

DOMESTIC VIOLENCE IN THE MILITARY: ADDRESSING THE NEED FOR POLICY REFORM

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Domestic Violence has long been prevalent in our society, and affects families across all races, religions, age groups, educational levels, and socioeconomic status. While many institutions developed effective domestic violence policies in response to social demand, the U.S. Military's policies remain inadequate and ineffective in dealing with domestic violence. This paper will examine possible reasons for the lack of effectiveness in military domestic violence policies- in an attempt to address the need for reform.

Domestic violence has long been prevalent in our society and affects families across all races, religions, age groups, educational levels, and socioeconomic status. Nevertheless, only recently has domestic violence been recognized as a serious social problem. Recent acknowledgment of its extent has increased social pressure and the demand for an evaluation of domestic violence issues. As a result, many institutions were forced to develop policies to combat domestic violence. While initially resistant to social pressure, the United States Military was one such institution compelled to evaluate and improve their policies. However, the few policies actually implemented by the military have been criticized for a lack of effectiveness in dealing with domestic violence among military families.

In order to evaluate the military's domestic violence policies, it is necessary to understand the impact of activist groups on the formation of domestic violence legislation affecting those both inside and outside of the military culture. Violence against women in the United States was first addressed legally and legislatively as recently as the 1970s¹. At the inception of the women's liberation movement in the 1960s, women involved with the movement rallied around

the issue of rape². Both the women's liberation movement and a new social faction - the battered women's movement - began to focus on violence in the domestic sphere³. This concentration arose as women began to realize that sexual and physical violence was not uncommon within marriages and other relationships⁴. Women's groups brought the problem of domestic violence to the public's attention and called for social and political changes to provide relief to abused women⁵.

Due to the intense lobbying efforts of more than one thousand organizations, one of the most important pieces of legislation to address the issues of violence against women was passed in 1994⁶. This landmark legislation, The Violence Against Women Act (VAWA), was part of a comprehensive Violent Crime Control and Law Enforcement Act⁷. The VAWA established a new right to be free from crimes of violence motivated by gender and allowed victims of a defined range of crimes to bring civil lawsuits⁸. Under this legislation, victims of gender motivated crimes like rape or domestic assault could hold their attackers responsible in a civil court.

Women's rights movements rarely focused on domestic violence and other issues affecting women associated with the military. Issues affecting the lives of either women serving in the military or military wives were rarely brought into public scrutiny. Despite this general trend, after the passage of the VAWA, activist groups began to devote their attentions to changing domestic violence policies in the military.

From outside the military, women's rights groups focused on changing military policy through issue-based activism. For example, women's rights groups pushed for change in military policy to protect immigrant women abused by military men. Despite the best efforts of women's groups, it is often very difficult for movements to focus on military families. According to Cynthia Enloe, a major difficulty facing women's rights groups is trying to decide how to advocate change within the military⁹. Enloe asks, "If feminists do press their own country's military establishment to pay more attention and provide more services to military

wives, will that effort serve only to more deeply entrench the militarization of women married to soldiers¹⁰?” Furthermore, women’s groups may find it especially difficult to create or sustain alliances with military wives¹¹. A military wife may often come to realize her own stake in her husband’s success and tend to adopt the beliefs of the military as her own¹². As a result, military wives may see women’s rights activists as insulting not only to their husbands, but also to their own values¹³. Alliances are thus difficult to maintain when the actions of women’s groups threaten the very institution military wives have come to identify with.

Women’s rights groups have undoubtedly begun to focus some of their efforts on military policies. However, the general pattern of many activist groups has been to focus very little attention on issues affecting military families. Whether the limited focus of these groups is due to a lack of awareness or a dominant focus on other issues, the political landscape plays a role. The public’s support of efforts to combat domestic violence is expressed through the enactment of the VAWA of 2000. The VAWA of 2000 reinforced the 1994 VAWA by providing additional programs designed to curb domestic violence and child abuse¹⁴. The support of these programs signals the public’s desire for domestic violence policies. Although military families often fail to be explicitly mentioned, it seems illogical that the public would intend domestic violence policies to exclude women associated with the military. If society’s demands for effective domestic violence policies are indicative of attitudes towards all women, then it seems these attitudes can be generalized to apply to women in military families as well.

Despite the public’s desire for effective domestic violence policies, family violence legislation has not progressed in the military. According to Nancy Meyer-Emerick, “women experienced various levels of police support because historically, wife abuse has been perceived as a ‘private’ matter¹⁵.” This may be furthered by the military’s traditional emphasis on privacy, secrecy, and self-reliance.

Although a majority of women abused by military

husbands are civilians, they are subject to military law rather than civilian law, whether they live on or off base¹⁶. Military law differs from civilian law in many ways. The military community operates within its own legal codes, regulations, and practices¹⁷. Only trial basics such as opening statements, jury instruction, and witness examination are shared between civilian and military courts. Otherwise, very few similarities exist. In a military court, the judge, prosecutors, and assigned defense counsel are all ranked officers in the military. The basis of military law, the Uniform Code of Military Justice, defines criminal offenses and guides the military courts. Often, a domestic assault that would be defined as a felony in civilian law is a much less serious offense under military law¹⁸. In fact, the Uniform Code of Military Justice does not contain a specific charge associated with domestic violence¹⁹.

