

Rethinking Wife Abuse: Violence, Resistance, and Public Policy in Canada

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Comments welcome.

Women's resistance to violence is a relatively new study in the field of wife abuse. Aptly named 'survivor theory', this nascent theoretical approach challenges the assumption of the helpless victim spawned by early theoretical work in the area,¹ demonstrating the potential of women to overcome abuse even in the most dire of circumstances.² To date, most of the literature in this area attempts to document the particular experiences of women, with only a few exploring the implications of and for public policy.³ This study attempts to unify both streams of literature, first by applying the lens of women's resistance to analyze the Canadian anti-wife abuse policy framework, illuminating the potential limits it imposes on women, and second by considering the effects of these limits on women's resistance. We do this by integrating insights from a social construction approach, inspired by Bachhi (1999) and Mahoney (1991; 1992; 1996), into a feminist political economy framework, as articulated by Agarwal (1993; 1997) and Sen (1990), to consider the ways in which the anti-violence policy framework constructs women's resistance as exit and the "lived effects" of this construction.⁴ This analysis starts with three assumptions: First, that exit does not imply an end to violence. Second, that resistance can potentially constrain violence. And finally, that resistance is shaped by political economic determinants and is thus malleable to policy interventions. We will demonstrate that the limits imposed on women by the anti-wife abuse policy framework can potentially exacerbate their vulnerability to violence, demonstrating that women's resistance, or lack thereof, is not a question of women's agency, but rather of public policy. We will conclude with a brief discussion on policy reform.

RESISTANCE AND CANADIAN PUBLIC POLICY

Resistance can be loosely defined as any activity with which women attempt to reduce or eliminate violence. Women resist in a variety of ways, including compliance, deception, informal and formal outreach and intervention, exposure reduction, police intervention, departure from the household and retaliatory violence, including homicide. Resistance can be covert or overt, and can include behaviours that do and do not appear as transgressive, as well as strategies that are rooted inside and outside the household. Interestingly, however, this myriad of resistance options is neither recognized nor supported in the Canadian anti-wife abuse policy framework. Rather, anti-wife abuse policy in Canada constructs and reinforces the notion of women as victims, neglecting, and often hindering, the multitude of resistance strategies used by abused women. Central to this construction is the implicit characterization of women's agency and power.

It was previously thought that abused women had no agency, that they were helpless victims.⁵ From this perspective, however, agency takes on a very narrow definition, reduced to one's realized choices. Individuals, or agents, are fully rational, able to exercise 'free choice'.⁶ It is only from this perspective that we can ask the question, "Why do women stay?" and in turn use this question as a tool with which to guide policy. Such a question reveals a lot about the way we think about abused women. First, asking such a question implies that we think that agential abused women *will* leave. Certainly no

reasonable woman, a woman exercising agency, where agency is reduced to one's realized choices, would stay with an abusive partner! Second, and related to the first, asking such a question reveals that we think that abused women *should* leave. Where they do not, they have made a conscious 'choice' or they simply lack agency.⁷ Thus, policy has been targeted to these women – women without agency. Women 'with agency' leave or consciously stay and are thus defined away from the policy framework. Mahoney's similar analysis (1992) led her to characterize this dichotomization as the following: "Either you are on the playing field of liberal competition, in which case you require no protection, or you prove into a category as a victim who is being kept off the field" (1306; cited in Bacchi 1999: 169).

Not only are 'women with agency' defined away from the policy framework, so too are the options facing women. Because it is assumed that any woman with agency will freely choose exit, the context in which choice is made is obscured. Bacchi (1999: 170-171), in an analysis of Mahoney's work on the discourse of choice, suggests that such a perspective "[...] presumes that choice is a possibility. Hence, if the woman stays, it is assumed that she 'chose' to do so – in which case things mustn't have been so bad – or she had become so traumatized that she was incapable of choice. The power of a 'choice' discourse [...] avoids consideration of the structural prerequisites for meaningful choice [...]." Never is it considered that women simply do not have a choice, due to social and economic resource distribution, fear, etc.; rather they are conceptualized as 'victims'.

It is these women who have been the targets of public policy. Thus, the Canadian policy framework has been premised on 'awareness' and 'protection'.⁸ Women who stay, especially women 'without agency', have been targeted by awareness campaigns to inform them of their situation, since it is assumed that they are not aware of their circumstances. In addition, because resistance is constructed as exit, where exit is erroneously assumed to end violence, policies have been developed in an attempt to make it easier for women 'without agency' to leave. This tells us that leaving, rather than simply ending violence, is the goal of the anti-wife abuse policy framework. The goal of policy, however, should not be imposing exit on women, but rather eliminating violence from their lives, regardless of whether or not they want to leave. Instead, no-drop policies, transition homes and shelters, and the New Identities Program are all examples of the ways in which anti-wife abuse policy imposes exit on women and falsely dichotomizes the women who leave as resisters and the women who stay as victims.

Such a perspective not only removes violence from its social, political, and economic context, neglecting the conditions under which abuse occurs, but it also fails to acknowledge and accommodate women's resistance in its various forms. In other words, such a reductionist approach to agency, institutionalized in the anti-wife abuse policy framework, has defined away the myriad ways in which women make attempts to resist their partners, perpetuating and reinforcing the dichotomy of resistance as exit and victimization as staying. When we reconsider agency as something much more broad, such actions become central, implicating the importance of intersectional axes of oppression, such as gender, class, race and culture and (dis)ability, in shaping women's resistance. Following the approaches of Sen (1990), Agarwal (1993; 1997), Folbre (1996) and Bowles and Gintis (1993; 2001; 2002), agency includes much more than one's realized choices, enveloping mechanisms of

informal power and indirect freedom.⁹ Agency becomes less about what one gets, and more about how one gets it. Kabeer (1999: 438) defines agency as:

[...] the ability to define one's goals and act upon them. Agency is about more than observable action; it also encompasses the meaning, motivation and purpose which individuals bring to their activity, their sense of agency, or "the power within." [...] It can take the form of bargaining and negotiation, deception and manipulation, subversion and resistance, as well as more intangible, cognitive processes of reflection and analysis.

A similar definition has been adopted by Agarwal (1993; 1997), for whom agency, and indeed resistance, is often covert and subtle.

