

CHAPTER 2

LITERATURE REVIEW

This chapter describes the classification of domestic violence in Section 2.1. The background of Thai Laws is presented in Section 2.2, and the situation of domestic violence, related studies and number of theoretical frameworks has been reviewed in Section 2.3 and Section 2.4.

2.1 Types of violence

There are several common types of domestic violence. By defining the types of abuse suffered by women categorically, it will make the results of the study more useful by uncovering which types of abuse are most common and pose the greatest risk.

Sexual and physical violence are frequently committed in conjunction with one another as a form of dominating behavior that includes marital rape (Russell, 1990). In Frieze's study, those interviewed increased their "yes" responses 43 percent when the question was worded as "forced sex" rather than "rape." The most violent, tyrannical men were found in this study to be the most likely to commit rape (Mullender, 1996:23). Physical and sexual abuse may be committed in various ways, such as in injuries to the breasts and genital areas. Abuse includes forcing sexual activities on the victims before they have healed from previously committed acts of violence. It also includes other acts that the woman does not consent to or finds degrading or disgusting, such as being photographed in sexual positions against her wishes (Barstow as cited in Mullender).

Emotional Abuse: Men who have been physically abusive also deliberately use psychological tactics to reinforce their control. Once the fear of further attacks is established, threats, gestures and glares will be enough to maintain the constant atmosphere of fear necessary to keep the woman guessing as to what she needs to do

to forestall another attack. Any behavior that elicits fear can be used, such as shouting, hitting walls, driving recklessly, displaying weapons, stalking, prolonged silence, destruction of objects and injuries to children or pets. Women who are subject to such abuse often say they live in constant terror and fear for their lives (Mullender, 1996:24).

2.2 Thai family and Thai Laws

Violence within families is now becoming a common problem. Accurate measures of the extent of family violence are difficult to establish. Although violence is thought to be the most prevalent in lower classes and among minority groups, researchers estimate that the problem of violence is widespread across families in all classes and races. The difference is that middle and upper classes have more ability to keep it hidden (Andersen, 2006).

In the past, Thai laws gave men authority and the explicit right to use violence against his wife. In the Ayutthaya period, laws that defined the relationship between husband and wife gave husbands the right to have many wives. Women were allowed only one husband and criticized and looked down upon if they did not abide by this law. In any case that husband found his wife having an affair with another man, he had the legal right to kill her without receiving any punishment. Yet, wives who found their husbands to have an affair had no legal rights to file for divorce (Lumphan Nuamboon as cited in Punchalee Chotikul).

Another Thai law during the Ayutthaya period allowed a husband to physically abuse his wife, as stated in section 60 :

“While a husband and wife are cohabitating, if the husband decides that his wife is guilty of wrongdoing, he has the right to beat or flog her as punishment, after which the wife cannot take any action against her husband. The wife is the husband’s property. Husbands and fathers were even able to use their wives or children for collateral when gambling or applying for a loan if they had nothing material to present (Kulpol Polwan as cited in Hemawan Hemanut).”

2.3 Domestic Violence

Domestic violence is more common than most people realize. The following studies work to illuminate the current reality domestic violence and include useful facts and figures about the scale of problem.

The National Crime Panel Report in the U.S. defines assault as “an unlawful physical attack by one person upon another” (U.S. Department of Justice, 1976). It is important to note that neither this definition nor the one used for reporting assaults to the Federal Bureau of Investigation (1989) requires ‘injurious body contact’. Thus, if one person chases another, attempting to hit or stab the victim with a stick or a knife, and the victim escapes, the attack is still a felony-level crime - an “aggravated assault”- even though the victim is not touched. Nevertheless, in the real world, the occurrence of an injury makes a difference in what the police, prosecution, and juries do. (Walsh as cited in Mullender)

Mullender’s book entitled *Rethinking Domestic Violence* looks at the myths and facts of what is behind the violence. Despite engaging a variety of counseling agencies that worked towards helping men take responsibility for their abusive actions, only one of eighteen men interviewed by Ptacek (1988) accepted responsibility for his spousal abuse. Instead, they said they could not control themselves and blamed drugs, alcohol and uncontrollable anger. (Mullender, 1996)

Murray A. Straus who is a professor of Sociology and founder and Co-Director of the Family Research Laboratory, University of New Hampshire (since 1968) found that for many societies, a high proportion of homicides occur within the family. Further, other less drastic forms of aggression are quite common. Straus conjectures that high rates of conjugal violence are found in urban-industrial, agrarian, and non-literate societies, but the highest rates of conjugal violence occur when societies have high rates of violence in other institutional spheres.