In military law, the commanding officer has the authority to decide how a case will be adjudicated, and has enormous influence on how seriously a domestic violence offense will be treated²⁰. When a domestic assault is reported, military authorities report the case to the Family Advocacy Program (FAP). The FAP was created to provide counseling to both victims and perpetrators of domestic assault. A caseworker from the program presents evidence to a Case Review Committee responsible for determining whether abuse has occurred. The committee consists primarily of military personnel and a commanding officer who holds complete discretion regarding treatment or punishment of an offender²¹. He may also disregard the committee's findings completely if so decided²².

A court martial investigation, (trial and punishment of a member of the armed forces) rarely ensues. According to recent statistics, less than 7 percent of domestic violence assaults are adjudicated by court martial²³. Although data is hard to obtain, relatively few military personnel are prosecuted or sanctioned on domestic violence charges²⁴.

Historically, military activism for effective domestic violence policies has been sparse. While domestic violence has long been prevalent in the military, it has only begun to

shift policies recently.

The reasoning behind military resistance to develop domestic violence policies may involve the nature of the armed forces. Military men are considered the integral part of the institution, and are treated as such. Conversely, military wives are fundamentally marginal to the declared meaning of the military, even though it is realized that they are integral in maintenance²⁵. Although a military wife is integral as a source of support and structure for her family, she does very little to incorporate the military's declared meaning of all that is masculine, aggressive, and dominant. As a result of military wives being classified as marginal to the operations of the military, the military often implement policies that reinforce masculine ideals while failing to generate policies that respond in a positive way to issues affecting military wives.

The military's conception of appropriate attitudes, actions, and roles of military wives may also contribute to a resistance toward developing domestic violence policies. Institutions that rely on employees who are married are likely to send messages about how an ideal spouse should act in order to enhance the working spouse's career²⁶. In addition to the messages sent in regards to supporting the working spouse, the military sends ideas about how spouses can contribute to the military institution itself. The military is less concerned with the way husbands of soldiers act, and as a result, the majority of messages are sent to wives with soldier husbands. The military forms concepts about what wives should be doing to maximize their own value, how they can act to ensure organizational well-being, and what sort of wife is best suited to support the military institution²⁷.

Cynthia Enloe discusses many of the ideal traits, characteristics, and personality traits of the modern model military wife. According to her, one element to the profile of a model military wife mandated that:

These patriarchal conceptions of the ideal wife continue to be reinforced through rituals, memos, orders, and handbooks in the modern military of

the late twentieth-century²⁸.

It comes as little surprise that the military has been so reluctant to develop domestic violence policies. The suggestion that the model military wife should allow for her husband's short temper sends a direct message about how a wife should react in instances of domestic violence. Therefore, the development of policies on domestic violence is difficult when the military continues to believe that military wives should act with deference to their husband's short temper and violent actions.

According to Linda Gordon, "battering behavior is...socially determined by a man's expectations of what a woman should do for him and his acculturation to violence²⁹." The masculine culture of the military socializes men to expect certain kinds of behavior from their wives. In this culture, violence often occurs as a result of a man's perceived status being challenged by his "subordinate" wife³⁰. Through conceptions such as "the model military wife," the military culture makes allowances for the subordinate treatment of military wives. As long as subordination of women is overlooked in the military, policies which protect women from their abusive soldier husbands will have little effect.

Soldiers often internalize an ideology of masculinity that is hostile to anything imagined to be feminine³¹. In such a culture, men may turn to violence to reassert their dominance and manhood. Certain attitudes towards masculinity and women have been found to be related to high levels of violent behavior³². Standards of masculinity such as dominance, aggressiveness, assertiveness, and hostility have shown an increase in propensity towards violence³³. Male assertiveness and aggressiveness are imperative to military operations: therefore, very few polices attempt to challenge male dominance. Thus, the military is reluctant to pass domestic violence policies that may be viewed as threats to military manhood and male domination.

The lack of policies to adequately address domestic violence in the military may also be attributed to the institution's stance towards prostitution and its reactions towards rape. In

military culture, prostitutes connote tradition, leisure, and ordinariness³⁴. Military rape and militarized prostitution are treated by policymakers as if they were divided and separate entities³⁵. This imagined separation serves the interests of many officials as it allows them to “discuss rape and prostitution as if their perpetrators and victims were entirely different³⁶.” These same officials imagine that providing organized prostitution to male soldiers is preventing those same soldiers from engaging in rape³⁷. A culture allowing prostitution essentially normalizes exercising power over women, and if soldiers do not feel this power through sex, some turn to rape³⁸. As a result, a culture is created in which rape and prostitution becomes inextricably linked.