For Janeway (1980) and hooks (1984; 2002), the rejection of an external identification of oneself as 'powerless' is a powerful form of resistance in itself. hooks writes, "Women need to know that they can reject the powerful's definition of their reality – that they can do so even if they are poor, exploited, or trapped in oppressive circumstances. They need to know that the exercise of this basic personal power is an act of resistance and strength."¹⁰ Implicit here is also a reconceptualization of 'power' from a negative association of simply command and control to a positive association including acts that are "creative and life affirming",¹¹ focusing on capabilities and functionings.¹²

The point here is that if women are agents, in the broad sense, then they are by implication self-aware. And if they are self-aware, they are cognizant of their adverse circumstances. If this is the case, then women's resistance is shaped and constrained not by false consciousness, or a lack of agency, but rather by external constraints, including political, economic and social opportunities structures.¹³ Thus, when we reconstruct agency, and simultaneously our conceptualizations of power, we can see that women's resistance is not a question of agency, or lack thereof, but rather a question of public policy. Furthermore, like violence, resistance is perhaps best thought of along a continuum. The question then is not either/or, but rather how much and to what effect.

If women resist and if resistance is shaped and constrained by public policy, then we want to know how certain policy regimes impact the lives of women. In other words, we want to know how well or how poorly the current anti-violence policy framework helps women in their attempt to eliminate violence from their lives. If a particular policy framework constructs women's agency, and consequently resistance, in a constricting way, what does this mean for both the targets of this framework and those who have been defined away from it? The rest of this paper is devoted to demonstrating the perilous effects of such policy construction. We will develop a household bargaining framework to illuminate the

various tensions placed on women as they attempt to resist violence. We will show that far from making it easier for women to leave, the current anti-violence policy framework not only makes it difficult for women to leave, but it also has the potential to hinder all resistance attempts. Finally, we will show that policy must seek to achieve the elimination of violence, which might or might not include departure from the household. Doing this will require an explicit accommodation of various resistance attempts, as well as providing women with the tools of exit, which will require radical political economic restructuring. Without policy reform, resistance attempts will be of limited effect in reducing violence.

RESISTANCE AND HOUSEHOLD BARGAINING

To analyze the effects of this construction of resistance, we require a framework that can accommodate these concepts of power, agency and constraints. In other words, we require a framework that can accommodate both negative and positive forms of power, one that offers room for strategic action and emphasizes constrained choice. We suggest this framework can be found in the game theoretic approach. Game theoretic approaches are useful to us for several reasons.¹⁴ First, because they accommodate *both negative and positive* forms of power, they offer researchers a way through which to analyze the actions of both the oppressor and the oppressed. Second, while traditional bargaining approaches implicate only political-institutional and/or economic contexts in which bargaining takes places, more recent heterodox approaches include elements of the social environment that shape not only the procedural dimensions of bargaining, but also the substantive dimensions of negotiations, depicting strategic action as both product and determinant of social relations situated within the political economy.¹⁵ One of these approaches, cooperative-conflicts, informs our conceptual framework of violence and resistance.

Inspired by both orthodox and neo-Marxian economics, as well as political theorists such as James Scott (1985; 1990), cooperative-conflicts is an approach deriving from, but inherently critical of, cooperative game theory. In traditional cooperative games, allocative outcomes are driven by each agent's threat point, which defines what each agent receives in the event of disagreement. The threat point is typically characterized by material endowments such as accumulated wealth, income and other assets. Cooperative games are solution oriented, in that they assume an efficient outcome and work backwards to determine the conditions necessary to arrive at that solution. They are often characterized by perfect information and symmetry in voice and exit.

In contrast, cooperative conflicts, as developed by Amartya Sen (1990), highlights the importance of social, economic, and political contexts, which generate power imbalances, thereby abandoning the assumption of symmetry of voice and exit in traditional games. Less formal approaches, such as that developed by Agarwal (1996; 1997), also discard the assumption of an efficient outcome. Compared to traditional cooperative games, cooperative conflicts approaches expand the threat-point to include not only personal economic variables, such as access to education, income and employment, but also economic resources belonging to social networks, communities, and states, as well as social resources, such as physical strength, age, beauty, and the external valuation of individual contributions. In addition, cooperative conflicts approaches emphasize the importance of intra- and inter-group norms and values in determining the bargaining context. Mentioned

above, this context determines not only the procedural context of bargaining, but also its substantive dimensions. In other words, legitimacy, as determined by families, communities, and states, conditions both the rules of the game and what can actually be bargained over.¹⁶ As a result, power imbalances originating in the political economy, through multiple axes of oppression premised on gender, race, age, etc., will filter into the bargaining process and outcome in key ways. Finally, in cooperative conflicts, all bargaining is dynamic – the outcome of one session will influence the outcomes of all future sessions.

This approach, with an emphasis on power imbalances derived from social relations and enforced by states and markets, is a useful approach with which to study abusive relationships. It offers a metaphor for intra-household relations, demonstrating the various ways in which individuals try to get what they want. By situating violence and its resistance in the material world, implicating the political, economic, and social conditions that give rise to abuse and shape its resistance, we have the basis through which to expose the inner workings of these relationships, as well as the necessary linkages to the political economy which will later inform our thinking of policy reform in this area. We will use this approach to develop a two-stage ‘game’. In the first stage, individuals bargain over household resources. It is here that we consider the conditions under which violence occurs. In the second stage, we introduce the concept of resistance to demonstrate the various ways in which resistance can constrain violence by altering the expected gains from violence articulated in the first period, as well as the ways in which resistance itself is constrained by conditions arising from the political economy. We will demonstrate analytically the constraints imposed on women by the anti-wife abuse policy framework, illuminating areas for policy reform.

Stage 1: Bargaining over Resources

Before we outline the specifics of our conceptual framework, we should define what we mean by violence. Violence is defined as any form of controlling and/or abusive behaviour or threats thereof that imposes harm on its victims. This can include emotional abuse, economic abuse, and physical violence and its threat. It is also important to note that violence has two motivations. Instrumental violence is that which is used to induce a particular response from the victim. For example, men who control their partner’s actions through the use of violence or its threat are using instrumental violence. In contrast, expressive violence is used when it is gratifying to do so. For example, men who transfer their feelings of aggression and frustration from, say, an employer, to their wives are engaging in expressive violence. For the purposes of this study, we are going to assume that abusers must gain at least some gratification from the act of violence itself. At the same time, we assume that all violence, regardless of whether it is instrumental or expressive, is rooted in domination and control,¹⁷ and is thus implicitly hierarchical, drawing attention to social systems producing hierarchies based on class, gender, race, etc. In other words, violence that is primarily expressive can have instrumental effects and vice versa. Thus, although the two types of violence are analytically distinct, we suggest that all acts of violence are premised on both instrumentality and gratification in some degree.