Four factors that influence family violence are the amount of time family members spend with each other, the number of overlapping activities and interests that family members share and the intensity of their involvement and attachment. The development of the nuclear family structure, particularly in Western industrial societies, can thus be seen as latently contributing to the increased occurrence of intra-

family violence because the traditional extended family is more involved in community and other family activities, aggressive incidents can less frequently be attributed to these factors. The fourth factor is sexual inequality. Straus observes the linkage between male dominance and domestic abuse. He attributes this to the high potential for conflict that is built into a system that ascribes a superior position to the husband (Hurtter, 1941:458).

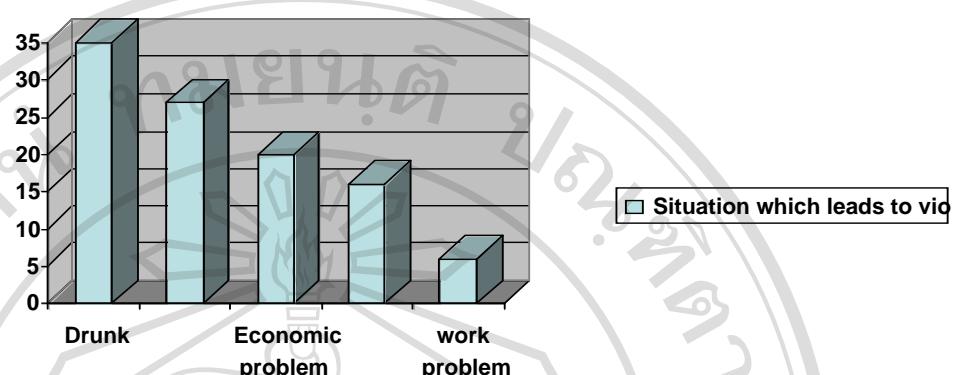
Violence against women is a vicious practice present in all societies. Yet data about its occurrence and associated factors is scarce in the Arab world. In the study entitled *Physical Abuse in Low-Income women in Aleppo, Syria*. There are two affiliations by the Institute of Epidemiology and Social Medicine, University of Muenster, Germany, and the Syria Center for Tobacco Studies, Aleppo, Syria. They attempt to determine the spread of physical abuse and its socio-demographic correlates among low income women in Aleppo, Syria. A sample of 411 women was recruited from 8 randomly selected primary care centers in Aleppo. Response rate was 97% mean age of participants 28-38 years, and most women (88%) were married. A special questionnaire used includes questions about physical abuse, a self-reporting questionnaire (SRQ-20), and questions about relevant socio-demographic information. Current physical abuse (battering at least 3 times during the previous year) was found in 23% of those investigated and among 26% of the married women, while regular abuse (battering at least once weekly) was found 3.3% of the married women. Correlates of physical abuse were women's education, religion, age, marital status, economic status, mental distress, smoking and residence. Their data shows that physical abuse was prevalent in this population and that women's education is the most important modifiable factor. (<http://www.ingentaconnect.com/content/routledg/uhcw/2003/00000024/00000004/art00006/11/03/2007>)

Assuming that committing acts of violence against women is intentional leads one to the conclusion that domestic violence is a form of social control that emerges directly from the patriarchal structure and ideology of the family. Wife beating has long been a means by which husbands have strived to express male authority and superiority over women (Anderson, 1992). When spousal abuse reaches a point of physical violence women should begin to actively remove themselves from the situation. In an estimated 90-percent of cases, once spousal abuse moves from the

verbal to the physical, assaults occur with increasing frequency and severity. Early slaps and punches resulting in cuts and bruises give way to being knocked to the floor, punches and kicks, having clumps of hair pulled out, and even attempted strangling or drowning. Severe injuries then become more common, such as fractures, burns, internal injuries and miscarriages (Mullender, 1996, 20).

