

Violence Against Women



Gender Entrapment: When Battered Women are Compelled to Crime

Presenter: Beth Richie, Ph.D.

Respondents: Shelia Hankins–Jarrett
Antonia Drew

In this paper I will be describing the results of a study conducted to link culturally constructed gender–identity development to violence against women in intimate relationships and to women’s participation in crime. The social process that constitutes this link offers a new perspective on violence in the lives of African American women, a new theoretical explanation of battered women’s criminality, and a new social paradigm that I am calling *gender entrapment*.

I undertook the research for this project in the midst of a number of academic and social trends that captured both my intellectual and political attention. I was exhilarated by the new scholarship on the intersection of race/ethnicity, gender, and class that was beginning to influence the social sciences. In particular, I was interested in feminist epistemological approaches to research on African American women and the Black family. These approaches suggest that to produce accurate knowledge about an understudied, marginalized group, an “interested” standpoint must be assumed (Collins, 1990; Harding, 1987). Second, I was interested in evaluating the movement to end violence against women in which I had been a participant observer for the past ten years. In my view, this grassroots–feminist movement has had limited success in creating the necessary social changes to end violence against women, partly because it has failed to address the needs of those whose lives are most marginalized (Dobash, 1992). While the literature suggests that there is little difference between the rates of violence per se in different

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racial/ethnic groups, I was interested in the ways experiential nuances are affected by cultural norms, emotional expression, and social conditions in different communities (Hampton, 1987). Finally, like many others, I was deeply troubled by the increasing rate of imprisonment of women in this country, especially low income women of color, and was therefore interested in exploring the causes and consequences of more stringent criminal justice practices (National Commission on Crime and Delinquency, 1989). While seemingly unrelated, the intersection of these intellectual, social and political trends, and more specifically, my concern for the population of African American battered women whose life experiences led them to this intersection, stimulated my interest and formed the development of the gender entrapment theory discussed in this paper.

The Theoretical Paradigm: Gender Entrapment

The term *gender entrapment* is borrowed from the legal notion of entrapment, which implies a circumstance whereby an individual is lured into a compromising act. From the study described in this paper, the gender entrapment theoretical paradigm is conceptualized as a dynamic process of cumulative experiences that begin with the organization of the individual's gender identity development in her family of origin, leading to her experiences of violence in her intimate relationships, and culminating in forced involvement in illegal activities. I argue that gender entrapment results in some battered women being penalized for activities they engage in and emotions they express even when those behaviors are a logical extension of their gender identities, productive strategies that enhance their safety, reflections of the culturally constructed gender roles and a response to the violence they experience in their intimate relationships.

The theory of gender entrapment developed in this paper assumes that social relationships and institutional practices are organized in such a way as to regulate the behavior of social actors according to their gender. It also assumes that there is a dynamic interaction between the public and private sphere of human life, and that historical and ongoing practices influence and are influenced by internal psychological processes. Emotional expression, identity development, and the meaning social actors give to family life play an important role in gender entrapment by influencing the ways in which women establish and maintain intimate, social, and institutional relationships.

The study attempted to fill the empirical gaps in the research on domestic violence and women's criminality by looking beyond the superficial, unidirectional explanations that prevail in the social

science literature to a deeper level of analysis where the intersectionality of gender–identity, emotional attachments, race/ethnicity, and violence creates a subtle, yet profoundly effective system of organizing women’s behavior into patterns that leave them vulnerable to private and public subordination, to violence in their intimate relationships, and in turn, to incarceration for the illegal activities in which they subsequently engage. As such, the gender entrapment theory helps to explain how some women who participate in illegal activity do so in response to domestic violence, the threat of violence, and other forms of coercion by their male partners. The study showed how these battered women were invisible to mainstream social service programs, legal advocacy groups, and feminist anti–violence projects because the nature of their abuse resulted in their being labeled “criminals” rather than “victims” of a crime.

The Research Design

In this exploration of the theoretical paradigm that links gender–identity development, violence, race/ethnicity, and crime I used the life–history interview method and the grounded theory method of data analysis. The interviews were conducted at the Rose M. Singer Center, the women’s jail at Rikers Island Correctional Facility in New York City. As the largest detention center in the United States, Rikers Island detains more than 125,000 inmates each year, with an average daily census of more than 16,000 (U.S. Department of Justice, 1995). Most of the inmates in custody of New York City jails are detainees awaiting adjudication, having been arrested and charged but not yet tried, convicted, and/or sentenced.

