

Introduction

One in five U.S. women have been raped in their life, one in ten raped by their intimate partners, and 81% of women “reported experiencing some form of sexual harassment and/or assault” (National Domestic Violence Hotline, n.d.). Additional data indicate that victimization is especially high among ages 18-34, that the majority of perpetrators are acquaintances, if not intimate partners, and that IPV survivors face 77-81% re-victimization by the same perpetrator (National Domestic Violence Hotline, n.d.).

This paper seeks to answer the question of how the U.S.’s patriarchal values have led to contemporary forms of structural (through the propagation of social normalization and neglect) and institutional (by law enforcement) violence perpetrated against women, along with the consequences of such realities. In doing so, this paper is structured into four parts, analyzing the historical implications of patriarchal social ordering on contemporary systemic violence against women (VAW). The first part illustrates the current myths and stereotypes around domestic VAW. Part two contextualizes the historical social sentiment that validates contemporary structural and institutional violence discussed in parts three and four. Ultimately, this paper argues that the United States, operating under the legacy of neglect and normalization of violence against women, is culpable as a secondary driver of harm by perpetrating structural violence against female survivors of harm while also exacerbating the severity of institutional consequences.

Violence Against Women

Violence against women (VAW) is a broad term encapsulating any acts of gender-based violence resulting in physical, sexual, or psychological harm against a female. Intimate partner violence (IPV) is a specific form of VAW occurring between romantic relationships. And the battered woman syndrome (BWS) is a “post-traumatic stress disorder caused by repeated and long-term abuse” that have “been used to explain why women stay in abusive relationships” (Maymon, 2022, pp.100-1), and is meant to support “self-defense claims made by battered women charged with homicide of their abusers” (Roberts, 2023, p.132). These three concepts are violence rooted in social control, power disparities, and gender norms.

By articulating the concepts of disproportionate harm against females, attention is consequently directed to the issue of minimal post-harm support across three key social pillars of justice:

- 1) Law enforcement (leading to underreporting due to expectations of secondary harm),
- 2) The criminal legal system (victims are probed for credibility, forced to relive harm), and
- 3) Their community (displaying further social normalization of violence, desensitization, and minimization of VAW).

Historical Backdrop

To understand contemporary realities faced by survivors of harm, scholars emphasize the need to discern underlying myths surrounding the issue of VAW. Both Roberts (2023), who asserts that myths “hinder both an accurate knowledge of the [realities]... of women battering and effective intervention” (p.4), and Maymon (2022) argues that even with increasing understandings of BWS and awareness “of the legal and psychological issues applicable..., gender biases and stereotypes continue to taint courts’ treatment of female defendants” (p.101).

In doing so, Roberts (2023) opens this book by discussing nine myths, ranging from justifications for violence, victim reasoning, and minimization of cases of “women battering” (pp.4-9), underscoring how biases taint judgment and hinder justice.

Myths: The Erasure & Neglect of Female Victims

As such, understanding contemporary treatment of female survivors requires an understanding of the historical context that gave rise to and facilitated the dissemination of such myths. Historically, IPV was considered a family issue to be dealt with behind closed doors, without interference from law enforcement. The rationale derives from “societal expectations” governing the “roles of husbands and wives”, to which husbands were “the head of the home, with wives expected to submit to their leadership” (“Drunkard”, 2006, para.1-2). Under these grounds, physical violence was seen as a “necessary evil... enforcing each

sex's divinely ordained role" (para.2)– a quote that also denotes religious authority. Essentially, domestic violence was accepted as a one-sided divine right to uphold male hegemonic sovereignty over their 'property', thereby placing husbands outside of the law and wives outside of protection.

In practice, institutions support this sentiment through: police reluctance to respond to domestic violence calls, legitimizing male abusers by virtue "that 'a man's home is his castle'", courts' minimization of dangers, and discouragement of filing cases (Roberts, 2023, p.87). Such treatment of the battered women phenomenon served to ignore and downplay the female experiences, both in the past and present.

Theories of Male-Inflicted Violence Against Women

In understanding the sociological theories of such uni-gendered historical and contemporary realities, I posit the social dominance theory (SDT), which sees societies organizing themselves into hierarchies of unequal benefits, wherein individuals develop legitimizing myths– stereotypes, ideologies, and practices that justify those inequalities (Jamshed et al., 2022). Thus, SDT can be viewed alongside a patriarchal lens of gender-based violence wherein justified power imbalance ideologies are disseminated through gendered myths, resulting in the undermining of female voices, as part of a broader system of state and cultural oppression.

This section highlights the historical context behind a contemporary issue, insinuating that these forms of VAW are still being perpetrated. The remaining sections will describe the realities of post-harm experiences of survivors.

The Gendered Aspect of Violence: Structural Violence

As previously stated, one of the socially perceived arenas of justice is law enforcement, yet, within the VAW crisis, law enforcement is the primary perpetrator of secondary victimization, thus becoming another institution of harm.

Socio-Structural Model of IPV

The socio-structural model of IPV is a feminist lens, asserting that IPV is a problem "deeply rooted in the historical imbalance of power between men and women" (Roberts, 2023, p.72). Ultimately, violence is used as a "form of social control over women", and "lawmakers, judges, and enforcement personnel" are social actors implicitly and explicitly permitting the persistence of such sentiment (pp.72-3). Therefore, this model, combined with the social dominance theory, is this paper's framework explaining how systemic violence occurs and operates under the cover of normalcy and social neglect at the hands of certain actors.