A study of men in Thailand found that there was a similar relationship between physical violence and alcohol abuse which the studies showed to have an indirect effect on the abuse of wives by weakening marital companionship. The study also cited patriarchal notions of masculinity, which promote hierarchical gender roles and define men's success within the context of their ability to control women, as also contributing to the abuse of women by their husbands. Within the context of such a patriarchal power structure, it is not surprising to find that perceived challenges to male authority often preempt sexual violence: the act of forcing sex on a partner demonstrates superior strength and ultimately symbolizes the gender inequalities as represented in intimate relationships. This finding is also an indication of how conflict in relationships is influenced by concepts within the broader culture and social environment. In India, such factors include dowry disputes, not having a male child, and female sterilization. This highlights the importance of understanding the sexual violence that occurs within different culture specific contexts. (http://www.scielosp.org/scielo.php?script=sci_arttext&pid=S0042-96862004000500006 /07/02/2007)

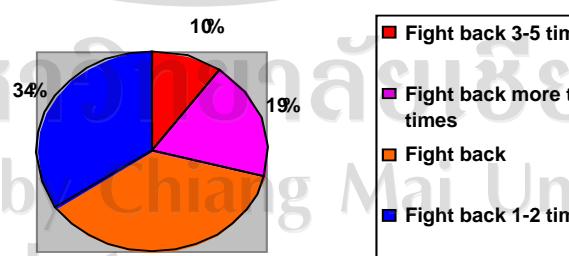
In Thailand, a 2003 study titled *Spouse Violence* by the Asia Foundation which had a sample group of 2078 participants, looked into the current situation regarding domestic violence within marriages. The study focused on the factors which lead to domestic violence, the impact of domestic violence and how abused women cope with domestic violence.

Figure 3 Factors of Domestic Violence

After collecting data through conducting interviews with the participants who lived in Bangkok and Nakonsawan, they discovered three main factors that led to domestic violence; alcohol abuse 37%, jealousy 27% and financial problems.

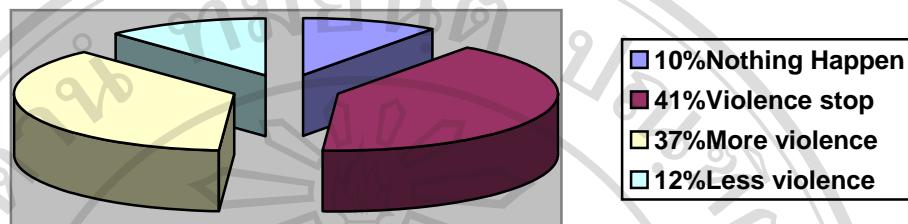
Figure 4 Women's reacting with abusive spouse

How abused women cope with violence



The study also investigated how abused women cope with violence. It is estimated that 10% fight back 3-5 times, 19% fight back more than 5 times, 34% fight back 1-2 times and 37% fight back indefinitely.

Figure 5 Results when women fight back



The study found that women who fight back more often than not affect the behavior of their spouse in a positive way: 10% of the time nothing changes, 12% of the time violence decreases, 37% of the time more violence results, and 41% of the time the violence stops completely.

Other studies about domestic violence in Thai society have found a variety of factors as root causes. Such studies examine the types of violence, the impact of domestic violence and the women's views towards domestic violence. These studies are examined below.

Panchalee Chotikut (1998) conducted a study about domestic violence. Her participants were married people working at Thammasart University. It was found that the most common type of domestic violence was verbal abuse, followed by physical harm and threats to use physical harm. Contributing factors related to incidents of violence perpetrated by the male sample group included: indirectly experiencing violence, the level of participation in the community and society, length of marriage, alcohol use, and habits of parents.

