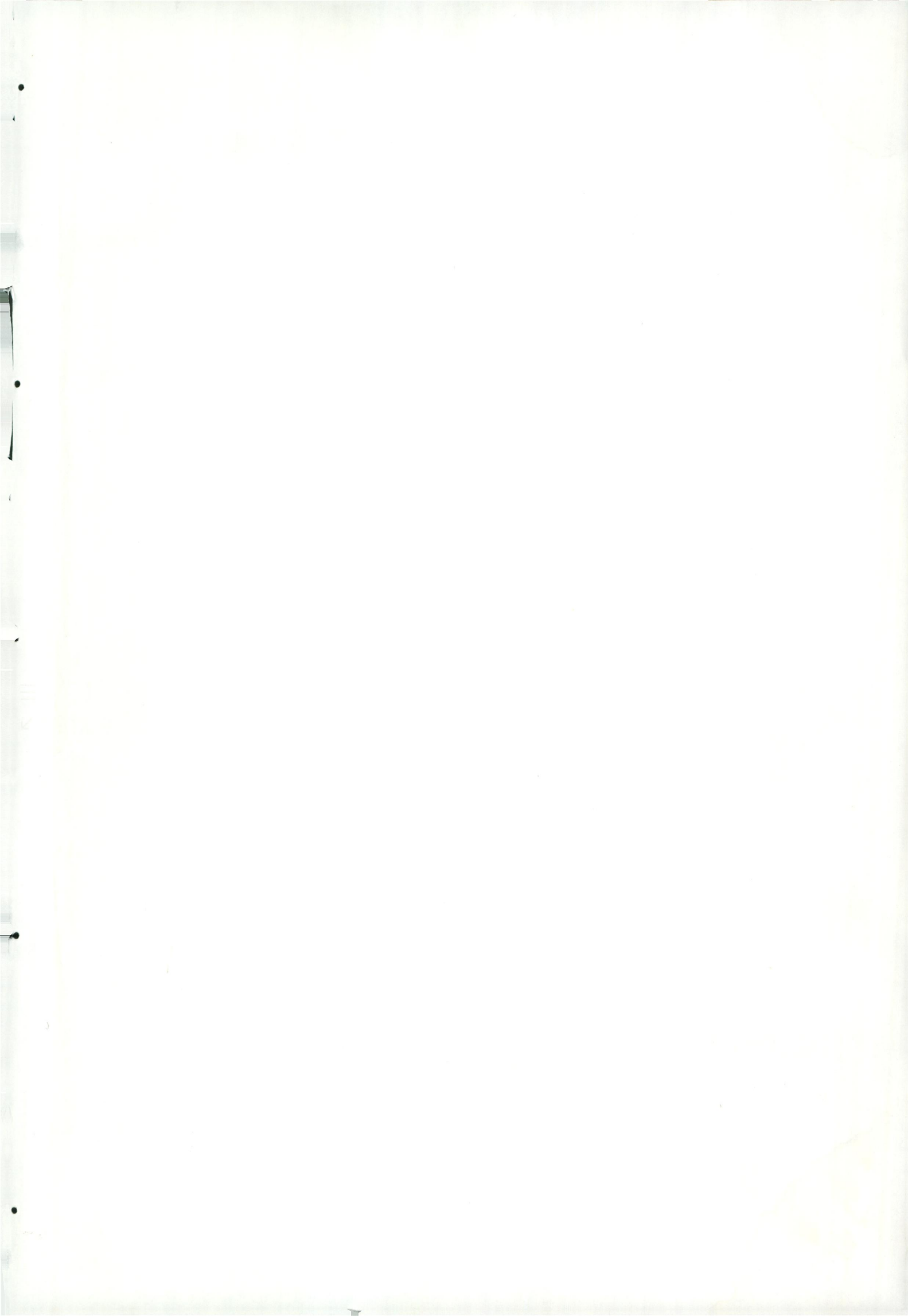
By

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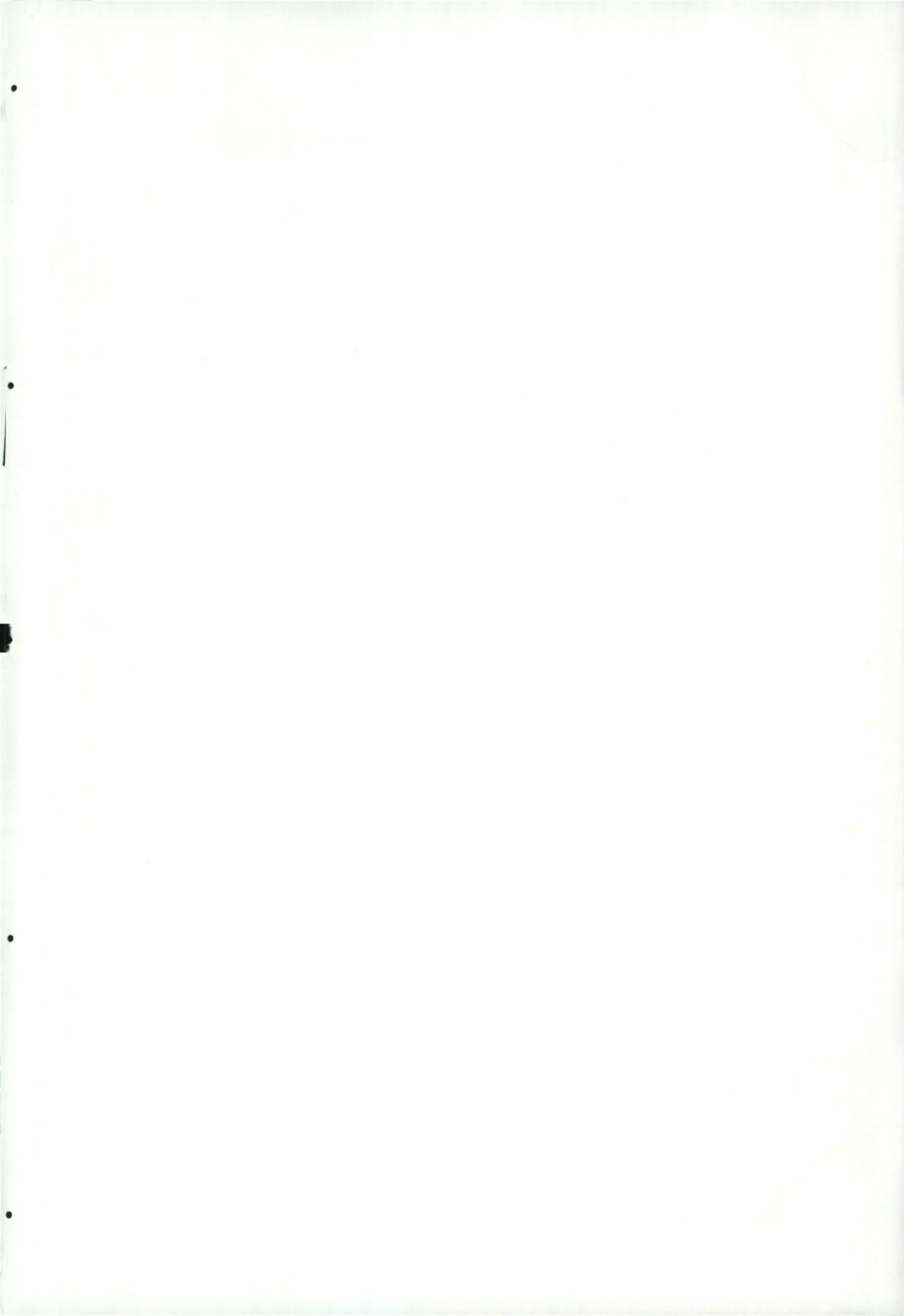
1995



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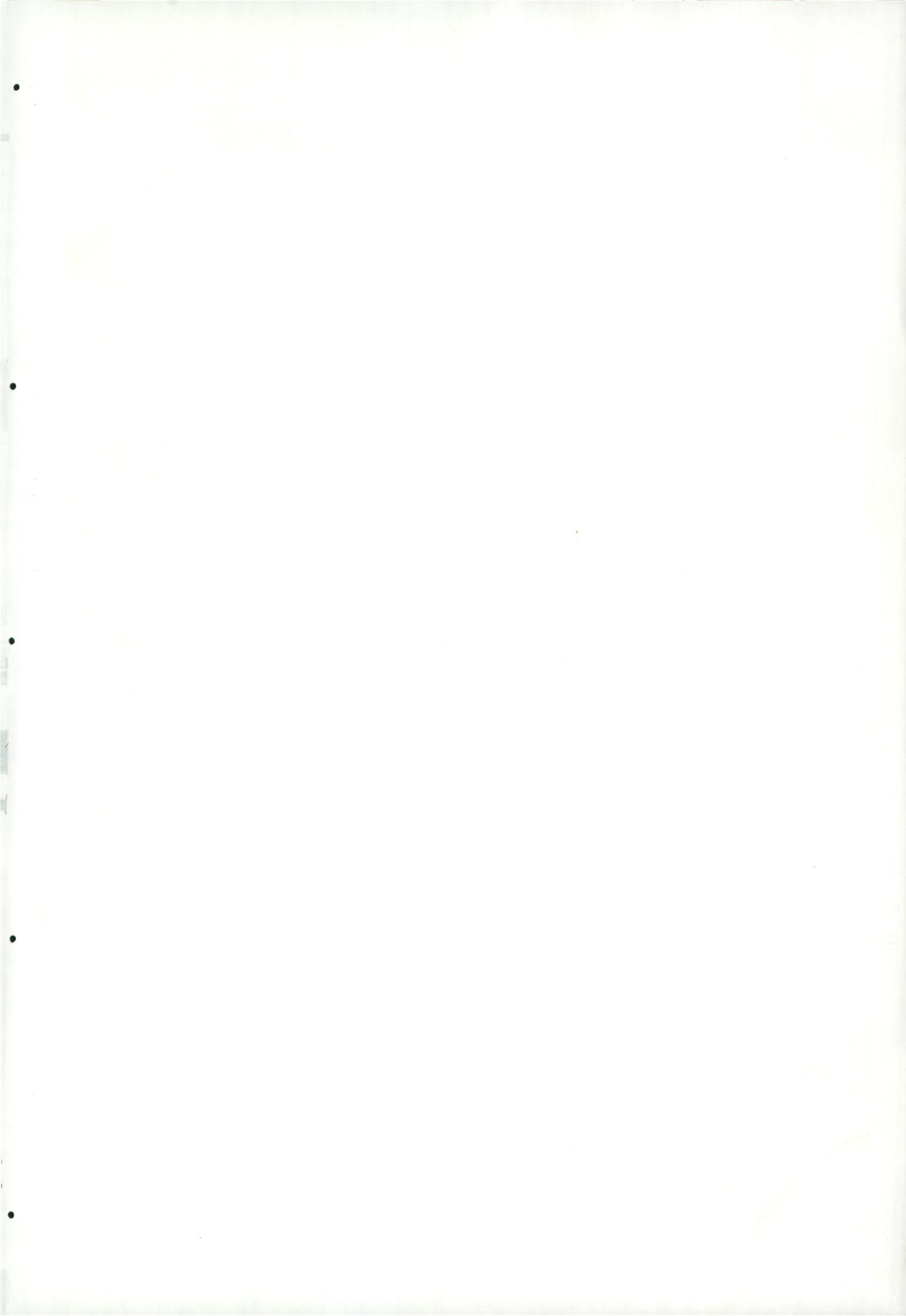




## INTRODUCTION

In this discussion I propose that we understand violence against women in the home as a language. Commonly understood as domestic violence, I choose not to use this term because of its neutrality towards a violence which is gender specific, and because of how it is readily attached to meanings which underplay the extent of the violence involved. In recent years 'battered wife' or 'battered woman' has gained currency as a means of avoiding the gender neutrality attached to 'domestic violence'. Throughout this discussion I will use the term woman - as - battered - woman. The reason for this is to negotiate a gap between woman and the event of her battering in order not to fix her position as victim, and to negotiate an analysis of how some women are positioned in the category of battered - woman. The binary opposition man/woman and the hierarchization of 'man' within that binary opposition constitutes woman as subordinated, feminized. The subject effects of this categorization of 'woman' signifies the gender based relations of power that produce and regulate the intelligibility of 'woman' and acts to enforce the construction of woman - as - battered - woman. I aim to articulate the ways in which different discourses, practices and social relations construct this category.

I will refer to the battered - woman - script, as a means of analysing how language operates as a structure of signifiers



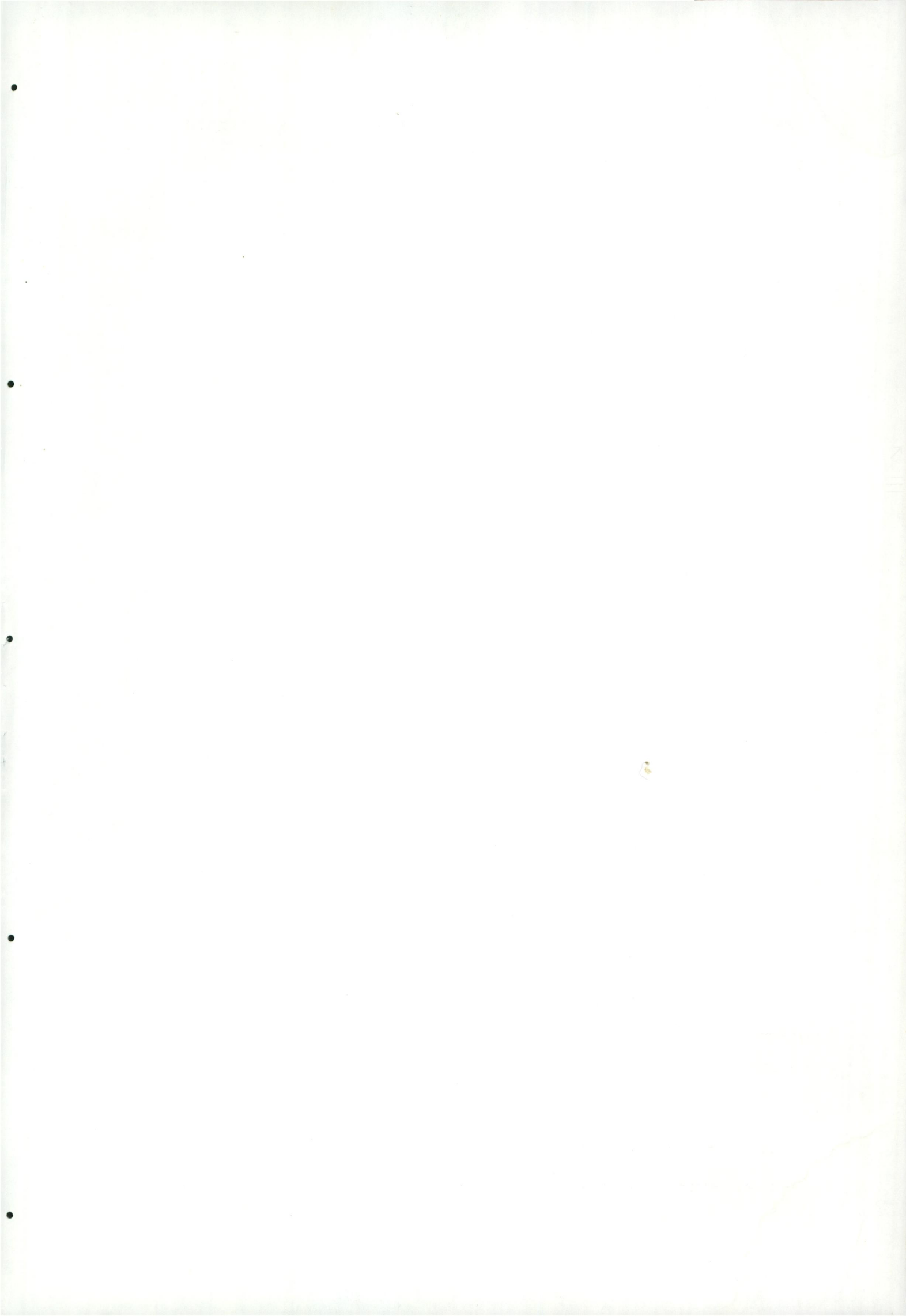
which woman - as - battered - woman has available to her to experience herself as a speaking, acting and embodied subject.

We know no world that is not organized as a language, we operate no consciousness but one structured as a language - languages that we cannot possess, for we are operated by those languages as well. The category of language then, embraces the categories of world and consciousness even as it is determined by them.

( Spivak, 1988, p.77)

Language precedes us, operating as a set of signifying practices that construct us as subjects. Therefore defining battering within a linguistic structure allows for how certain narratives enable and promote the violence of battering as an imposing cultural script. By understanding it as a scripted interaction allows for an understanding that includes articulation of what pre-exists the actual battering event, and what lies in its wake. By referring to violence against women in the home as a script, I am drawing attention to the roles allocated to women within the script, but I am also positioning it as subject to change.

How woman - as - battered - woman gets said effectively operates to produce the subject position of battered - woman. The dominant cultural narrative that posits responsibility on woman - as - battered - woman for her own victimization is the response of, 'Why does she stay?'. As a discourse, ' Why does she stay?' operates effectively as a means

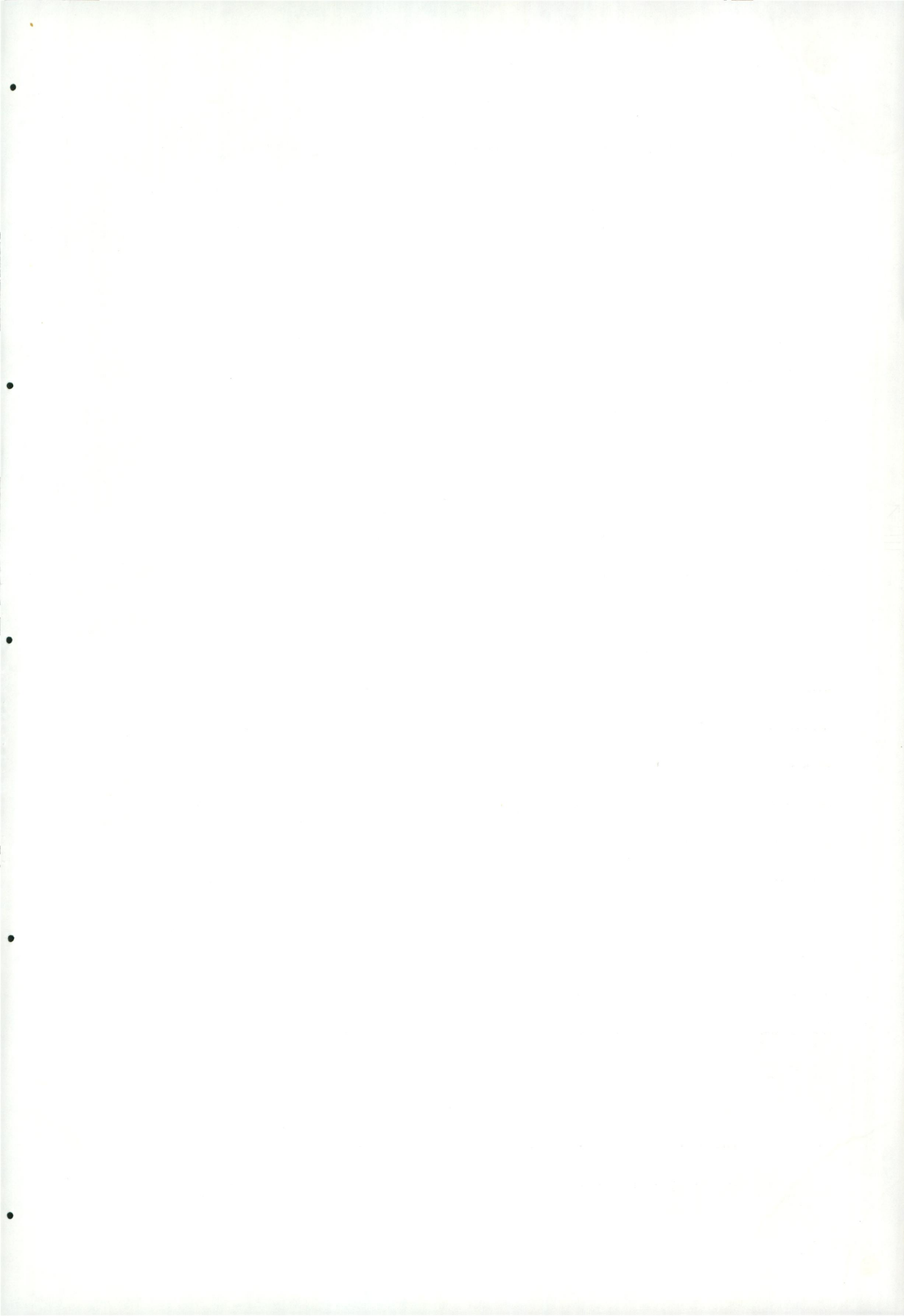




of deflecting attention from the batterer. The question's ultimate logic is that the 'she' of the question has the choice to leave, that if 'she' is victimized and stays in the relationship we are absolved from the necessity to participate in understanding her plight. What lies hidden in the discourse of ' Why does she stay?' are the micro strategies which underwrite and constitute the battering script.

' Why does she stay?' does not just comment on a pre-existing script - it also scripts. It fictions 'truths' around what can be said about the battering script, by focusing on the woman it refuses the significance of what surrounds her. The inherent dismissal of women in violent relationships contained within the discursive practices of ' Why does she stay?' promotes her inability to leave her position within the script, or to effectively negate that script. The social, legal, medical and economic factors which constitute woman - as - battered - woman are often avoided and denied and help to present her position as fixed.