To consider the conditions under which violence arises is to consider what abusers have to gain from such actions. These can be demonstrated with a simple bargaining framework. We are assuming a non-linear utilities possibilities frontier (UPF) which is negatively sloped and concave to the origin, as shown in diagrams A through D. The UPF represents all of the possible combinations of male U_m and female U_f well-being from marriage, where well-being is derived from some combination of personal and household good consumption. Household goods are analogous to public goods in that they are non-excludable. One person's use of the good does not preclude the other person's use of the good. Obviously, a large number of goods can fall under this description, including a clean house and common rooms, as well as market goods such as appliances and entertainment. All combinations of U_m and U_f along the UPF are Pareto efficient and all combinations falling within the UPF are inefficient.

[diagram A here]

The goal of bargaining is to maximize one's well-being within the marriage, constrained by each individual's budget constraint. In general, individuals face a trade-off between private and household goods. Money or time spent on personal production or consumption cannot be spent on household production or consumption and vice versa. And when time or money is allocated to the household, all members of the household get to enjoy the goods produced. So if we can, through bargaining that is either explicit or implicit, get the other person to contribute more of his or her time or money to the household, then we get to spend more of our money or time on ourselves and still enjoy the same amount of the household good. Similarly, if we can get the other individual to sacrifice his or her own personal time or money for our personal consumption, given that a minimum level of household good is provided, then we benefit even more. These gains, either monetary or temporal, capture what each individual gains from the relationship and become what individuals bargain over. And it is this allocation, including both quantitative and qualitative dimensions, that provides the rationale for violence.¹⁸

Bargaining is driven by voice, threat points, and outside options, as shown in diagrams A through D. Voice captures one's ability to bargain. It is determined by politico-legal institutions, such as gender equity legislation, as well as social norms and values. It not only reflects a person's ability to enter the game, but also their ability to initiate the game. In effect, some individuals are able to determine the substantive dimensions of bargaining while others are not. In diagrams A through D, voice is depicted in the shape of the isoquants, v_i , which represent all of the combinations of U_m and U_f that yield the same total gains from bargaining. As female voice decreases the isoquants flatten, pushing the solution point in favour of the male. At this stage, however, we are assuming symmetry in voice.

Threat points, U_i' , reflect what each individual gets in the event of a breakdown in bargaining. In traditional games, they are determined by an individual's access to employment, income, and education. In cooperative-conflicts approaches, as mentioned above, threat points include not only personal endowments, such as access to employment, income, and education, but also the endowments of social networks, communities and

states.¹⁹ In addition, they can include social dimensions, such as perceived contributions and internal/external valuation of those contributions,²⁰ as well as socially valued attributes such as beauty, youth, and physical strength.²¹ In general, individuals with higher threat points, those who have the most resources outside of the household, do better in bargaining.

Early literature on household bargaining modelled threat points as a divorce option, where breakdowns in bargaining is met with literal exit.²² Critical reaction, however, focused on two key problems. On the one hand, it was noted that the nature of household bargaining is not always conducted in the shadow of divorce. For example, bargaining over who does the dishes will not necessarily lead to divorce if the couple cannot agree.²³ In other words, the use of a divorce threat is not a realistic formulation for household bargaining. On the other hand, the divorce threat was acknowledged to be Western-centric, where it was assumed not only that all women had access to exit options, but also that access to exit was symmetric to her partner's.²⁴ The result of these criticisms was twofold. First, researchers shifted to the use of non-cooperative games to model household interaction, which are strategy driven as opposed to solution driven.²⁵ Second, where cooperative games were used, a number of studies adopted a non-cooperative equilibrium, which results in temporary exit from bargaining, not the relationship.²⁶

While these shifts reflect considerable improvement over the early divorce threat models, the effect of outside options as analytically distinct from the threat point remains understudied.²⁷ Outside options represent an individual's exit options, depicted as E_f in diagrams A through D. Where threat points reflect what each individual *automatically* gets when bargaining breaks down, individuals only receive their outside options if they take them; they must be *acted on* to benefit from them. Thus, unlike threat points, outside options have no determinative effect on the solution point.²⁸ Rather, they constrain the solution to a minimum level of well-being. If bargaining outcomes cannot provide this minimum level of well-being, the individual exits bargaining and remains at least as well off as they would have been from the bargain. Key here is that as long as one's outside options are worse than what is offered by staying married, the options are ineffective in imposing a particular outcome. For example, if divorce provides a worse alternative to remaining married, a woman will not divorce her partner. Importantly, the threat of divorce is incredible and thus irrelevant in the bargaining context.

This is the key insight of outside option theory, that the threat of exit has no effect on outcomes unless women are willing and able to leave, and will be instructive in our analysis of the Canadian policy framework. In the context of the household, taking one's options would not only reflect an exit from bargaining, but also from the relationship. From the perspective of violent relationships in Canada, outside options include both the ability to divorce or separate and police intervention.²⁹ It is important to note, however, that police intervention is not a universal outside option, since not every government or police force has mandated pro-arrest and pro-prosecution "no-drop" policies. To clarify, Canada's no-drop policies prevent women from dropping charges against her partner. In effect, if she calls the police, she has committed to an exit strategy, regardless of whether or not she wants to, or can, exit. This will be discussed in more detail below. For simplicity, we are assuming that

only the woman has outside options available to her and that these options only become important in stage 2. Diagram A reveals a typical solution to a household bargaining game.*

At this point, the question we want to explore is what effect violence will have on this outcome. Violence and its threat are going to have a number of effects on the bargaining process, which will ultimately alter the unique solution in diagram A. First, we know that violent partners often restrict access to employment, income, and family and friends. In other words, we know that abusers attempt to control how their partners spend their time and money. Employment and access to social networks contribute to the resources a woman will need in the event that negotiations break down; they constitute part of her threat point. What this tells us is that violence and/or its threat will reduce her threat-point, shifting it to the left, as shown on diagram B1. Note that limited access to income will also shift the UPF inwards, reflecting inefficiencies in production. For analytical purposes, we have isolated these effects, which will be dealt with below.

[Diagram B1 here]

Shifts in the threat point will reduce her bargaining power, shifting the solution from S_0 to S_1 . Essentially, she will be less able to negotiate how she spends her time or money. With more relative bargaining power, he is able to ensure that her time or money is spent on the household or given to him directly via intra-household transfers, leaving more (less) of his (her) income for personal consumption.