The population of women detained has risen precipitously in the past few years. In 1987, women made up 7 percent of the inmate population. Presently they constitute 12 percent, with an average daily census of 2,000 (U.S. Department of Justice, 1995). The women detained on Rikers Island typically come from New York City’s most destitute neighborhoods, where violence, poverty, and lack of health and human services have come to symbolize the institutional and governmental neglect of inner cities in this country. The fact that a disproportionate number of women inmates at Rikers Island are economically disenfranchised, under–educated, and unemployed women of color is related to the general rise in crime, more stringent law enforcement policies, and biased practices in the criminal justice system (Currie, 1985). Some criminologists suggest that the purpose of jails in contemporary society is to “manage the underclass in America” (Irwin, 1985). The experiences of women detained at Rikers Island reflected that purpose.

There are a series of institutional processes and environmental characteristics that are salient to

the understanding of battered women's lives and are important for establishing the broader context of this study. Most activities for women at Rikers Island are done in groups, including showering, eating, visiting relatives, or meeting with attorneys. In addition, there is a rigidly enforced set of demands for compliance to security-based standards of behavior. The women must stand or sit quietly before privileges are granted, they walk through the institutions in lines, and very few conversations are confidential. The inmates have come to expect little privacy, an expectation that is reinforced by spontaneous "raids" of their living spaces, along with bodily searches for contraband (hairpins, rubberbands, chewing gum, drugs, sharp instruments, etc.) and unpredictable "alarms" when all movement in the facility stops for an indefinite period of time.

Besides the loss of privacy and predictability, the loss of personal autonomy has important and lasting implications for women's sense of identity. Most of the inmates are known by the aliases they gave when they were arrested, institutional nicknames, or by their identification numbers printed on plastic bracelets (like hospital bands) that they are required to wear on their wrists.

Even their physical appearance is regulated. As detainees, they are not legally required to wear institutional uniforms; however, if they choose to wear civilian clothing, they are only allowed two sets from the "clothing bin." The clothes are often ill-fitting, for the wrong season, and not suited to institutional wear. Most clothes are donated from used clothing programs such as the Salvation Army and are soiled and torn, and shoes are likely to be mismatched. This has serious implications for the women inmates' ability to present themselves in court, with their families, or with their peers in a dignified manner.

The most obvious and perhaps most serious institutional issue for women in jail on Rikers Island is the loss of freedom and privilege concomitant with arrest and incarceration. Immediately upon entry into the criminal justice system, they are reduced to a dependent, powerless status where authority is used indiscriminately, and physical abuse or humiliation is common. By most accounts, the consequences of being arrested and incarcerated result in marginalization and feelings of alienation, even if the accused individual is acquitted (Freely, 1979). The detainees must ask for everyday items like toilet paper, and they must get permission for such simple, everyday activities as turning their lights on or off.

A telling symbol of the profound effect their lower status has on women at Rikers Island is that those who have a "good" relationship with the officers refer to them as "Mommy" or "Daddy"

(e.g., Mommy Smith, Daddy Jones). They have learned the best way to interact with the correctional officers and other authorities in the institution is by bargaining for extra privileges through elevating the officers' status, seeking approval through assuming self-effacing demeanor, and a childlike tone of voice, and sometimes resorting to depicting a highly sexualized persona.

With their identities in flux, their freedom limited, and their integrity demeaned, women detained in jail are caught in an ambiguous, disorienting place between the "free world" and prison. Ironically, their tentative status leaves them more vulnerable to being ignored and underserved by the Department of Corrections and those outside groups who typically advocate for sentenced prisoners. Indeed, being in jail—having to respond to arbitrary authority, being isolated from their families and social support, experiencing the stigma of institutionalization, and having their sense of themselves threatened by their change in identity and status—is very similar to the experience of being battered.

The particular focus of this work is the population of African American battered women who are incarcerated because of their unique vulnerability to the factors previously described in the paper: culturally determined gender roles, prevailing social conditions in the African American community, hierarchical institutional arrangements in contemporary society based on race/ethnicity, and biased practices within the criminal justice system. To highlight the uniqueness of their circumstances, the experiences of the African American women who identified themselves as battered will be compared to two other groups of incarcerated women: African American women who were *not* battered and *White* battered women.

The comparative analysis of the life-history interviews of the three subgroups clarifies the most salient points of the gender entrapment theory by isolating the effects of race/ethnicity and violence in an intimate relationship. This analytical strategy serves to highlight the ways that these particular variables influenced some women's experiences. While the sample obviously did not reflect the universe of experiences, a more complex and textured analysis of the experience of gender entrapment was possible by expanding the original sample to include racial/ethnic variation and experiential variations. What follows is a summary of one of the life history interviews conducted for this study. It appears here in a condensed version and is necessarily decontextualized. It nevertheless serves to illustrate the theoretical and political point of gender entrapment for readers' consideration by privileging women's accounts of their experiences.

