

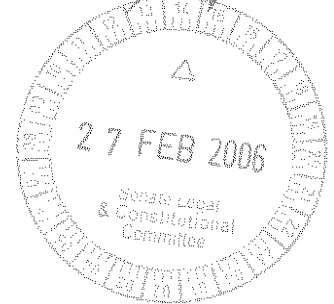
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Inquiry into the provisions of the Family Law Amendment
(Shared Parental Responsibility) Bill 2005

Submission by David Olson

24/2/2006



Background and Key Proposal

Family Law has been in complete disarray and failing the best interests of children and parents since the Australian Family Law Act 1975 was invoked.

Attempts to reform family law since 1975 have failed to make any progress. The amendments of 1995 were ineffective as they were ignored by the Family Court and joint custody orders fell from an unacceptable 5% even lower to just 2.5%.

In 2003 an enquiry was set up by the Federal Government into a presumption of equal custody of children after separation. The House of Representatives Standing Committee on Family and Community Affairs instead prepared a rebuttable presumption of equal shared parental responsibility. This proposal effectively skuttles the key platform of reform put forward by the enquiry, ensuring that it will not deliver effective reform of family law.

Unless an act of parliament specifically directs judges of the Family Court to order that children of separating families be able to live equally with their mother and their father as they did prior to separation, there will be no significant change, as the reluctant Family Court and the powerful vested interests of the status quo will continue with business as usual.

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Rebuttable Presumption of Equal Shared Custody

The introduction of a presumption of equal shared custody must form the basis of any reform of family law in Australia.

Prior to separation, custody of the children by the parents in a marriage or relationship is equal. All other issues of parental responsibility, rights of parents in relation to children and children in relation to each parent, of decision making in relation to children and any other matter in relation to children is equal between parents. There is no justifiable reason why this should change after separation except in such exceptional circumstances where a court finds proven and convicts a parent of a serious offence against a child.

Every child has a right to an equal relationship with each of their parents. The only way for these relationships to be equal is to spend equal time with each parent. This in turn necessitates that the child live with each parent equally, including an equal mix of weekdays, weekends, holidays and special days.

The process of a child's development is crucial to their wellbeing and function, both as a juvenile and as an adult. The involvement of and need for the child's father, is equally integral to that of the child's mother in this process of child development. Any interference in the involvement of a parent in a child's life is against the best interests of that child and is an action against the rights of both the child and that parent.

Nothing less than a presumption in law of equal shared custody will deliver this equality and serve the best interests of the child whilst protecting both the child's and each parents' rights.

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Alternative Dispute Resolution

Many groups and individuals have for a long period been calling for an alternative to the current adversarial and litigious family law system.

Mediation must be mandatory otherwise either parent could force the matter to trial by refusing mediation even if the other parent is strongly in favour. Under our voluntary system ^{it is} highly likely to be the parent who believes the system is biased in their favour and is advised by their lawyer not to mediate that refuses to do so. This is most often the mother who wants to prevent compromise, believing there will be a loss of power and control as a result.

However, a study of mandatory mediation by Dr. Mary Dwyer (1991) Director, Alameda Family Court Services, California, found that:

- Parents are twice as likely to be satisfied with the process
- Mediated agreements are more likely to be complied with
- Mediation helps parents focus on the needs of their children
- Mediation is twice as likely as court to improve parental relations
- Mandatory mediation saves money for both the parties and the State

In order to give mediation a healthy opportunity to work for a separating couple, a moratorium period of at least three months must elapse before any application could be made to a court.

The development of a parenting plan is central to this mediation process and must be a mandatory part of it. It provides the framework around which negotiations revolve and details of agreement around which resolution can evolve even in cases of high disagreement or conflict. When parents have been personally involved in the formulation of a parenting plan and agree to it, there is less likelihood that further dispute or court action will occur later.

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There should be in the Bill, significant deterrent penalty provisions against any parent who refuses to attend or be meaningfully involved in this mediatory process, including the development of a parenting plan. Such penalties may include parenting orders against the offending parent including reduction in contact or residence and the awarding of costs.

There are very significant concerns regarding competency and selection guidelines for staff of the Proposed Family Relationship Centres. Social worker, Matilda Bawden has stated regarding the committee establishing counselling competencies for the Family Relationship Centres, "There is almost no father-friendly representation on this committee and certainly no evidence to show it is sympathetic to genuine shared parenting or joint residency outcomes or ideals" Guidelines for selection of practitioners at these centres must include: —

- Must be able to demonstrate significant knowledge of and commitment to shared parenting outcomes & ideals
- No gender bias against either male or female parents
- Equal mix of male and female practitioners at each centre
- Inclusion of separated parents as practitioners at each centre. These parents should ideally be ones who have either experienced shared parenting or have advocated shared parenting but been denied it by the family law system.

Dr. Farrell argues that incorrect perceptions about domestic violence have resulted from reversion of violence by women against men and cultural entrenchment of stereotypes. Thus statistically, in at least fifty per cent of all cases where an allegation of violence or a violence order has been obtained against a man, a similar allegation or violence order would be valid against the woman.

Bearing in mind that many of these allegations are false or orders obtained under false pretences, this leaves our family law system in need of urgent reform on issues of violence and abuse and the following should occur:-

- Any allegation of violence or abuse must be immediately investigated
- Violence or abuse of children must be investigated, proven and a conviction made in a court of law before it can be accepted as evidence in family law
- Serious penalties must be levied against parents making false or improper allegations of violence or abuse of children
- Definitions of violence and child abuse must be made very clearly detailed in the Family Law Act
- All family law professionals including legal child representatives must be qualified in child psychology or social science if they are to be involved in investigation of abuse or violence regarding a child.

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High Conflict, Abuse and Violence

These issues are important in family law because under our current adversarial system they are very often the reasons for allegations and legal action, aimed at winning a family law battle.

A great deal of misunderstanding and false information is circulating in family law and the wider community regarding these issues. In part, this is because of the great amount at stake in family law disputes - custody of the children, matrimonial assets, child support and family payments and personal verdicts to be settled.

The current family law system is effectively designed to ensure that legal action is the norm in a family separation. This litigious arena creates conflict between the parents when there was little or none existing and creates even greater conflict when it was already medium or high.

In this heated situation, many allegations including those of violence and abuse are raised, often being invented or exaggerated in order to win the dispute.

A 2001 paper by Professor Thea Brauer of Monash University prepared for the National Council of the Single Mother and Child found that 44% of abuse allegations against fathers were false. Other studies have found levels of false allegations against fathers to be even higher.

Studies of domestic violence have found that many of the commonly held perceptions are totally incorrect.

In his book "Women can't Hear What Men Don't Say", Dr Warren Farrell reports that over 100 researchers during 25 years found that "women and men batter each other about equally, however better men are to exhibit violent behavior than women".

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Parental Alienation

Deliberate alienation of a child by one parent, from or against the other parent has become a common occurrence in our adversarial family law system. There appears to be a parallel between the introduction and development of adversarial "winner take all" family law systems in Western countries and the rise of parental alienation to almost epidemic levels.

The introduction of "wishes of the child" clauses into family law has encouraged many desperate parents to mislead or alienate their child into not wanting to have contact with or live with the other parent in order to win a custody dispute or provide a "reasonable excuse" for contravention of a contact order.

The practice of parental alienation amounts to nothing less than psychological and emotional child abuse. The introduction of a presumption of equal shared custody into family law and the introduction of mandatory mediation will significantly address this issue.

The practice of parental alienation must be made an offence under the Family Law Act with appropriate penalties for offenders if it is to be diminished in any real way.

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Summary and Conclusion

The Family Law Amendment (Shared Parental Responsibility) Bill 2005 whilst a move in the right direction of reform of Australian Family Law, will not bring about the necessary change to thirty years of entrenched failings.

The key necessary change - introduction of a Rebuttable Presumption of Equal Shared Custody - has been replaced by an ineffectual Presumption of Shared Parental Responsibility. This is a fundamental error that may prove to be fatal to plans for reform.

It is not too late to reconsider this issue now, before Australian families again suffer from years more of a failed family law system. After all, we should consider the lead taken by the Italian Senate in approving a Bill on 28th January 2006 making joint custody the norm in divorce cases.

As outlined in this submission, many other changes and additions are also necessary if this Bill is to have the power and capacity to bring about a better future for Australia's children and families.

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Appendices to this Submission

1. "The Joint Custody of Children Amendment Act of 1993"
Written Statement of Ronald K. Henry, Esquire,
in support of Bill 10-442, in Washington, D.C.
2. "Women Don't What Men Don't Say" Dr Warren Farrell
2001 pp 129 - 143
pp 323 - 329

David Olsson

D. J. OLSSON

Springwood N.S.W.

From MsBasher@aol.com Mo:
Subject: Custody Article

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"THE JOINT CUSTODY OF CHILDREN AMENDMENT ACT OF 1993" Written statement of Ronald K. Henry, Esquire, in support of Bill 10-442, in Washington, D.C.

Mr. Chairman and Committee Members:

Thank you for presenting the opportunity to offer information in support of the Joint Custody of Children Amendment Act of 1993.