In Hemawan Hemanut's study (1990) *Family on Violence: The Case Study of Low-Income Husbands in the Municipal areas, Mueang district, Ubonratchathani Province*, it was found that the types of violence which husbands used to abuse their wives were indirect violent experiences and participation in violent behavior in their youth within the family or community. Such a behavior was called "modeling behavior" which was said to have influenced their present attitudes and behavior. Moreover, abusive husbands who were rejected by society were considered likely

candidates to create more violence. Other factors such as alcohol and stress also contributed to increase family violence.

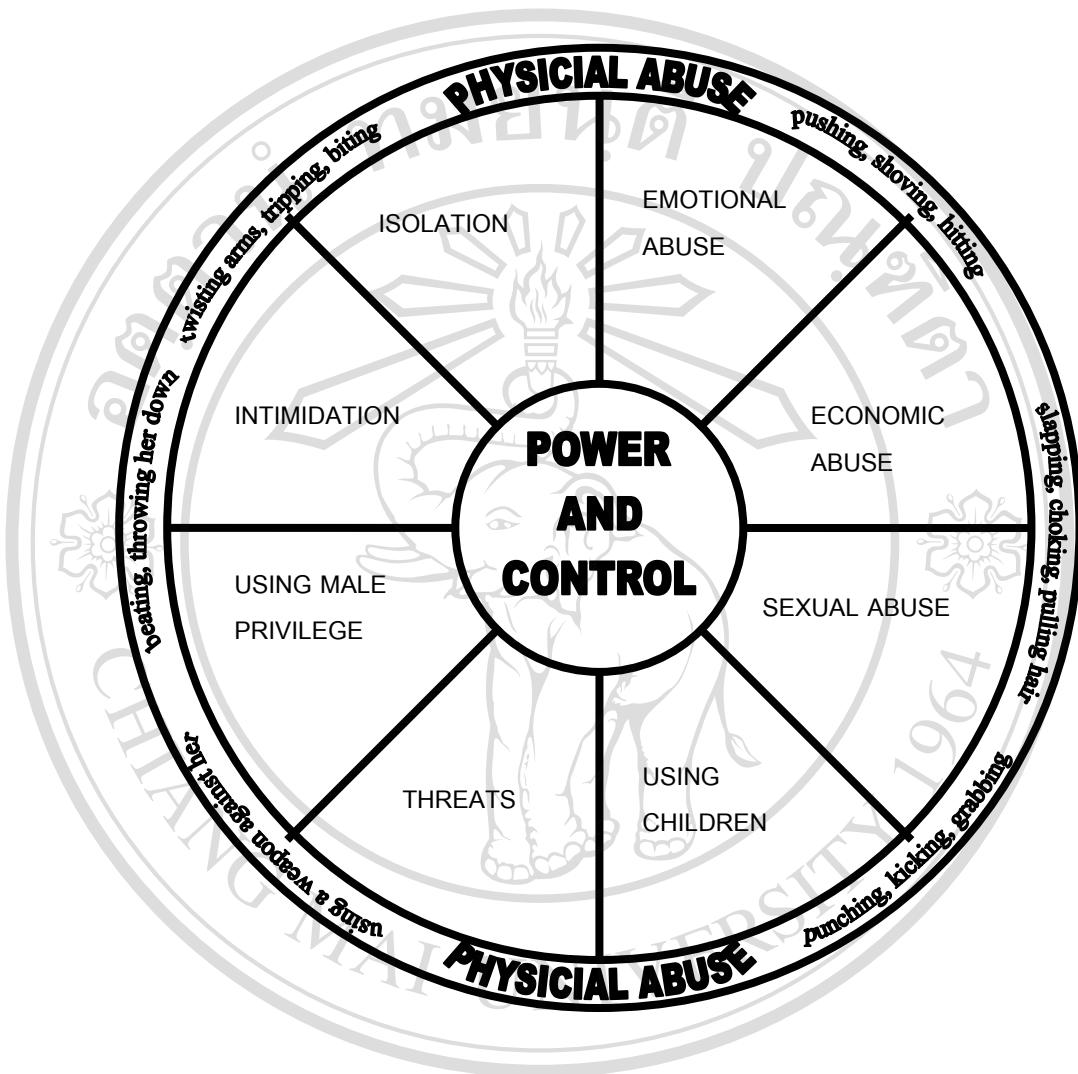
Another study that found different factors leading to domestic violence is Wilasinee Pananakhonsab's study in *Domestic Violence: Voices of the Battered Women* (2002). It discussed women's views towards domestic violence. From the study, motivating factors behind domestic violence were husbands' jealousy, husbands' drunkenness, and their own self-perceived shortcomings of not being "good wives". Many of these women decided to stay in the relationship with the hope that domestic abuse would eventually end.