Melanie's Story

Melanie was raised in a Black, urban, working–class community. The household she grew up in consisted of her maternal grandmother, an uncle who was nine years older than Melanie, and her mother who worked evenings in a factory. Her grandmother and mother shared responsibility for parenting her, although she recalls depending more on her grandmother than her mother for both material and emotional support. Her grandmother’s income was derived from caring for neighborhood children in their home. This provided Melanie with a changing cadre of playmates and pseudo siblings. The community was very close knit, and Melanie had a large extended family who frequented her home.

Melanie described her uncle’s position in the household as being very different from hers. Growing up between generations as he did, he occupied the role of “man/child” that afforded him more privileges and fewer responsibilities. He was protected by the women in the family and enjoyed many freedoms that Melanie did not. Melanie denied feeling resentment toward him for his position of privilege. Paradoxically, she felt sorry for him.

Melanie’s uncle was the first person who sexually abused her. When she told her mother about the sexual abuse, her mother told her to be silent because “they were lucky to have a warm comfortable place to live...how would Melanie like living on the streets?” Her mother’s only advice to Melanie was to be “more careful.” The abuse, which began at age 7, continued until Melanie was 16 and her uncle moved out of the household.

Melanie attributed much of what she learned about women’s roles and male violence from the experience of sexual abuse from her uncle. She described herself as an outgoing child who did well in school and was a source of family pride. He, on the other hand, was constantly in trouble in school and with the law, and brought “rough friends” into their home. Her uncle drank heavily and used cocaine, which drained the family’s financial resources. However, as the only man of the household, the women deferred to him for symbolic as well as important decisions. Melanie described the process as the women “trying to make him feel better about himself,” trying to make the family image stronger by having a “man of the house.” She remembered hearing “awful stories of unjust things” that happened to him and other male relatives and friends.

The lesson Melanie learned was that “Black men live a life that is more difficult than Black

women, and that part of their family's commitment to the community was to understand the pressures on the Black man and to forgive him for not making it in the world." The women in her immediate and extended household decried the men they were involved with as "thorns in their sides," but with a sense of humor, tolerance, and protectiveness.

Melanie internalized many of the consequences of her sexual abuse, and developed classic somatic complaints such as stomach aches and headaches. Her school performance began to fail, and she was placed in a class for learning disabled children. She attributed her decision to become a nurse to "wanting to help other girls like me." Early in her life she saw her "emotional work" of helping others as an obligation for her privileged status as a Black girl, despite the "contradiction" the abuse created for her sense of self.

When Melanie was 20 years old, she began living with the man she would eventually marry. He was a year younger than she, working as a custodian for the metropolitan transit authority, and aspiring to be a bus driver. Melanie was enrolled in a training program to become a nurse's aid with hopes for eventually going to nursing school.

Melanie characterized their relationship as "traditional" in most respects. Her husband did not participate in household tasks, and she did most of the "emotional work" in their relationship to establish and maintain intimacy. However, she earned more money than he did, and he was repeatedly laid off, eventually losing his job altogether.

When Melanie completed her training program she immediately found work with a small private home health agency. While she was very proud of her success, she remembers feeling sorry for her husband as she had done with her uncle, and began to sacrifice her needs in order to "boost his sense of himself as a Black man so that he would have the confidence to find another job." He began "hanging out with his friends" and spending money carelessly. She began working overtime to compensate for the loss of income. This, combined with her husband's non-participation with household tasks, led her to exhaustion and resentment and eventually was the cause of their first verbal arguments.

Melanie became pregnant during the second year of their relationship, and they were married soon thereafter. The first time her husband physically abused her was after her first bout of morning sickness, shortly after they were married. The onset of battering during pregnancy is

common, and like many other battered women Melanie felt as if she needed the relationship more than ever for protection, nurturing, and independence from her family, as well as for a sense of meeting the hegemonic norms that she so desperately wanted. The violence escalated over time and eventually his repeated assaults resulted in a miscarriage, which he and her family ironically blamed on her. Melanie believed that many people, including her family, their friends, members of the community and her physician, knew that she was being battered. The combined effects of the miscarriage, the physical and emotional abuse, and the feeling that no one cared enough to help left her feeling depressed and betrayed. She went back to work at the home health agency with a very different emotional outlook.

One aspect of Melanie's changed outlook on the world was related to the dreams and aspirations she held for herself as "a professional." She no longer felt that it was possible to become a nurse, in part because of the constant "put downs and ridicule" that her husband directed at her. Her work as a home health aide began to feel less exciting, and because of her depressed affect and her extended medical leave, she was passed up for a series of promotions during the next few months. For the first time, she felt a strong sense of solidarity with her husband as an unemployed worker. Ironically, it was through this bonding, which was a new emotional experience for her, that she was persuaded to steal money from her elderly clients.