'Why does she stay?' is also a historically specific response. The assumption contained within this discursive practice is that 'women' at this historical juncture, are treated equally to men. That, through the feminism of the last thirty years, all women have access to the same power and privilege as men, that the advances some women have made means all women have similar access. This universalizing tendency plays blind to historical reality. Until quite recently, violence against women in the home was legit-



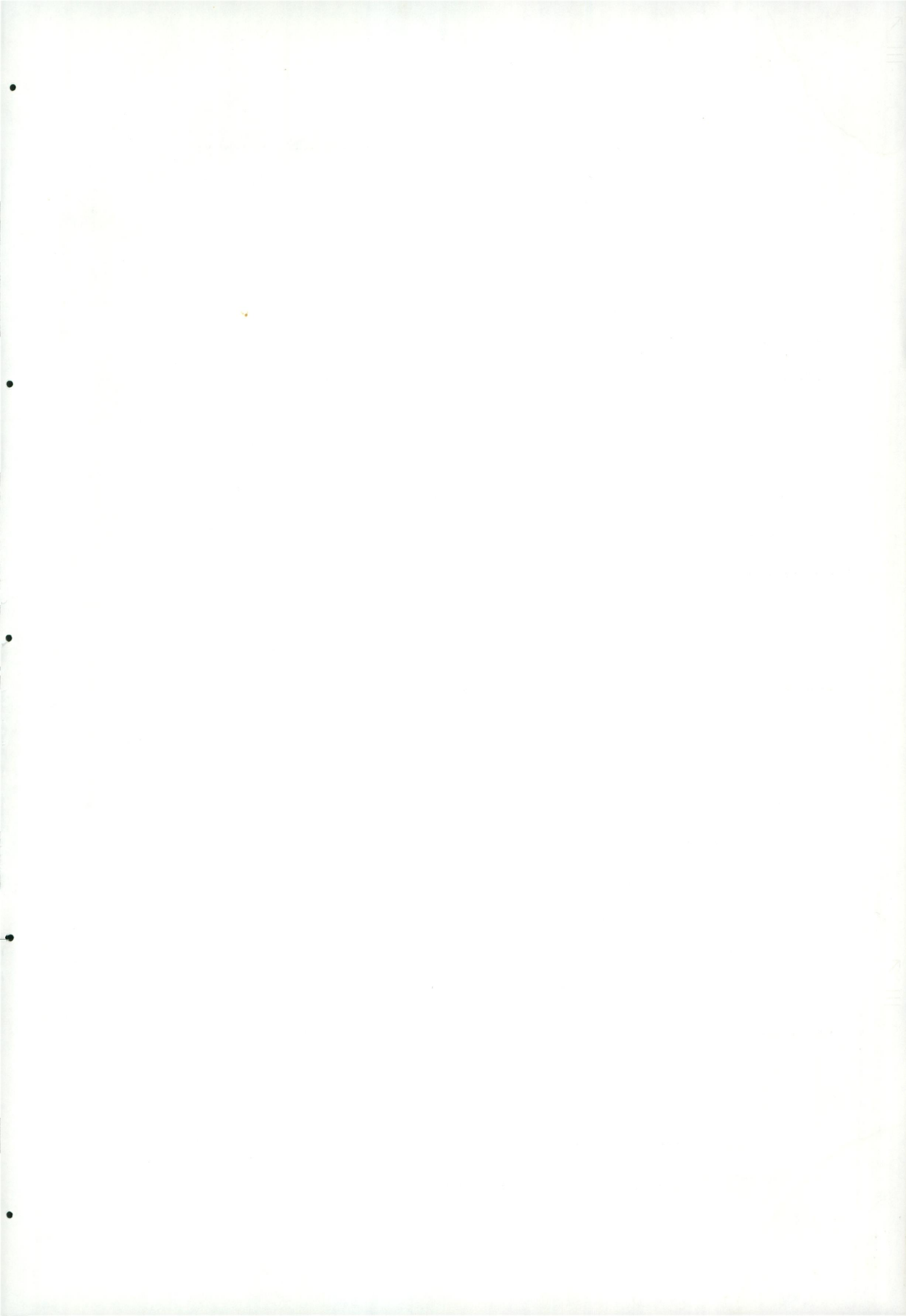
imized by the legal institution's refusal to recognise it. For example up until the 1970's, rape within marriage was not recognised by the law.

Economic factors also play an enormous part in promoting women to stay in violent relationships. It is only since 1980 that women have been taxed separately to their husband, previous to that they were taxed on their husband's earnings, (Kennedy,1989). The avoidance tactics by successive governments in paying backdated claims of women on social welfare is also relevent, as to how that affects the poverty experienced by women who wish to exist economically separate from a violent partner, not only because of the economic effects but for the very strong message it gives all women in that economic category.

The Protection of Persons Bill currently being drafted by the government will hopefully give the Gardai the power to remove and arrest a violent partner from the home, which they are powerless to do at the moment, ( Women's Aid,1994). At present the limited legal rights wives have to protect themselves against violent partners through barring orders are denied to women who are co-habiting with a violent partner, ( Women's Aid,1994).

The question 'Why does she stay?' needs to be appropriated and used as a point of entrance into an investigation which concerns itself with what happens when she leaves.<sup>1</sup>





What is crucial is the capacity to shift the terms of the struggle, the ability to see our position within existing structures but to respond from somewhere else.

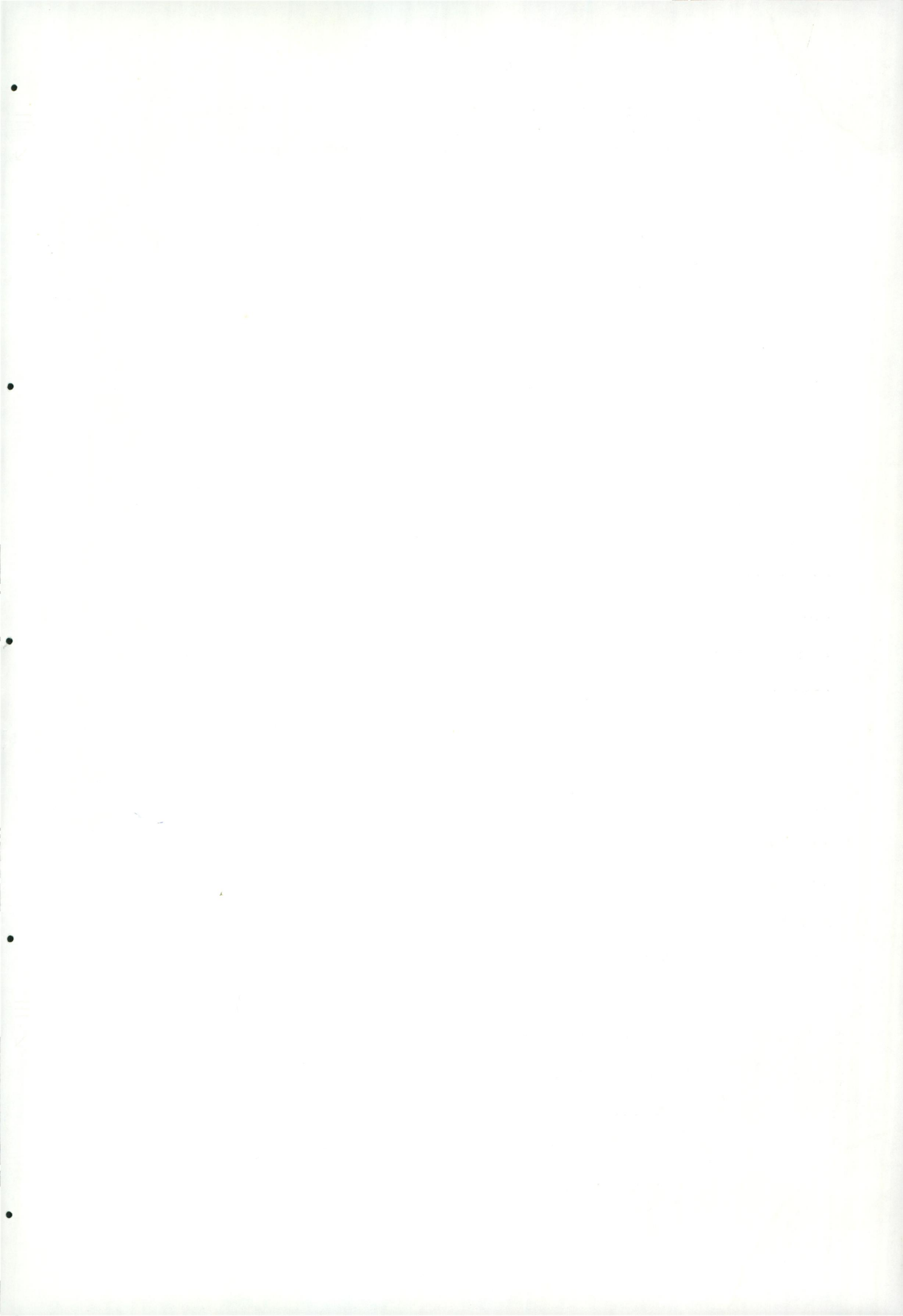
(Martin, 1988, p.10)

Throughout my research I have been constantly made aware of how much research is concentrated on the woman within the battering script.<sup>2</sup> Paying attention to what Martin states above, the negotiation of this discussion analyses the margins of the battered - woman - script, rather than entering into a discussion of actual battering events, in the hope that this will provide knowledges that refuse and rupture the role of woman - as - battered - woman.

The cultural narratives that produce gender inequalities, that constitute 'woman' as passive, feminized, can be understood as what pre-exists 'woman's' entrance into the battering script. These are examined as a means of locating strategies within our society that constitute 'woman' in subordination, producing 'woman' as appropriate victim to male violence.

How the medical, police and legal institutions are implicated in re-inscribing woman - as - battered - woman's victimization are presented in my discussion as a means of concentrating on the discursive practices that are masked and ignored by 'Why does she stay?'.<sup>3</sup>

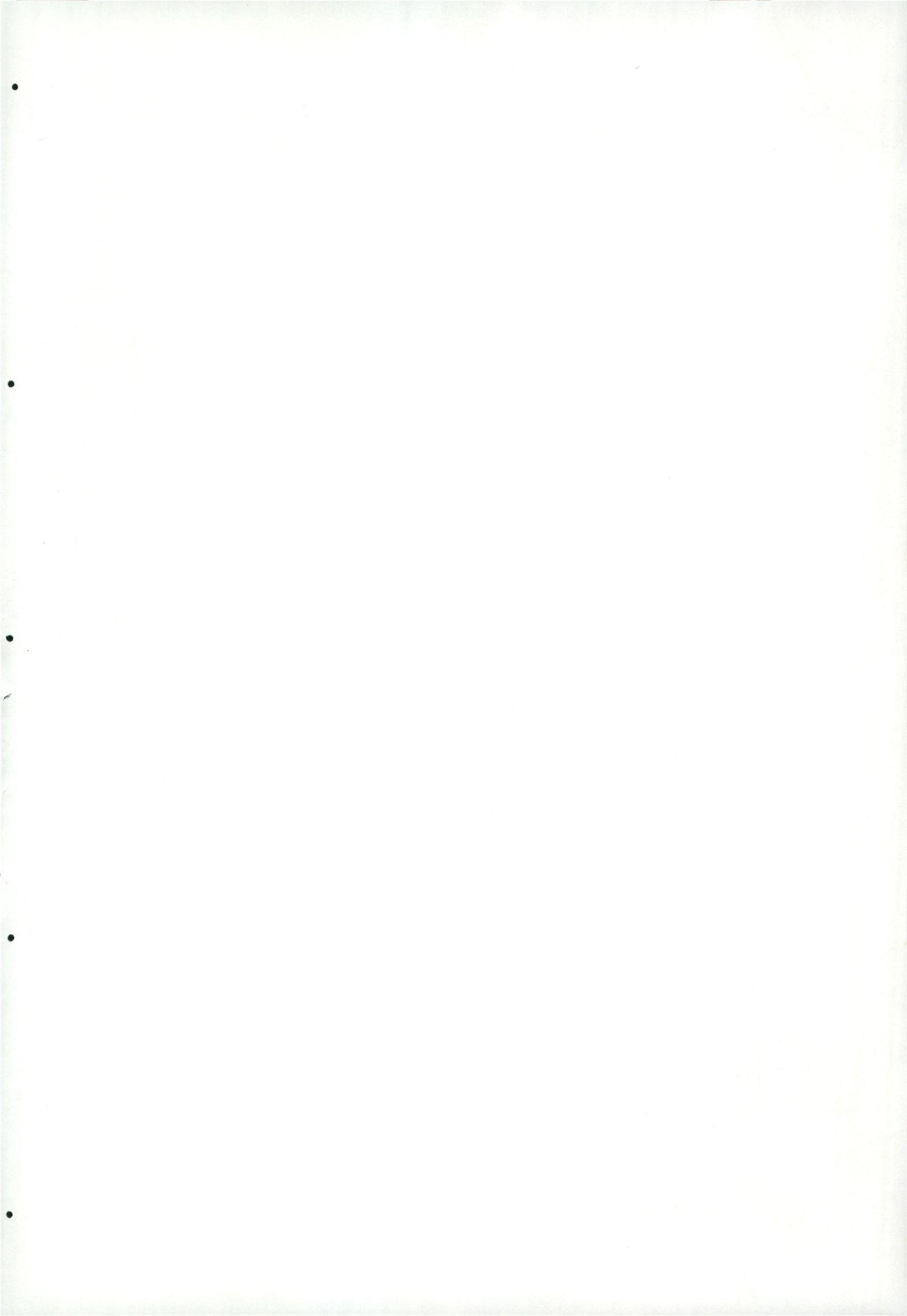
Also implicated is the research on woman - as - battered - woman: how she gets said, the 'effects of truth' that



research produces. The criteria on which such 'truth' is established warrants an analysis of the epistemological 'authority' such research is based on because of the socio-political and legal ramifications this production of knowledge has for woman - as - battered - woman.

That we are constituted through our emergence in a pre-existing language is not to say our position is totally fixed. The signifying practices that produce us are historically situated. By contextualising language as historically situated, discourses and discursive practices are contingent, mobile and subject to change.

The persuasive power of the media, its ability to circulate across many different geo-political sites, is used as a means of interpreting three representations of the battering script. The media trial of O.J.Simpson is mapped out so as to negotiate the possible potential this trial offers to change the dominant interpretation of the battering script and how this trial can contribute towards strategies that negate the script in an Irish context. A fairly recent and spectacular example of how woman - as battered - woman is asked to perform her role is analysed through the case of Lorena Bobbitt. Both the O.J.Simpson trial and the Lorena Bobbitt trial allow for an analysis of specific legal responses to woman - as battered woman. The way in which, for example, Nicole Simpson Brown as battered - woman is presented through her subsequent death, and how different this response is to Lorena Bobitt who fought back. The Third



Episode of Roddy Doyle's *The Family* allows an analysis of the subject effects of the battering script and how they are typically interpreted. This episode also represents 'new fictions' which have the potential to disrupt the script.

Inserted at various points throughout the discussion, are texts that offer a different method of presenting aspects of the battering script. They stand not outside but parallel to the main body of the discussion, or to reiterate Martin..., as a response from somewhere else.





**MONOLOGUE (JUSTIFICATIONS)**

**"I LOST CONTROL"**

**"I WANTED TO HURT SOMEONE ,SHE WAS THE BEST PERSON"**

**"I COULDN'T CONTROL MYSELF"**

**"SHE WOULDN'T LISTEN TO ME"**

**"I LOST CONTROL"**

**"SHE WOULDN'T ANSWER ME"**

**"I COULDN'T CONTROL MYSELF"**

**"I JUST WANTED HER TO SEE IT MY WAY"**

**"I LOST CONTROL"**

**"I COULDN'T GET THROUGH TO HER WITH WORDS"**

**"I COULDN'T CONTROL MYSELF"**

**"WOMEN BRUISE EASILY"**

**"I LOST CONTROL"**





## Chapter one

### WHAT PRE-EXISTS THE SCRIPT

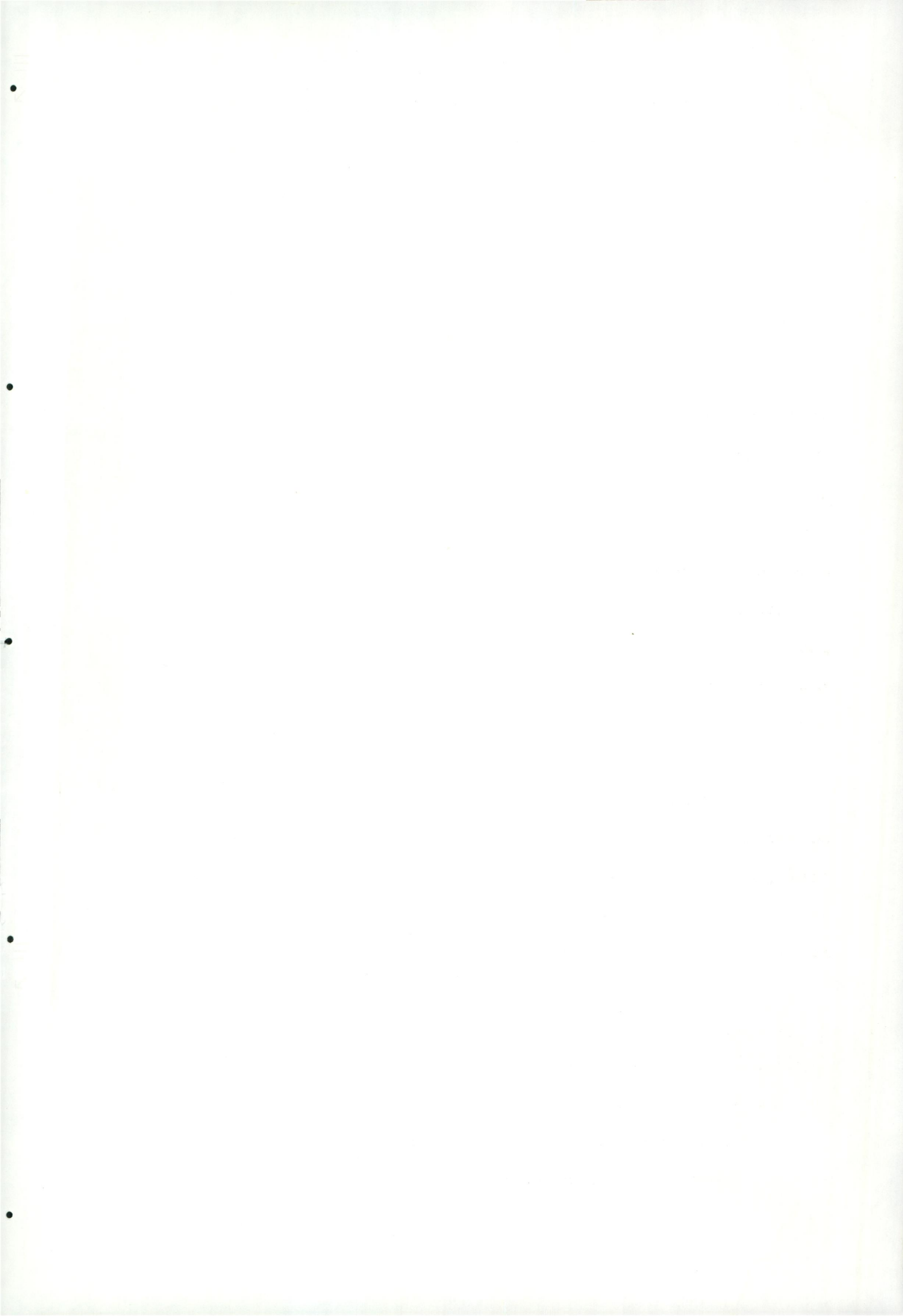
But... those three dots mark a precipice, a gulf so deeply cut between us that for three years and more I have been sitting on my side of it wondering whether it is any use to try to speak across it.

(Woolf, 1993, p.118)

The silencing of women produced through the battering script warrants a concentration on what pre-exists the script, by investigating how certain narratives enable and promote battering as an imposing cultural script.

Taking up Foucault's point that "...the relations of power are perhaps among the best hidden things in the social body" (Foucault, 1988, p.118.), and that while women's positions have changed in the last twenty years, we should resist universalizing tendencies and recognise the heterogeneous positions occupied within the category 'woman'. Or as Mary Poovey states; "...All women may currently occupy the position 'woman', but they do not occupy it in the same way," (Poovey, 1988, p.59). By deconstructing the consolidation of all women to a falsely unified 'woman', this strategy can help uncover operations of power which constitute some women's occupancy of the position 'woman' as appropriate subject of violence.

Our culture's various techniques of feminization are usually presented to us through the rhetoric of 'choice' and 'self



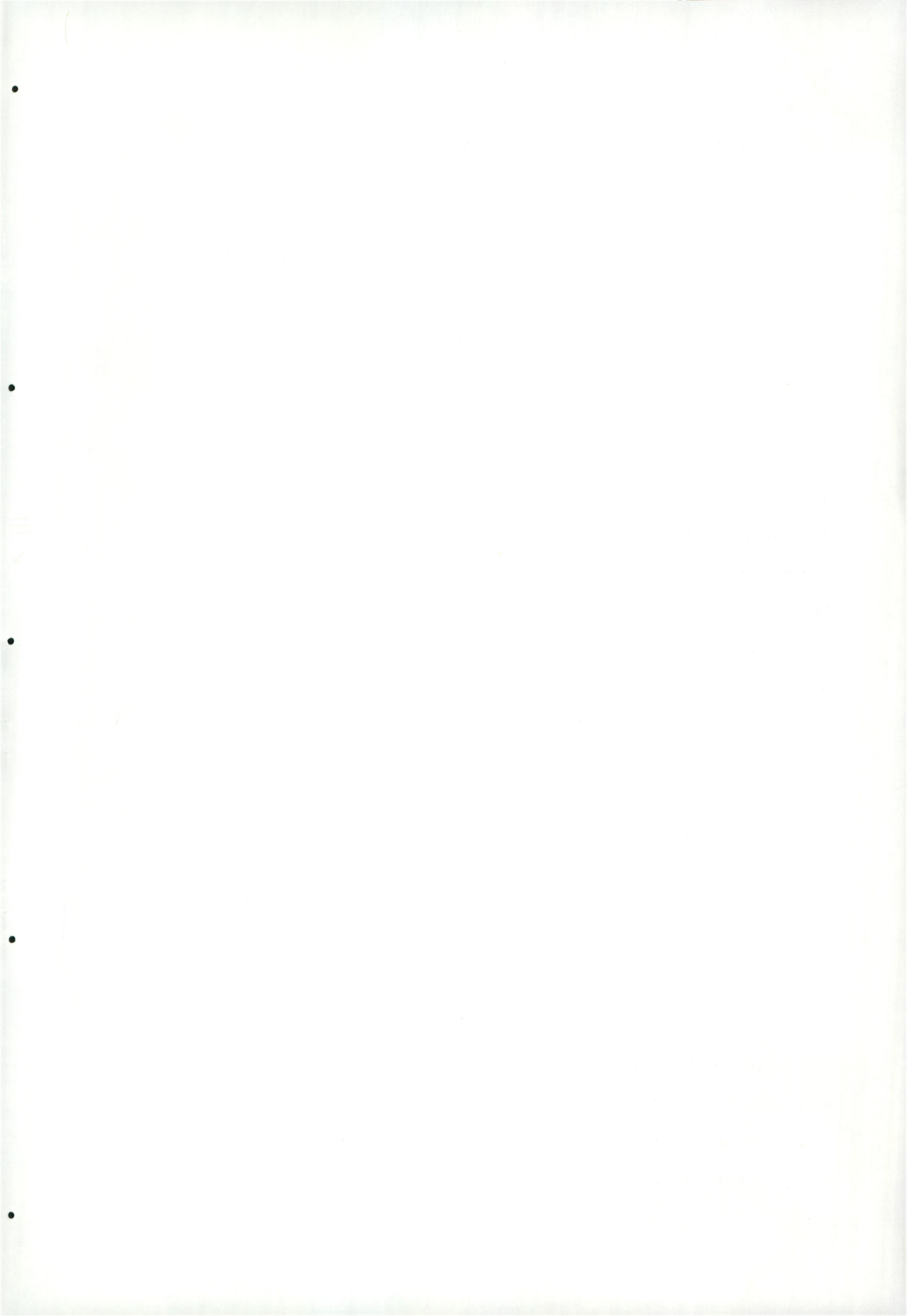
determination', (Bordo,1993,p.197).What lies hidden is how these operate as techniques of normalization. Women "choose" to work outside the home, and yet, even though women may have full time employment, the dominant cultural narrative assigns 'woman' primary responsibility for household management, children et al, (Murphy & Meyer,1991). The primary responsibility of childcare assigned to the category 'woman', very often means she 'chooses' part-time employment, offering less job security and status, (Hartman,1987). The regulatory effects of these techniques of feminization produce as effect 'woman's ' economic dependency.