My name is Ronald K. Henry. I am a partner in the law firm Kaye, Scholer, Fierman, Hays & Handler. I serve as an advisor to the American Law Institute Family Law Project and as an advisor to the National Commission on Uniform State Laws Project on Interstate Visitation Enforcement.

I also serve as the Co-Chairman of the American Bar Association Federal Legislation Subcommittee of the Custody Committee. I have provided testimony to the United States Congress and other legislative bodies on numerous occasions and have frequently appeared on television and in other media as an expert commentator on family law issues.

Mr. Chairman, the debate about the best interests of children is over. With a unanimity of view that is virtually unparalleled, social science researchers have confirmed what institution has long made clear -- the best parent is both parents. Children are born with two parents. Children want, love and need two parents. Regardless of the social ill that is under consideration, whether it be drug abuse, school drop out, suicide, juvenile delinquency, teenage pregnancy, or any of the social concerns that afflict our children, the research is clear that children who do not have two actively involved parents are at greater risk. This is not to say that single parents fail to try their best, but just as two of anything is more than one, two actively involved parents can provide more physical, emotional and psychological support than one.

THE NEED FOR CHANGE

It is undisputed that gender bias has afflicted custody decisions in the District of Columbia courts. The District of Columbia Task Force on Gender Bias in the Courts wrote that:

"The Task Force found that many domestic relations lawyers believe that judges in the District of Columbia more often than not view mothers as more fit to have custody than fathers, regardless of whether women are working or not."

No one can rationally contend that the District of Columbia suffers from an excess of fathering. The time has come to end the system under which the courts, on a daily basis, enters orders that bar fit and eager fathers from exercising a most fundamental right -- the right to simply spend time with their own children.

The current winner-loser system is irrational. The typical custody dispute involves two fit and loving parents who each want to avoid being cast out of the role of "parent" and into the role of "visitor." The city should rejoice to find children with two parents who each want to do all that they can for the child. Instead, we place those parents against each other and declare that one will be the winner and the other will be the loser, a mere visitor. Such a system only guarantees that the child will be a loser. For that child walks into court with two parents and walks out with only one. With the tragic consequences of inadequate parenting all too apparent on the streets of our city, we can no longer afford a legal system that discards one of the two most important people in the child's life.

THE NEED FOR A PRESUMPTION

Children are born with two parents. At birth, all children enter into joint custody and remain in joint custody

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The National Center for Women, a feminist organization with a membership of over 128,000, also supports legislation "to amend the domestic relations law to establish a presumption of shared parenting of minor children in matrimonial proceedings." (See Exhibit C.)

OBJECTIONS TO JOINT CUSTODY CAN NOT WITHSTAND SCRUTINY

HIGH CONFLICT MARRIAGES -- Opponents of joint custody argue that joint custody cannot work if the parents are in conflict. Certainly it is the case that conflict between the parents is troubling to children. The opponents of joint custody, however, make the wrong comparison. The choice is between joint custody and sole custody, not between joint custody and Ozzie and Harriet. Compared against sole custody, joint custody is a device for conflict reduction and facilitates cooperation by avoiding both the grasping by a parent fearful of loss and the devastation to a parent suffering loss. Research tells us also that children suffer the fear of loss and the actual loss of parental involvement during divorce. Joint custody saves the child from the loss of a parent.

Sole custody does not reduce conflict, it exacerbates it. The parents still must deal with one another in connection with all aspects of the child's life, but they do so in unstable and unhealthy relationship of victor and vanquished. As the Kentucky Court of Appeals said in *CHALUPA V. CHALUPA*, 92 CA-000165-MR, May 1, 1992:

"The difficult and delicate nature of deciding what is in the best interests of the child leads the Court to interpret the child's best interest as requiring a trial court to consider joint custody first, before the more traumatic sole custody.

If we want to reduce conflict between parents, we must end the barbaric practice of forcing them through the winner-loser combat of sole custody trials.

DOMESTIC VIOLENCE -- The most mean-spirited opposition to joint custody is the claim that it should be barred or restricted for the population at large because of the risk of domestic violence among some families. These opponents argue from a presumption of pathology and urge a rule that would assume that the worst behavior of the most extreme individual is the norm. Policy cannot be made by anecdote, and the law should not be based upon this presumption of pathology. The law should serve the vast bulk of the fit and loving parents who simply want to be with their children. Where domestic violence occurs, it is properly handled as a deviation from the norm. The proposed legislation specifically recognizes that domestic violence, like all forms of abhorrent behavior, is relevant and must be considered by the judge in fashioning the custody decree.

The treatment of domestic violence that is adopted in the proposed legislation also is necessary to protect the well-being of the child. Any rule that operates inflexibly, such as a flat disqualification of custody to a parent who has ever engaged in domestic violence, will be detrimental to children. As the statistics presented at Exhibit D demonstrate, men and women are equal perpetrators of domestic violence. In about one-quarter of cases, only the woman is violent and in about one-quarter of the cases, it is only the man. In the remaining one-half of the cases, however the man and the woman are mutually violent towards one another.

Thus, while a disqualification would affect equal numbers of men and women, there would be a disqualification of both mother and father in about one-half of the families experiencing domestic violence.

A narrow focus on spousal abuse also misses the greatest danger -- direct abuse of the child. As the statistics in Exhibit D demonstrate, mothers commit physical abuse against children at a rate that is approximately double the rate for fathers and a single mother home is the most dangerous of all environments for children. Although single parent homes represent a minority of homes with children nationally, they commit almost two-thirds of all child abuse. Joint custody protects children by assuring that both parents have substantial access to the child and can observe and report abuse.

THE HOSTILE PARENT'S VETO -- Under the current case law of the District of Columbia, most superior court judges believe that they do not have authority to grant joint custody if it is opposed by one parent. This perception

was created by the Utley decision in the District of Columbia Court of Appeals many years before joint custody was established in most of the states in the nation and has never been corrected. Legislation is needed to protect the best interests of the child and abrogate the obscene doctrine that the most obstructionist parent can unilaterally deprive the child of a full relationship with the other parent.

THE PARENTING PLAN -- The Council must clearly reject the racist and elitist claim that residents of the District of Columbia are too stupid to understand a parenting plan. Creating a parenting plan simply entails marking a form to indicate residential arrangements and allocation of responsibility for the various needs in the child's life.

The parenting plan concept was developed in the State of Washington specifically to assist Pro Se litigants. Instead of walking into court and emerging with an order dictated by a judge or left as impossibly vague as "liberal visitation," the pre-printed parenting plan forms permit the parents to indicate their desires for the care of the child. Instead of hiring a lawyer to identify and pursue each issue that needs to be resolved, the parenting plan forms identify the issues and permit the parents to indicate their own preferences without hired help.

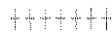
BEST INTERESTS -- The proposed legislation does not depart from the pursuit of the best interests of the child. Instead, the legislation recognizes the social science research and the intuitive human understanding that most parents are fit and that the children will benefit from the active involvement of both. The legislation encourages those fit and loving parents to share their parenting responsibilities without a winner-loser battle, but preserves to each parent the right to present any and every fact and argument to support a claim that sole custody would better serve the child's needs.

CONCLUSION -- Children are born with two parents. Children want, love and need two parents. In all but the vanishingly small number of pathological cases, the court should strive to maximize the involvement of both parents. If distance or other factors prevent a substantially equal relationship with both parents, the preference should go to that parent who shows the greater willingness and ability to cooperate and nurture the other parent's relationship with the child. That's what being a caretaker is all about.

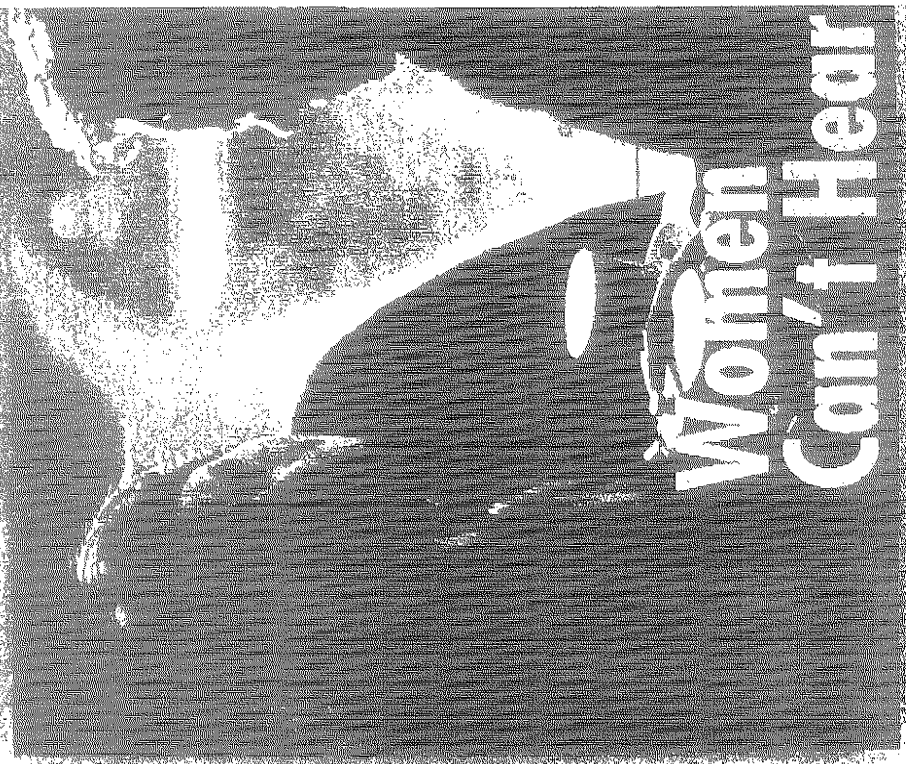
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WARREN FARRELL



Women Can't Hear
What Men Don't Say

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Destroying myths,
creating love



Women Can't Hear
What Men Don't Say

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Women Can't Hear What Men Don't Say

You never heard someone say, 'I want a divorce - my partner understands me.'