Second, we know that violent partners often attempt to control the actions of their partners through violence or its threat. For example, abusers often attempt to control not only the quantity of time or money spent in the household, but also the quality of that time or money. It is not uncommon for abusers to control the types of activities that are engaged in (i.e., sex, household labour, etc.), in addition to the ways in which those activities are done, such as wearing specific clothes, demanding specific behaviours, etc.³⁰ The consequences of these acts are significant from a bargaining perspective. Sev'er (2002: 82) summarizes the experiences of the abused women with whom she spoke during a study of resistance as the following, "From what I heard, understood, and felt, most of these women's core sense of self was eroded through their partners' constant put-downs and criticisms." This finding echoes previous stories and studies of abused women.³¹ Consider the following story:

Roy would go out and sometimes not come back for a few days. Nancy would never know where he went, and she never knew why she was not included in these escapades. When she complained, Roy would ignore her. If she continued to complain, Roy would get aggressive. A number of times she was slapped right on the mouth. 'Close that trap, you bitch!' he could

* For more information on how this solution is derived, please contact the author at: spaterso@connect.carleton.ca

say. More than once, Nancy was choked and pinned to the door or the wall.³²

This type of behaviour has the effect of restricting what can actually be bargained over, as well as determining who has the power to initiate bargaining. In other words, we know that he restricts her voice.

The effect of this is to reduce the slope of the isoquants, as shown in diagram B2. Recall that the isoquants represent all of the combinations of U_m and U_f that yield the same total gains from bargaining. By restricting what can be bargained over, the abuser is able to manipulate the allocative outcome in his favour, shifting the solution upward again to S_2 . Again, he is able to control her allocation to ensure that he benefits from both personal and household consumption.

[Diagram B2 here]

Finally, and related to the two previous effects, we know that violence has the potential to generate inefficiencies. In cases of extreme violence, we can expect to see both short and long-term disabilities or disfigurement, which can potentially place severe restrictions on how time is spent.³³ For example, abused women often report absenteeism from work due to severe beatings.³⁴ By limiting her access to income or by limiting her time in household production, reductions in her threat point will be subsequently met with an inward shift in the UPF. Similarly, recall that violence has two motivations: expressive and instrumental, both of which redistribute well-being from marriage from her to him. Although these are inseparable, as described above, instrumental violence redistributes resources from her to him, changing male and female well-being from marriage indirectly through resource allocation. Expressive violence directly enters the male and female well-being functions, where abusers benefit directly through gratification and victims lose directly through harm and pain. There is no reason to assume that male gains in well-being equal female losses. So regardless of whether violence affects utility directly or indirectly, it is inefficient. Should either of these effects occur, the solution will not reach S_2 , but rather S_3 as shown in diagram B3. We should note, however, that in this particular situation, the abuser is still 'better off' than had he not used violence, but this need not always be the case, depending on the time horizon over which violence takes place and its cumulative effects.

[Diagram B3 here]

Together these effects determine the 'gains from violence' for the abuser.³⁵ Now that we have considered the effects of violence, what we now want to know is what does resistance do to these gains and how effective is the policy framework in providing women with the tools of resistance?

Stage 2: Bargaining Over Violence

Since violence is used as a mode of domination,³⁶ we can posit that where there is violence, there is resistance.³⁷ And here outside options become extremely important.

Outside options reflect the exit opportunities available to women. So what we want to consider here is how such options work and whether or not Canadian policy is effective in enabling women's resistance.

In the Canadian context, outside options include both calling the police and divorce/separation, however, the anti-violence policy framework narrowly defined provides only police services. Women who leave or stay on their own, as argued above, have been defined out of the policy framework, requiring no protection. This is dangerous, however, as will be discussed in more detail below. First, let us consider how outside options work. Recall from above that outside options work by constraining the solution to a minimum level of well-being for the female. When well-being falls below this point, she will exit the relationship. In diagram A, outside options are demonstrated by the line, Ef. Thus, the solution must be at least as great as the point at which the line intersects the UPF or else she is worse off within the marriage than outside of it. Theoretically, once the solution falls below this point, she will leave. This means that not only are the gains from violence eliminated, so too are the gains from the relationship. In theory then, where outside options are present, abusers who anticipate that their partner will leave will be less likely to resort to violence simply because it is costly for them to do so. Key here is the credibility of the threat.

Note that outside options are analytically distinct from the threat point, as described above, because they are only effective if they are taken up. If one is unwilling or unable to take up their outside options, such measures will have no effect on the solution point. Furthermore, if the outside option falls to the left of the solution So, it will have no constraining effect on the outcome. And it is these theoretical conditions that are not addressed in the Canadian anti-violence policy framework.

As argued above, the goal of the Canadian policy framework is to get women to leave their partners. Also recall that we noted two key problems with this framework. First, the anti-violence policy framework obscures the context in which 'choice' is made, neglecting the quality of exit options facing women. Second, the framework defines away a number of women who in turn are offered no protection or services from the state. For example, women with agency, those who leave or those who stay 'by choice' are given no assistance from the state. Let's discuss each in turn, considering the implications for women's resistance to abuse.

In focusing on exit and choice, the Canadian anti-violence policy framework has defined away the context in which choices are made. Thus, policies such as the police attempt to offer women outside options, making it easier for them to leave. However, the policy framework targets only the procedural aspects of departure, it does not consider the quality of exit once she departs. For example, for many women in Canada, exit will be met with social isolation from community and kin groups. In addition, divorce/separation is one of the most crucial indicators of a woman's economic status. Finally, to date, the criminal justice system has been ineffective in ensuring women's safety once they leave. Indeed, many abused women report an escalation of violence during separations.³⁸ Furthermore, risk of femicide increases dramatically upon separation.³⁹ What this means is that the

outside options provided by the state are not options at all and as a result, will have no impact on violence. To see this, let's return to our analytical framework.

[insert diagram C]

Offering women only the formal ability leave without addressing the substantive requirements for exit means that women without the social and/or economic resources to sustain an autonomous household have no means with which to constrain violence. Analytically, the option is falling to the left of the solution, as shown in diagram C. To more clearly demonstrate, consider the example of calling the police. Calling the police is a particularly costly strategy for the abuser, so, in theory, the threat of police intervention should constrain violence. For example, incarceration will have the effect of shifting his threat point downward, since he cannot earn an income while in jail. Similarly, shame or stigma, potentially affecting his long-term employment possibilities, as well as his social networks, will also shift his threat point, imposing additional costs on him. In diagram D1, this results in movement from U'_m to U''_m .