Structured Violence

Structured violence, regarding VAW, is the systematic and institutional practices that disproportionately harm women due to gendered power imbalance. As discussed, the historic sentiment behind IPV lies in the idea that "violence in the family is a hidden problem" (Roberts, 2023, p.68). Such a notion becomes the underlying framework in the current U.S. state of structured violence when "the institution of marriage", acting as a privacy shield, "ha[ve] been viewed as a license to abuse" (p.68).

As explained by Jamshed et al. (2022), "structural interventions tend to discredit and dismiss many victims of domestic violence" (p. 48), negating progressive protection laws like the Violence Against Women Act. This refers to practices like inadequate legal protections, lenient sentencing for male offenders, violence minimization, case dismissals, victim discrediting, and victim blaming; practices which are all forms of secondary victimization– a subset of structured violence describing the re-traumatization of victims through institutional practices that inflict and expose survivors to continued harm.

Another form of secondary victimization is sexual double standards, which is a "legitimizing myth" endorsing "gendered expectations" characterized as "slut shaming, sexual coercion, and sexism and

gender inequality” (Jamshed et al., 2022, p.46). Jamshed et al. examined the relationship between sexual double standards and VAW, finding “social dominance predicts the justifications of violence via endorsement of sexual double standards” (p.57). This finding suggests that cultures with historically created gender hierarchical myths are the strongest indicators of VAW justification, thus creating an institution of structured violence on the basis of gender disparities.

State institutions (law enforcement and legal professionals) are thus enablers of structured violence when secondary victimization tactics are employed. Lorenz et al. (2019) found that decisions to report sexual assault are weighted by survivors and support providers (those who provide informal support post-assault) who take into consideration the “perceived strength of their case, perceptions of police, and the possibility of institutional bias” (para.1). Thus, not only does this structured violence result in a continual suffering experienced by survivors, but it also produces inaccurate data (which has important implications for perceived severity of VAW and policy effectiveness) fueled by a social distrust of law enforcement and the justice system due to expectations of secondary victimization.

Exacerbating Implications

The Community: A Lack of Informal Support

According to Roberts (2023), “institutional and community decisions” formally and informally act as obstacles, “compromising women’s safety, human rights, and fundamental freedoms”, through individual responses by family, friends, neighbors, and professionals (“case-by-case decisions”) and “categorical decisions”, in which limited resource availability restrict the ability of women to escape abuses (pp.14-15).

This is demonstrated by Bent-Goodley et al.’s (2023) study, focusing on the Black communities’ perception of IPV. The study found that (a) those abused suffer a stigma that “something is wrong with [that] person or they are doing something wrong” (“Findings” section, para.3), and (b) that witnesses should “mind their own business” because IPV is “a private issue” (“Findings” section, para.4). These perceptions, combined with the view that police are escalators of conflict— due to distrust based on racism, prior discrimination, and unreliability based on “poor police response” (“Findings” section, para.10-12)— explain why police are called only in situations when participants felt there were no other *informal* options.

Therefore, if victims of violence cannot go to law enforcement nor their own communities without facing some type of secondary victimization, then the current social and institutional state of the U.S. is actively and passively inflicting continued suffering onto an already disproportionately victimized group.

Legal Implications: Women Who Kill Their Abusers?

Another consequence of structured violence deals with women who kill their male partners. The 1989 National Coalition Against Domestic Violence found that females who kill their partners are sentenced to 15 years compared to males’ two to six years average (Maymon, 2022, p.105).

Roberts (2023) explains that because potential jurors have been found to lack accurate knowledge about the dynamics of battering; subscribe to myths and stereotypes of battered women; sanction the use of violence against women; and blame the victim, it has been argued that viable self-defense claims on behalf of battered women are compromised. (pp.132-3)

This exemplifies how structured violence is employed here to disproportionately sentence women harshly while simultaneously ignoring women’s suffering (through dismissals of battering defenses), in addition to failing to protect battered women by allowing men to serve short sentences for violence.

Conclusion

Females in the U.S. report disproportionately high rates of violence, with violence committed by intimate male partners accounting for the majority of these cases. This is further exacerbated by structural violence within current U.S. legal and social institutions, which suffers from the legacy of its hierarchically-produced legitimizing myths, facilitating a space of neglect, devaluation, and violence normalization that re-victimizes an already disproportionately terrorized population. Ultimately, victims’ sufferings do not end after the initial acts of violence as they continue to be abandoned by the law, by their state, and by their community. Although there has been growth in recognition for battered women, the

sentiment surrounding IPV and the practices by law enforcement, judges, and the community continues to display a desensitization of violence committed against women.

As this paper argues on the historical implications of patriarchy on contemporary forms of structural violence against female survivors, solutions to combat VAW should focus on the foundational gendered aspect of structural violence— directly combating this history of voiceless neglect with female empowerment. Through female empowerment, especially in leadership, the social culture of the U.S. shifts to reflect greater prioritization towards issues faced by women, subsequently increasing public trust (which can be measured in greater police reports) and greater resource allocation to sufficiently help survivors.

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