It is important to discuss the conditions in Melanie's workplace to fully understand the decision she and her husband made at this point. The agency served primarily wealthy, White, elderly women in a suburban area of the city in which she lived. Although Melanie was contracted specifically to provide home health services, she was often asked to perform menial domestic tasks. This was a very difficult situation for Melanie because the women in her family prided themselves on *not* being domestic workers, and her professional image of herself as a nurse was compromised by these requests. At the same time, however, she understood that her continued employment depended on the client liking her and upon her acting in the role of *and* with the appropriate affect of a domestic worker. She became increasingly alienated from her work, caught in a historical moment as a young African American woman working for elderly White women, each with competing role expectations.

The subservient position Melanie found herself in was reinforced by the repeated sexual advances

and harassment by the son of one of her clients. Eventually he became her first paid sexual partner—after he raped her she determined it was better to be paid for sex than raped. His mother became the first target of her petty theft. Melanie forged her client’s checks, stole her jewelry, and began using her credit cards. She always turned over the income from these activities to her abusive husband, which sometimes helped to interrupt the violence.

Melanie described this time as personally difficult but highly satisfying in terms of the relationship with her husband. There was reciprocity, a mutual commitment to the illegal activity, and her husband said he felt closer to her than ever. Initially she managed her guilt by focusing on her strengthened marriage. She felt justified in stealing from “those people who took advantage of her.” Her husband began to pressure her to produce more goods and cash and, as the pressure increased, so did his violence. Not surprisingly, she eventually lost her job, having been accused of the thefts and missing too much work for injuries she sustained from his abuse. The loss of income from both her legal work and illegal activities strained the relationship even further. It should be noted that her husband seldomly participated directly in illegal activities. They agreed that since she had the job and, because she was a woman and would be “treated better by the cops,” crime was her work, not his. Eventually her rationalization shifted—he threatened to “turn her in” if she stopped her illegal behavior. With no other option, she turned to “working the streets.”

On the streets Melanie shoplifted, was involved in prostitution, and worked as a pickpocket. He worked as her “spot,” watching for the police. This was the only other time Melanie remembers feeling supported and cared for by him—he was protecting her “like husbands are supposed to.” When she was arrested, he would bail her out of jail. He continued to be violent, however, reinforcing his dominance and abusing his power in the relationship by reminding her of his vulnerability as a Black man in the criminal justice system.

Melanie began carrying a knife to protect herself as she worked a more dangerous beat, although she was beginning to realize that she was much safer on the street than at home. She stayed away more, and when her husband began to abuse her in public places, she became increasingly frightened that he would kill her, as is supported by the research on women who leave abusive relationships. One day during an assault, Melanie stabbed him. She was arrested and charged with violating her parole, possession of stolen checks, and attempted homicide of her husband. She was convicted and is serving a 10 to 15 year sentence in a state correctional facility for

women.

Melanie's story illustrates many of the complicated and compelling issues that face some African American battered women. While each woman's story is unique, there are generalized concepts that offer important insights for consideration herein. The women interviewed for this paper revealed that their involvement in illegal activity was determined by a multiplicity of factors, including their early childhood experiences in their households, the construction of a cultural/racial identity, and critical events in the public sphere of their lives as members of a marginalized ethnic and gender group. A pattern emerged from the stories that showed how these factors varied by race/ethnicity and experience of abuse, thereby distinguishing the backgrounds of the three subgroups in this study and their vulnerabilities to gender entrapment.

The African American Battered Women: Gender Entrapment

For African American battered women, a central factor in their gender entrapment was the series of shifts in their identities in response to conditions in the private sphere and experiences in the public domain. The African American battered women grew up as relatively privileged children in their households of origin. Despite social and economic limitations and compared to other children in their household, the women in this subgroup received more attention, a greater proportion of material resources, and emotional interest from the adults around them. They developed an optimistic sense of their future and felt the expectations of social success generated by their privileged status.

While their early childhoods were characterized by a sense of being competent and desirable African American girls, when they entered the public sphere they felt the limitations of their gender, race/ethnicity, and class status. They felt unable to actualize their dreams for social success when educational and occupational opportunities were unavailable or withheld, and they felt the stigma of discrimination based on hierarchical institutional arrangements. The gender entrapment process began here, where the African American battered women's identities developed in their households of origin were contradicted by their experiences and treatment in the public sphere. The contradiction had a particularly gendered and racial aspect, which was an important finding from this study.

While the African American battered women's public identity became more fragile, they continued to feel that a "successful" family life, as defined by dominant ideology, was within their reach. The more they became socially disenfranchised, the more they longed for respect and a sense of accomplishment that they had come to believe was possible. The African American battered women held firmly to their interest in establishing traditional nuclear families and hegemonic intimate relationships with men; however, the African American men with whom they were involved were also marginalized and thus unable to assume the traditional patriarchal roles as "head of household."