WARREN FARRELL

In this groundbreaking book, bestselling author Dr Warren Farrell explores skills we all need to relate to our partners. His valuable communication techniques help us:

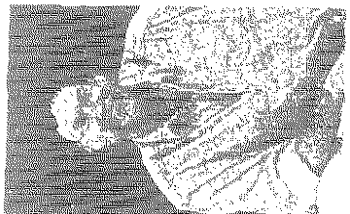
- express difficult feelings;
- accept personal criticism and understand the other person's point of view;
- give personal criticism in a constructive way; and
- overcome mistrust, and love each other more fully.

Targeting what he calls 'the social forces that lead to divorces', Warren Farrell exposes myths about men in relationships and the perpetuation of these by the media. He demonstrates how negative stereotypes about both men and women combine with many men's own inadequacy in emotional expression to reduce understanding between the sexes. His innovative approaches help couples transcend this and, in particular, help men take the responsibility for effectively overcoming their self-fulfilling 'silent sex' label.

JOHN CASH, AUTHOR OF
MEN ARE FROM MARS, WOMEN ARE FROM VENUS


Warren Farrell's methods are the culmination of more than 30 years' experience with over 100,000 men and women in workshops, groups and seminars. His strategies for couples, which turn anger and mutual misunderstanding into love, also improve communication between parents and children. He helps every woman know the most important things to understand about a man, and every man know the most precious gifts he can give a woman - and exactly how to give them.

SUSAN JEFFERS, AUTHOR OF
FEEL THE FEEL AND DO IT ANYWAY



Dr Warren Farrell has taught in the School of Medicine at the University of California at San Diego, and has taught psychology, women's studies, political science and sociology at Georgetown, Rutgers and Brooklyn College. He is on the board of numerous fathers' organisations and is the only man to have been elected three times to the board of the National Organization for Women in New York City. His books (including *Father and Child Reunion*, *The Myth of Male Power* and *Why Men Are the Way They Are*) are sold in more than fifty countries in ten languages.

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of protector; but the power it takes to protect, when broken down, can be abusive. But the abuse is not the role, it is the role broken down. He was not treating her as property, he was taking responsibility for keeping the property intact for the entire family's protection. If he should fail, he's off to jail. That's why I call it the responsibility to discipline, as opposed to male privilege.

In virtually every culture, then, manhood rests on men learning to protect women, not hurt women.

Who is abusing whom?

If we look at only police reports and all-female self-help groups, it appears that men perpetrate about 90 percent of the domestic violence. But when we study male-only self-help groups, we get a different picture: *only 6 percent of the men involved in domestic violence say they were the perpetrator*; 81 percent said their wives were the perpetrator (13 percent said it was mutual).¹¹ So who do we believe?: 90 percent male perpetrators, or 6 percent?

Consider the possibility that the percentages are so different because the people we asked were so different – that everyone might be telling their version of the truth. There was something missing: a nationwide domestic violence study of both sexes.

When the first scientific nationwide sample was conducted in 1975 – by Suzanne Steinmetz, Murray Straus, and Richard Gelles¹² – the researchers could hardly believe their results. The sexes appeared to batter each other about equally. Dozens of questions arose ('Don't women batter only in self-defence?'; 'Aren't women hurt more?'). Over a hundred researchers during the next quarter century double-checked via their own studies. About half of these researchers were women, and most of the women who were academics were feminists. Most expected to disprove the Steinmetz, Straus, and Gelles findings.

To their credit, despite their assumptions that men were the abusers, *every domestic violence survey done of both sexes over the next quarter century in the United States, Canada, England, New Zealand, and Australia – more than 50 of which are annotated in the Appendix – found one of two things: women and men batter each other about equally, or women batter men more. In addition, almost all studies found women were more likely to initiate violence and much more likely to inflict the severe violence. Women themselves acknowledged they are more likely to be violent and to be the initiators of violence. Finally, women were more likely to engage in severe violence that was not reciprocated.* The larger and better designed the study, the more likely the finding that women were significantly more violent.

Studies also make it clear that the women were 70 percent more likely to use

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weapons against men than men were to use weapons against women.¹³ The weapons women use are more varied and creative than men's, doubtless in compensation for less muscle strength.

ITEM. 'One well-to-do wife I know of turned the tables on her husband. After suffering repeated beatings, she waited until he fell asleep one night, sewed him in the sheets, and broke his bones with a baseball bat.'

BARBARA SPENCER-POWELL; OVERLAND PARK, KS¹⁴

The fact that women were more likely to use severe violence does not necessarily mean the men were injured more. I will explain later why we do not yet have valid information about which sex is injured more.

Here are the most basic findings of the most responsible representative nationwide domestic violence study concerning how often wives vs husbands were victims of *severe* violence.

Severe 'wife-beating' vs severe husband-beating*

Wife victim 1.9 percent

Husband victim 4.5 percent

Explanation: During the year prior to being surveyed, less than 2 percent of wives and more than 4 percent of husbands were victims of severe domestic violence. 'Severe violence' was measured via Murray Straus's *Conflict Tactics Scale*¹⁵ as: kicking or biting; being hit with an object or a fist; being beaten up; being threatened with a knife or gun; or being stabbed or wounded.

*Source: 1992 National Alcohol and Family Violence Survey, a nationwide representative population sample of 1970 persons, conducted by the Institute for Survey Research (Temple University). See Murray Straus and Glenda Kaufman Kantor, in 'Change in Spousal Assault Rates from 1975 to 1992: A Comparison of Three National Surveys in the United States,' paper presented at the thirteenth World Congress of Sociology, Bielefeld, Germany, July 19, 1994.

If we saw a headline saying, 'Severe "Husband-Beating" Twice as Common as Severe "Wife-Beating,"' we would think there was a misprint.

Because this chapter's very foundation rests on the counterintuitive findings that women and men batter about equally – or that women batter more – I am including all of the studies, and a summary of their findings, in the Appendix. I do this because it is important for the reader to know that I am not just reporting selected studies 'in order to prove a point.'

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It is also important to know that I contacted the national NOW headquarters and the NOW Legal Defense and Education Fund to ask them if they knew of any two-sex *domestic* violence studies that showed men battered women more. They could not cite a single one. They had relied on *crime* statistics from the *National Crime Victimization Survey*¹⁶ to say that women were battered more.

The *National Crime Victimization Survey* is *not* a survey of domestic violence, but a survey of crime (as the title indicates). That's a big problem. Why? When a man is asked, 'Have you ever been hit' or 'kicked' and the context is his wife, his answer has his wife in mind; if we ask him if he's ever been hit in the context of a crime, he thinks of whether he's been hit by someone other than his wife. How do we know this? By comparing crime surveys to domestic violence surveys. In all domestic violence surveys the men are much more likely to say they've been victims of violence from their partner.

What creates this difference? We have educated women to think of being punched or kicked by a man as a crime, so a crime survey can get women to report that as a crime; we have not yet educated men to think of being bitten, punched, kicked, or hit with a frying pan as a crime, so a crime survey fails to get men to report these behaviours as a crime. A crime survey cannot hear what men do not say.

Another important consideration leads to men not seeing domestic violence as a crime: the devaluation both sexes place on men's injuries – even when those injuries are equal to their wife's. For example, a US Department of Justice survey finds that Americans consider it 41 percent less severe when a wife stabs her husband *to death* as they do when a husband stabs his wife *to death*.¹⁷

On the less-severe level, such as when a man or woman hits, bites, or throws something at their partner, *both* sexes consider it more serious if the woman is hurt.¹⁸ When we add this to the male mandate to not 'air their dirty laundry in public,' we can see why crime surveys do not uncover domestic violence *to* the man, *just by* the man.

The second key to eliciting accurate information from men is 'be specific.' If we ask a man a vague question, like, 'Have you been battered,' the answer is likely to be 'no' even if he's been repeatedly hit with a frying pan or repeatedly stabbed. But if we ask him specifically, 'Have you ever been hit with a frying pan,' he'll be more likely to say 'yes.' (Also, the word 'battered' connotes using the fist, which is the male method; it does not imply using an object, the female method. The word 'battered,' then, holds an implicit bias against men; 'domestic violence' is gender neutral.)