Dominant cultural discourses of heterosexuality overlap and constitute 'docile ' bodies, feminized and passive. How power can operate through communication between men and women can operate to re-inscribe 'woman's' feminization. Discursive practices of heterosexuality operate to produce 'man' as superior to 'woman', producing as effect his 'need'to maintain dominance in communicating with women,(Zimmerman & West,1975,p.124). Men's identification with conventional 'masculinized' roles of domination position 'woman' as feminized and passive. Some of the assumptions contained within this role:

Centre to a considerable degree on the themes of a wife's obedience, respect, loyalty, dependency, sexual access and sexual fidelity.

(Smith,1990,p.258)

Within Irish society the sanctity of marriage is prioritized far and above the individual's response to a particular mar





ital arrangement. The fact that divorce is still unavailable in Ireland and that women are inclined to believe the cultural script that they should endure a bad situation for the 'sake of the children' act as effective techniques of power to restrict her mobility.

Religious beliefs and the church can also be responsible for positioning 'woman' as appropriate victim to violence.

The christian belief that women should serve their husbands as men serve god, is invoked as rationalization to endure a husband's violence for later rewards in the after life.

(Ferraro & Johnson,1983,p.330)

Promoted as women are as the 'natural' caregivers in the community, often the woman accepts society's prescription that she should try harder to understand and help her abuser, or that she is somehow responsible for the abuse. Many of the cultural scripts she is constituted through, promote her entrance into a violent relationship, (Ferraro & Johnson,1983).

Discursive fields overlap- influence and compete with one another; they appeal to one another's 'truths' for authority and legitimation.

(Scott,1988,p.35)

That many sociologists rely on the 'crisis in the family' theory as a means of explaining the battering script is problematic. Within this theory is a notion of 'family' as universal and transhistorical and it does not account for the shifting definition of 'family' at different times in



history or in different cultures, (Barrett, 1986). As Breines and Gordon state:

Wife beating is thus conceptualized as a breakdown in social order (with no distinction made between its different manifestations) rather than as a reflection of a power struggle for the maintenance of a certain kind of social order.

(Breines & Gordon, 1983, p.511)

Operating within our society are numerous discursive practices that constitute 'woman' as subordinate to 'man'. Even if these practices do not determine the category woman - as - battered - woman, MacCannell and MacCannell make the interesting point:

That if some appear to escape tyranny based on their categorization it is because they have been allowed to escape only to serve power by masking its effectiveness; that power is not neutral, diffuse and freely available but fiercely protected by those who hold it and their agents; and threats and the actual use of and violence remain essential to the exercise of power.

(MacCannell & MacCannell, 1993, p.205)

The battering script cannot be separated from the methods deployed to make the category 'woman' conform. The refusal of the battering script necessitates a feminist politics as articulated by Chantal Mouffe, who, in discussing a political agenda states:

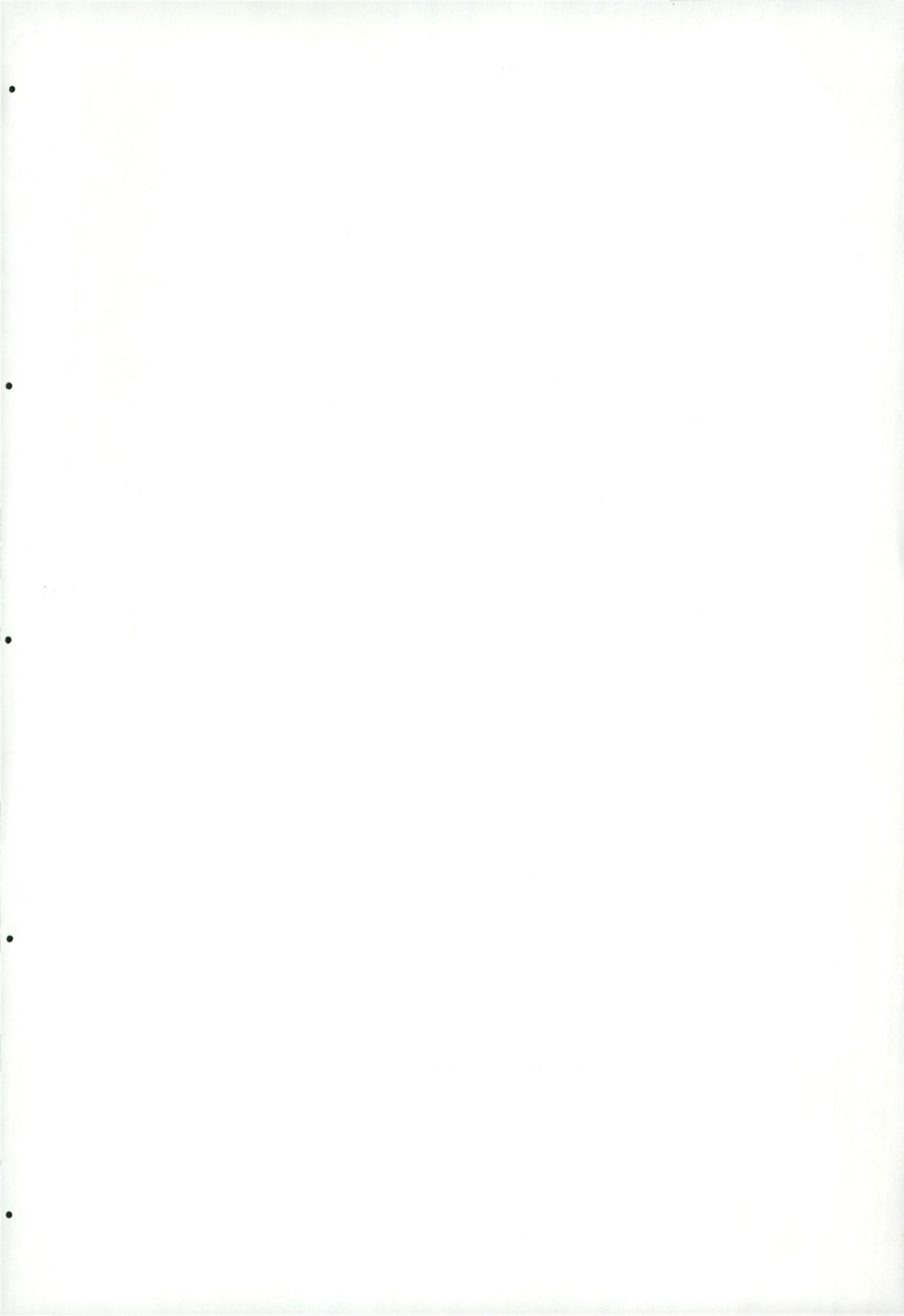
Those goals and aims should consist in the transformation of all discourses, practices and social relations where the category 'woman' is constructed in subordination...





but this should not be understood as a struggle for realising the equality of a definable empirical group, with a common essence and identity ,woman, but rather as a struggle against the multiple forms in which the category 'woman' is constructed in subordination.

(Mouffe,1992,p.382)



## ANONYMOUS

" HE STARTED TO BEAT ME! HE STRIPPED ME OF ALL MY CLOTHES IN FRONT OF MY FOUR YEAR OLD SON AND BEAT ME MORE. JACK THREW ME DOWN ON THE SOFA, TOOK HIS THREE FINGERS AND INSERTED THEM UP MY VAGINA UNTIL I STARTED BLEEDING. THEN HE SLAPPED ME IN THE FACE WITH HIS BLOODY HANDS AND MADE ME SMELL IT, CALLING ME A 'STINKING BITCH' ."

(HINTZ,1985,P.50)



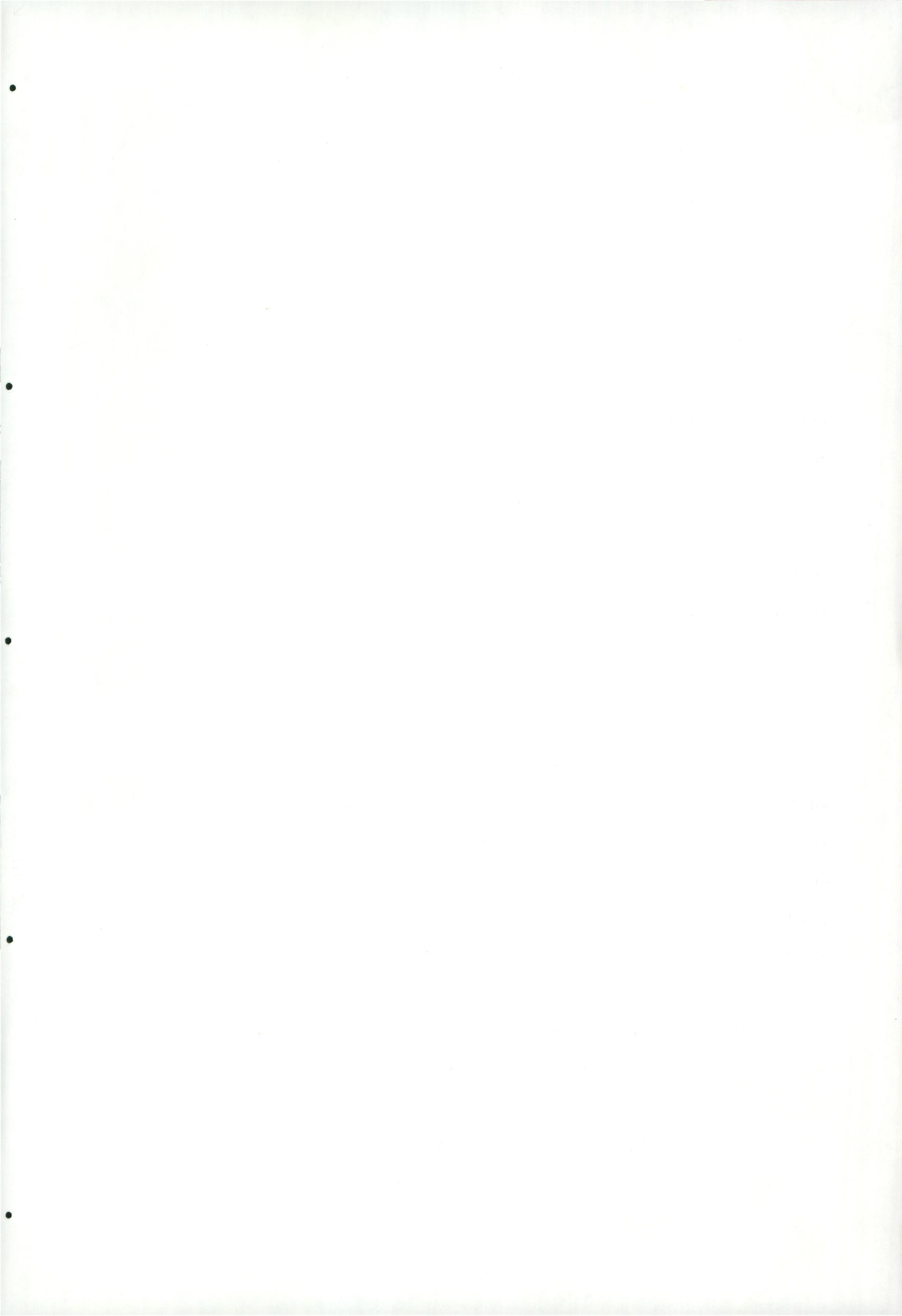
## Chapter two

### Why does she stay

The first professionals women who have been physically assaulted by their partners come in contact with are very often the medical profession. The medical response to woman - as battered - woman, while focusing on her physical injuries, very often ignore the social context that makes them intelligible. The causal factors for their physical injuries are often not recorded as such. The labels used to define woman - as - battered - woman aid the construction of them being seen as the problem rather than the battering they have endured.

Quasi-psychiatric labels such as 'hysteric', 'neurotic female', 'well known woman with vague complaints' and 'paranoid' mark the problem as the victim. These labels maintain a veil of secrecy around the abuse and collude to position woman as responsible or in some way masochistic.<sup>3</sup> Legally the consequences of these women being labelled mentally ill aggravate their situation by making it more difficult for her to seek employment, or prevent her from gaining custody of her children, (Stark, Flitcraft & Frazier, 1979). This reinforces her position within the script, moulding her into a dependent role.

Referring woman - as - battered - woman to the psychiatric profession often induces the symptom alleged by the label.





This definition of her and her experience acts to fix her position, as she is viewed by all sides to view herself as the problem. One study suggests that the physical assault of women by their partners may be the most precipitant of female suicide yet identified, (Kurz & Stark, 1988, p.255).

The healthcare system operates within a model which looks for individual, biological or psychiatric causes refusing the political context of health problems. The further education of healthcare professionals, while needing to be attended to, does not resolve the structural weaknesses contained within the healthcare system itself.<sup>4</sup>

Historically the police have been unwilling to get involved when battering occurs. Referring to these incidents as 'lover's quarrels' or 'domestic disputes', these responses lessen the significance of these incidents as 'real crimes' and act to validate the police policy of non-arrest.<sup>5</sup>

The myth of the safe home is a deeply entrenched one in our culture. This is further promoted by the reluctance of policy makers to accept that the home can be a place of the most extreme danger for women and children. Elizabeth A. Stanko focuses on this refusal and asks:

Why for instance do images of serious crime, particularly interpersonal violence, continuously focus on street crime?

(Stanko, 1988, p.76)





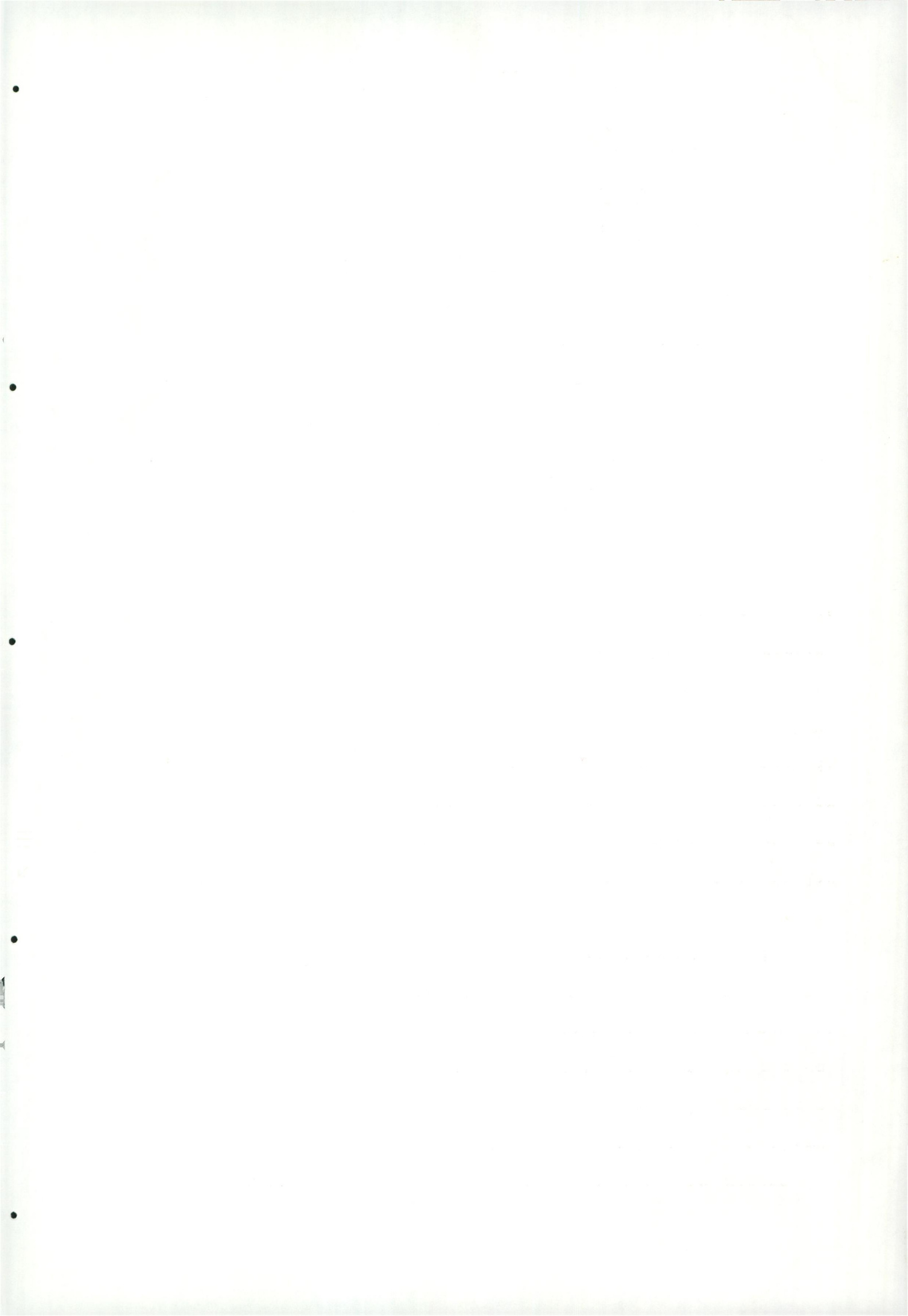
Concentrating quantitative research on the public sphere, ie street crime, a traditionally male space, allows the very real crime women and children experience in their homes to be ignored.<sup>6</sup> Many women do not bother to contact the police, knowing that the police will be ineffective in protecting them or, if they do report it to the police, experience a negative response, (Martin,1976; Pagelow,1985;O'Connor,1992).

The Gardai have operated a domestic violence unit in Dublin for the past two years. However, both Women's Aid(1994) and O'Connor(1992) have stressed the urgent need for clarity on the powers of the Gardai to enforce the law where a woman is being assaulted by her partner.

The bias that is directed against women within the battering script continues through to the legal system. Here once again her complaints are treated as trivial, exaggerated, or, her fault. Pagelow (1992,p.97) quotes the following response from a judge:

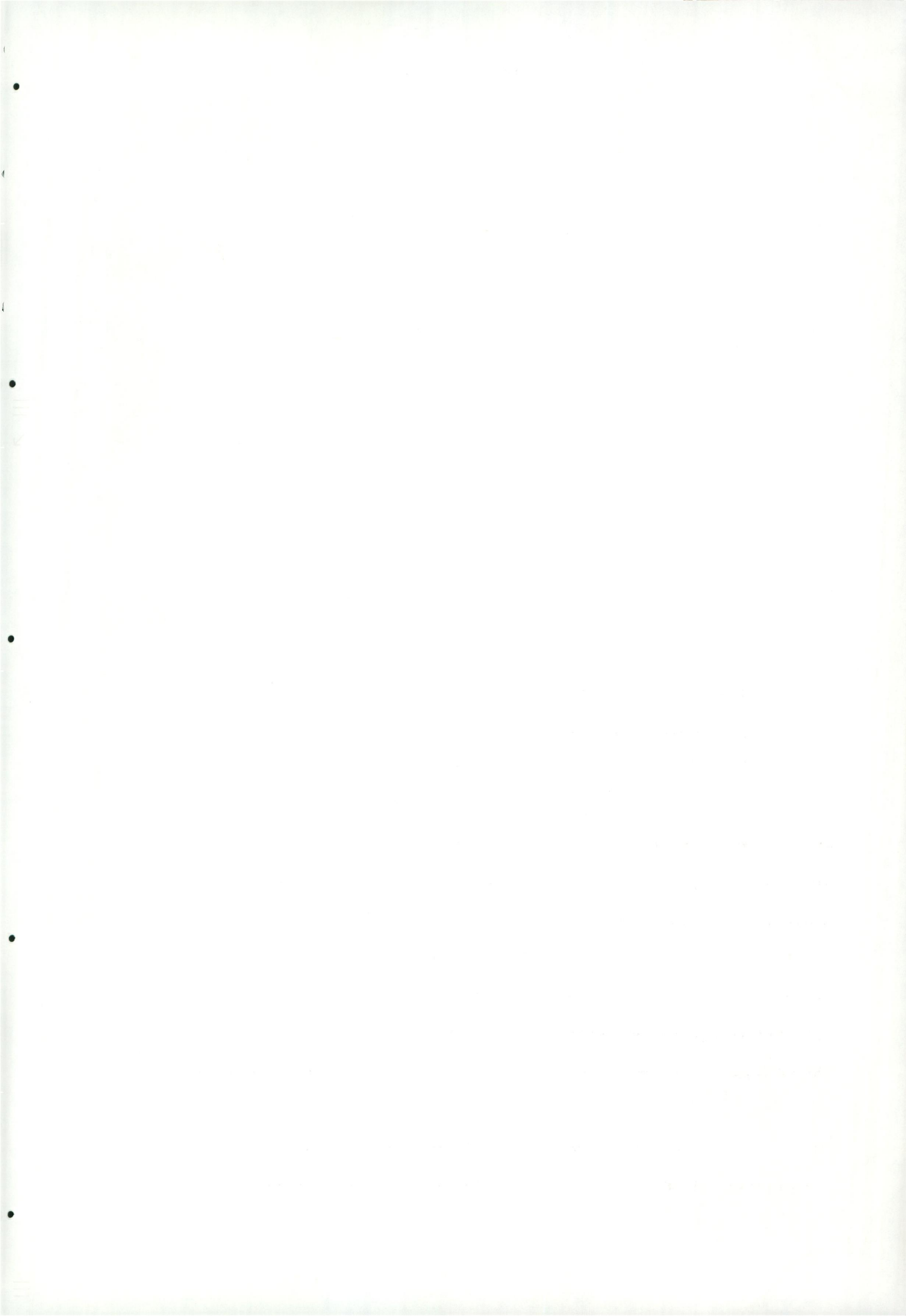
The reason I don't believe it, is because I don't believe anything like this could happen to me . If I was you and somebody had threatened me with a gun, there is no way that I would continue to stay with him...Therefore since I would not let that happen to me, I can't believe it happened to you.

(Maryland Special Joint Committee on Gender bias in the Courts,1989,p.3)



The difficulties that arise for the woman - as battered - woman in the Judicial system are numerous and often beyond the actual legal systems failure to protect her. The processes of the court can be a traumatic experience especially because the woman must testify to abuse while the abuser is present, (Pagelow,1993). There are also difficulties for the woman obtaining legal representation. In Ireland a woman can wait up to 10 months to get an appointment with a solicitor, if she is dependent on the Legal Aid system, (Women's Aid,1994,p.5). The other major problem is the need for documentation of the abuse. This is the time when medical and police records are needed to establish her case. However in many cases the woman has limited documentation because medical professionals and the police failed to recognise and report the abuse. Without adequate documentation, it becomes her word against his. The question is, why is it that her word counts for less than his?

The batterer often uses children as a means of contact and control over the woman, (Women's Aid,1994,p.5). By ignoring the significance of this the courts can be seen to legitimize it. The Judiciary and Legislature can operate under the assumption that abuse and battering of one parent by another is not necessarily damaging to the child, and that being a batterer does not necessarily affect parental ability. Studies on this aspect of the subject are of the opinion that children are also victims whether the abuse is direct or indirect, (Alessi & Hearn,1984; Davis & Carlson,1987).