Subsequently, the African American battered women described feeling compelled to provide opportunities for the African American men to feel powerful in the domestic sphere by relinquishing some of their status and authority. The discrepancy between the women's reality and their socially constructed ideals required them to work hard to manage the contradictions they felt and left them vulnerable to gender entrapment.

The nature of the trauma associated with the onset of abuse in their intimate relationships caused another shift in the African American battered women's identities. Violence from their intimate partners effectively destroyed their sense of themselves as "successful" women and eroded their hopes for an ideologically "normal" private life. They felt betrayed, abandoned and disoriented, and yet ironically loyal to the African American men who were abusing them. Few reached out directly for assistance, attempting instead to manage the violent episodes and conceal the signs of abuse. Their avoidance of criminal justice intervention, in particular, was noteworthy and consistent with the general sense of the hostile relationship between communities of color and the police in cities like New York.

Typically, the violence escalated over time, reaching extreme levels. The subjects were threatened with constant emotional, physical, and sexual abuse; they were seriously injured, permanently disfigured, and fearful that their batterers would eventually kill them. The shifts in their identities again—as powerless fearful women at serious risk of losing their lives—cemented their vulnerability to gender entrapment, leading them to participate in illegal activities for which they were eventually arrested and detained in jail.

In this study, there were six categories of crimes or "paths" that led the African American battered women to the Rikers Island Correctional Facility. Their charges were: 1) failing to protect their children whom their husbands killed while the women were virtually held hostage

in their homes; 2) prostitution or other illegal work in the sex industry, into which they were forced by their abusive husbands; 3) property damage or arson, which occurred during a violent encounter with their batterer; 4) assault resulting from symbolic or projected retaliation for past abuse, illustrated by the case of a woman who killed a stranger standing on her fire escape whom she thought was her abusive husband; 5) economic crimes and petty theft, such as shoplifting, forging checks or robbery which were sources of family income; and 6) selling or transporting illegal drugs.

In each of the unique life–histories, the dynamics of gender entrapment led the battered women to commit crimes. Deeply invested in and committed to their relationships, the women were surprised by and denied the seriousness of the abuse. They felt compelled to accept the violence because they had a sense of themselves as relatively privileged over the men who were abusing them. The abuse reached very dangerous levels, yet the African American battered women did not reach out for help because of their mistrust of the criminal justice system. When their batterer lured, threatened, or forced them into illegal activities, they felt as if they had no other options but to comply. Ironically, for some incarceration was safer than being in the “free world.”

The African American Non–Battered Women: The Impact of Violence

A comparison of gender identity development in the samples of African American battered and non–battered women showed that both groups were influenced in significant ways by the organization of their households of origin. However, the African American non–battered women described feeling less affected by the dominant ideology; their families were more isolated from public institutions in the dominant social structure and they had looser networks of social support in their communities. The African American women who were not battered were less likely to be influenced by hegemonic values than either of the other two groups.

Additionally, the African American women who were not battered expressed less sensitivity to the social and economic position of African American men, and they identified themselves as members of an oppressed group. They understood that some African American men used their experiences of racial discrimination as an excuse to subordinate African American women, which led the women in this subgroup to establish a more oppositional stance towards the men in their lives. The African American non–battered women grew up expecting to be treated

badly by men, and were therefore less likely to do the emotional work necessary to tolerate or excuse physical abuse.

The one area in which African American non-battered women did express solidarity with African American men was in their distrust of the criminal justice system. However, since the women were not victimized by the men, they did not need to depend on law enforcement for protection. Ironically, the African American non-battered women identified themselves as “victims of the system” more than “criminals” or “offenders,” whereas the African American battered women had a more complex analysis of their multiple identities that shifted over time.

The paths that African American non-battered women took to criminal activities included arrests for drug related offenses, robbery, or burglary. As such, they were more similar to the profile of the “typical” women detained in correctional institutions in the United States.

The White Battered Women: The Impact of Race

Further refinement of the gender entrapment model developed in this study was gained from a comparison between the African American battered women and the White women interviewed in this study. For the White battered women, gender identity was also constructed in their families of origin. Their household arrangements most closely mirrored the ideological norm in structure; typically they were patriarchal, rigidly organized by gender and generation, and in most cases they were oppressive environments. As such, the White battered women’s attempts to attain the ideologically normative family structure were characterized by less failure and therefore created less internal tension and ambivalence about their roles, responsibilities, and privileges as women.