When I first became aware of these studies, I mentioned them to a woman friend, Liz, who was the chair of her high school maths department.¹⁹ At first, she looked incredulous. But when I asked her to think of what she saw at school, she smiled. 'Well, it is true that I do see a lot of the girls hit the guys, but I can think of only

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one or two cases of guys hitting girls.' Then she laughed, 'But we sent only the guys to the vice-principal's office, so they got all the attention – including, it seems, *my* attention. I guess that's an example of why it was hard for me to believe you at first.'

Not one to let a maths teacher get away with a subjective observation, I asked if she would keep track of the frequency with which the boys and girls hit each other *the first time*. She agreed, but not one to miss a potential maths lesson, she asked one of her classes to 'do a survey,' to keep track of all the times the boys and girls initiated a slap or punch of a member of the other sex on the playground or in their classes.

When Liz reported the results, she was a tad embarrassed, 'Well, it was almost twenty to one when I first started keeping track – mostly girls hitting guys on the arm, occasionally slapping them. But I'm afraid I screwed up the survey. I got so furious at the girls for 'beginning the cycle of violence,' as you put it, that I began to do minilectures in class, and the girls and guys doing the survey started lecturing the people they were observing, and soon there weren't nearly as many girls hitting guys. I contaminated the results!'

I assured Liz that stopping violence was more valuable than surveying violence, but it made me wonder whether Liz's quasi-survey held up in real surveys, once high school and college students started dating. The answer? To some degree. Female high school students are four times as likely as male students to be the *sole abuser* of the other sex (5.7 percent vs 1.4 percent).²⁰

Of course, we have much more information on college students, since academics teach college and their students are captive. The average study showed college women being about 40 percent more likely to be violent than the men. When the questions were very specific, both sexes acknowledged the women hit, kicked, bit, or struck their partner with an object between two and three times as often.

Surveying college women and men, though, may be a bias against men, since it seems that among women and men who have *not* gone to college, women hit men proportionately even more than among those who have gone to college. (Currently, the tendency of less-educated females to hit less-educated males more than vice versa can be observed anecdotally on the 'Jerry Springer Show' every weekday. So far, I've never seen a man hit a woman, but about 80 women hit men. That was as much of the show as I could stomach.)

Among all populations, most violence was mutual. But when it was unilateral, it was more likely to have been initiated by the woman. For example, in a study of over 500 university students, women were three times as likely (9 percent vs 3 percent) to have initiated unilateral violence.²¹

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Exactly how do husbands and wives abuse each other?

Exactly what do husbands and wives do to abuse each other? The most recent scientific national study analyses violence according to the level of severity by using an updated version of the Conflict Tactics Scale, which has become by far the most acceptable measure in the field. Throughout this chapter, when I refer to severe violence, I am talking about items *four* through *nine* below:

How husbands and wives abuse each other

Types of violence	Husband-to-wife	Wife-to-husband
A. Minor violent acts		
1. Threw something	4.1%	7.4%
2. Pushed/grabbed/shoved	10.4	10.9
3. Slapped	2.6	3.8
B. Severe violent acts		
4. Kicked/bit/hit with fist	1.3	3.4
5. Hit, tried to hit with something	1.6	2.8
6. Beat up	0.8	0.6
7. Choked	0.8	0.6
8. Threatened with knife or gun	0.4	0.7
9. Used knife or gun	0.2	0.1
Number of cases, 1970		

Example: '4.1 percent of husbands threw something at their wives; 7.4 percent of wives threw something at their husbands.'

Source: 1992 National Alcohol and Family Violence Survey, based on a nationwide probability sample of 1970 cases (with a 4X Hispanic over-sample and the data weighted accordingly) conducted by Dr. Glenda Kaufman Kantor of the Family Research Lab (University of New Hampshire). Data printout provided by Dr. Jana L. Jasinski (New Hampshire Family Research Laboratory, July 8, 1996).

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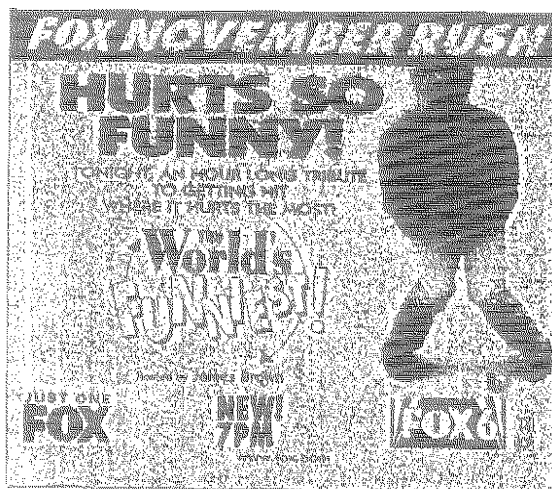
Once we get to couples who are not college students, findings of other large studies are fairly reflective of this one. Many, though, show a much greater propensity for women to engage in severe violence. For example, in a national sample of men and women dating, women were five times more likely to be severely violent.²² Women were more likely to be more violent in the more-involved relationships, as their emotions got invested.²³

If men are battered more, why do they report it less?

ITEM. Men rarely report being battered until their wives have attempted to kill them with a knife or a gun.²⁴

ITEM. The film is *Love at Large*, with Tom Berenger. The TV promo features a woman slugging Tom. The punch knocks him back, but his response is one of gratitude. '[Wow.] that's the first time we've touched.'

A man is fearful of reporting being battered to the police because a man being hurt provokes laughter, a problem reinforced in ads and shows such as this:



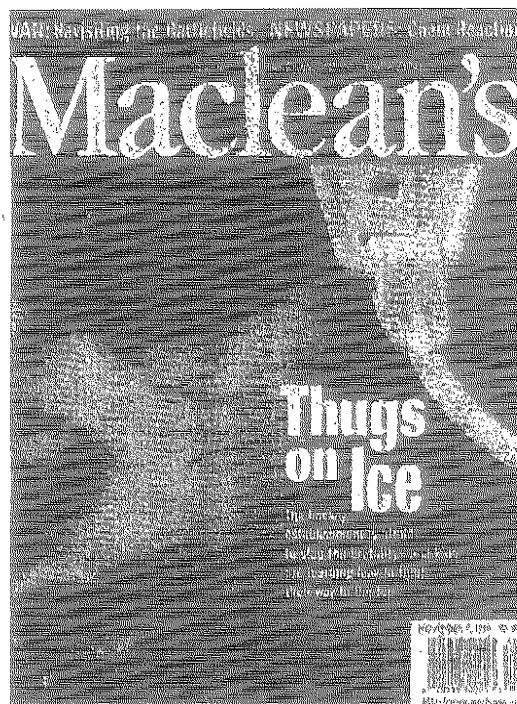
Why does a promo of a man being hurt show the man laughing, or in Berenger's case, show gratitude, while a promo for a woman being slugged in which a woman was laughing or expressing gratitude to the man for slugging her would provoke outrage? It tickles our funny bone because we love the 'weaker' underdog defeating the 'stronger' man; because of our anger at men, and in part because of our unconscious understanding of how men reframe abuse and call it love.

And there's the biggie: *men have learned to associate being abused*

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with being loved. For example, becoming the football or ice hockey player some woman will love (and men will respect) requires his enduring physical abuse, name-calling, hazing, or emotional humbling. News magazines such as *Maclean's* help us reinforce our propensity to call men who are physically beaten 'heroes,' even as we call women who are physically beaten 'victims.'



Taking abuse will get him through boot camp so he can become the officer some woman will adore; and it is part of the territory of 'death professions' like firefighting or coal mining, where he hopes to earn enough to afford a wife. By the time he is eligible for love, he has been trained to be humbled, hazed, and abused.

The male 'learned helplessness syndrome'

The weakness of men is their facade of strength;
the strength of women is their facade of weakness.²⁵

Men expect neither life to protect them nor their wife to protect them. But they do expect themselves to protect their wife. So even when men batter in self-defence, they expect to be reported; and even when their wives hit first, men rarely report.

Many men don't report being battered because they believe 'private problems must be solved privately.' They consider 'airing dirty laundry in public'

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a violation of a relationship's sacredness. Which is also why we don't even report it to our men friends.

Other men don't report abuse because their translation of 'when the going gets rough, the tough get going' is 'when the going gets tough, the tough don't blame -- they do something differently.' So even when he's beaten, he still expects himself to be 'Timex tough' (to 'take a licking and keep on ticking').

Like women, men feel it's up to them to change. They are amazed when they hear women say the same thing ('I felt it was my fault') and then see the woman call the police. To the man, if you genuinely feel it's your fault, you don't call the police.

A battered man imagines that if he calls the police and says, 'Please come over, my wife just hit me,' he'll become the precinct's 'wimp of the night.' *A battered man knows there are no shelters for battered men because no-one really believes he exists.* Men fear being denounced as an abuser if they beat a woman and laughed at as a wimp if they are beaten by a woman.