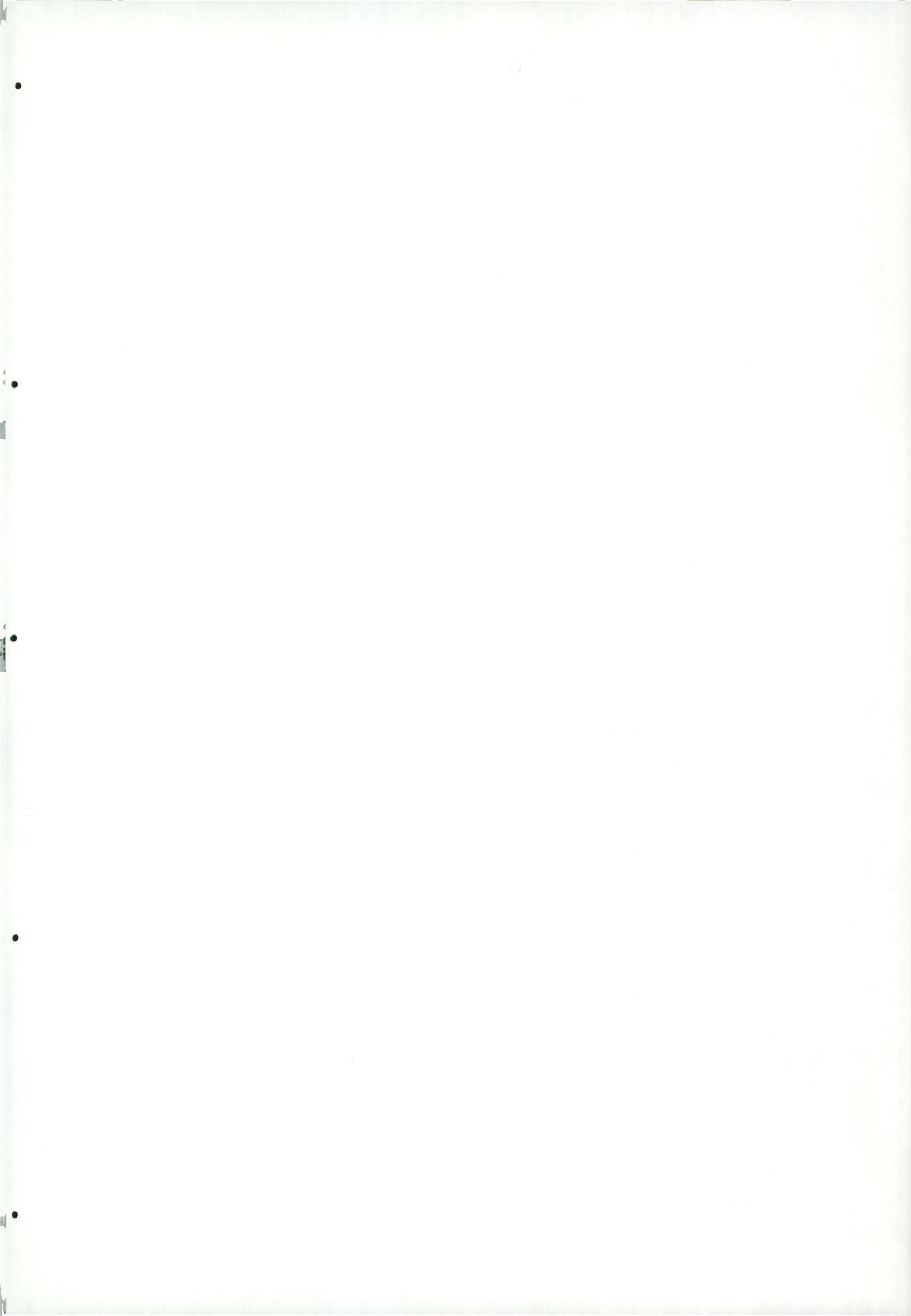


Contained within the battering script is the Legislature's refusal to recognize the rights of children.'

In analysing the medical, police and legal institutions response to woman - as battered - woman necessitates attending closely to what Foucault terms "...the administration of bodies and the calculated management of life", (Foucault,1990,p.140). Analysis of the battering script implicates institutions' responses, investigations and researching methods to the woman - as battered - woman and suggests:

Numerous and diverse techniques for achieving the subjugation of bodies and the control of populations.<sup>8</sup>

(Foucault,1990,p.140)

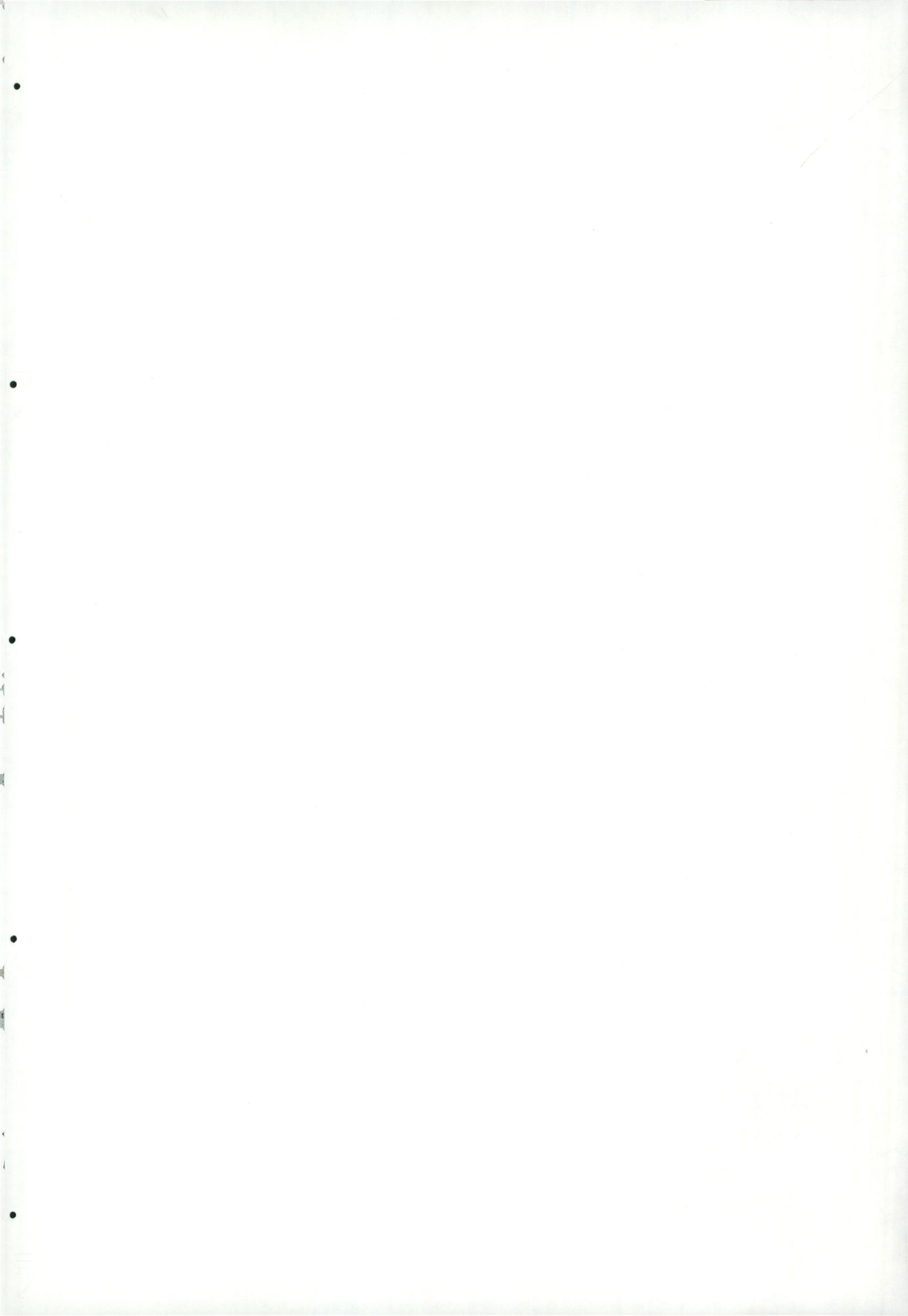




## ANONYMOUS

"ANOTHER TIME HE TOLD ME WHAT I WAS WEARING AND DOING IN MY APPARTMENT. LATE THAT NIGHT HE PHONED AGAIN SAYING HE WAS GOING TO BLOW MY BRAINS OUT AND DESCRIBED IN DETAIL HOW HE PLANNED TO DO IT. SO I PHONED THE POLICE. I WAS TOLD THEY DON'T HAVE TIME TO GO CHASING GHOSTS. THE OFFICER TOLD ME, 'IF HE SHOOTS YOU GIVE US A CALL'.

(HINTZ,1985,P.16)



## Chapter Three

### Effects of Truth

I believe too much in truth not to suppose that there are different ways of speaking the truth...We can demand of those who govern us a certain truth as to their ultimate aims, the general choices of their tactics, and a number of political points in their programs: this is parrhesia (free speech) of the governed who can and must question those who govern them in the name of knowledge, the experience they have of what those who govern do.

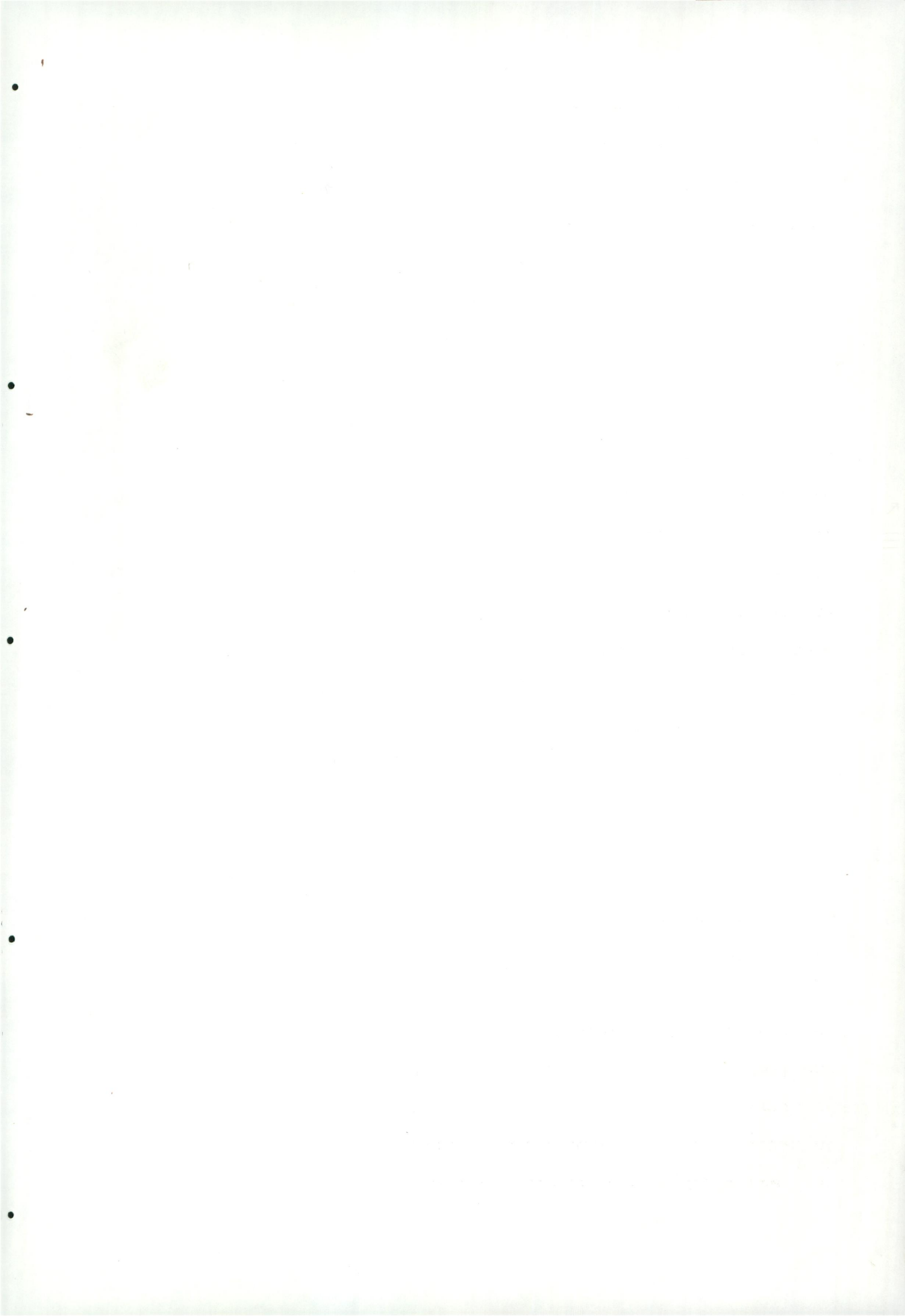
(Foucault, 1988, p. 51)

Many (Schechter, 1982; Tierney, 1982; Ferraro, 1981; Johnson, 1981; Morgan, 1981) suggest that since government financial support of the battered- women's movement there has been a concerted emphasis on individual reasons for the abuse. The political agenda which chooses to focus on one section of the problem controls what is being researched, namely violence within cohabitation, while neglecting to research what happens when woman - as - battered - woman tries to leave.

But what is the hazardous career that truth has followed?...What is the history of this 'will to truth'? What are its effects?

(Foucault, 1980, p. 66)

The Women's Aid organisation effectively speaks out and tries to negotiate change for women contained within the battering-script, and, as such, it is seen as an authority. With reference to Foucault's points above, I would like to

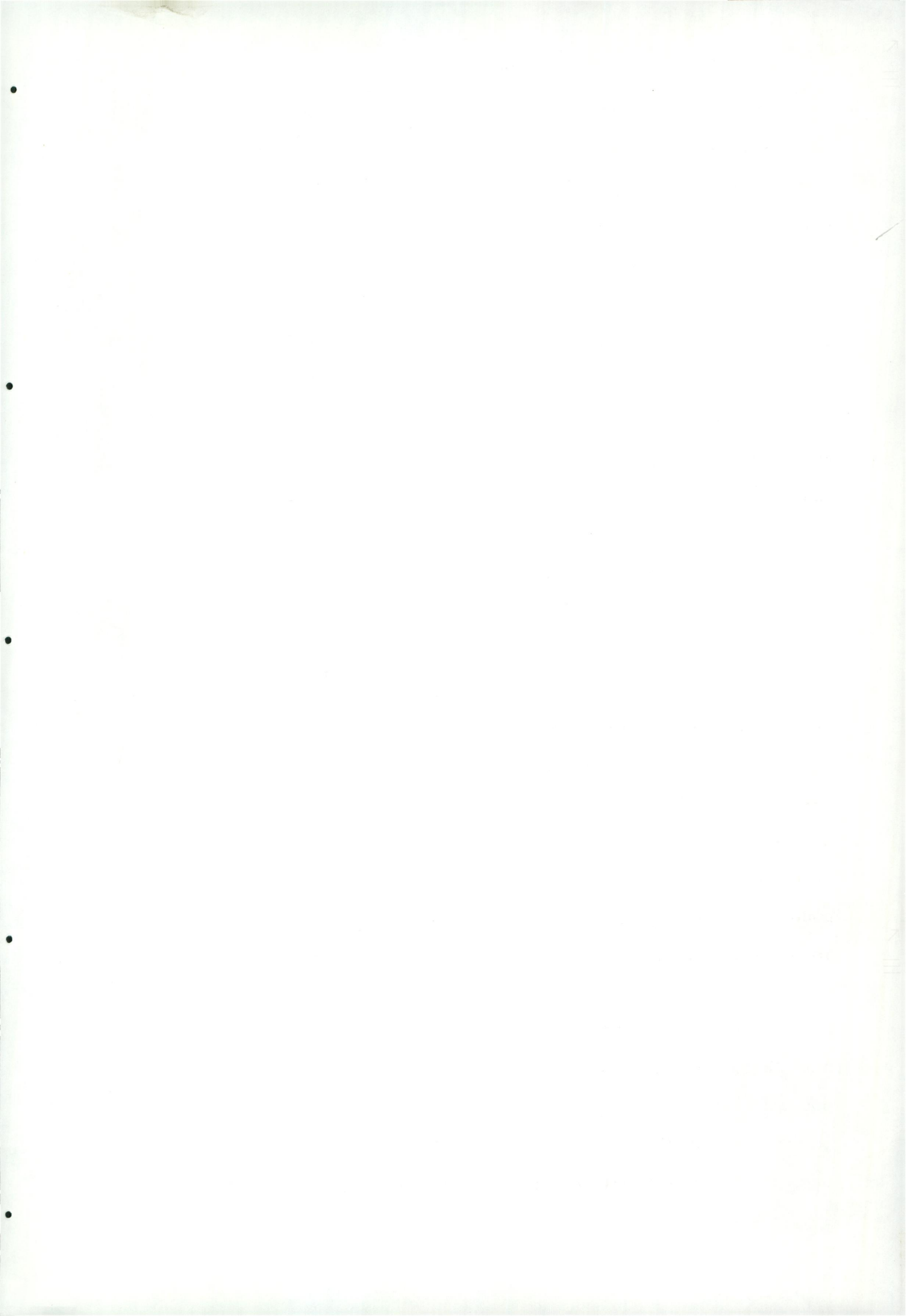


concentrate on a newspaper article in *The Sunday Press* (Jan 29, 1995, p. 29), in which Roisin McDermott, chairwoman of Women's Aid is quoted. This is a useful point of entrance into examining how the battering-script is researched and interpreted within the feminist movement. By locating and questioning some of the epistemological discourses such research depends on for its authority, and the effects of this research, its techniques of normalization can be mapped out and clarified.

Certainly the amount of sexual violence in domestic attacks has increased in the past 15 years, that is tied into the proliferation of pornographic material.

(McDermott, 1995, p. 29)

This 'truth' claim that the increase of sexual violence is a direct result of 'the proliferation of pornographic material' is questionable because of its dependence on a deterministic understanding of cause and effect. Complexity is denied as it holds up one possible interpretation as the universalising truth of the situation. The theory that pornography is a cause of sexual violence, as in Dworkin/McKinnon's argument, actively operates as a dominating and oppressing theory that can be seen to fix woman's position as passive victim.' Those who accept this theory also need to be called to question for how they operate as fantasy police.<sup>10</sup> Their argument locates power in a single source. In setting up a continuum of pornography which leads to violence, it operates as a closure, denying the gaps within the script which might allow women's agency and the





potential to refuse and negate the script.

In a continuum theory which makes one type of action...immediately substitute for another type of action...the time and space between these two actions collapse and once again rape has already occurred.

(Marcus,1992,p.389)

The techniques of normalization that operate to control woman - as battered - woman also actively 'normalize' those who would help them, i.e., The Women's Aid. As a political lobby, they are caught in the intersection between science and politics. The structures set up for 'how we act politics' cannot be separated from the structures that exist to control how 'knowledge' is produced through science. As an example of this *The Sunday Press* article goes on to state:

The first statistics on the level of domestic violence in Ireland are currently being compiled.

(McDermott,1995,p.29)

A reliance on statistics is problematic as the means of producing knowledge around the battered-woman-script. Contained within this is the acceptance of scientific discourses, unquestionably. The acceptance of scientific authority, and its reliance on statistics operates to control what counts as evidence. It decides who is appropriate to be included as a 'statistic', and creates a very rigid interpretation of what it is to be woman - as - battered - woman. Methodological practices such as this, enforce a certain kind of order where certain narratives are marginalised because they don't conform to the researcher's definition of





what it is to be battered. Statistics reduce the complexity of the battering script to very rigid variables. The accumulation and production of 'facts' by quantitative methods affects the response of the legislature. Quantitative methods of research create 'facts' operating under the guise of scientific objectivity, which hide its own preconceived hypothesis. A good example of the problems associated with a quantitative research model in relation to the battering-script is Straus' Conflict Tactic Scales (Straus, 1979). The C. T. S.:

categorizes violent acts on a continuum from least to most severe, treats male and female acts equally and makes no allowance for the power context in which violence occurs.

(Breines & Gordon, 1983, p.510)

What the CTS disallows is the differences contained within a push or a slap, by a man or a woman, whether it was in self defence or an aggressive act. By using this approach Steinmetz's (1977) "The Battered Husband Syndrome" arrived at the findings that:

The percentage of wives having used physical violence often exceeds that of their husband.

(Steinmetz, 1977, p.503)

This study has been criticised for the way it neutralises and diminishes the extent and effects of woman - as - battered - woman. As Breines and Gordon emphasise, contained within this is the implication:



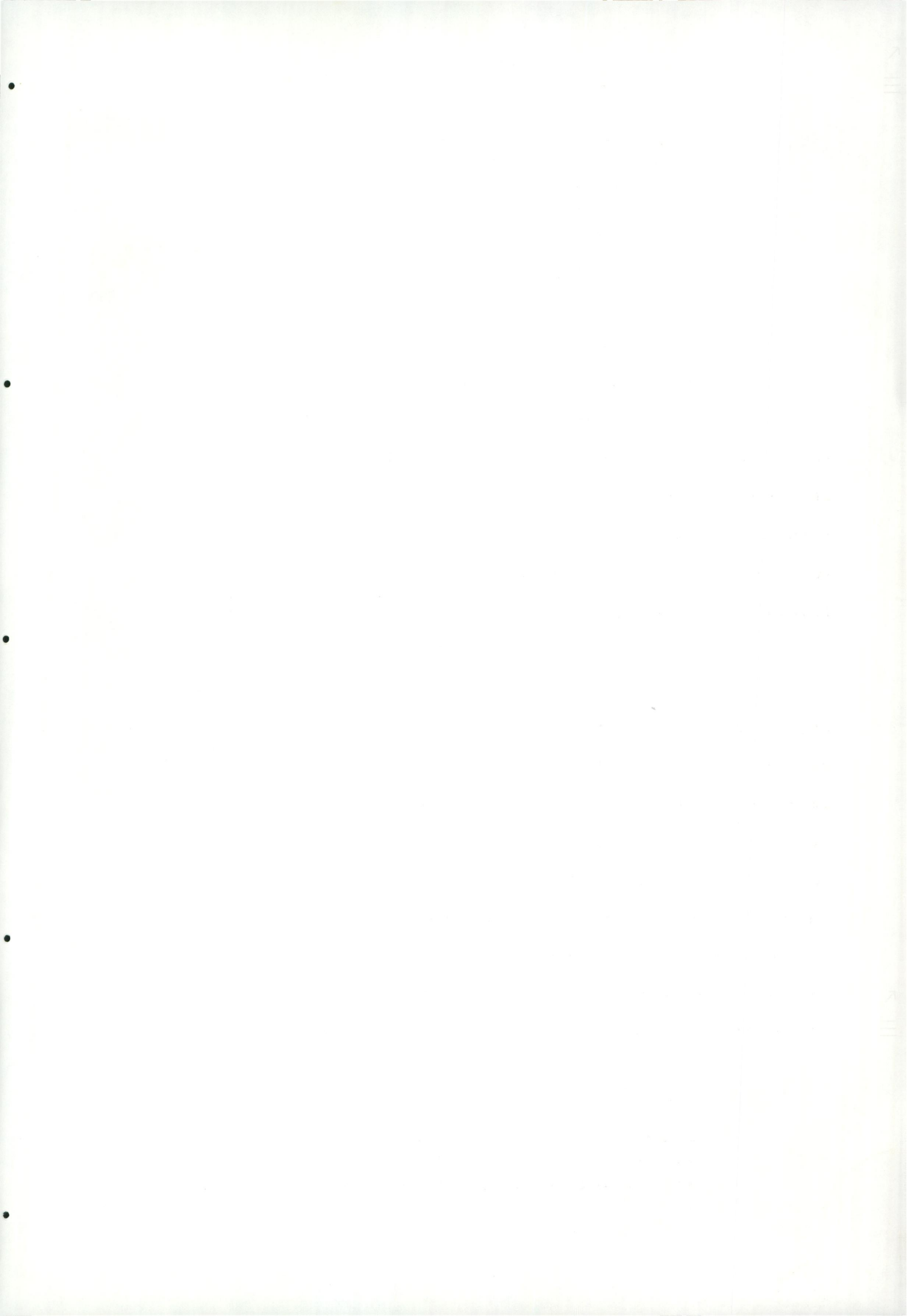
That women ought to be and usually are non violent and that this virtue is what entitles them to our sympathy.