Diagram d1

But if calling the police is costly for the abuser, it is also costly for the abused. Part of her well-being in the event of exit is determined by his resources, either time or money. In addition, calling the police is a very public strategy that might cause her to feel shame or stigma, to the degree that her social networks might be compromised. This means that should she call the police and he is arrested, not only is his threat point reduced, but so too is hers. In effect, calling the police makes her worse off. In this case, the outside option is worse than her threat point, as shown in diagram D2. A woman anticipating these costs will be less likely to call the police. Exacerbating this is distrust of the criminal justice system. Not only are racial biases a concern, but also sentencing rates. For example, Statistics Canada (2005) recently released a study demonstrating that intimate partner assault perpetrators were least likely to be sentenced and where sentences were handed down, they were among the lowest of all assault cases. What this tells us then is that designing the police as an outside option is ineffective for many women. It is not a viable outside option for many women and thus will be of no use in constraining violence.⁴⁰

[insert diagram D2]

In addition to the ineffectiveness of the outside options provided by the Canadian anti-violence policy framework, we noted above that the framework defines away many women, for example women who do not want to leave. These women are offered nothing from the policy framework, a condition that places them in extreme peril. They are left with non-exit strategies that do very little to actually constrain violence. To demonstrate, let's consider the case where there are no exit options. Here we want to consider what non-exit forms of resistance will do to the outcome determined in stage 1. Non-exit strategies are contained within the threat-point, which constitutes a non-cooperative equilibrium, resulting in agents exiting from bargaining, but not from the relationship. They include, but are not limited to, defiance, compliance, third-party outreach and intervention, and exposure reduction. Non-exit strategies can potentially undercut the gains from violence by

mitigating shifts in her threat point and reductions in her voice. For example, short-term exits from the household and other exposure reduction strategies will mitigate shifts in her threat point, as shown in the movement from U_f'' to U_f' in diagram D3. In addition, intervention or treatment programs could potentially 'retrain' batterers to use less coercive methods in bargaining, thus preventing reductions in her voice, as shown by the change in the shape of isoquant v_1 to v_0 . With less violence, inefficiencies resulting from her losses will also be circumvented.

[diagram D3]

In addition to these effects, we might also see a redistribution of the costs of resistance from her to him. Consider, for example, the impact on the abuser's social networks, or issues stemming from the moral economy. Third-party intervention and outreach could increase the risk of exposure through fear of stigma, shame or guilt. Similarly, detection could result in isolation from social and employment networks. In effect, this would represent a downward shift in his threat point, as shown by the movement from U_m' to U_m'' . This could also result in inefficiencies, the costs of which are borne by him, as shown by an inward shift of the UPF in diagram D3. Together these effects, depicted in diagram D3, would offset the gains from violence, reducing incentives for its use.

Another potential effect of non-exit strategies is to eliminate all of the gains from the relationship. By reverting to each person's threat point options, gains from cooperation are eliminated, resulting in a 'figurative' exit from bargaining. However, in the context of abusive relationships, the proximity to danger might limit the degree to which this strategy will work in the absence of literal exit options. For example, reverting to non-cooperation might trigger an increase in violence where he escalates violence in order to prevent her from exiting the bargaining. The escalation of violence is only preventable if she has some sort of recourse, such as divorce or police intervention, which constitutes a literal exit strategy. Thus, while non-cooperative strategies are useful here, they are contingent on the credibility of a literal exit threat, or outside options. And as we demonstrated above, the provision of effective outside options is poor.

From this analysis, then, we can see that the provision of outside options is crucial for constraining violence, yet poorly developed in the Canadian anti-violence policy framework. By neglecting the substantive dimensions of exit and defining a number of women away from the policy framework leave many abused women with very little state assistance. In real terms, these conditions can potentially exacerbate violence simply because it is subject to the fewest constraints. Within this context, we can easily see why women who are economically and socially vulnerable are more likely to experience violence, since it is these conditions that determine exit options. And it is these conditions that are completely neglected by the policy framework.

CONCLUSION: DIRECTIONS FOR POLICY REFORM

The preceding analysis demonstrated that the goal of anti-wife abuse policy in Canada is to get women to leave their partners rather than ending violence. This is problematic for a number of reasons. First, it narrowly constructs resistance only as departure from the household, falsely dichotomizing women who leave as resisters and women who stay as victims. As a result, the policy framework has defined a number of women out of sight, thus offering them no protection and no services with which to attempt to resist violence. Second, emphasis on the liberal paradigm of choice has neglected the context in which choice is made and has obscured the structural prerequisites for meaningful choice. In effect, policy has offered women the formal or procedural dimensions of exit, but has failed to enact policies to ensure the substantive dimensions of exit, including both economic and social (i.e., fear, social isolation, etc.) elements. These ‘outside options’, then, are ineffective for many women, since they offer no basis on which credible exit threats can be made. This has the potential to increase women’s vulnerability to violence, simply because violence is subject to the fewest constraints.

Policy reform requires a shift away from policies designed to get women to leave towards policies designed to end violence. Doing this requires a multisectoral approach that moves away from treating violence as a discrete phenomenon and moves towards treating violence as a symptom of gender inequality.⁴¹ Thus, anti-violence policy must be seen as a gender equality initiative. Intuitively, doing this will provide women with the tools of exit, which will be crucial even for women who have no intention of leaving. Key here is the *ability* to exit, the *ability* to credibly threaten departure. Where this threat is not credible, that is, where the ability to exit is low, violence will be most likely because it is subject to the fewest constraints. Reconstructing policy, then, requires intersectional analysis into the determinants of exit, ensuring that all women have outside options available to them. This is not to privilege exit. Rather, it is to suggest that the scope of anti-violence policy must expand considerably to enable women to resist violence. This is also not to place the onus of ending violence upon women but to explore the potential of public policy, i.e., the state, to transform the basis on which violence and its resistance is premised.