Another significant difference between the White battered women and the African American battered women was the absence of a culturally constructed sensitivity to men’s needs. From a very early age, the White women interviewed for this study felt inferior to the men in their lives. Unlike the African American battered women, they did not feel that they had the means, strength, or interest in protecting the men in their lives. When they were battered, they felt less

ambivalent and confused, they understood their risks immediately, and they were more likely to reach out for help. Without overstating the availability of services for White battered women, documentation and public recognition of the abuse was both symbolic and practical in decreasing their sense of isolation and shame. In terms of the relationship to the legal system, the White battered women developed mistrust of the criminal justice system *after* being arrested, in contrast to either group of African American women who felt mistrustful even *before* their involvement in it as criminals and/or victims.

The paths the White women in this study took to criminal activities were also distinct from those of the African American battered women. They were not held hostage or terrorized in the same way that the African American battered women were, nor did they attack their batterers or other men who reminded them of their batterers. They were less likely to be arrested for arson, other property damage, or assault because they had some external protection and support.

Policy Implications

There are three policy recommendations that are relevant to the theory of gender entrapment. First, the findings from the study point to the ways that gender, race/ethnicity, and violence interact with social stigma and deviance to negatively affect some social factors. In this study, the women who experienced gender entrapment had several stigmatized identities: as *women* in a patriarchal society, as *African American* women who experienced ethnic stigma and discriminatory treatment (Lewis, 1990; Morton, 1991), as *poor* women, and then as *battered women*, which symbolized their failure to accomplish the socially constructed expectations and desires for safety and comfort in their domestic sphere. When the African American battered women became *criminals* (Shur, 1984) they violated still another normative standard based on the assumption of obedience and morality, which lead to their experiences of the stigma of *incarceration* (Crew, 1991). The policy implications support development of strategies to counter the emotional, cultural, social, economic, and political forces that led to “deviance” and that would subsequently reverse the long-term effects of stigma based on gender, race/ethnicity, and the experiences of violence and crime.

The second policy implication concerns the legal issues raised by the gender entrapment model and the questions of agency. By understanding that some women are lured, threatened, or

forced into compromising acts, attention is drawn to the questions of intent and duress. From a philosophical perspective, the question is: “What are the limits of free will and individual choice?” While their involvement in crime could be considered an exercise of their agency, it may be possible to interpret the African American battered women’s illegal activity in legal terms that would limit their culpability. This policy issue suggests the need for further analysis of gender entrapment, from the perspective of feminist legal scholarship, to explore the utility of the theory in the defense of some battered women who commit crimes.

The third policy issue that the gender entrapment theoretical model raises is related to the current sociological and political question about the “plight of Black men” in contemporary society (Wilson, 1987). The facts that surround this question include rising incarceration and homicide rates, troubling unemployment statistics, the epidemic of youth violence, and the highly publicized cases of police brutality towards young African American men (National Research Council, 1989). These concerns reflect a larger social, political, and economic crisis that is disproportionately affecting the African American community, resulting in a sense of collective devastation and individual despair. The underlying causes of this crisis situation require critical attention, policy reform, and the infusion of resources.

The framework for the analysis and the construction of the response, however, will be seriously flawed without attention to the intersection of institutionalized racism, ethnic discrimination, and *gender inequality*. Without a gender analysis of the crisis, African American women’s experiences will be rendered invisible and insignificant, and the potential solutions will reproduce relationships of gender domination within the African American community. Instead, my hope is that the gender entrapment theoretical model will expand the terms of the debate and deepen the analysis to include a critical feminist perspective.

Conclusion

This paper described the findings of an exploratory study designed to develop the theoretical model of gender entrapment, an alternative explanation of some women’s involvement in illegal activity and a new way of understanding violence in the African American community. It described the extreme consequences which result when gender inequality, violence, institutionalized racism, and cultural conditioning intersect. It could be argued that, had the dynamics between the circumstances in the public and private sphere of their lives been different, some of the African American battered women who were interviewed in jail might have been extraordinarily

successful. Instead of positioning them for success, their idealism, emotional skills, their families' investment in their future, and the African American battered women's loyalty converged with their stigmatized identities and marginalized status in the public sphere to leave them vulnerable to violence and crime. My hope is that the theoretical model of gender entrapment will influence criminal justice reform and community-based responses so that fewer women will be battered and incarcerated, and that such a contribution to the body of feminist scholarship and the literature on violence against women would create change on behalf of those women whose experiences are most invisible or misunderstood by the dominant social science paradigms.

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Response:

Shelia Hankins–Jarrett

This response to Dr. Richie’s paper, *Gender Entrapment: When Battered Women are Compelled to Crime*, will highlight the relevance of Dr. Richie’s work to battered women and will seek to examine how domestic violence service providers, although well intended, collude with systemic constructs to erect barriers based on gender, race, and class to position women to respond in illegal ways.