(Breines & Gordon, 1983, p.513)

Social science practices that use quantitative methods adopt the Enlightenment belief that science is the absolute form of knowledge. They also operate in conjunction with political structures, producing effects of normalization that control political agency or '*how we do politics*'.

Most feminist researchers argue for an emphasis on *qualitative* research models. The characteristics of a qualitative approach are seen to allow for greater complexity of the issues involved. Feminist researchers combining the two models offer a pragmatic response for doing this.<sup>11</sup> The argument is that the greater the effective data they have concerning abuse, the greater the probability in changing legislation and mobilising resources to combat the problem. However even with these pragmatic strategies there has been an unwillingness by mainstream social studies to use them. One reason for this is the cost and time involved using qualitative methods. The political unwillingness to finance research which asserts the social context in which battering occurs must also be considered as to how that operates as a technique of normalization and as a discursive strategy of 'Why does she stay?'

Referring back to *The Sunday Press* article, Roisin McDermott states:





We are talking about fractures, stab-  
bings, scaldings and very severe  
beatings which can leave a woman  
maimed for life.

(McDermott, 1995, p. 29)

What 'effects of truth' are produced through representing the battered woman script as violence removed and abstracted from an emotional context? This places battering as purely physical abuse. By representing it in such terms, does this close off a woman's response who is contained within the battering-script but does not see herself represented in this account of battering? Not seeing this as an adequate description of her own experience, does this imply that she might not avail of services an organisation like Women's Aid could provide?

A feminist politics that relies heavily on Enlightenment discourses operates under the assumption that their own production of knowledge produces 'better' knowledge, which will offer woman emancipation from subordination. Producing 'truth claims' that are constituted through the universalising tendencies of the Enlightenment will not sabotage gender based relations of domination.<sup>12</sup> As Jane Flax states:

Claims about domination are claims about injustice and cannot be given extra force or justification by reference to truth. Claims about injustice belong on the terrain of politics and in the realm of persuasive speech, action and (sometimes) violence. As Machievelli argues, politics requires a morality and knowledge appropriate to its unique domain.

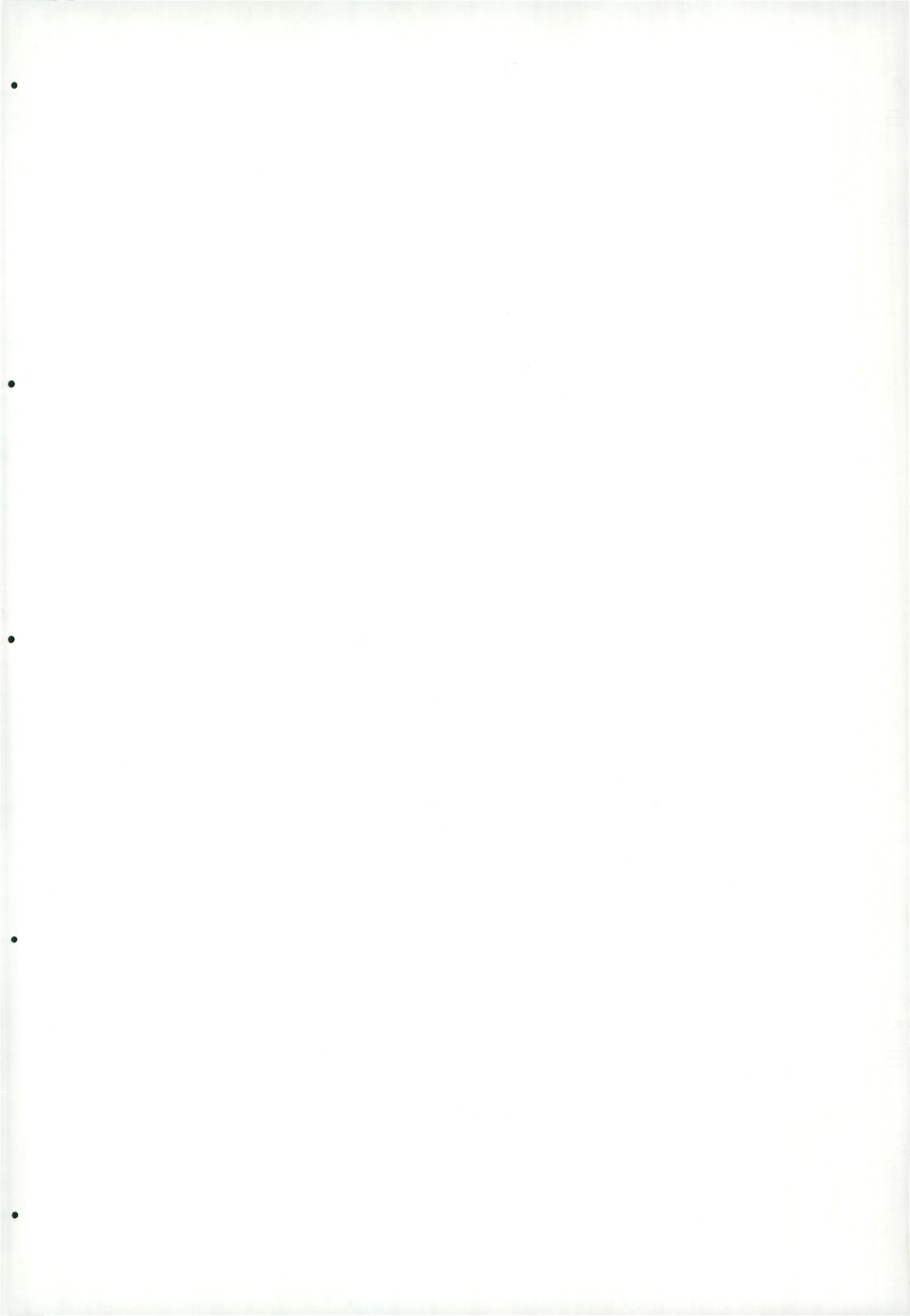
(Flax, 1992, p. 459)



## ANONYMOUS

"What he did wasn't exactly  
battering but it was the threat.  
I remember one night I spent  
the whole night in a state of  
terror, nothing less than terror  
all night... and that was worse  
than getting beaten"

(Kelly, 1988, p. 120)



## CONVERSATION

"He got fifteen years for manslaughter...it was an accident...he had a row with his wife...he pushed her and she cracked her skull on the mantelpiece...just one of those things...he's fine though...he's done a lot of studying...took his inter and his leaving..."

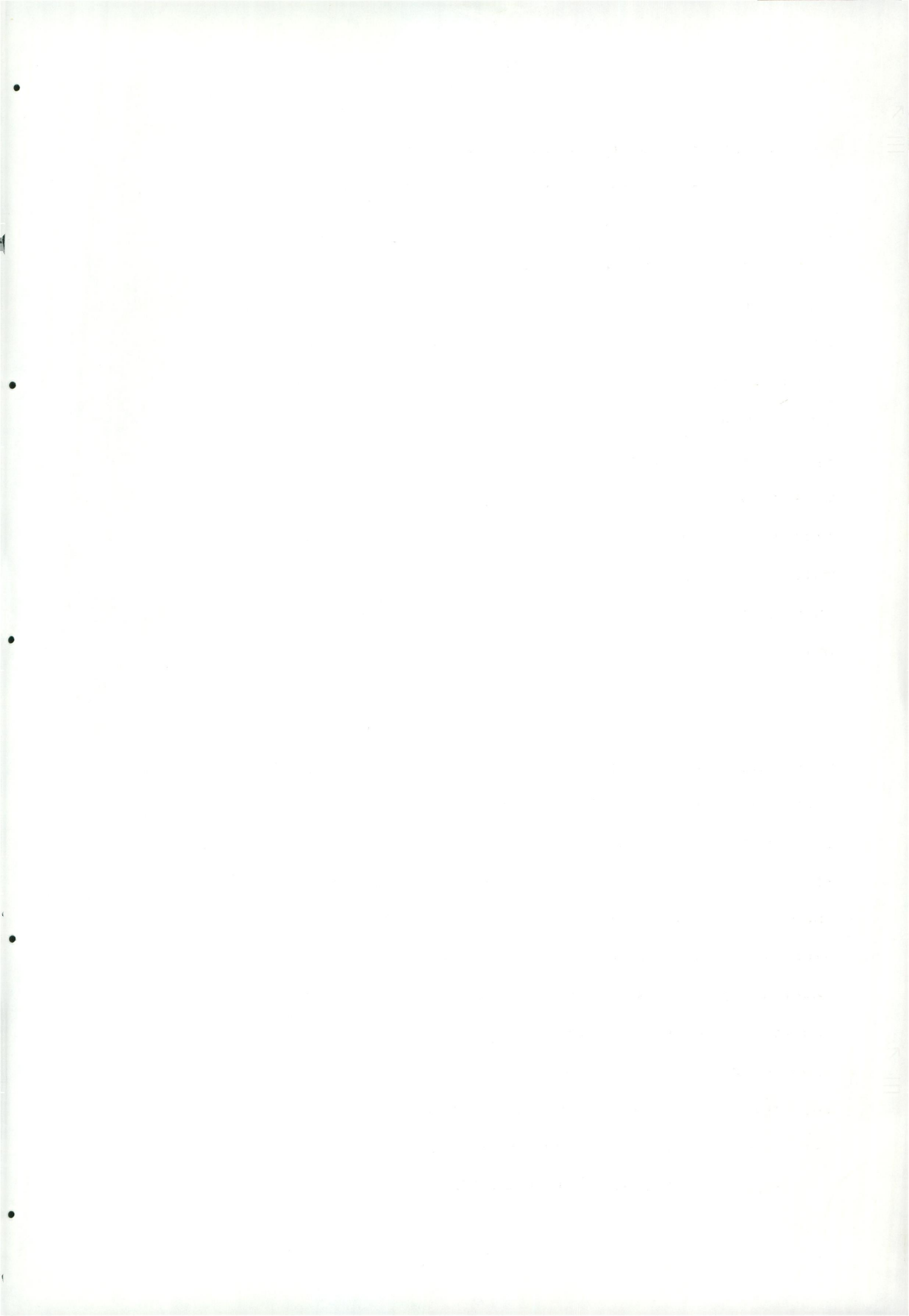


## Chapter 4

### Three Scripts

Concurrent with my research has been the proliferation of images of courtroom trials that connect with woman - as - battered - woman. They offer the possibility of analysing the battering script through the seduction of visual imagery, extending the linguistic metaphor of the 'script' to incorporate visual codes, and how these visual codes might function in relation to the battering script. What these courtroom trial images signify is the constitution of 'subjects' through the image. O.J.Simpson is a case in point. The subject of O.J.Simpson is a subject who has been constituted through the media, as black sports star, as oscar nominated comic actor and now in his most serious role to date, as 'murderer' in the O.J.Simpson trial. This trial, referencing back as it does to another media trial, that of Mike Tyson, another black sports star, signifies on one level white American fears of their own fantasy of black masculinity. The orchestration of this trial offers many insights into the racial tensions existing in American culture, as is referenced by the senior black defence of O.J.Simpson and that the people's prosecution is headed by a white woman (significant perhaps because he is accused of murdering a white woman). It is also relevant that the prosecution, employed a black district attorney to open their presentation.

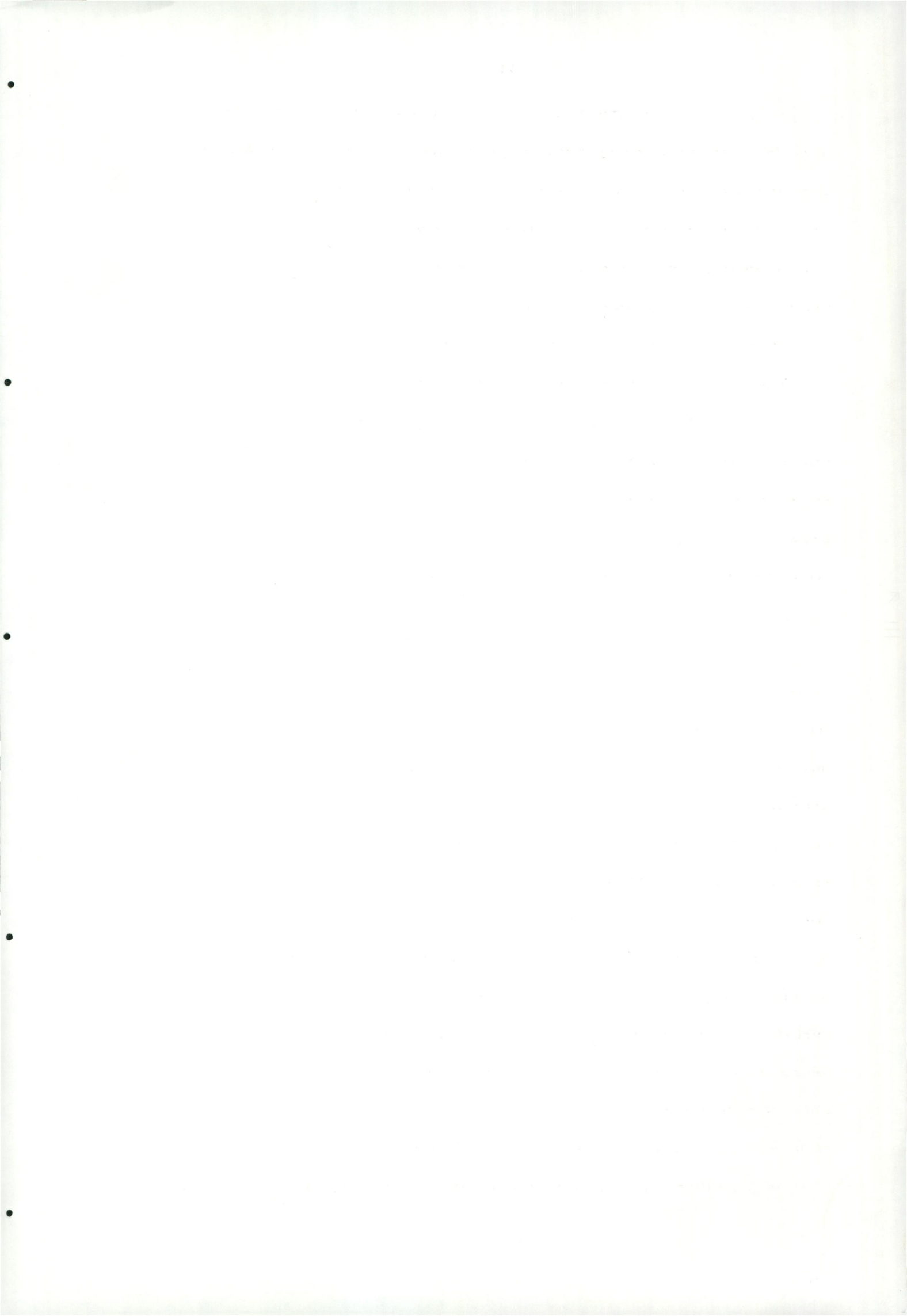
That this trial has been broadcast daily, trans-continental-ly for months and will continue to do so is interesting in relation to how it is actually televised.





The distinct lack of 'high tech' equipment means, the production quality is less than we as media consumers are used to. What this signifies is that the media is unwanted, that the important 'real' business of the trial is being hampered by all the media attention. The limitations put on camera movement functions to signify a demarcation line between 'real' and 'unreal'. That the 'real' jury is excluded from view, the camera angle references who are the 'real' jurors of this trial, namely the media consumers. That this can be seen as a means of channelling us to read the trial in a particular way, the reading is in effect, dependent and produced through the 'couch jurors' own location and political position.

For the purposes of this discussion, the trial offers potential as an analysis of the woman-as-battered-woman script. With that in mind, the least interesting aspect of this trial is whether O. J. Simpson murdered Nicole Simpson Brown, By concentrating on whether he murdered his wife we are responsible for producing a definite closure on the battered-woman script. The readily available interpretation of this trial as cause-and-effect produce unrewarding results which effectively block our access to gaps within the woman - as - battered - woman script which might offer the potential to rewrite and negate the script. Pursuing the trial, necessitates decentring what O.J.Simpson is on trial for, and concentrating what he isn't on trial for, namely the repeated physical abuse of Nicole Simpson Brown, as documented by police reports.



The fact that the prosecuting council has so little 'hard facts' as evidence against O.J.Simpson has meant a continued analysis on the specifics of their relationship and the battering script before the murder. That Nicole Simpson Brown is constituted through this trial through the binary position as opposite to O.J. Simpson is also relevant. As a character in this trial she is only acknowledged as deceased wife of O.J. Simpson, any other subject position she might have held being deemed irrelevant. As support role to O.J. Simpson's fame and wealth, both Nicole Simpson Brown and O.J.Simpson offer us through their 'dethronement' the acceptance of our own faceless, economic subject positions. The cultural narrative of *'they had it all but now look at them'* is completed for our entertainment by the spectacle of this trial.

The information that Nicole Simpson Brown hid photographs of her bruised body in a safety deposit box as potential evidence against her husband can be referenced as a telling symbol of the emotional reality experienced by many women who are physically and emotionally assaulted by their partners. That the police had to drill holes through the wall to get at this safety deposit box is also significant, signifying the *struggle to get to the 'evidence' and the 'real truth'*. It also allows for another reading, as a subsequent violation of Nicole Simpson Brown, to find her 'real' self (the bruised photographs)- the 'real' self that is constituted through the police action. That this evidence proves O. J. Simpson murdered his wife is certainly untenable. What

The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that every entry should be supported by a valid receipt or invoice. This ensures transparency and allows for easy verification of the data.

In the second section, the author details the various methods used to collect and analyze the data. This includes both manual and automated processes. The goal is to ensure that the information gathered is both reliable and comprehensive.

The third part of the document focuses on the results of the analysis. It shows that there is a clear trend in the data, which suggests that the current strategy is effective. However, there are some areas where improvement is needed, particularly in terms of efficiency and cost reduction.

Finally, the document concludes with a series of recommendations for future action. These include implementing new software tools, training staff on best practices, and conducting regular audits to ensure ongoing accuracy and compliance.

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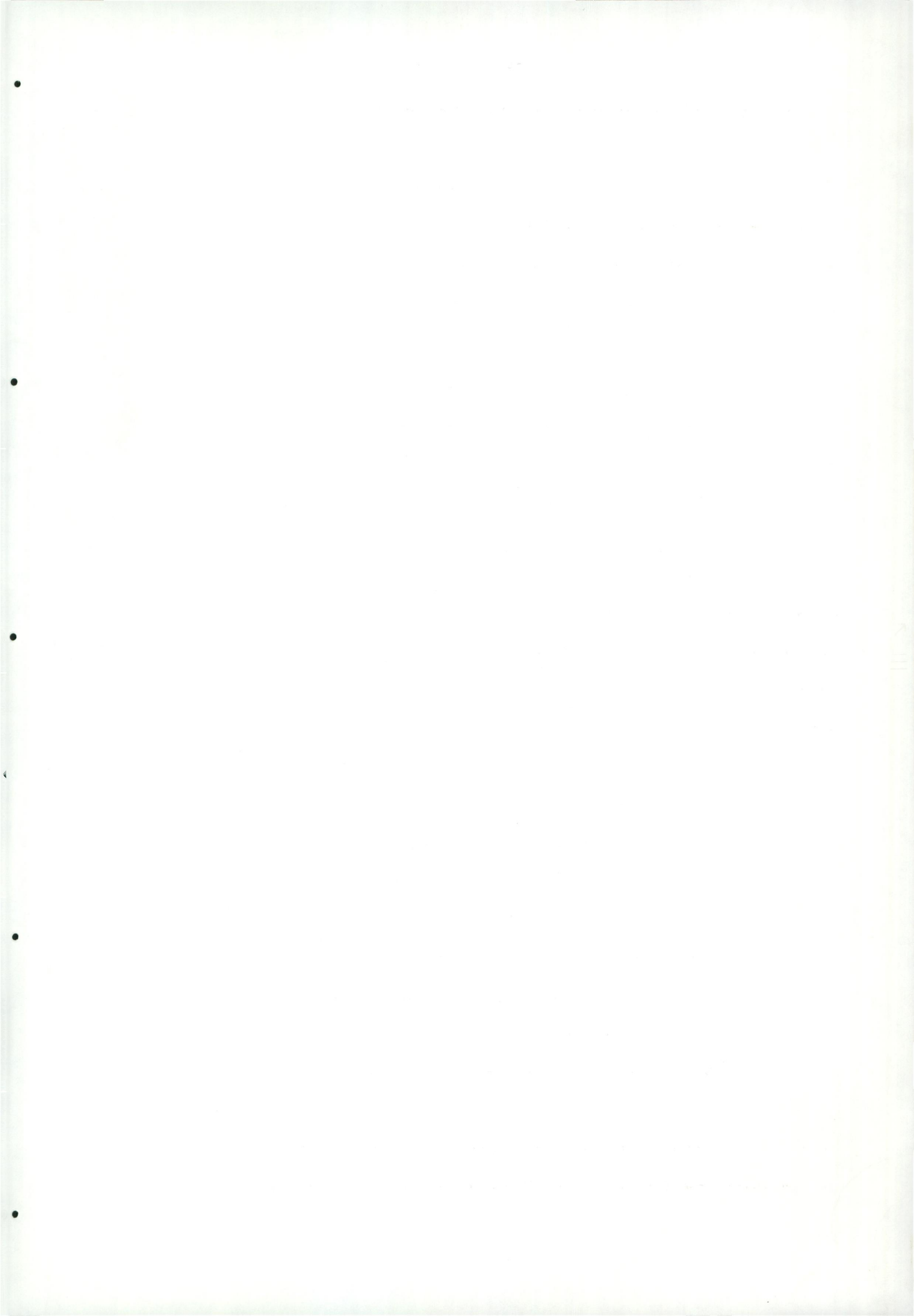


it does tell us however is that Nicole Simpson Brown believed he had the potential will to murder her.

The discursive practices of 'why does she stay?' and the strategic investment placed on centring the woman as passive-victim, contained within the battering relationship, are currently being signified by this media trial, narrating as it does O. J. Simpson's physical violence and stalking incidents against Nicole Simpson Brown when she left the relationship. What this allows for is the renegotiation of how this script is interpreted, shifting the dominant cultural meanings attached to how woman - as - battered - woman is read.