Both sexes feel helpless when the love of their life turns into the nightmare of their life. But men, for all these reasons, feel much more helpless about asking for outside help. In brief, women's strength is in knowing when they feel helpless. Men's weakness is not knowing. The fact that we have identified women's 'learned helplessness' but not men's is, it turns out, a sign that the women's problem is on its way to being solved, while the men's is as yet unrecognised.

The elderly man's 'learned helplessness syndrome'

Carlos Mello's wife wouldn't let him sleep. He reported that his wife would grab him by his genitals and 'pull, squeeze, and twist them until I could not stand the pain any longer and I would just stay awake.'²⁶ He didn't report to the hospital until she had prevented his sleeping for three days and his genital area was 'swollen to the size of a small balloon,' according to the report. Although neighbours confirmed they had been hearing loud screams and moans for three days, Mello had been reluctant to discuss the ruckus when neighbours knocked on his door. When he finally did report to the police, his wife denied she had beaten him, dismissing his condition as 'he must have fallen out of bed.'

Many elderly men who are abused by their wives report their wives' anger at their failure to be useful -- as a breadwinner or home repairer. The man has gone from protector to needing protection, and that is a set up for her anger. The man's shame and dependency often prevents him from reporting his wife's abuse.

The unwillingness of abused men to come forward is a classic symptom of 'male learned helplessness.' The elderly man feels helpless physically, emotionally,

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and socially: physically, because he is often ten to fifteen years closer to death; emotionally, because male socialisation is a retardant to emotional communication; socially, because the network of friends he built up at work is more likely to be spread out among many communities whereas the network of friends his wife built up is more likely to be in her neighbourhood and her community. This physical, emotional, and social combination creates the elderly man's learned helplessness syndrome.

Do men experience a 'battered man syndrome'?

Feminist literature has helped us understand the many reasons a woman may remain in an abusive relationship – from economic fears to low self-esteem to fears of enraging the man and having him track her down and become even more abusive. The usual image is that the woman cannot afford to leave, but low-income wives are more likely than high-income wives to leave abusive situations.²⁷ This suggests that the man's money may keep a woman but his lack of money does not prevent her from leaving.

Men's fears of leaving can include those, but they are usually quite different. I've already discussed men's fears of asking for help and reporting abuse, and the plight of elderly men's experience of learned helplessness. But three other reasons battered men fear leaving are even more crucial.

A battered man knows that if his wife has been abusing him, she has often been abusing the children; leaving her means leaving his children unprotected from her abuse.

Second, a man who loses his wife often feels his children are his only remaining source of love.

Finally, abused men know that if they leave, their wives will not only get the children, but the home. For many men, 'Home, home on the range' is more appealing than 'Apartment, apartment on the range.'

Many men, then, endure the physical hurt of being beaten rather than endure the emotional torture of feeling they've left their own children unprotected, lost love, and lost their home. When these combine with the helplessness that emerges from the fear of asking for help, they create the 'battered man syndrome.'

Aren't women injured more than men?

Dear Editor: Your article [Time] on domestic violence states that women are unlikely to inflict much damage on men because wives

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are generally smaller. Yet in my experience as an emergency-room physician, I treated more men than women for such injuries ... I have seen men cut with an ax, scalded with hot water, smashed with a fireplace poker, and knocked out by a brick, not to mention suffering the common gunshot wound. One incident involved a woman who walked into the hospital with a broken nose after being punched by her husband during an argument. We set the nasal bones and discharged her. Two hours later, her husband was wheeled in. He was admitted with a fractured spine. As soon as she got home, she had grabbed him by the lapels and thrown him against the kitchen stove.

VELIMIR SVOREN, MD;

CHATSWORTH, GA, 'LETTERS,' TIME, JAN. 11, 1988.

Despite the fact that women are more likely to use weapons and severe violence against men, 1.9 percent of the men and 2.3 percent of the women surveyed said they had sought medical treatment for an injury due to partner abuse in 1992.²⁶ Is this because a frying pan hurts a man less than a fist hurts a woman – because, as a female classmate of Calvin (of *Calvin and Hobbes*) put it, "They can't paddle me! ... Girls have more delicate heinies!"²⁹

Or is there something wrong with the way we are measuring who is injured? To measure which sex is injured more by measuring which sex reports to the doctor more is to make the same mistake we made by assuming women were battered more because they reported domestic violence to the police more. Women are almost twice as likely to go to doctors as are men – men's injuries have to be much more serious before they seek attention.

But that's just the tip of the iceberg. When I do a radio show and ask men who have been severely battered to call in anonymously, it is rare for them to have sought medical attention even for a broken arm. But if they do, they almost always report it as an *athletic* injury ("I was going up for a basket, this guy put his elbow in my eye, I come down on my arm. I end up with a black eye, a broken arm and a "gee, sorry, man"). No man I ever spoke with said that such an explanation created skepticism. So the second reason that measuring which sex is injured more by looking at the reporting of injuries to doctors is that men's rougher sports gives them a natural excuse to avoid the association of the injury with domestic violence.

Third, doctors are not trained to cross-examine the man to see whether the claim of an athletic injury might be a cover up. If the doctor's a man, he's more likely to bond with the basketball player by asking him if he made the basket. In contrast, doctors are now trained to cross-examine a woman. The US Surgeon General sends out information on spouse abuse only to doctors who deal with

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women (28 000 obstetricians and gynaecologists).³⁰ It is designed to help doctors recognise the subtle signs of spouse abuse among *women* and to encourage doctors to encourage *women* to report it. This is a result of feminist pressure to educate the medical community. Men's silence has not created much pressure.

It is exactly the feeling that men are stronger – usually true – that gives women permission for hitting them harder and using weapons. This is even true in mothers' attitudes towards their sons vs their daughters. *Sons are more than twice as likely as daughters to be injured when their mothers hit them.*³¹

How do we learn who actually does experience more injury? First, we need to remember that a 'my-injury-is-worse-than-your-injury' approach to family violence does nothing to solve the problem – it just reinforces the one-sided blaming that undermines real solutions, like communication.

If we do want data on who is more hurt, we need to stop asking about *coping* mechanisms – which is what 'Who sees a doctor measures?' – and start asking both sexes *specific* questions about the actual damage and healing time of the injuries: 'Was your skin broken – did you bleed? Did you suffer any bruises? Any scratches? Black eyes? Broken bones? How long did they take to heal? Was that the time it took with or without treatment?' But again, let's work on solutions rather than on 'Who's the biggest victim?' Throughout the book, the only reason that I concern myself with men as victims at all is because the pretence that men are only the perpetrators has led us to ignoring men or blaming men – and that poisons love between the sexes.

When women batter, isn't it in self-defence?

One of the valid objections to the initial domestic violence surveys was that perhaps women were violent only in self-defence. Interestingly, when Straus and Gelles checked this out, they asked *only women* their opinion as to who had struck the *first* blow. Their findings? *Even 53 percent of the women acknowledged they had struck the first blow.*³²

Other researchers asked both sexes. And asked not only who struck the first blow, but who did so without retaliation. Here is what they found:

Who struck the first blow in year prior to marriage?

Men	13 percent
Women	26 percent

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**Who struck the first blow
6 to 18 months after marriage?**

Men 8 percent

Women 17 percent

**Who struck the first blow
18 to 30 months after marriage?**

Men 9 percent

Women 16 percent

Explanation: The percentages average both sexes' responses. Both sexes reported both themselves and their partner; both sexes reported their own aggression to be about 10 percent less than their partner's estimate.

Source: K. Daniel O'Leary, Julian Barling, Ileana Arias, Alan Rosenbaum, Jean Malone, and Andrea Tyree, 'Prevalence and Stability of Physical Aggression Between Spouses: A Longitudinal Analysis,' *Journal of Consulting and Clinical Psychology*, Vol. 57, No. 2, 1989, pp. 263-65.³³

Many studies now confirm women being more likely to strike the first blow, or to be severely violent without the husband reciprocating.³⁴ We saw above that this started in high school. I'm unaware of any significant two-sex domestic violence study showing the opposite, nor could NOW headquarters cite any.

Isn't it often claimed that when women *kill* their husbands, it is in self-defence? Yes. However, when Dr. Coramae Richey Mann checked out these claims, she discovered only 10 percent were valid.³⁵ That is, when women killed their husbands, they usually claimed self-defence, even when their husbands were in wheelchairs. Others explained it was when their husband was asleep. If self-defence is defined as it always has been by the law, as a response to an *immediate* threat to one's life, from which one cannot escape, then neither meets the self-defence standard. But feminists have created a for-women-only defence (the Learned Helplessness Defence, based on the 'battered woman syndrome'), allowing a woman who could escape, but was fearful, to kill a sleeping man and then claim in court it was self-defence because he had previously abused her repeatedly and she was afraid to leave. The problem is, the husband is too dead to defend himself. And the court can't hear what men are too dead to say.

In contrast, when men claim self-defence, they are often not even believed by their counselors. For example, when Steve Murray describes the abusive men he counsels, he explains, 'They whine and they bitch and they cry and they say,

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'She attacked me first.' Pretty soon another guy is saying, 'That's the way it happened to me!'³⁶ A second later Murray adds, 'When a man resolved a conflict by hitting his wife, there are no longer two sides to the story. No-one ever deserves to get hit.'