Awatsada Jansaentor's recent study (2001) of six abused women in Chiang Mai revealed that when first abused, women tended to blame themselves and believed that improving themselves would help stop violence. But when violence escalated, they began to see themselves as victims and blamed their husbands. Frequent responses by the women during this second phase included attempts to escape, fighting back and/or finding social support. In the last phase, some sought divorces and others chose to stay married.

2.4 Theoretical Frameworks

Despite there being many forms of domestic violence, it is the physical violence or the anticipation of it that provides the context for all other forms of spousal abuse. Consequently, the Domestic Abuse Intervention Project in Duluth, Minnesota (referred to hereafter as 'DAIP' or 'Duluth') has portrayed abuse as a wheel, with all the spokes kept in place by physical abuse, the central aim of which is for the man to assert power and control over the woman.

Figure 6 “Power and Control Wheel” by the Domestic Abuse Intervention Project in Duluth, Minnesota



The actions contained in the outer ring all involve physical abuse: i.e. punching, kicking, grabbing, etc. Additionally, the wheel shows that power and control are engaged.

1.1) Emotional Abuse: Putting her down or making her feel bad about herself, calling her names. Making her think she is crazy by playing mind games.

1.2) Economic Abuse: Trying to keep her from getting or keeping a job. Making her ask for money, giving her an allowance and threatening to take it away.

1.3) Sexual Abuse: Making her do sexual things against her will. Physically attacking the sexual parts of her body. Treating her like a sex object.

1.4) Using Children: Making her feel guilty about the children, using the children to convey messages and using visitation as a way to harass her.

1.5) Threats: Making and/or carrying out threats to do something or hurt her emotionally. Threaten to take the children, commit suicide and report her to welfare.

1.6) Using male privilege: Treating her like a servant. Making all the “big” decisions and acting like the “master” of the castle.

1.7) Intimidation: Putting her in fear by using looks, actions, gestures, loud voices, smashing things and destroying her property.

1.8) Isolation: Controlling what she does, who she sees and talks to and where she can go.

The researcher will use this wheel to discuss forms and types of domestic violence that could be found in this study. Also, it will help the readers to understand that there are many ways that domestic violence can occur.

There is a range of theories that blame the abuse on individual psychological or physiological factors in either the perpetrators or the victims, some with psychoanalytic or psychosocial and others with behavioral roots. A selection of the two most popular theories will now be explored. Both theories will be used in this study to find out women’s attitude towards their violent husband and why they still stay in the relationship.

2.4.1 Theories about men’s committing domestic violence

1) Psychological Theories

Psychiatrists view this behavior as "sick" or "psychologically deranged" and explanations for this behavior tend to focus on uncontrollable anger, aggression and/or unresolved family conflicts.

1.1) Drinking

One of the most commonly held popular views of the cause of domestic abuse blames alcohol (Ptacek, 1988:144).

1.2) Losing control

Abusers often claim that they are incapable of controlling violent outbursts and blame their partner for provoking them (Bograd, 1988). Abuse becomes a form of punishment that is justifiable, which seems to contradict their assertion that it is caused by a lack of control. Many also cite the use of drugs and/or alcohol as being behind a loss of control (Ptacek, 1988).

1.3) Cycle of violence

The “cycle of violence” methodology looks at an individual’s upbringing where in the previous generation’s violent behavior is seen as the contributing factor to the current generation’s circumstances. This theory has been widely disproved. The majority of studies have shown that most abusers and their victims come from “non-violent backgrounds.” Such studies often focus on family members and neglect to consider the social environment in which their subjects grew up or currently reside in (Mullender, 1996).