The battering script contained within this media trial has presented numerous possible strategies for Women's Aid in Ireland. The most obvious of these has been the successful appropriation of publicity around it to gain media access for Women's Aid, which has been difficult for the organisation to get in the past.<sup>13</sup> What this produces is the possibility for the battering script to be read in all its complexity.

The interpretation of the battering script and the interpretation of the law by the judiciary in relation to this script do not operate in a vacuum. Possible interpretations available to the judiciary are also produced by other cultural factors. Retaining an image of Nicole Simpson Brown's safety deposit box, as a means of scrutinizing woman - as -





battered - woman's subordination within the legal system, begs the question, with reference to the legal system in Ireland, why it is that:

Under the provisions of the 1981 Act a court may make a barring order which prohibits one of the spouses from entering the family home for a specific period of time. It states 'evidence of actual physical violence or the threat of it is not needed'. It is the experience of Women's Aid that in practice the judiciary before granting a barring order require evidence of actual physical assault.

(Women's Aid, 1994, p.2)

The ability of the judiciary to interpret the law in a way which subordinates the woman's claims under the guise of objective neutrality, needs to be investigated in terms of how that interpretation actively invests in producing woman - as - battered - woman. As an example of this:

A victim was scolded by the judge and told she should act like an adult. The day the abuse prevention order was to expire, she was found in a mud puddle at the garbage dump shot, stabbed and strangled by her husband.

(Browne, 1987, pp.169-70)

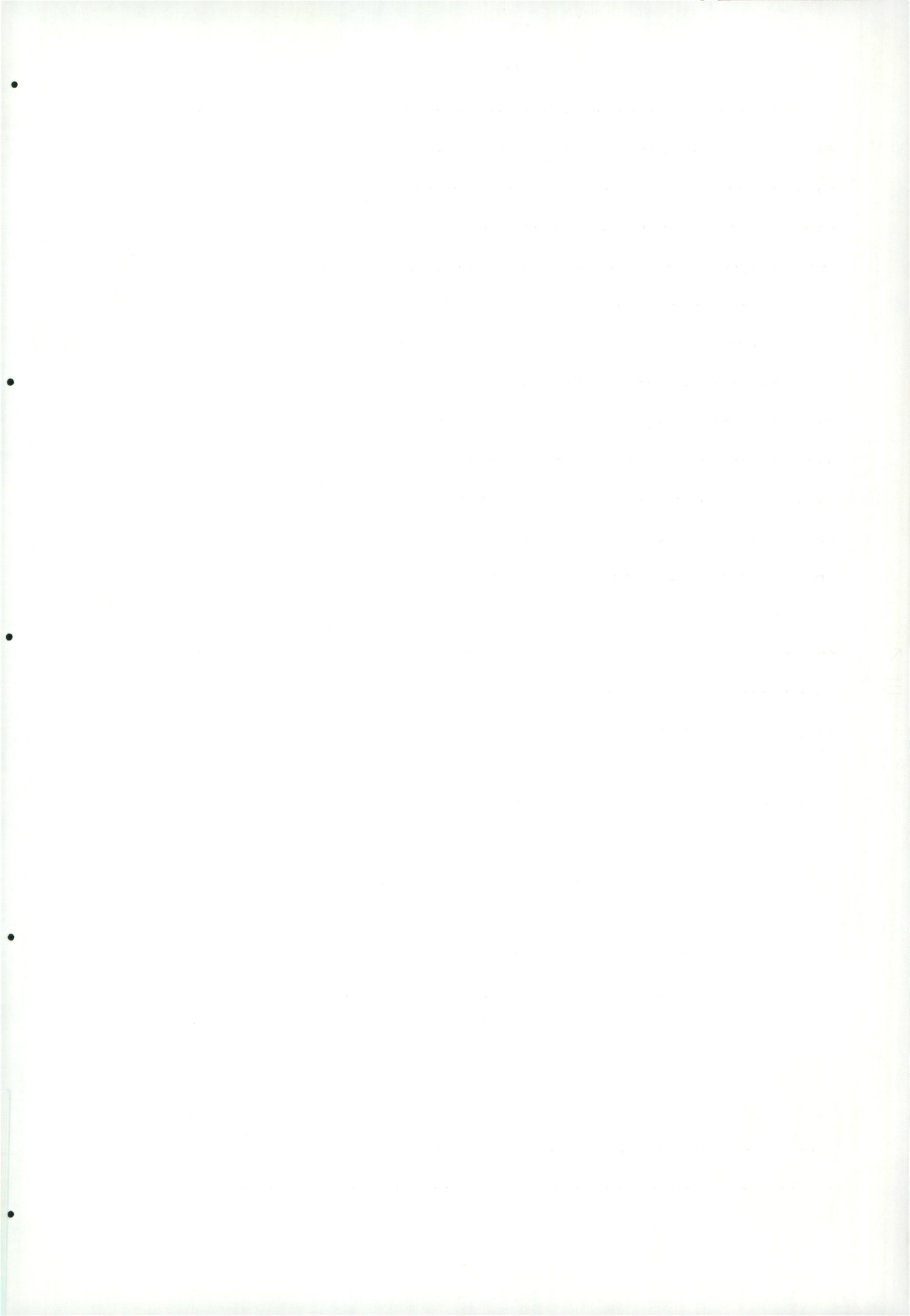
The strategic investment of relying on the legal system has its limitations as a means of protecting woman - as - battered - woman as she always arrives in the court already firmly positioned within the script, and is reproduced as victim by the legal system.

An analysis of how we are asked to read women positioned



within the battering script in the performance of their roles, warrants an examination of the media presentation of the Lorena Bobbitt case. The Lorena Bobbitt case makes multiple references to cultural meanings that are beyond the battering script, but which are in many ways implicated. That she cut off her husband's penis, not in a frenzied attack but while he slept, signified in many ways a male centred culture's worst nightmare. It also signifies something else, namely her fear; it connotes woman - as battered - woman's interpretation of the term self defence, and the impossibility of reading that interpretation in terms of a simplistic text-book definition of self-defence. What is the cultural significance of Lorena's act and what is referenced by the knowledge that her husband's penis was found outside a 7-Eleven, convenience store ?

Lorena Bobbitt was presented by her detractors as a 'psycho', placing little importance on the history of violence and rape perpetrated against her by her husband. The belief that Lorena Bobbitt was vindicated in court, the verdict 'not guilty by reason of temporary insanity', begs closer examination. Why is it that the trial necessitated that she be judged either criminal or insane? This is a woman who endured repeated physical, sexual and emotional assault. By contrast, her husband, John Wayne Bobbitt, was acquitted and the history of his marital violence was not admitted as evidence in court. The gendered double standards which operate through the legal institutions are mapped out clearly by the Bobbitt case. For Lorena's one act of violence she escapes



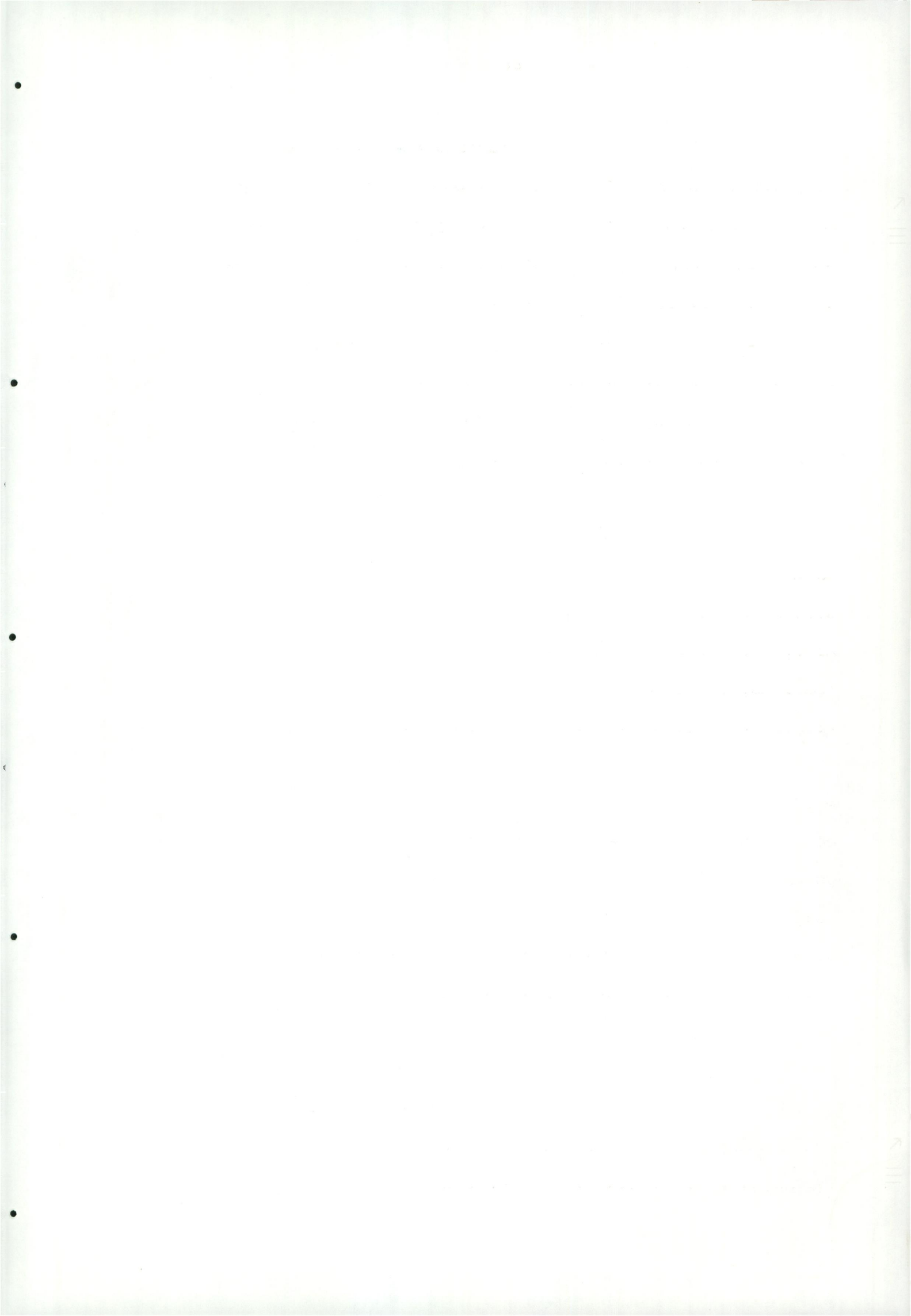


imprisonment only if she accepts the labelling of insanity, whereas John Wayne Bobbitt's continued use of violence still warrants that he is neither criminal nor insane.

Juridicial power inevitably 'produces' what it claims merely to represent; hence politics must be concerned with the dual function of power; the juridicial and the productive in effect, the law produces and then conceals 'a subject before the law' in order to invoke the discursive formation as a naturalized foundational premise that subsequently legitimizes that law's own regulatory hegemony.

(Butler, 1990, p.2)

John Wayne Bobbitt was deemed neither criminal nor insane, and, by ignoring his history of violence he was constituted as normal and therefore free. How the media reconstituted John Wayne Bobbitt's 'masculinity' is important. Through the trial coverage he was constituted as media celebrity, culminating in his role as 'soft porn star', mapping out as it did the 'death' and 'rebirth' of his masculinity. When Lorena Bobbitt cut off John Wayne's penis, she identified and attacked the materiality of 'man's' symbolic claim to power: the penis as phallus. She thus committed a crime more symbolically significant than the actual crime itself. By choosing to ignore the power invested and mapped on to the penis- as phallus- she exposed and lay bare the vulnerability and masquerade of that signification. This 'power stripped bare' necessitated the media's reconstitution of John Wayne Bobbitt's power (masculinity) in order to signify the actual pre-existence of that power, to hide once again

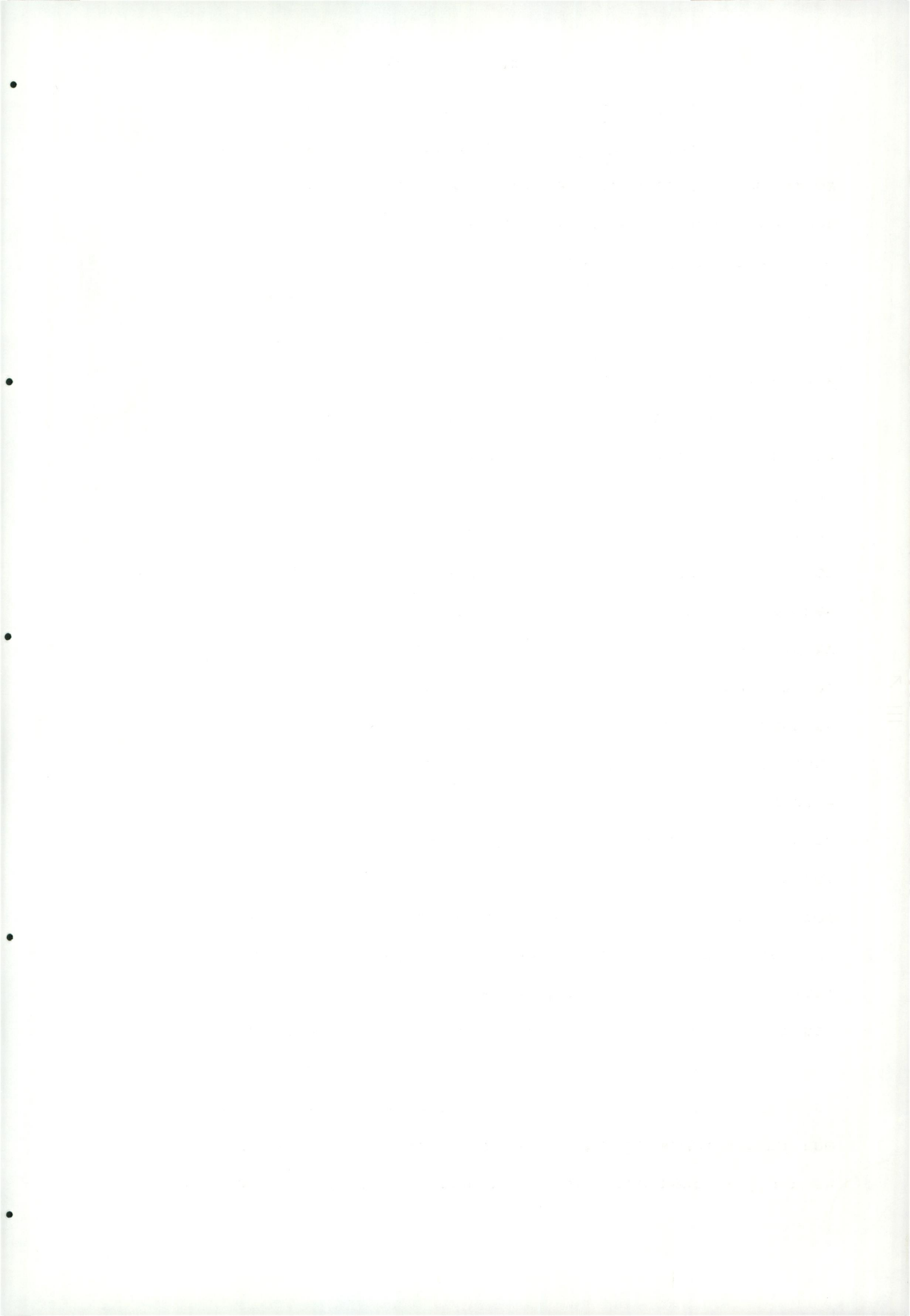




the vulnerability of the penis as referent and as an attempt to escape the exposure of its illegitimacy to the claim of signifier of power.

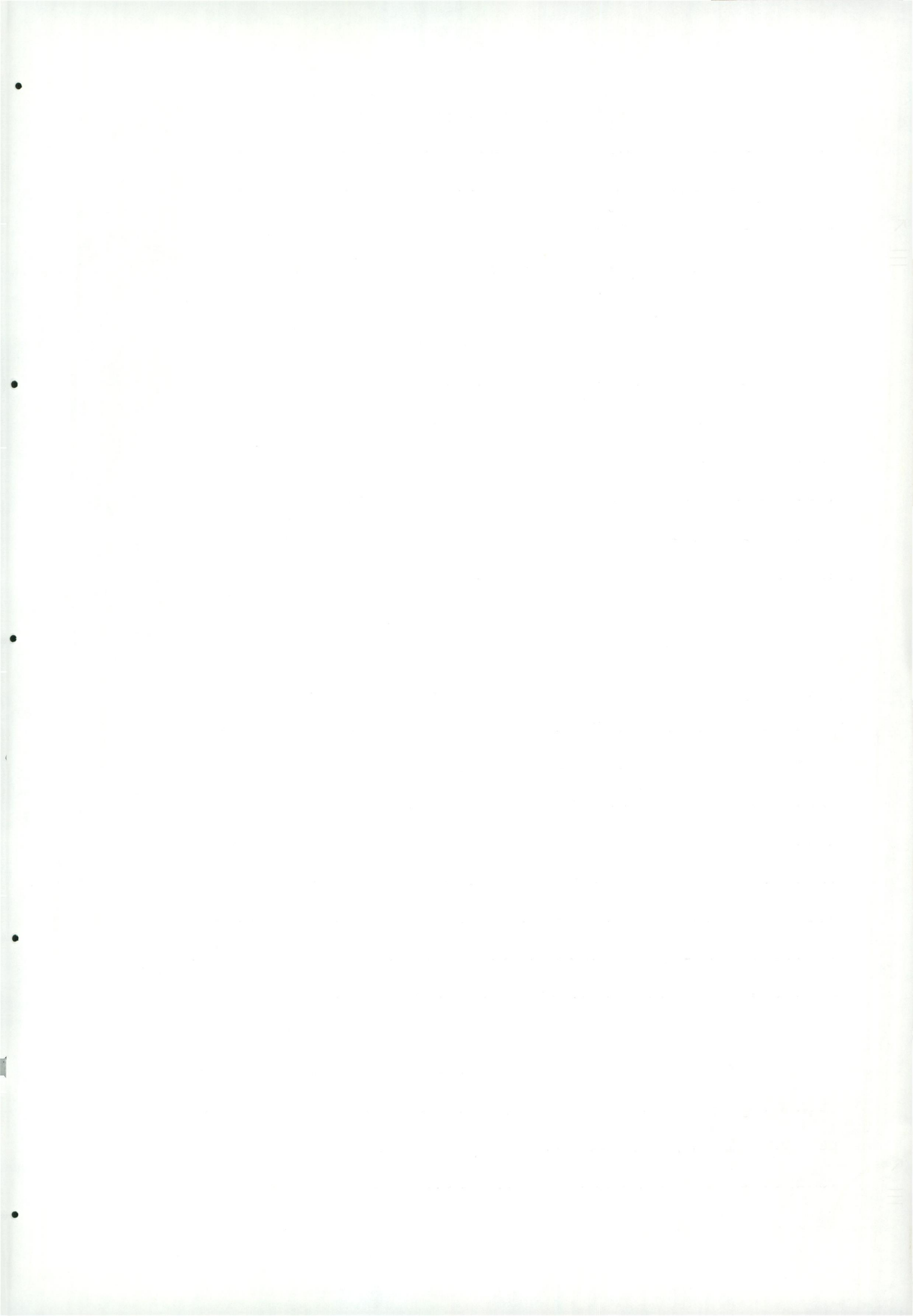
John Wayne Bobbitt, in court once again for battering his new partner, got a sentence of fifteen days imprisonment. Some researchers believe that the decision to use violence as a means of control is often repeated by batterers from one relationship to the next. It is known that O. J. Simpson also physically abused his first wife. This needs to be assessed, not to present a case of once a batterer always a batterer, but to focus on how the role of batterer might operate. If John Wayne Bobbitt leaves the court as a batterer, but neither criminal nor insane, is the assumption then, that his violence is inherent, wrapped up in his masculinity and therefore normal? What this assumption validates is that the decision to set up a 'battering situation' is based on the assumption that he can.

A call for longer and harsher prison sentences for batterers only changes the battering-script after the event. Fundamentally it is trying to persuade men not to batter through punishment from the legal system. What it implies is acceptance of men's power to be violent and to batter. It allows first option to the man and disallows for a transformation of the script. It is more productive surely to look for ways to sabotage the script altogether, that disallow men's presumed primary option.



Within the representation of the battering-script as presented by the BBC's mini series The Family (1994), scripted by Roddy Doyle, the third episode offers the most potential as a means of fictioning new 'truths'. In this episode there is a kitchen scene in which Pauline (the mother) beats Charlo (the father) over the head repeatedly with a frying pan. This is pivotal as a representation of the refusal of the battering script. This action comes into play not because of Pauline's own victimisation but of the potential victimisation of her daughter, Nicola. Leading up to this scene we view Nicola's unease and insecurity around her sexuality, and we witness how this is exploited by Charlo. Her fear increases to the point that she is unable to undress at night, getting into bed fully dressed. From this we are led to her entrance into the kitchen in her dressing gown, as if she is trying to act out 'everything is normal'. As a representation, it maps out certain mechanisms within the script which are often interpreted as the 'will' to be battered. The interpretation relies heavily on the assumption that acting out 'everything as normal' means accepting the situation. However what this representation articulates is possible agency in trying to deflect and avoid the script's narrative, i.e. approaching victimisation.