Although Murray says, 'No-one ever deserves to get hit,' he discounts the men the moment they say they were hit. Even when the men claim self-defence ('She attacked me first'), they are discounted as whiners, bitches, and crybabies. By not believing the men – but believing only their wives – the social worker is able to justify putting the men in groups for perpetrators, their wives in groups for victims. If the women had all claimed the men hit them first, it would be used to reinforce the stereotype that women never hit except in self-defence.

Is this female violence against men a recent phenomenon?

Is this gap between male and female violence in the home just recent (since laws against wife-battering have just recently become tougher)? It is unlikely, but we can't be positive of the answer, since the first large, nationwide random-sample study was not done until 1975. Here is how the 1975 results compare to 1992.

Changes in severe 'wife-beating' vs severe husband-beating: 1975 to 1992

	1975	1985	1992
Wife victim	3.8%	3.0%	1.9%
Husband victim	4.6%	4.4%	4.5%

Source: 1975 and 1985 National Family Violence Surveys, based on nationwide probability population samples of 2143 cases in 1975 and 3520 cases in 1985, conducted by the Family Research Lab (University of New Hampshire), and the 1992 National Alcohol and Family Violence Survey, based on a national probability sample of 1970 cases in 1992, conducted by the Institute for Survey Research (Temple University). As cited in Murray Straus and Glenda Kaufman Kantor, 'Change in Spouse Assault Rates From 1975 to 1992: A Comparison of Three National Surveys in the United States,' paper presented at the thirteenth World Congress of Sociology, Bielefeld, Germany, July 19, 1994.

Fortunately, severe violence against wives decreased 48 percent; against husbands, it decreased 2 percent. However, what the table does not mention is another result of the comparison: although *overall* violence (including minor

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violence, like shoving or slapping) against women *decreased*; overall violence against men *increased*.³⁷

Has violence against men been censored – is this why we don't know about it?

Yes, studies reporting violence against men have been censored. The underlying dynamics of this censorship are the subject of Chapter 8 on the Lace Curtain, but when it comes to domestic violence, the censorship is both direct, which is quite a story, and indirect, which is the real story.

Directly, first. Suzanne Steinmetz shared with me that, shortly after she published an article titled 'The Battered Husband Syndrome' in 1978,³⁸ she received a bomb threat at a speech she was giving at the University of Delaware.³⁹ She received threatening phone calls at home from women who said, 'If you don't stop talking about battered men, something's going to happen to your children and it won't be safe for you to go out.' It's ironic that women saying that women couldn't be violent were threatening violence.

Although the group of women never harmed Steinmetz physically, they did try to damage her career. Steinmetz recalled that it wasn't until years later that she learned these women had secretly contacted female faculty at the university where she was employed and urged the women to work against her for promotion and tenure.

Richard Gelles, the co-pioneer with Suzanne Steinmetz and Murray Straus of these early studies, reports that Straus was rarely invited to speak at conferences on domestic violence after the three of them published their initial studies. When he was, he was unable to complete his presentation because of yells and shouts from the audience that stopped only when he was driven from the stage.⁴⁰ Whereas he used to be nominated frequently for elected office on scientific societies (such as the American Sociological Association), he has not been nominated for *any* office since then.⁴¹

Now, the more indirect censorship. Richard Gelles wanted to present both feminist and nonfeminist perspectives on domestic violence in a book he was editing. The feminist scholar accepted until she was informed there would be other points of view. Then she told Richard Gelles that she would not only refuse to submit anything, but she would 'see to it that no feminist would contribute a chapter.'⁴²

In Canada, a University of Alberta study found 12 percent of husbands to be victims of violence by their wives and 11 percent of wives to be victims, but only the violence against women was published.⁴³ Even when Earl Silverman, six

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years later, was able to get the data from an assistant who had helped prepare the original study, and then wrote it up himself, he was unable to get it published.

Similarly, another major Canadian study of dating couples found 46 percent of women vs 18 percent of men to be physically violent. You guessed it. The 18 percent male violence was published immediately.⁴⁴ Nor only was the 46 percent female violence left unpublished, but the authors did not acknowledge in the *Canadian Journal of Sociology* that their study had ever included violence against men.

When a Canadian professor found out, he requested to see the data and was refused.⁴⁵ It was only when he exposed the refusal in his next book, combined with another three more years of pressure, that the 46 percent female violence was released and published.⁴⁶ By that time (1997), Canadian policy giving government support for abused women but not abused men had been entrenched. As were the bureaucracies; as were the private funding sources like United Way.

By 1999, United Way of Greater Toronto increased their yearly allocation for services to abused women and children by \$1 million, to \$3.3 million per year. To abused men and children: \$0. I asked the research director whether the research to determine need had included abused men and children. The answer? No.⁴⁷

It was the United States, though, that set the precedent for this censorship. In 1979, Louis Harris and Associates conducted a survey of domestic violence commissioned by the Kentucky Commission on Women. However, when the results of the study were published,⁴⁸ only the abuse *of* the women was included; abuse *by* the women was censored.⁴⁹ (The women themselves acknowledged attacking men who had not attacked them 38 percent of the time.⁵⁰ The existence of those data became known and published only when some professors were later able to obtain the original computer tape.⁵¹

Why would these findings be ignored by academicians whose life passion is seeking the truth? One colleague, R.L. McNeely, who pioneered the analysis of research in domestic violence,⁵² told me, 'I'll tell you why - as soon as I published results along these lines, I received a letter threatening to stop my funding.'

A portion of government funding to a professor usually goes to the university. Funding is often what allows a university to keep a professor hired. If the professor is supporting a family, it creates an ethical dilemma: when does being responsible become irresponsible? And, of course, the instinct to protect the female makes him or her fear that acknowledging male pain means discounting female pain.

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Appendix

Domestic violence studies of *both* sexes

1. John Archer and Natasha Ray, 'Dating Violence in the United Kingdom: a Preliminary Study,' *Aggressive Behavior*, Vol. 15, 1989, pp. 337-43. Dating couples (college students) report that 48 percent of male partners and 65 percent of female partners committed at least one violent act in their current relationship (using Conflict Tactics Scale, as described in Chapter 6).
2. Ileana Arias and Patti Johnson, 'Evaluations of Physical Aggression Among Intimate Dyads,' *Journal of Interpersonal Violence*, Vol. 4, September 1989, pp. 298-307. Ten percent of female college students and 15 percent of male students were physically aggressive in a current relationship; 19 percent of female students and 18 percent of male students were physically aggressive in a past relationship (using Conflict Tactics Scale).
3. Ileana Arias, Mary Samos, and K. Daniel O'Leary, 'Prevalence and Correlates of Physical Aggression During Courtship,' *Journal of Interpersonal Violence*, Vol. 2, March 1987, pp. 82-90. Ten percent of female and 10 percent of male students used severe physical aggression against current dating partner; 19 percent of female and 10 percent of male students used severe physical aggression against past dating partners (using Conflict Tactics Scale).
4. M. L. Bernard and J. L. Bernard, 'Violent Intimacy: The Family as a Model for Love Relationships,' *Family Relations*, Vol. 32, 1983, pp. 283-86. Four hundred sixty-one college students revealed that more females than males were abusive in dating relationships (21 percent vs 15 percent).
5. R. E. Billingham and A. R. Sack, 'Courtship Violence and the Interactive Status of the Relationship,' *Journal of Adolescent Research*, Vol. 1, 1986, pp. 315-25. A survey of 526 university students revealed similar rates of violence between men and women, but women were three times more likely (9 percent vs 3 percent) to have initiated violence when their partner did not.