Dr. Richie’s work is relevant to the experience of battered women who are trying to understand the violence in their lives. As battered women sit in counseling support group meetings for the first time, they hear their life stories coming out of the mouths of many different women whom they have never met. These women tell stories of isolation, lack of support, physical abuse, emotional abuse and/or sexual abuse that has occurred sometimes since their childhood. These stories also reveal a systemic conspiracy that involves many external forces that have come together to position battered women to be vulnerable and to be subjected to oppression that is enforced by violence.

As these women share their stories, they begin to understand how they came to this place in their lives. Often the look of a new participant’s face is that of enlightenment. A look that says, “I’m not going crazy, those things were happening to me. I was trying to stop the violence, but there were things that I could not see, things that I did not know were there to entrap me.” This is the same awareness that Dr. Richie’s work is making possible for women, caught in the criminal justice system, who now sit in their prison cells and wonder, “How did this happen to me; how did I get here?”

Clearly, research has shown that this experience is common to all battered women regardless of their race or their class status. Black and White American women share the reality of gender based violence. However, because of their different “herstories,” one from the point of slavery and the other from the point of freedom, their experiences and therefore their identities are different.

Dr. Richie's scholarly contributions help to provide a voice for African American women: a voice that will help researchers and practitioners understand the dynamics of violence against all women and will help practitioners develop relevant prevention and intervention strategies that prove effective in eliminating violence in the lives of all women. To that end, Dr. Richie's paper has raised the following question: How do service providers and practitioners unconsciously collude with other institutions to erect barriers based on gender, race, and class to position women to respond in illegal ways?

In a training session entitled *Oppression and Multiculturalism*, Dr. William Jones, a professor at Florida State University, emphasized that people must look for oppression and racism in places where they least expect to find them—for it is there that these foes are veiled in the justification of our goodness. This understanding is relevant to the experiences of African American practitioners in the battered women's movement. The cry of racism and oppression echoes throughout the halls of their meeting rooms, their board rooms, and their shelters. An example made all the time by women of color in the movement is, "Of course there were only two women of color and two hundred White women invited to the meeting." Staff members of domestic violence programs repeatedly reiterate, "Our board of directors is all White and our clients are all Black. How can we develop policies that are culturally relevant and appropriate?" Clients who have sought refuge at shelters state, "The shelter staff is trying to control us just as our batterers did. I may as well have stayed at home."

Again, how do service providers and practitioners unconsciously collude with other institutions to erect barriers based on gender, race, and class to position women to respond in illegal ways? This question must be posed for every program. African American women service providers must also examine and question their oppressive tactics, as they too are manipulated and entrapped by their "herstories," experiences, and the lessons that they have learned, so that they also commit acts that are questionably supportive to the women they serve.

Programs that fail to create empowering relationships among all women by recognizing the strength of each woman continue to marginalize their clients, despite their good intentions. The following story is an example of such experiences:

Last year at a domestic violence shelter two staff members were having a discussion

about a client who had used the shelter residential services for three or four consecutive nights. On the last night she failed to notify shelter staff that she was not returning, nor did she clean her room nor remove her things. The staff members, who were strong supporters of the domestic violence movement and philosophy, were very upset. However, the conversation did not revolve around concern for the client, but instead was extremely critical of the client. They complained that upon entering her room, they discovered that the client had looted clothes from the basement. These clothes were a part of the donations given by the community to the shelter for women in need. The clothing and household items were secured in the basement and many times would be almost inaccessible. The staff members criticized the client, stating that it was a shame that the woman stole from the shelter after the help she had received. Hearing the conversation, another staff member commented that it was a shame that the woman was made to feel that she had to steal clothes that she clearly needed. The clothes should have been more accessible and given to her. The clothes should have been available to all the shelter's clients.

In a second case in point, a woman who had been severely beaten was referred to the shelter after treatment at a local hospital. The client was on public assistance, and therefore, had Medicaid for her medical coverage. At the hospital she only received a surface examination and was then released. The woman suffered from several apparent wounds to her head and was told that her ribs were bruised. She was given pain medication and advised to rest.

After 24 hours passed, and she did not experience any relief from the pain, even with the use of the medication, the client requested to take a cab to another hospital. The shelter paid the expense for the round trip fare to the hospital. There, she used a friend's private medical insurance card and received a thorough examination and complete x-rays. She was diagnosed as having several fractured ribs and there was great concern about the injuries to her head.

The second hospital wanted her to stay for treatment, but she knew she could not because of her illegal use of the medical card. She checked out and returned to the shelter. Armed with the truth, she felt that she could now go back to the hospital to which she was assigned and insist that she receive proper diagnostic tests and treatment.