The daughter's entrance in her dressing gown acts as a metaphor for her refusal to allow Charlo access to the fear he is producing in her and this refusal acts as a means of barring his access to her physically. Throughout this episode we view Charlo setting up a series of steps, through

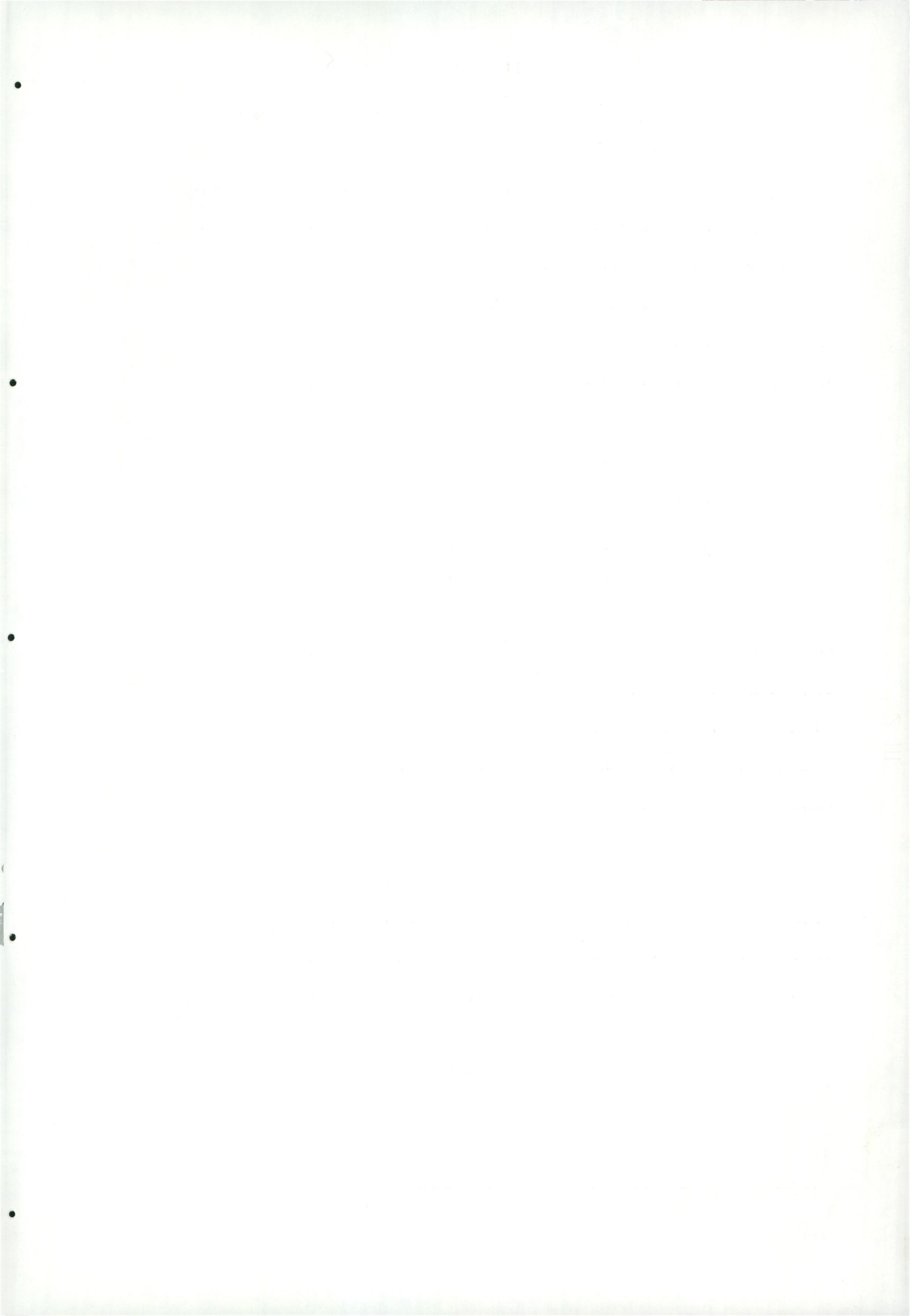




his 'gaze' and his verbal insults, as a means of producing her 'fear' and positioning her as victim. What we view is her actively trying to interrupt his terms of discussion i. e. her probable violation.

In the kitchen scene, Pauline's reaction to the way Charlo is looking at his daughter takes us as viewers by surprise. In 'real' terms he hasn't actually violated his daughter.<sup>14</sup> Articulating Charlo's series of steps as what he wants to script, Pauline's reaction is a very definite interruption of his possible intention to rape his daughter and to sabotage the existing script which sets Pauline up as battered - woman. This ruptures one of the most important aspects of what constitutes the battering - script, namely women's fear of men's potential to use violence against them.

Women's 'fear' is feminized. The all-too-often sense of 'freezing' as opposed to a typical male response of 'fight or flight', can be seen to position women and produce 'effects of truth' in the batterer's understanding of woman - as - battered - woman's lack of strength. Batterers prevail not because they are biologically stronger than women, the batterer operates within a role which follows conventional structures of action based on his presumed 'masculine strength' and the woman's presumed lack of strength. His ability to abuse her is based on how he positions himself to her rather than the 'real' fact of his superior physical strength. This belief warrants analysis because it often operates to produce as an effect the batterer's power that





appears to be the battering script's cause.  
(Marcus,1992,p.392)

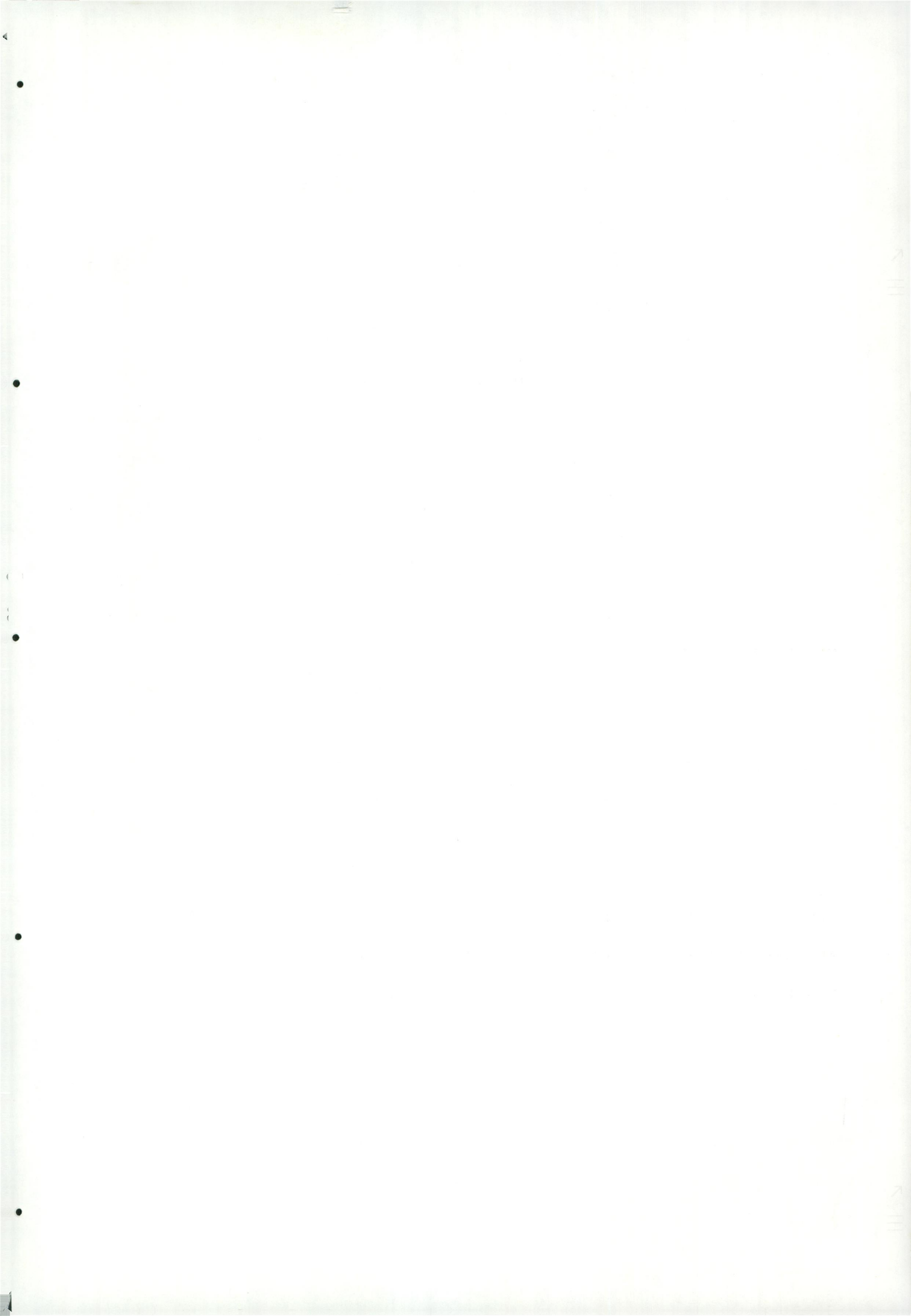
What we need to analyse is how 'woman' as fearful victim to 'man's' violence operates to reproduce the battering script, and how this script actively feminizes 'woman'. As an agenda towards sabotaging the battering script we need to articulate what the battering script disallows, namely, women's will, agency and capacity for violence.

The representation of Pauline's final refusal of the battering-script and Charlo's subsequent representation as a man unable to negotiate the reactivation of the script, offered a potent potential of fictioning new 'truths', that deny the role offered women as fearful, feminised victim. As Marcus argues:

We can say that simply by fighting back, we cease to be grammatically correct feminine subjects and thus become much less legible as rape targets.

(Marcus,1992,p.396)

In a masculinised culture which promotes and acts to enforce woman - as - battered - woman, we need to counteract interpretations and inscriptions of our bodies that constitute us as fearful, by imagining and constructing a society which refuses that fear,by exposing the fragileness and illegitimacy of 'man's' claim to power.



## Postscript...

### Punctuations of Dehiscence...

#### The Oxymoron of the Illegible Target...

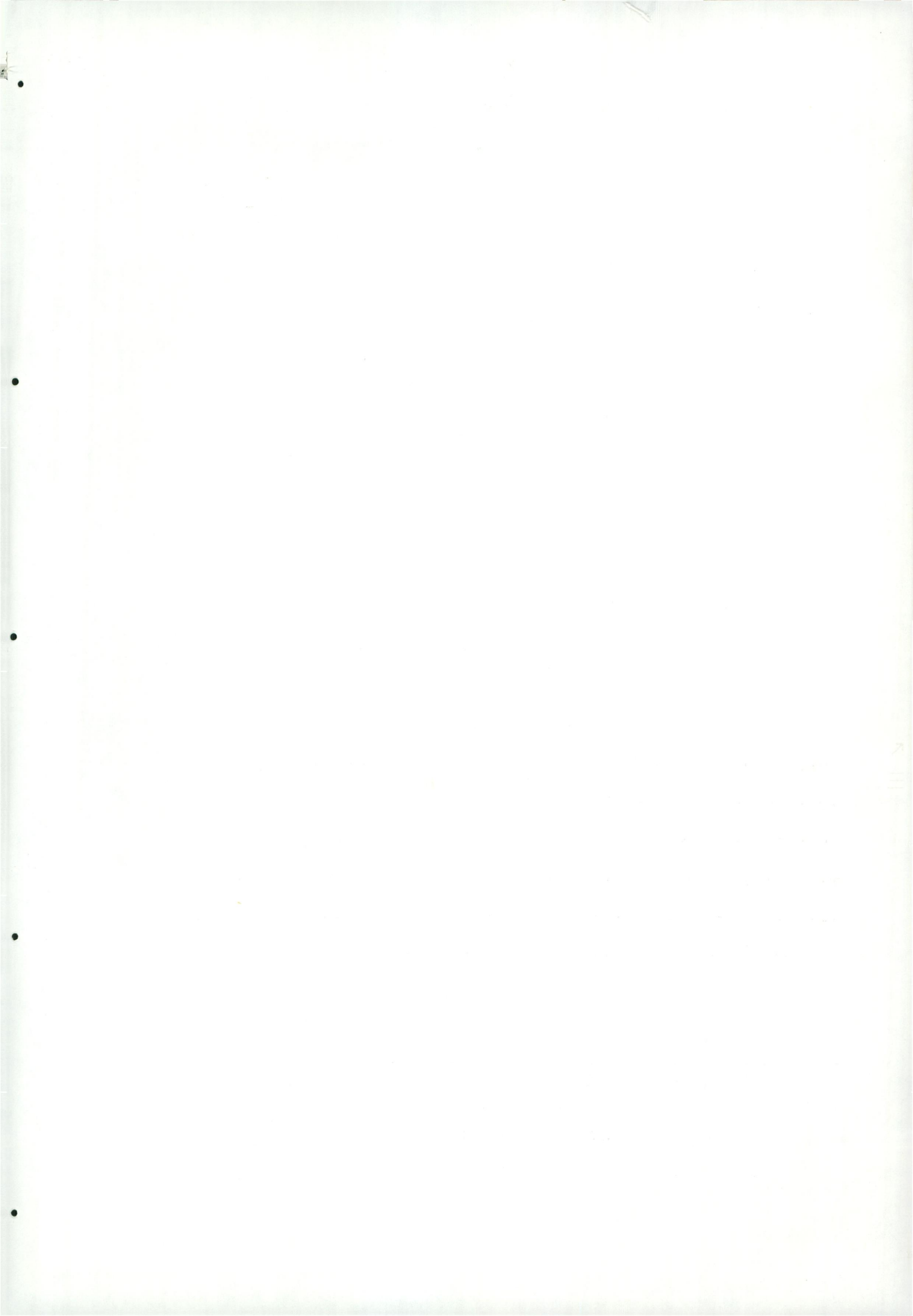
The battering script operates as a script in which men's bodies are invested with power. The agenda has been to explore and expose the 'relations of power' which are hidden and contained within the battering script, to look for the punctuations within the script. These gaps allow for possible agency by woman - as battered - woman. Opening up these punctuations allows for the possibility of rupturing this script.

The script of woman - as - battered - woman is a social construction, however this construction is never complete. The punctuations within the script, the possibility for agency these punctuations offer means that her role within the script cannot be fully determined. As Foucault states:

There is a plurality of resistance, each of them a special case: resistances that are possible, necessary, improbable; others that are spontaneous, savage, solitary, concerted, rampant or violent...by definition they can only exist in the strategic field of power relations.

(Foucault, 1990, p.96)

The role of woman - as battered - woman is a role in which the techniques of power are skewed against her. How she gets said, very often constitutes her as the "...object of inform-



mation never a subject in communication", (Foucault, 1977, p.192). Therefore it is contingent to try and imagine possible resistances to her position within the script and create a 'dialogue of struggle'.

The dialogue that exists within the battering script depends on the batterer's and woman - as battered - woman's assumptions about the dialogue within the script. The refusal of her position as 'subject of fear' allows the most potential in rupturing the script. Instigating strategies of resistance to woman - as battered - woman's feminization, refusing to be 'grammatically correct feminine subjects' acts as a punctuation of dehiscence and the possibility of becoming an illegible target.



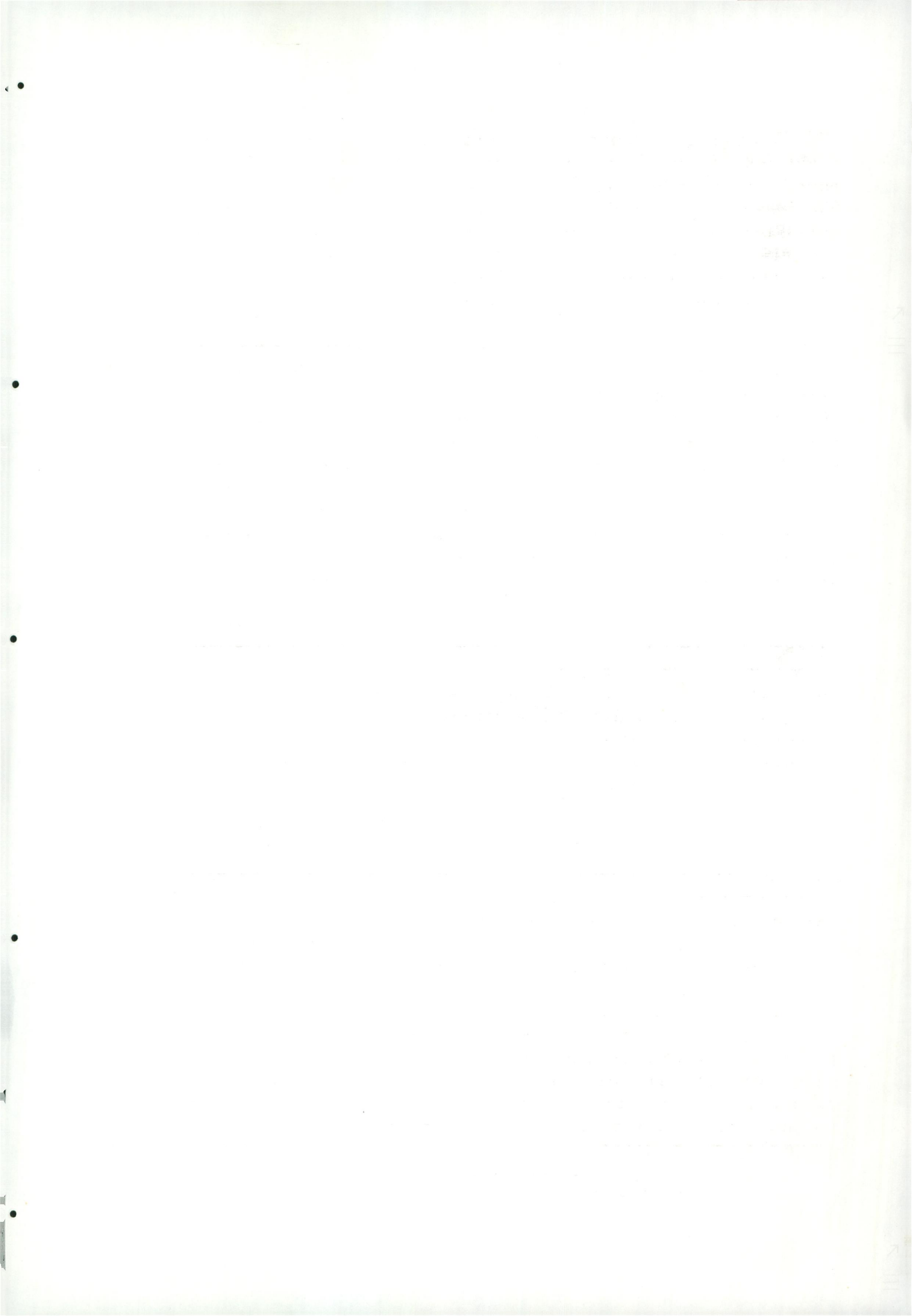


## Footnotes

1. Some studies indicate that women are most at risk on leaving the violent relationship (Crawford, M. & Gartner, R., "Woman killing-intimate fratricide in Ontario 1974-1990", in Wilson, M. & Daly, M., "Spousal Homicide- risk and estrangement", Violence & Victims, vol 8, no 1, 1993; Ellis, D., "Post-separation woman abuse: contribution of lawyers as 'barracudas', 'advocates' and 'counsellors,'" International Journal of Law and Psychiatry, no 10, 1987, pp. 401-410). As Wilson and Daly (1993, p. 3) point out: "Both sublethal assaults and threats to kill can be interpreted as coercive tactics that terrorise wives and thus keep them under their husband's control". The coercive power of such threats are given an added coercive power when the woman perceives that they are legitimised by society's response to her plight.

2. Numerous studies have investigated the personality of 'women' as a means of identifying risk factors promoting the battering script. However all this research has clarified is that rather than the problem being a personality trait of specific women, that the greatest factor involved is being within the category 'women': "While research on men's violence toward women raises a number of complicated issues, it is sometimes forgotten that men's violence is men's behaviour...What is surprising is the enormous effort to explain male behaviour by examining characteristics of women"(Hotaling, G. D. & Sugarman, D. B., "An analysis of risk markers in husband to wife violence: the current state of knowledge", Violence & Victims, vol 1, no 2, 1986, p. 120).

3. As Susan Faludi states in Backlash: "In 1985, some psychoanalysts at the American Psychiatric Association decided it was time for masochism to make a comeback as a 'new' disorder in the professional Diagnostic and Statistical Manual of Mental Disorders, or DSM, the bible of American psychiatry ... Worst of all, the diagnosis threatened to invite a return to treating battered women as masochists who court domestic violence. The APA panel included these traits in its definition of the new masochist 'choosing' people who 'disappoint' or 'mistreat' them and remaining 'in relationships in which others exploit , abuse or take advantage. The panel illustrated these traits with an example of ... a spouse who criticises a mate, thus 'provoking an angry counter-attack'." in Critical Conditions, p. 63, ed. Amy Sholder, City Light Books, San Francisco, 1993.





4. Kurz & Stark (Kurz, P. & Stark, E., "Not-so-benign-neglect - The medical response to battering" in Yllö, K. & Bograd, M., (eds.), Feminist Perspectives on wife abuse, Sage, California, 1988) point out: "The very structure and purpose of the health and social services bureaucracy must be called into question and its basic assumptions challenged, including the presumption that an expansion of individually orientated social services for battered women is an adequate response to problems rooted in equality".

5. "In a study done in 1992, by Professor Mark Morgan on attitudes to the Gardai to the handling of domestic violence cases, a high percentage said they saw their role as 'peacemakers' and not 'law enforcers' (Women's Aid, Submission to the Joint Oireachtas committee on Women's Rights, Dublin, 1994)."

6. By maintaining the binary public/private, women are given less protection by the law. "In a classic 'double bind' the isolation of the victim increases as her social distance from the perpetrator and the scene of the crime decreases (MacCannell, D. & MacCannell, J. F., "Violence, Power and Pleasure: A revisionist reading from the victim perspective" in Ramazanoglu, C., (Ed.), Up Against Foucault - Explorations of some Tensions between Feminism & Foucault, Routledge, London, 1993)."

7. "In one case I'm familiar with, a man had beaten his wife so severely that she was in hospital, but he was still awarded custody of the children even though there was an aunt willing to care for them. The judge ruled that the rights of the father took precedence over the rights of children even though the children had been terrorised and were terrified of him (Hughes, H. M., "Research concerning children of battered women: clinical and policy implications", in Pagelow, M. D., "Commentary- Justice for victims of spouse abuse in divorce and child custody cases", Violence & Victims, vol 8, no 1, 1993, p. 11)."

8. Foucault goes on to state: "If the development of the great instruments of the state, as institutions of power, ensured the maintenance of production relations, the rudiments of anatomo- and bio-politics, created in the eighteenth century as techniques of power present at every level of the social body and utilised by very diverse institutions (the family and the army, schools and the police, individual medicine and the administration of collective bodies),





ment, and the forces working to sustain them. They also acted as factors of segregation and social hierarchisation, exerting their influence on the respective forces of both these movements, guaranteeing relations of domination and effects of hegemony (Foucault, M., History of sexuality - an introduction, Vintage, New York, 1990, p. 141)".

9. For a discussion on the anti-pornography/anti-censorship debate see chapter 5, Bonner, F., Goodman, L., Allen, R., James, L. & King, C., (Eds.), Imagining Women - Cultural Representation and Gender, Polity Press, London, 1992.

10. For a discussion on pornography that goes beyond this debate see Williams, L., Hard Core - Power. Pleasure and the Frenzy of the Visible, Pandora Press, London, 1990

11. See Haraway, D., "Situated knowledges: the science question in feminism and the privilege of partial perspective", Feminist Studies, vol 14, no 3, 1988.