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6. Roger Bland and Helene Orn, 'Family Violence and Psychiatric Disorder,' *Canadian Journal of Psychiatry*, Vol. 31, March 1986, pp. 129-37. Random sample of 1200 Canadians found that 14.6 percent of men and 22.6 percent of women hit or threw things at their spouse or partner.
7. Judy Rollins Bohannon, David A. Dossier Jr., and S. Eugene Lindley, 'Using Couple Data to Determine Domestic Violence Rates: An Attempt to Replicate Previous Work,' *Violence and Victims*, Vol. 10, 1995, pp. 133-41. Eleven percent of wives and 7 percent of husbands in military couples were physically aggressive, as reported by the wives.
8. Jamaica Bookwala, Irene H. Frieze, Christine Smith, and Kathryn Ryan, 'Predictors of Dating Violence: A Multivariate Analysis,' *Violence and Victims*, Vol. 7, 1992, pp. 297-311. Twenty-two percent of women and 17 percent of men admitted being violent while their partner was not violent, in their current relationship.
9. Merlin B. Brinkerhoff and Eugene Lupri, 'Interspousal Violence,' *Canadian Journal of Sociology*, Vol. 13, 1988, pp. 407-34. A random sample of 562 couples in Calgary, Alberta, revealed severe violence rates of 10.7 percent wife-to-husband, and 4.8 percent husband-to-wife. Overall violence rates were 13.2 percent wife-to-husband and 10.3 percent husband-to-wife.
10. Lisa Brush, 'Violent Acts and Injurious Outcomes in Married Couples: Methodological Issues in the *National Survey of Families and Households*,' *Gender and Society*, Vol. 4, March 1990, pp. 56-67. ¹ A feminist found both sexes agree that 2.8 percent of women were victims of men; 3.8 percent of men were victims of women. ² The survey contained over 13 000 respondents.
11. Judith Brutz and Bron B. Ingoldsby, 'Conflict Resolution in Quaker Families,' *Journal of Marriage and the Family*, Vol. 46, 1984, pp. 21-26. Quaker females acknowledged inflicting severe violence three times as frequently as Quaker males did (2.5 percent vs 0.8 percent).
12. P.J. Burke, Jan E. Stets, and Maureen A. Pirog-Good, 'Gender Identity, Self-Esteem, and Physical and Sexual Abuse in Dating Relationships,' *Social Psychology Quarterly*, Vol. 51, 1988, pp. 272-85. A sample of 505 college students reported that in a one-year period, 14 percent of the men and 18 percent of the women inflicted physical abuse on their partners, while 10 percent of the men and 14 percent of the women received physical abuse from their partners.
13. Michelle Carrado, Malcolm George, Elizabeth Loxam, L. Jones, and Dale Templar, 'Aggression in British Heterosexual Relationships: A Descriptive Analysis,' *Aggressive Behavior*, Vol. 22, 1996, pp. 401-15. Eleven percent of men and 5 percent of women were victimised in their current relationships. A representative sample of 1978 men and women in Great Britain was surveyed.
14. Michele Cascardi, Jennifer Laughinrichen, and Dina Vivian, 'Marital Aggression: Impact, Injury and Health Correlates for Husbands and Wives,' *Archives of Internal Medicine*, Vol. 152, June 1992, pp. 1178-84. According to the *wives*, 33 percent of husbands and 36 percent of wives were severely aggressive towards their spouse.

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15. Marie B. Caulfield and David S. Riggs, 'The Assessment of Dating Aggression: Empirical Evaluation of the Conflict Tactics Scale,' *Journal of Interpersonal Violence*, Vol. 7, December 1992, pp. 549-58. In a sample of 667 college students, more women than men beat up their partner (2.3 percent vs 1.9 percent), threw something at their partner (14.6 percent vs 6.9 percent) and kicked, bit, or hit their partner with a fist (13.0 percent vs 3.1 percent).
16. James E. Deal and Karen Smith Wampler, 'Dating Violence: the Primacy of Previous Experience,' *Journal of Social and Personal Relationships*, Vol. 3, 1986, pp. 457-71. Of 410 students at two southern universities, 6 percent of females and 4 percent of males were aggressors; 15 percent of males and 5 percent of females were victims in a current or most recent relationship.
17. Alfred DeMaris, 'The Efficacy of a Spouse Abuse Model in Accounting for Courtship Violence,' *Journal of Family Issues*, Vol. 8, September 1987, pp. 291-305. Of 484 students from four southeastern universities, 31.1 percent of females and 23.5 percent of males inflicted violence on their partners in the previous year (using the Conflict Tactics Scale).
18. Diane R. Follingstad, Shannon Wright, Shirley Lloyd, and Jeri A. Sebastian, 'Sex Differences in Motivations and Effects in Dating Violence,' *Family Relations*, Vol. 40, 1991, pp. 51-57. In a sample of 495 college students, 20 percent of females and 12 percent of males admitted using physical force in a relationship.
19. June Henton, Rodney Cate, James Koval, Sally Lloyd, and Scott Christopher, 'Romance and Violence in Dating Relationships,' *Journal of Family Issues*, Vol. 4, September 1983, pp. 467-82. Female high school students were more likely than male students to be the sole abuser of the other sex (5.7 percent vs 1.4 percent). Sample size: 644.
20. Ernest N. Jouriles and K. Daniel O'Leary, 'Interspousal Reliability of Reports of Marital Violence,' *Journal of Consulting and Clinical Psychology*, Vol. 53, 1987, pp. 419-21. Husbands and wives agreed that rates of marital violence between them were approximately equal in clinic and community samples of married couples.
21. Leslie W. Kennedy and Donald G. Dutton, 'The Incidence of Wife Assault in Canada,' *Canadian Journal of Behavioral Science*, Vol. 21, 1989, pp. 40-54; and Earl Silverman, 'A Proposal to Prevent Spouse Abuse Through Crisis Intervention for Male Partners,' unpublished manuscript, Calgary Men's Cultural and Family Crisis Center (1996). The Kennedy/Dutton study collected data on violence by husbands and wives, but only the violence by husbands was published in the article, despite the fact that rates of overall violence by wives (12.4 percent vs 11.2 percent) and severe violence by wives (4.7 percent vs 2.3 percent) were higher. The Silverman article contains the data on violence by wives.
22. Katherine E. Lane and Patricia A. Gwartney-Gibbs, 'Violence in the Context of Dating and Sex,' *Journal of Family Issues*, Vol. 6, March 1985, pp. 45-59. More men than women said they had been beaten up (6.7 percent vs 4.4 percent), but almost no women (0.5 percent) acknowledged doing the beating! The men were slightly more

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likely to acknowledge beating up a woman (5.0 percent) than the woman was to feel that she had been beaten up (4.4 percent).

23. Mary Riege Laner and Jeanine Thompson, 'Abuse and Aggression in Courting Couples,' *Deviant Behavior*, Vol. 3, 1982, pp. 229-44. In 'more involved' dating relationships, higher percentages of women slapped, scratched, and grabbed (23 percent vs 11 percent), punched or kicked (5.5 percent vs 4 percent), and hit with a hard object (0.5 percent vs 0 percent).
24. Lynn Magdol, Terrie E. Moffitt, Avshalom Caspi, Denise L. Newman, Jeffrey Fagan, and Phil A. Silva, 'Gender Differences in Partner Violence in a Birth Cohort of 21-Year-Olds: Bridging the Gap Between Clinical and Epidemiological Approaches,' *Journal of Consulting and Clinical Psychology*, Vol. 65, No. 1, 1997, pp. 68-78. A survey of partner violence among 861 twenty-one-year-olds in New Zealand revealed that women had significantly higher rates of perpetration of minor violence (35.8 percent vs 21.8 percent), severe violence (18.6 percent vs 5.7 percent) and overall violence (37.2 percent vs 21.8 percent) than men.
25. Jean Malone, Andrea Tyree, and K. Daniel O'Leary, 'Generalization and Containment: Different Effects of Past Aggression for Wives and Husbands,' *Journal of Marriage and the Family*, Vol. 51, 1989, pp. 687-97. A sample of 328 couples were measured just prior to marriage, then at six months and eighteen months after marriage. At each point, women were more likely to slap, kick/bite/hit, or hit their spouse with an object. There were no significant sex differences for the other aggressive acts measured.
26. Linda L. Marshall and Patricia Rose, 'Premarital Violence: The Impact of Family of Origin Violence, Stress, and Reciprocity,' *Violence and Victims*, Vol. 5, 1990, pp. 51-64. Four hundred fifty-four college students reveal that a higher percentage of women than men committed violent acts in eight out of ten categories of the Conflict Tactics Scale.
27. Linda L. Marshall and Patricia Rose, 'Gender, Stress, and Violence in the Adult Relationships of a Sample of College Students,' *Journal of Social and Personal Relationships*, Vol. 4, 1987, pp. 299-316. Among 93 single college students not in a current relationship, women expressed a higher percentage of actual violence than the men (46 percent vs 39 percent) in previous relationships. Among 185 single college students in a relationship, a higher percentage of women than men (59 percent vs 45 percent) expressed actual violence the previous year, and men had a higher rate among 30 married college students (73 percent vs 53 percent).
28. Avonne Mason and Virginia Blankenship, 'Power and Affiliation Motivation, Stress, and Abuse in Intimate Relationships,' *Journal of Personality and Social Psychology*, Vol. 52, 1987, pp. 203-10. A sample of college undergraduates revealed that there were no sex differences in physical abuse or use of reasoning in conflict situations, but women inflicted significantly higher psychological abuse on their partners than did men.
29. Kathleen McKinney, 'Measures of Verbal, Physical and Sexual Dating Violence by Gender,' *Free Inquiry In Creative Sociology*, Vol. 14, 1986, pp. 55-60. Seventeen