To add to this victimization, in that the hospital records were in someone else's name and

the woman could not prove she had been to the hospital, shelter staff threatened to terminate services. The reasons cited for the proposed termination were misuse of shelter funds for the cab ride, and, if her story were true, her involvement of the shelter in her illegal action. Fortunately, the termination recommendation was denied.

When women come to shelters they are at the “end of their rope.” If support systems add to the victimization of women, then women will logically obtain food, clothing, shelter, and safety by any means necessary. Researchers and practitioners must examine the structure and the policies of their organizations and question whether professionals are emulating a controlling, dominating, adversarial, hierarchical model that is destructive to both the staff and clients, and does not accomplish the mission of eliminating violence against *all* women. Those in the field of domestic violence must also:

- provide culturally proficient programs and services which support the diverse needs of all women who are victims of domestic violence;
- learn to see and accept each individual’s perspective of reality as a product of their experiences and beliefs;
- acknowledge the diversity that exists within the African American race due to regional or other varied experiences and beliefs; and
- be conscious of the threats that exist to African American lesbian women, older women and women with physical challenges.

As researchers and practitioners call for and demand stronger laws to protect all women, a shift in the thinking of how women are viewed and treated, and recognition of equality for all women, those in the movement must also ensure that their link in the coordinated community response to violence against women is reinforced and able to hold steady for *all* the women they serve.

Response:

Antonia A. Drew

This respondent is in support of Dr. Richie's research and agrees with comments made by other Institute participants. *Gender Entrapment: When Battered Black Women Are Compelled to Crime* is a very interesting and exciting piece that raises a number of issues for researchers and practitioners who have worked with battered African American women. Dr. Richie's paper discusses the factors that may influence battered women to commit crimes. However, it is important to note that the vast majority of women who are abused are not prone to criminality. Many battered women are extremely strong and are survivors who may be low income and have multiple problems. In addition, some researchers may be confused by pieces of Dr. Richie's gender entrapment theory and how they intersect with other factors that may influence battered women to engage in criminal behavior.

This paper will raise several issues, both theoretical and substantive, and will frame the issues as statements, as well as questions and/or challenges for the participants of the Institute.

Dr. Richie's approach is based on the legal concept of entrapment. This approach suggests that abusive partners lure battered African American women to commit crime. The gender entrapment theory would seem to explain the process for committing crime, but not necessarily the process of battering. This again raises an issue: How does gender entrapment account for battered women who *do not* commit crimes?

Human behavior is so complex; no single theory can adequately account for conformity with or deviance from the normative order. So, can one theory explain why some battered women commit crimes and others do not? Are there other theoretical constructs that could explain, in conjunction with this idea, why some battered women commit crimes and others do not? Possibilities may include: deprivation theory, learned helplessness, or battered women's syndrome. Additionally, can gender entrapment explain the involvement of non-battered African American women in criminal behavior? Why do *they* get involved?

Another issue Dr. Richie raises in her research is the question of "free will" and individual

choice. Since the issue of “free will” is so critical to the theory of gender entrapment, then this issue must necessarily be addressed in the paper if it is to advance or deepen the knowledge base of battered women and commitment of crime.

To advance the gender entrapment theory it would be interesting for Dr. Richie to generate testable hypotheses, as well as predictions, about the occurrence of battered women’s criminal behavior. For example, could the following hypothesis be raised and could it predict an outcome?

African American girls who grow up to internalize the “Prince Charming” or “Fairy Tale” ideal are more likely to be entrapped than those who do not internalize this ideal.

The gender entrapment theory also raises serious issues about the extended family. Are women raised in an extended family structure more likely to be battered by their partner than those not raised in an extended family structure? Do family members inadvertently help in this process? It is generally assumed that the extended family undermines the conjugal union. This could be contrary to the entrapment theory. If so, then it would seem that they could come to the rescue of trapped battered women. The empirical question is—what role does the extended family play in this? In contrast, scholars such as Joyce Lardner and Carol Stark suggest that loyalty lies with the extended family. One would conclude that the extended family has a negative impact on the individual. Are researchers to draw the conclusion that girls growing up in extended families are negatively affected by the structure?

Finally, Dr. Richie raised interesting issues in her discussion of gender inequality and gender analysis. She suggests that African American women must often choose between their gender and race. However, American society is neither culturally nor gender competent. African American women cannot choose between their gender and their ethnicity; they do not have that option. These two factors are simultaneously affecting African American women.

In conclusion, it is my great hope that this work will be advanced further and developed to include other significant factors. It would have been helpful for participants if other case studies were discussed. It is unclear if Melanie’s story was an extreme case or representative of this population studied. The author applauds Dr. Richie for her work and offers any assistance to develop this research further.