Diagram A

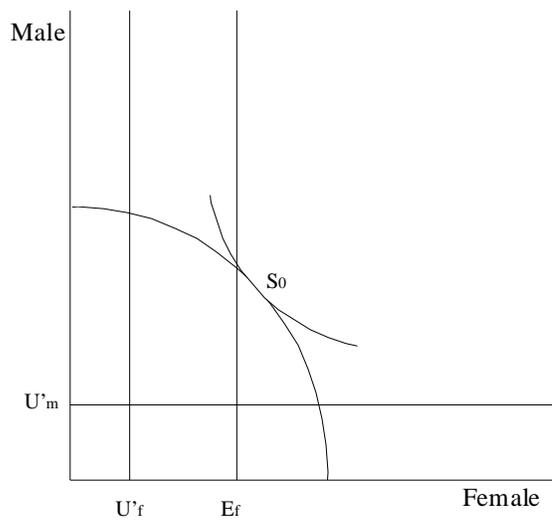


Diagram B1

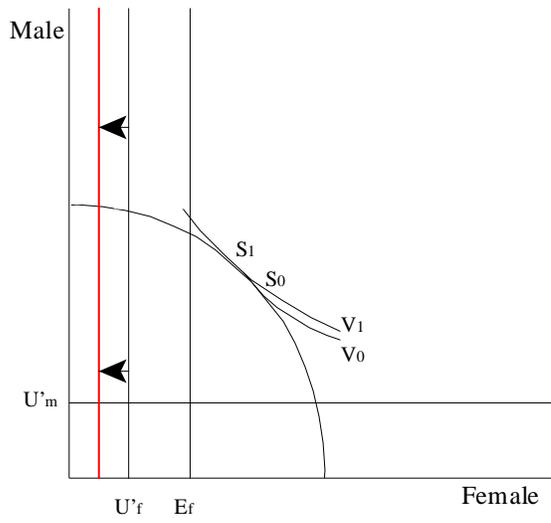


Diagram B2

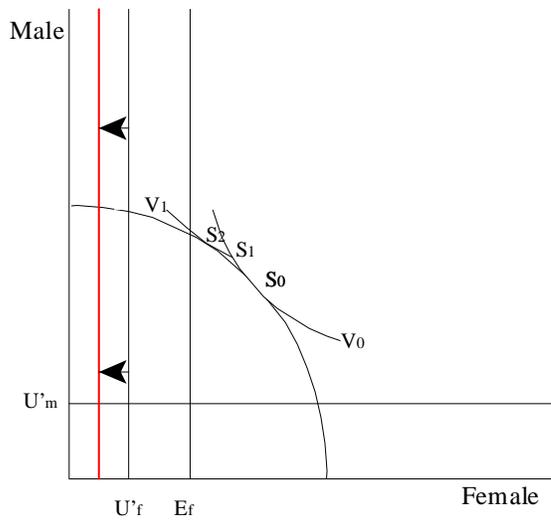


Diagram B3

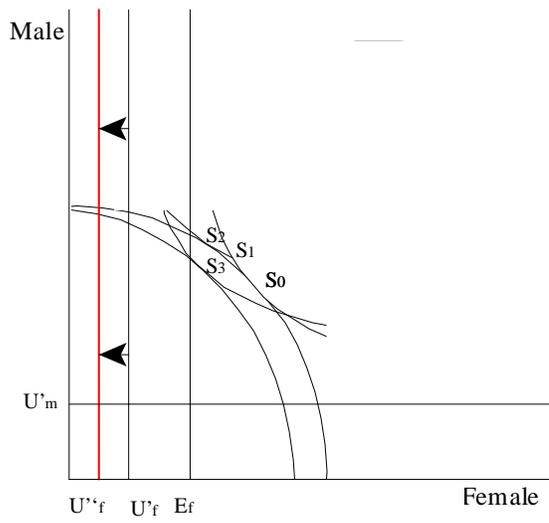


Diagram C

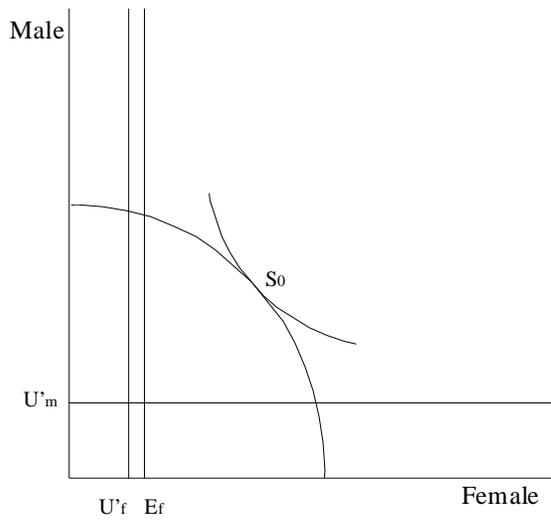


Diagram D1

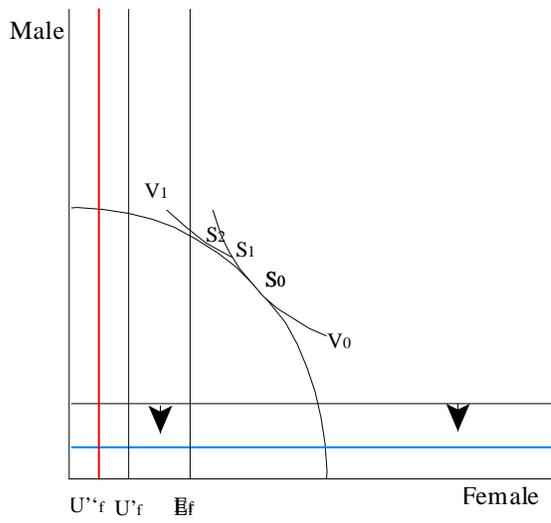


Diagram D2

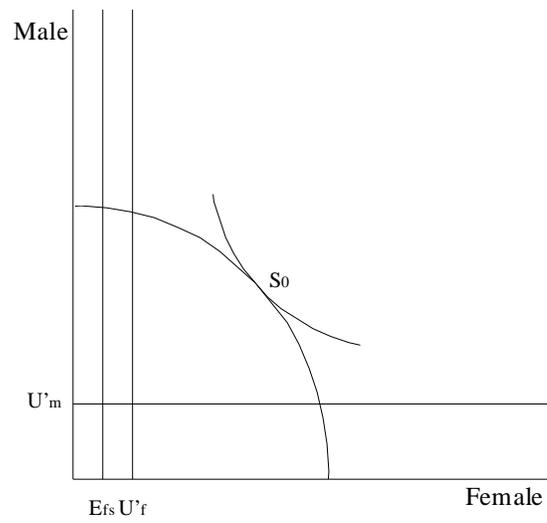
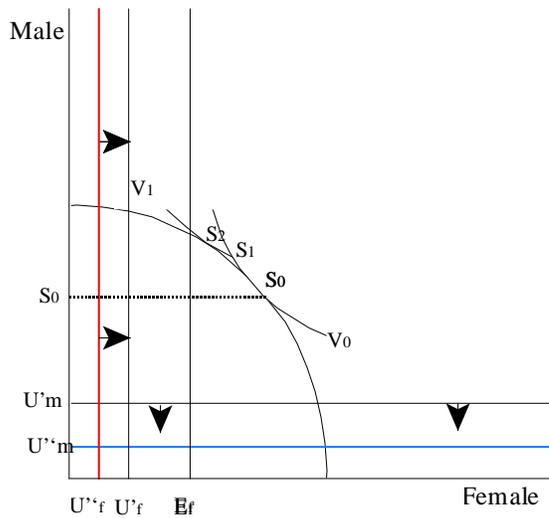


Diagram D3



NOTES FOR CHAPTER 3

¹ See L. Walker, *The Battered Woman* (New York: Harper Collins, 1979).