1.4) Sin

The concept of sin is often used to excuse violent behavior as being part of human nature. This theory asserts that all human beings are immoral creatures and it, therefore, comes as no surprise to the wife whose husband beats her because it is in his nature. Such behavior should be forgiven and accepted as evidence of man’s fall from God. By failing to hold either the abuser or the abused accountable -- the man for abusing and the woman for allowing it to continue -- this theory can be seen as indirectly contributing to ongoing abuse. (Mullender, 1996)

1.5) Mental illness

Psychological explanations of domestic abuse emphasize the mental and emotional state of the subject as the cause for bad behavior. These theories look at past abuses suffered, a personal history of violence in the home, insecurities or stress as a contributing factor in males who physically abuse their partners. The theory that domestic abuse is the result of physiological flaws in men looks to the primitive and aggressive animal instincts that were once necessary for survival (Dobash as cited in Mullender). Physiological explanations will look for evidence in the biochemistry and structure and function of the brain. No patterns have been found to back up either physiological or psychological explanations for domestic violence (Bograd, 1988).

2) Psychosocial theories

Psychosocial theories maintain that abuse is a product of the “social and environmental pressures” that exist in abusers day-to-day lives. Unfavorable living or workplace conditions, “a lack of hope for the future,” and/or a general inability to provide for one’s family causes stress that eventually results in violent outbursts. Socioeconomic circumstances are not alone responsible as studies have shown affluent men also abuse their partners (Mullender, 1996).

While there are many theories about men regarding domestic violence, there are also a variety of theories, as in section 2.4.2 below, which look at women’s behavior as fully or at least partially responsible for the abuse.

2.4.2 Theories about women as victims of domestic violence

1) Blaming the victim

There are also similar theories that link the abuse of women to their own subconscious and/or conscious behavior. Maynard (1993) called them “blaming the victim theories” which view men as the victim of manipulative, aggressive or passive females that provoke or accept violence for a variety of reasons which will be explored further later. These theories are controversial as they often create sympathy for the abuser.

1.1) Provoking violence

Male abusers often excuse their own actions by blaming their partner’s actions or lack of actions as the cause of violence. By creating an idea in their mind that their wife or girlfriend upsets them intentionally or is deserving of punishment they are able to advocate violence as a means of dispensing justice and curbing what they see as bad behavior (Mullender, 1996).

1.2) Addiction to violence

This theory links abuse to the psychologically abnormal state of the victim as responsible for the abuse she suffers. For example, a woman that becomes accustomed to abusive relationships will look for future partners that are also abusive without knowing she is doing it. Women that find themselves in abusive

relationship after the previous one are used to support this theory. (*House of Commons*, 1975, vol.2, p6)

1.3) Living with violence

Just as a prisoner becomes accustomed to being a prisoner, so do many women learn to suffer day after day of abuse. Change is often difficult and even though the pain and terror are real, victims become numb to abuse because they don't have any other perspective. This theory is supported by the fact that many women leave abusive relationships only after their children begin to suffer. (Mullender,1996)

1.4) Putting up with violence

In many cultures, violence against women and abusive relationships are viewed as normal and are unfortunately quite common. In many Asian societies, for example, authority figures, even village headmen, will resist interfering in relationships that are known throughout the community to be abusive because of a belief in karma. The women may begin to accept this theory and suffer quietly although they know it is wrong. They would rather deal with it alone and keep their family together than make trouble or draw attention to family.

1.5) Staying or returning

Domestic abuse may start out with insignificant acts of violence or intimidation but often escalates to be more severe and frequent. The memory of the relationship before it became abusive often gives victims hope that the abuse is only temporary and will soon stop. They stay in the relationship because of their own commitment to their partner, their children or the memory of what the relationship once was. A lack of other options and a fear of the unknown and/or independence also prevents individuals from leaving violent relationships or causes them come back to them after leaving for a short time (McGibbon et al., 1989:27).