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- percent of women and 22 percent of men committed courtship violence that was self-defined; 26 percent of women and 21 percent of men committed courtship violence as defined by the researchers.
30. William H. Meredith, Douglas A. Abbott, and Scot L. Adams, 'Family Violence: Its Relation to Marital and Parental Satisfaction and Family Strengths,' *Journal of Family Violence*, Vol. 1, 1986, pp. 299-305. A sample of Nebraskans found 6 percent of male Nebraskans and 5 percent of female Nebraskans reported using severe violence at least once in the previous year.
 31. Barbara J. Morse, 'Beyond the Conflict Tactics Scale: Assessing Gender Differences in Partner Violence,' *Violence and Victims*, Vol. 10, 1995, pp. 251-72. A national longitudinal study of young adults revealed that in 1992 women were more likely than men to commit any violence (27.9 percent vs 20.2 percent) and severe violence (13.8 percent vs 5.7 percent) against their partner the previous year.
 32. Linda Nisonoff and Irving Bitman, 'Spouse Abuse: Incidence and Relationship to Selected Demographic Variables,' *Victimology*, Vol. 4, 1979, pp. 131-40. Random sample, finding 19 percent of husbands hit by wife; 13 percent of wives hit by husband; equal frequency and severity.³
 33. Nona K. O'Keefe, Karen Brockopp, and Esther Chew, 'Teen Dating Violence,' *Social Work*, Vol. 31, 1986, p. 465. Two hundred fifty-six high school students reveal that more girls than boys were perpetrators of abuse (11.9 percent to 7.4 percent).
 34. K. Daniel O'Leary, Julian Barling, Ileana Arias, Alan Rosenbaum, Jean Malone, and Andrea Tyree, 'Prevalence and Stability of Physical Aggression Between Spouses: A Longitudinal Analysis,' *Journal of Consulting and Clinical Psychology*, Vol. 57, No. 2, 1989, pp. 263-68. See tables in Chapter 7.
 35. David S. Riggs, K. Daniel O'Leary, and F. Curtis Breslin, 'Multiple Correlates of Physical Aggression in Dating Couples,' *Journal of Interpersonal Violence*, Vol. 5, March 1990, pp. 61-73. Thirty-nine percent of women and 23 percent of men report engaging in physical aggression against their current or most recent partner.
 36. Boyd C. Rollins and Yaw Oheneba-Sakyi, 'Physical Violence in Utah Households,' *Journals of Family Violence*, Vol. 5, 1990, pp. 301-9. Random sample; finding severe physical violence by 5.3 percent of wives and 3.4 percent of husbands.
 37. Linda P. Rouse, Richard Breen, and Marilyn Howell, 'Abuse in Intimate Relationships: A Comparison of Married and Dating College Students,' *Journal of Interpersonal Violence*, Vol. 3, 1988, pp. 414-29. More males than females reported being pushed or grabbed (25.0 percent vs 14.6 percent), slapped or punched (18.8 percent vs 9.8 percent), and struck with an object (8.3 percent vs 1.2 percent) by their partner during their marriage.
 38. R.J.H. Russell and B. Hulson, 'Physical and Psychological Abuse of Heterosexual Partners,' *Personality and Individual Differences*, Vol. 13, 1992, pp. 457-73. A pilot study of 53 couples in Great Britain showed overall violence rates of 25.0 percent and severe violence rates of 5.8 percent for the men; the women had an overall violence rate of 25.0 percent and a severe violence rate of 11.3 percent.

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39. Carol K. Spegelman, Carol J. Berry, and Katharine A. Wiles, 'Violence in College Students' Dating Relationships,' *Journal of Applied Social Psychology*, Vol. 5, 1984, pp. 530-48. Using the Conflict Tactics Scale, 18.4 percent of women vs 9.0 percent of men kicked, hit, and bit their partner; 18.6 percent of women and 11.8 percent of men hit their partner with something; 2.7 percent of men vs 1.3 percent of women beat up their partner. Sample size: 504.
40. Reena Sommer, *Male and Female Perpetrated Partner Abuse: Testing a Diathesis-Stress Model*. Unpublished PhD Dissertation, University of Manitoba, 1994. The Winnipeg (Canada) Health and Drinking Survey, with a random sample of 1257 respondents, reports overall spousal abuse rates of 39.1 percent by women, and 26.3 percent by men. Women had higher rates of minor violence (38.0 percent vs 25.9 percent) and severe violence (16.2 percent vs 7.6 percent).
41. Susan B. Sorenson and Cynthia A. Telles, 'Self-Reports of Spousal Violence in a Mexican-American and Non-Hispanic White Population,' *Violence and Victims*, Vol. 6, 1991, pp. 3-15. Probability sample: authors report that '[non-Hispanic white] Women reported higher rates than men of hitting or throwing things at a spouse or partner. Women ... were more likely to have struck first and to have struck first more than once.' Gender did not predict spousal violence among the Mexican-Americans.
42. Suzanne K. Steinmetz, *The Cycle of Violence: Assertive, Aggressive, and Abusive Family Interaction* (New York: Praeger, 1977). She found that 19 percent of husbands and 18 percent of wives threw things; 10 percent of husbands and 10 percent of wives hit their spouse with their hands; and 5 percent of husbands and 5 percent of wives hit their spouse with something hard.⁴
43. Suzanne K. Steinmetz, 'A Cross-Cultural Comparison of Marital Abuse,' *Journal of Sociology and Social Welfare*, Vol. 8, 1981, pp. 404-14. In five of six countries (Finland, British Honduras, United States, Canada, Israel) she found that 'the percentage of husbands who used violence was similar to the percentage of violent wives.' Puerto Rico was the exception, with husbands more violent.
44. Jan E. Stets and Maureen A. Pirog-Good, 'Patterns of Physical and Sexual Abuse for Men and Women in Dating Relationships: A Descriptive Analysis,' *Journal of Family Violence*, Vol. 4, 1989, pp. 63-76. More males than females were slapped or had something thrown at them; more females than males were beaten up, hit, kicked, pushed, or shoved, in at least one relationship.
45. Jan E. Stets and Debra A. Henderson, 'Contextual Factors Surrounding a Conflict Resolution While Dating: Results from a National Study,' *Family Relations*, Vol. 40, January 1991, pp. 20-36. A national representative sample of 277 single dating men and women between the ages of 18 and 30 found women engaged in higher rates of minor physical violence (38.4 percent vs 21.9 percent) and severe physical violence (19.2 percent vs 3.4 percent) than the men.
46. Murray A. Straus, Richard J. Gelles, and Suzanne K. Steinmetz, *Behind Closed Doors: Violence in the American Family* (New York: Anchor Press/Doubleday, 1980). This was the original nationwide random sample that sparked the controversy

after finding that 3.8 percent of husbands beat their wives; 4.6 percent of wives beat their husbands.

47. Murray A. Straus and Richard J. Gelles, 'Societal Change and Change in Family Violence from 1975 to 1985 as Revealed by Two National Surveys,' *Journal of Marriage and the Family*, Vol. 18, 1986, pp. 465-79. The 1985 survey was a national probability sample of 6002 households; 12.1 percent of women vs 11.3 percent of men were violent overall, while 4.4 percent of women vs 3.0 percent of men used severe violence (using Conflict Tactics Scale).
48. Murray A. Straus and Glenda Kaufman Kantor, 'Change in Spouse Assault Rates from 1975 to 1992: A Comparison of Three National Surveys in the United States,' unpublished manuscript, July 1994. The most recent of the three surveys cited in the title had a national probability sample of 1970 people and revealed minor assault rates of 9.5 percent by wives and 9.3 percent by husbands; severe assaults were perpetrated by 4.5 percent of the wives and 1.9 percent of the husbands.
49. Murray A. Straus, Sherry L. Hamby, Sue Boney-McCoy, and David B. Sugarman, 'The Revised Conflict Tactics Scales (CTS2): Development and Preliminary Psychometric Data,' *Journal of Family Issues*, Vol. 17, May 1996, pp. 283-316. Preliminary research using the revised Conflict Tactics Scale with 317 college students in dating, cohabiting, or marital relationships yielded 47 percent of men and 35 percent of women inflicting physical assault on their partners, and 49 percent of men and 31 percent of women receiving physical assault from their partner.
50. Maximiliane E. Szinovacz, 'Using Couple Data as a Methodological Tool: The Case of Marital Violence,' *Journal of Marriage and the Family*, Vol. 45, 1983, pp. 633-44.³ Thirty percent of wives and 26 percent of husbands were physically aggressive with their spouses in a one-year period.
51. Edward H. Thompson, 'The Maleness of Violence in Dating Relationships: An Appraisal of Stereotypes,' *Sex Roles*, Vol. 24, 1991, pp. 261-78. Of 336 college students questioned, more women than men had used physical aggression (29.6 percent vs 27.5 percent) and severe aggression (10.7 percent vs 7.2 percent) against a dating partner in the previous two years (using the Conflict Tactics Scale).
52. Waiping Alice Lo and Michael J. Sporkowski, 'The Continuation of Violent Dating Relationships Among College Students,' *Journal of College Student Development*, Vol. 30, September 1989, pp. 432-39. The authors state that 'more often women (women 35.3 percent, men 20.3 percent) claimed themselves as abusers.'
53. Jacquelyn W. White and Mary P. Koss, 'Courtship Violence: Incidence in a National Sample of Higher Education Students,' *Violence and Victims*, Vol. 6, 1991, pp. 247-56. Feminists conducted a national survey of 6159 college students and found 37 percent of men and 35 percent of women inflicted physical aggression; 39 percent of men and 32 percent of women were victims.

***See also Martin S. Fiebert, 'References Examining Assaults by Women on Their Spouses/Partners,' *Sexuality & Culture* (New Brunswick, NJ: Transaction Publishers, 1998), Vol. 1, pp. 273-86. Or www.csulb.edu/~mfiebert/assaults.htm.