² See L. H. Bowker, *Beating Wife Beating* (Lexington, MA: Lexington Books, 1983);

E.W. Gondolf and E. R. Fisher, *Battered Women as Survivors: An Alternative to Treating Learned Helplessness* (Lexington, MA: Lexington Books, 1988); L.A. Hoff, *Battered Women as Survivors* (London: Routledge, 1990); A. Sev'er, *Fleeing the House of Horrors: Women Who Have Left Abusive Partners* (Toronto: University of Toronto Press, 2002); A. Farmer and J. Tiefenthaler, "Domestic Violence: The Value of Services as Signals," *American Economic Review*, Vol. 86, Issue 2, May 1996, Papers and Proceedings of the Hundredth and Eighth Annual Meeting of the American Economic Association, Pp. 274-279; M. Mahoney, "Exit: Power and the Idea of Leaving in Love, Work, and the Confirmation Hearings," *Southern California Law Review*, 65(3) 1992, pp. 1283-1319, "Legal Images of Battered Women: Redefining the Issue of Separation," *Michigan Law Review* 90(1) 1991, pp. 1-94, "Victimization or Oppression? Women's Lives, Violence, and Agency," in Fineman, M. and Mykitiuk, R. (eds.). *The Public Nature of Private Violence: The Discovery of Domestic Abuse*. New York: Routledge, 1994. Pp. 59-92.

³ See Mahoney (1991; 1992; 1996), C. Bacchi Bacchi, *Women, Policy and Politics: The Construction of Policy Problems* (Sage Publications, 1999) and L. Lakeman, "Why "Law and Order" Cannot End Violence Against Women; and Why the Development of Women's (Social, Economic and Political and Civil) Rights Might," in *Canadian Woman Studies* October 2000 for analyses of public policy in this area. See Farmer and Tiefenthaler (1996); Bowker (1983); Gondolf and Fisher (1988); Hoff (1990) and Sev'er (2002) for analyses of women's resistance.

⁴ See Bacchi 1999

⁵ See Walker 1979.

⁶ See Mahoney (1991; 1992; 1996) for an analysis of exit and choice discourse in anti-violence policy.

⁷ Ibid.

⁸ See S. Burt and C. Mitchell, "What's in a Name?: From Sheltering Women to Protecting Communities." In Pal, Leslie ed. *How Ottawa Spends 1998-99: Balancing Act: The Post Deficit Mandate* (Toronto:

Oxford University Press, 1998) Pp. 271-292, for a discussion on the shifts in policy from protection to prevention under the Chretien Liberals.

⁹ See V. Iversen, "Intrahousehold Inequality: A Challenge for the Capability Approach?" *Feminist Economics*, 2003 and P. Pettit, "Capability and Freedom: A Defence of Sen," in *Economics and Philosophy*, 17:1 (2001) pp. 1-20, for an interesting discussion of the implications of Sen's conceptualization of indirect freedom.

¹⁰ b. hooks, bell, *Feminist Theory: From Margin to Center*, 2nd ed. (Cambridge, MA: South End Press, 2000) 92.

¹¹ Ibid. 85. See also A. Allen, *The Power of Feminist Theory: Domination, Resistance, Solidarity* (Boulder: Westview Press, 1999), who reconceptualizes power along lines similar to the capabilities approach, as developed by Nussbaum and Sen (1993), which conceives of power as multidimensional. Allen's approach includes 'power-over', 'power-with', and 'power-to'. See M. Nussbaum and A. Sen (eds.), *The Quality of Life* (Oxford: Oxford University Press, 1993).

¹² A. Sen, "Gender and Cooperative Conflicts," in Tinker, I. (ed.), *Persistent Inequalities: Women and World Development* (New York: Oxford University Press, 1990) pp. 123-149. See also Nussbaum and Sen (1993) and Allen (1999).

¹³ See Sen (1990; 1993); J. Scott, *Weapons of the Weak: Everyday Forms of Peasant Resistance* (New Haven: Yale University Press, 1985); B. Agarwal, *A Field of One's Own: Gender and Land Rights in South Asia* (Cambridge: Cambridge University Press, 1993) and "'Bargaining' and Gender Relations: Within and Beyond the Household." *Feminist Economics* 3(1), 1997, pp. 1-51.

¹⁴ Applied to wife abuse, game theoretic approaches have been used to explore the role of income increases among both women and men, the effect of violence on labour supply, and the use of social services as signalling devices to negotiate lower levels of violence.¹⁴ This literature has been instrumental in revealing the power of women to resist to violence. See Farmer and Tiefenthaler (1996), "An Economic Analysis of Domestic Violence," in *Review of Social Economy*, Vol. LV, No. 3 (Fall 1997) pp. 337-358, and "Explaining the Recent Decline in Domestic Violence," in *Contemporary Economic Policy*, v. 21 no. 2 (April 2003) pp. 158-72; H. Tauchen, Long and A. Dryden Witte, "The Dynamics of Domestic Violence," *The American Economic Review*, Vol. 85, Issue 2 (1995) pp. 414-418.

¹⁵ Sen (1990); Agarwal (1993; 1997); and E. Katz, "The Intra-household Economics of Voice and Exit," in *Feminist Economics* 3:3 (1997) pp. 25-46.

¹⁶ Agarwal (1997).

¹⁷ See Iris Marion Young, *Justice and the Politics of Difference* (New Jersey: Princeton, 1990) and S. Ruddick, "Injustice in Families: Assault and Domination, in V. Held (ed.), *Justice and Care: Essential Readings in Feminist Ethics* (Boulder: Westview Press, 1995) pp. 203-224, for discussions regarding violence as a mode of domination.