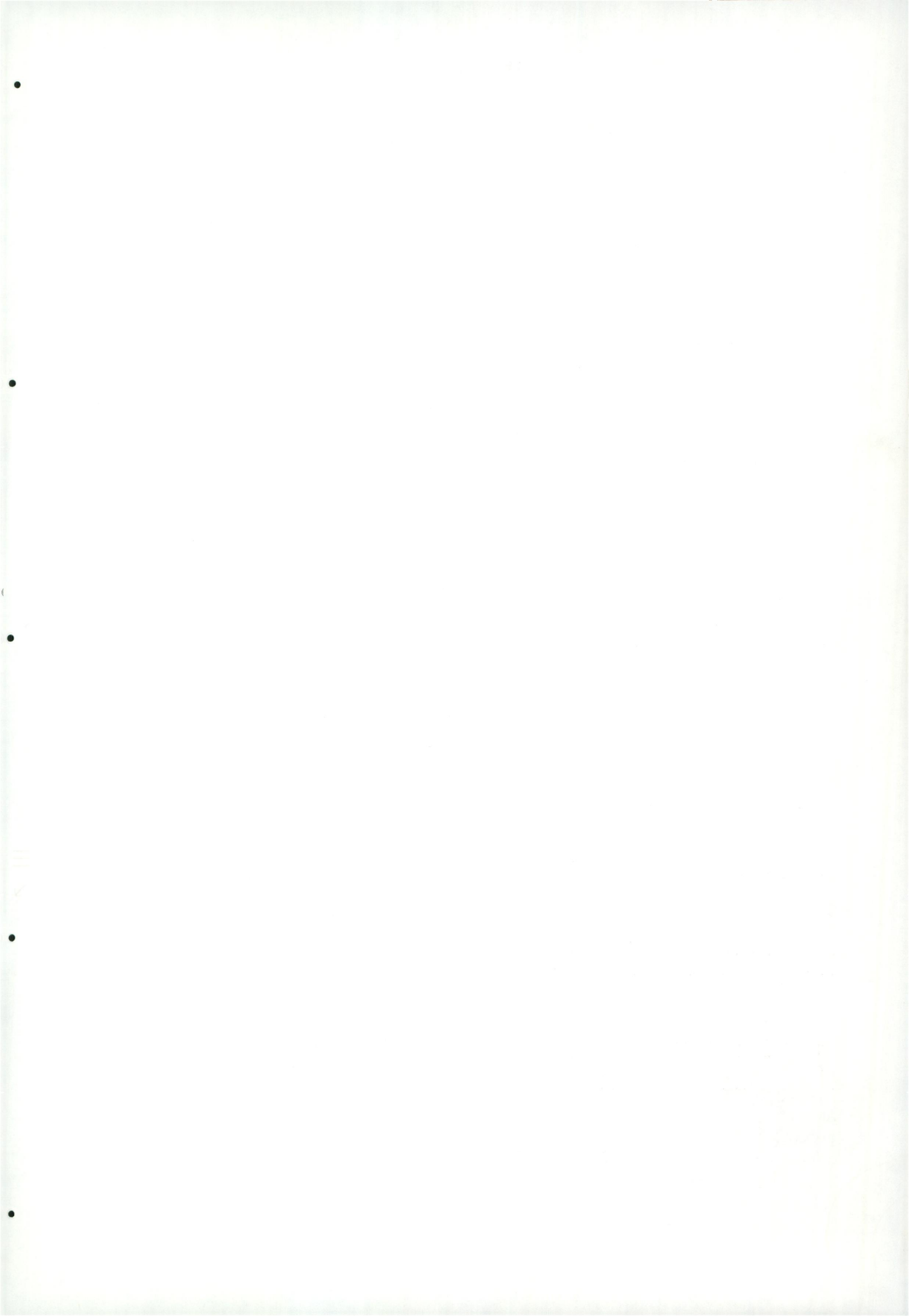
12. Reasons for some feminists' unwillingness to abandon Enlightenment claims are stated clearly here by Toril Moi: "What could be more seductive for feminists than a discourse which, ... like that of Michel Foucault in *Volonté de Savoir* (History of Sexuality), focuses on the complex interaction of power and sexuality? ... Alluring as they may seem, however, the apparent parallels between Foucault's work and feminism ought not to deceive us. Feminists ought to resist his seductive ploys since, as I shall argue in this essay, the price for giving in to his powerful discourse is nothing less than the depoliticisation of feminism. If we capitulate to Foucault's analysis, we will find ourselves caught up in a sado-masochistic spiral of power and resistance which, circling endlessly in heterogenous movement, creates a space in which it will be quite impossible to argue that women under patriarchy constitute an oppressed group, let alone develop a theory of their liberation." (Moi, T., in "Power, sex and subjectivity", 1993)

13. Discussing the Women's Aid helpline: "It is particularly interesting to note that the highest number of calls happened during the screening of Roddy Doyle's screen drama 'The Family' when the national helpline number was advertised throughout the national media (Women's Aid, Submission to the Joint Oireachtas committee on Women's Rights, Dublin, 1994, p. 7)".



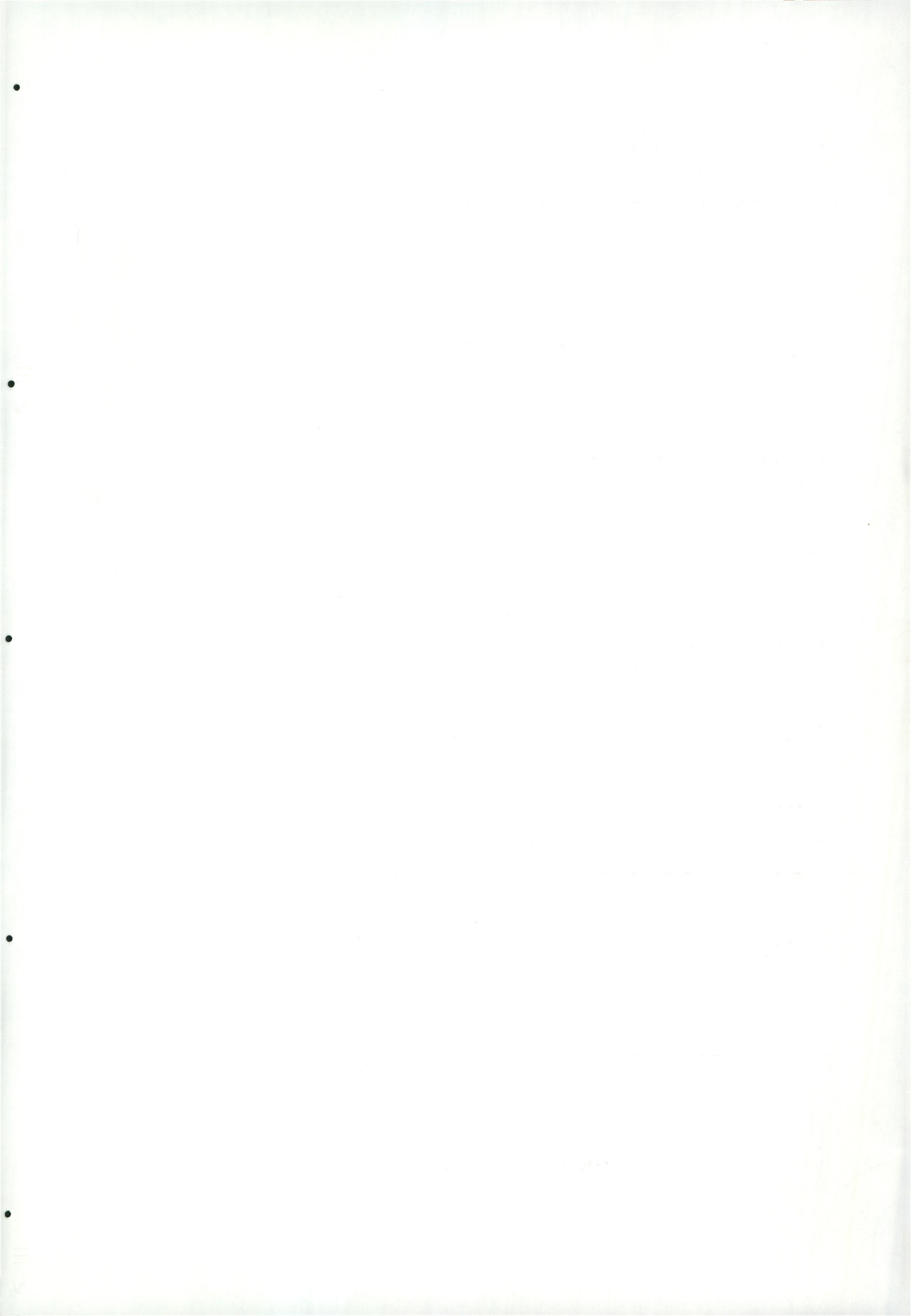


14. Butler reports: " one young woman, whose father was only an exhibitionist and never touched her, still is besieged with nightmares and is unable to have satisfying sexual relationships with men her own age". Butler means to say this 'father' never touched his daughter 'sexually'. Actually his technically non-sexual touches figure prominently in the daughter's subsequent emotional problems. No matter how severe his daughter's psychological reaction to his behaviour, under current penal codes this father did not commit a crime. In MacCannell, D. & MacCannell, J. F., "Violence, Power and Pleasure: A revisionist reading from the victim perspective" in Ramazanoglu, C., (Ed.), Up Against Foucault - Explorations of some Tensions between Feminism & Foucault, Routledge, London, 1993.



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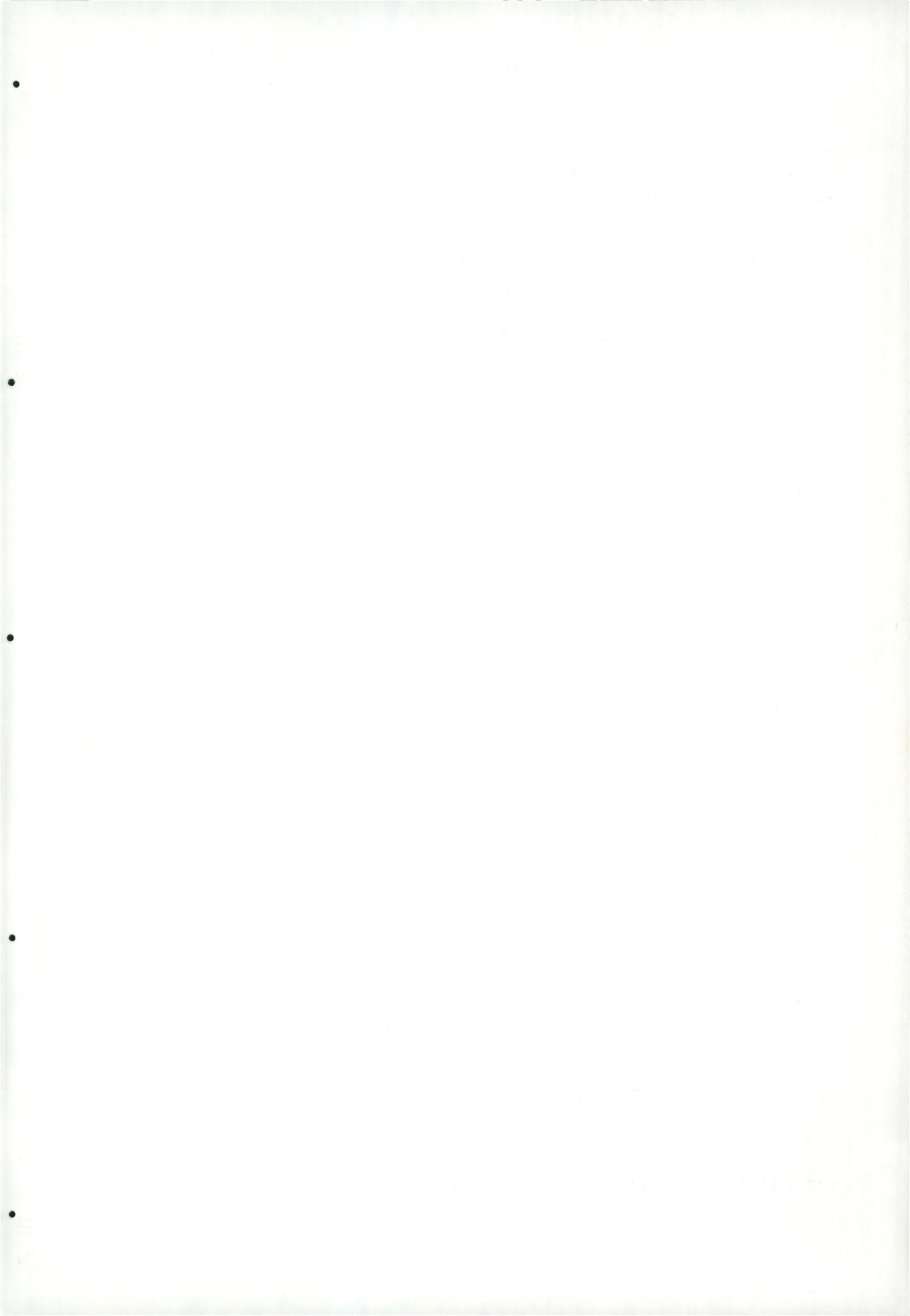
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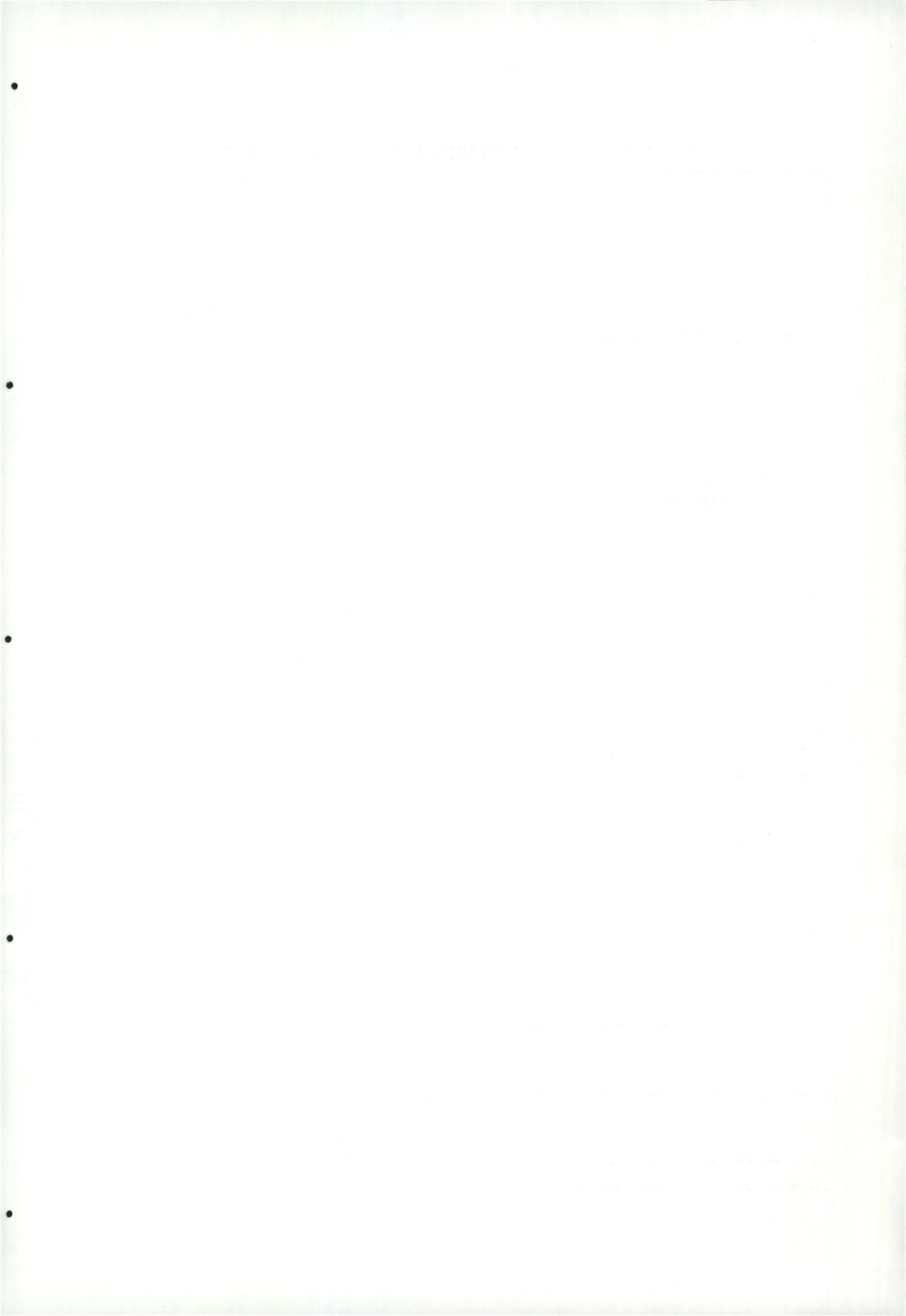
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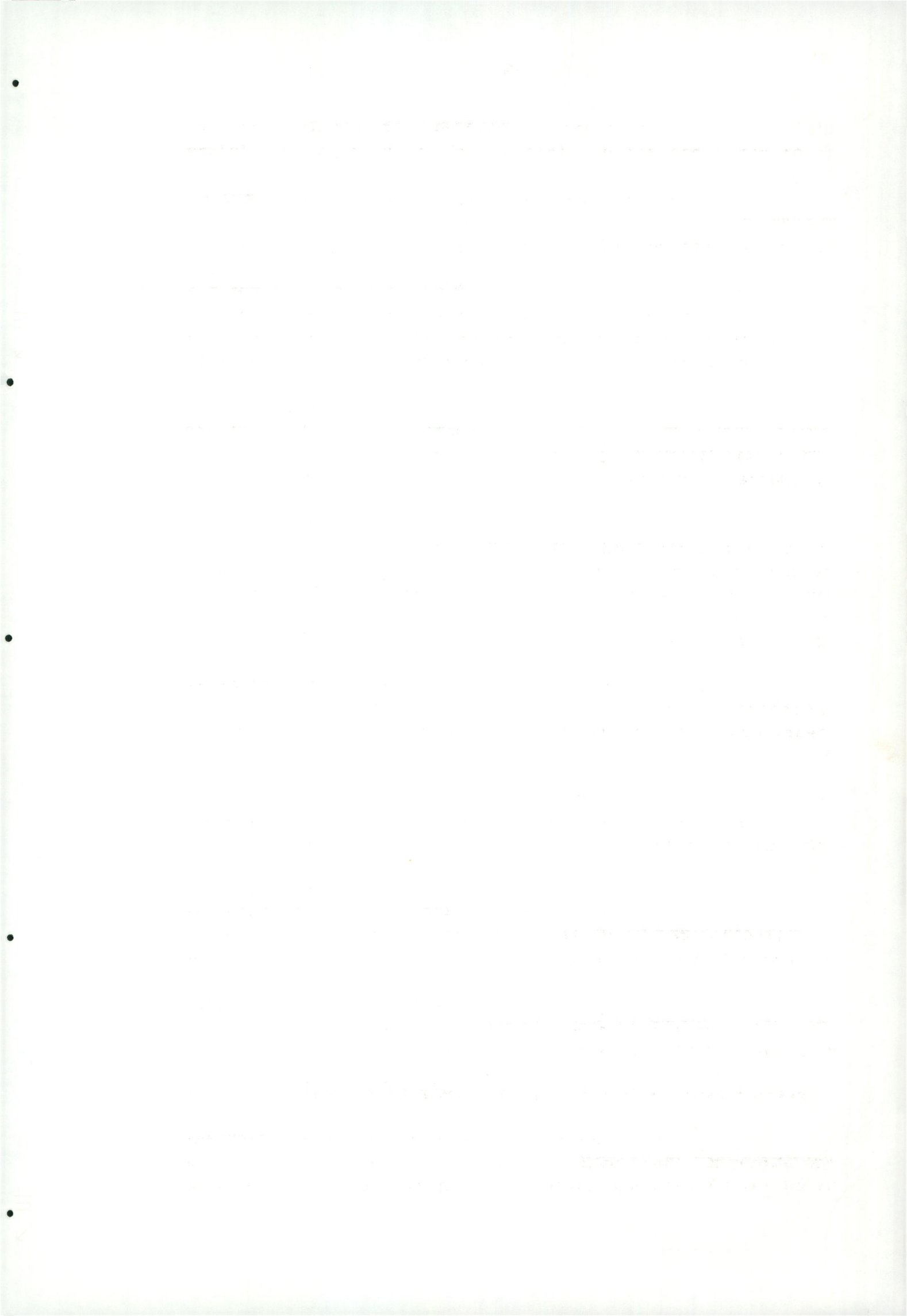
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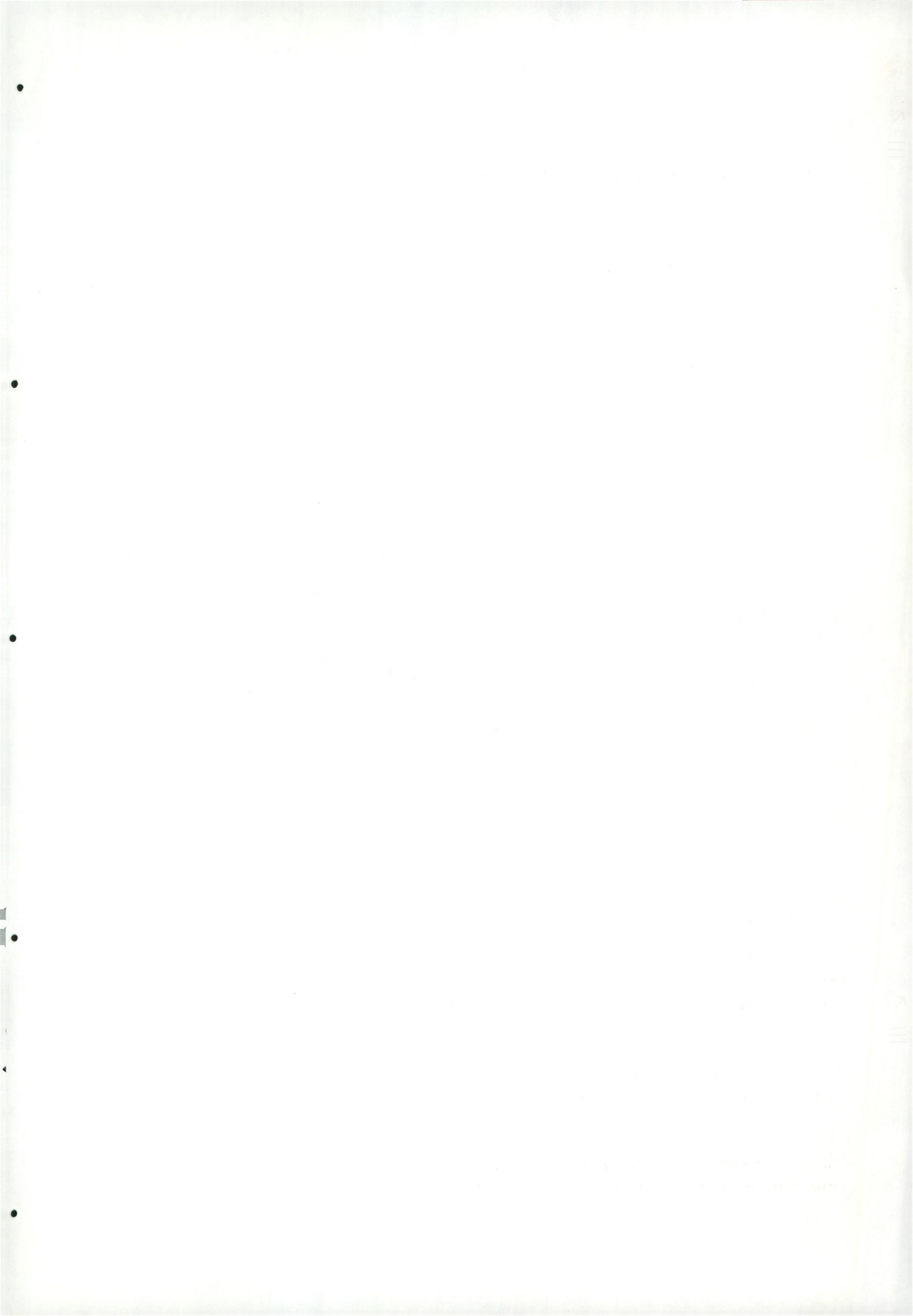
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