¹⁸ To clarify, consider an example. Violence is often correlated with pregnancy, although there is considerable debate surrounding this issue. See Statistics Canada, *Wife Assault: The Findings of a National Survey* (Ottawa, Canada, 1994) (prepared by Karen Rodgers); and J. Janiski, "Pregnancy and Violence Against Women: An Analysis of Longitudinal Data," in *Journal of Interpersonal Violence*, Vol. 16 No. 7 (July 2001) pp. 712-733. Pregnancy and childrearing require a tremendous amount of time and money. More specifically, it requires allocations of time and money that, while one might reap benefit from, is spent largely on another individual. In terms of intra-household relations, pregnancy and childrearing occupy the mother's time and, often, her money, which means that her time and money are diverted from her partner. Refer to the 'good mother hypothesis' articulated by F. Woolley, "A Non-cooperative Model of Family Decision Making," Manuscript (London: London School of Economics, 1988); F. Woolley and Z. Chen, "A Cournot-Nash Model of Family Decision Making," in *The Economic Journal*, 111 (October 2001) pp 1-27; S. Lundberg and R. Pollak "Separate Spheres Bargaining and the Marriage Market," *Journal of Political Economy*, 101, 1993, 988-1010; and Dooley and Stewart (2004). In this context, violence can be seen as an instrument through which to direct the allocations of her time and money.

¹⁹ Agarwal (1993; 1997).

²⁰ See Sen (1990)

- ²¹ See N. Folbre, *Who Pays for the Kids: Gender and the Structures of Constraint* (London: Routledge, 1994).
- ²² See M. Manser and M. Brown, "Marriage and Household Decision Making: A Bargaining Analysis," in *International Economic Review* 22(2) 1981, pp. 333-349 and M. McElroy and Mary Jean Horney, "Nash-Bargained Household Decisions: Towards a Generalization of the Theory of Demand." *International Economic Review* 22(2) 1981, pp. 333-49.
- ²³ See Woolley (1988) and Lundberg and Pollak (1993).
- ²⁴ See E. Katz, "The Intra-household Economics of Voice and Exit," *Feminist Economics* 3(3), 1997, pp. 25-46.
- ²⁵ See S. Lundberg and R. Pollack, "Bargaining and Distribution in Marriage," *Journal of Economic Perspectives*, Vol. 10, Issue 4, Autumn 1996, Pp. 139-158 and "Noncooperative Bargaining Models of Marriage," *American Economic Review*, Vol. 84, Issue 2, May 1994, pp. 132-137.
- ²⁶ See Woolley (1988); Woolley and Chen (2001); Lundberg and Pollak (1993; 1994; 1996); and A. Muthoo, *Bargaining Theory with Applications* (Cambridge, UK: Cambridge University Press, 1999)
- ²⁷ See Muthoo (1999) for an application of this concept.
- ²⁸ See Rubenstein, For an application to household bargaining, see Muthoo (1999).
- ²⁹ Outside options can also include homicide, which is not addressed by the present study.
- ³⁰ See Sev'er (2002); Tauchen, Long and Witte (1995) make a similar assumption in their now classic article on the dynamics of abusive relationships. They suggest that abusers derive utility from controlling certain behaviours of their spouse.
- ³¹ See L. Walker (1979), Hoff (1990).
- ³² Sev'er 2002: 90.
- ³³ J.C. Campbell and K.L. Soeken, "Women's Responses to Battering Over Time: An Analysis of Change," in *Journal of Interpersonal Violence*, Vol. 14 No. 1 (January 1999) pp. 21-40; P.A., Ratner, "Modelling Acts of Aggression and Dominance and Exploring their Adverse Health Effects," in *Journal of Marriage and the Family*, Vol. 60, No. 2 (May 1998) pp. 453-465; T. Day and K.M.J. McKenna, "The Health-Related Economic Costs of Violence Against Women in Canada," in K.M.J. McKenna and J. Larkin (eds.), *Violence Against Women: New Canadian Perspectives*. pp. 313-337; T. Day, *The Health Related Costs of Violence Against Women in Canada: The Tip of the Iceberg* (London: Centre for Research on Violence Against Women and Children, 1995); L. Greaves, O. Hankivsky, and J. Kingston-Reichers, *Selected Estimates of the Costs of Violence Against Women* (London: Centre for Research on Violence Against Women and Children, 1995); and S. Lloyd, "The Effects of Domestic Violence on Women's Employment," *Law and Policy* (1991).
- ³⁴ See Sev'er (2002), Greaves et al (1995); and Lloyd (1991).
- ³⁵ An interesting question, beyond the scope of this paper, is the degree to which the gains from violence vary across households, for example, by household structure. This question is addressed in Paterson and Woolley (2006), where it is posited that households generating lower gains from cooperation are more vulnerable to violence, implicating a complex interplay of both absolute and relative resources in creating the conditions for violence.
- ³⁶ See Young (1990) and Ruddick (1995).
- ³⁷ This is inspired by Foucault's (1987) statement: "Where there is domination, there is resistance." However, this statement serves as inspiration only; I am by no means suggesting that my work is comparable with Foucaultian analysis.
- ³⁸ See Statistics Canada. *Canadian Violence Against Women Survey*. Ottawa, Canada, 1993.
- ³⁹ See M. Wilson and M. Daly, "Spousal Homicide Risk and Estrangement," *Violence and Victims*, 8 (1993) pp. 3-15.
- ⁴⁰ See K. Makin, *Globe and Mail*, January 11, 2003; D. Elliott "Criminal Justice Procedures in Family Violence Crimes," in L. Ohlin and M. Tonry (eds.), *Family Violence* (Chicago: University of Chicago Press, 1989). It is also important to highlight the cultural implications of no-drop policies. Burt and Mitchell (1998) and J. Vickers, "Thinking About Violence," in Dhruvarajon, V. and Vickers, J. *Gender, Race, and Nation: A Global Perspective*. Toronto: University of Toronto Press, 2002 note that First Nations women, immigrant women, and women of colour are less likely to call the police. My own empirical work reveals that police use varies by income, race and ability. For example, women who call

the police have much higher incomes than women who do not, suggesting that women anticipate the costs of police intervention. Furthermore, usage rates for the police are among the lowest of all public services. For these results, contact the author at spaterso@connect.carleton.ca.

⁴¹ For a discussion on multisectoral policy and the implications of welfare state restructuring for wife abuse, see M. Morrow, O. Hankivsky, and C. Varcoe, "Women and Violence: The Effects of Dismantling the Welfare State," in *Critical Social Policy*, Vol. 24(3), 2004. pp. 358-384.