Often, the military’s holding that prostitution serves to protect respectable women from rape by soldiers is invoked by supporters of military policy³⁹. However, an environment of prostitution expressly condones male exercise of power over subordinate females, which in turn ensures violent acts against women. In order to address the problems of violence against women, the cultural environment that reinforces oppressive conditions must be evaluated⁴⁰. Military policies fail to address this environment of prostitution and oppression and therefore directly ignore a major cause of domestic violence in the military.

Those who find no need for improvement of military domestic violence policies may argue that the military cannot be responsible for the “distorted desires of particular men⁴¹.” However, it has been argued that routine incidents of militarized violence show the cause of violence to be deeper than individual desires⁴². The U.S. Inspector General’s report in 1979 stated, “Military service is probably more conducive to violence at home than at any other operation because of the military’s authoritarianism, its use of physical force in training, and stress...⁴³.” Policymaking sessions rarely discuss the possibility that the process of militarizing a man’s sense of masculinity may be a cause of domestic violence in the military⁴⁴. According to Enloe, this process of militarizing renders a man less able to resist resorting to violence when

tensions escalate in the home⁴⁵. Furthermore, the military fails to adequately readjust soldiers back to their home from combat. As policies fail to address possible root causes of domestic violence in the military, family violence continues to be an inadequately addressed problem.

The military often fails to readjust soldiers back into home life by failing to offer adequate counseling to re-socialize them into a nonviolent lifestyle. In 2002, a string of domestic homicides illustrated the grave need for post-deployment counseling. On the evening of June 11th Sergeant Rigoberto Nieves shot and killed his wife Nancy and then killed himself. Sergeant Nieves had been serving in Afghanistan and had reportedly returned home to resolve family problems⁴⁶. On June 29th, Master Sergeant William Wright allegedly strangled his wife Jennifer after being back from Afghanistan for about a month⁴⁷. On July 9th Cedric Ramon allegedly stabbed his estranged wife Marilyn at least fifty times before setting her house on fire⁴⁸. On July 19th, Sergeant Brandon Floyd shot and killed his wife before killing himself in the home they shared. Sergeant Floyd had returned home from Afghanistan just months before the murder⁴⁹. These homicides were all committed on the same military base, Fort Bragg, and all of the soldiers had recently returned home from battle.

As the string of domestic violence homicides at Fort Bragg so dramatically illustrates, domestic violence is a pervasive and endemic problem in the military. A team sent to investigate the Fort Bragg homicides felt that work related stress, a stigma against counseling, and inconsistent soldier re-acclimation programs played a role in the killings⁵⁰. Three out of four soldiers who killed their wives at Fort Bragg were employed in forces that are considered the toughest and most aggressive entities within the army⁵¹. Considering the military's "claim to being the most male of the male and to being above the law⁵²," it comes as little surprise that without re-acclimation services, domestic violence continues to be such a pervasive problem. The military's domestic violence policies remain to be wholly inadequate because they fail to address the stress associated with military service, particularly

when soldiers are placed in combat situations.

Although the military has been reluctant to develop policies to combat domestic violence, the Defense Task Force on Domestic Violence was created by the Department of Defense to investigate and curb domestic violence in the military⁵³. The overall goal of the Task Force was to provide the Secretary of Defense with recommendations to enhance existing programs, and where appropriate, to suggest new programs to prevent domestic violence⁵⁴. Despite the suggestions of the Task Force, however, the military policies have been unsuccessful in adequately addressing domestic violence. One major failure in the policy recommendations lies in the Task Force's reliance on community based response and reporting. Many feel that the Task Force's recommendations for community responses will be successful in combating domestic violence and look to prior community "successes" to support this position. For example, supporters would rely on evidence that in the mid-1990s, elaborate family services began to be offered by military social workers⁵⁵. The expanding network of social workers and chaplains were seen as "proof" that the military was adequately addressing domestic violence. Military family newsletters contained articles about seminars on child abuse, workshops on domestic violence, and profiles about soldiers who were learning to be better fathers⁵⁶. Nonetheless, these articles are directed not at military families, but at social service professionals who work to ensure that family members do not jeopardize military missions⁵⁷. The military social worker is part of the military chain of command; therefore, they may be more motivated by institutional pressures instead of the needs of families. Furthermore, since chaplains are inside the military structure, they may be reluctant to act against a soldier in any way⁵⁸. Since a chaplain knows his promotion depends upon his commander's evaluation, he realizes that providing assistance to a woman battered by her officer husband could endanger his career.

In regards to the Task Force's recommendations, Lauren Taylor states, "some advocates of domestic violence

survivors laud the action as sending a strong anti-abuse message, others say policy statements are meaningless as long as the Pentagon fails to provide adequate services for victims of abuse⁵⁹.” While the recommendations of the Task Force make for great policy and position statements, only implementation will constitute significant progress in combating domestic violence.

Although the military has made some attempts to bring domestic violence issues to light, a major “lapse” in the military’s domestic violence policy is that there remains many motivations for a woman in a militarized marriage to try to cope on her own⁶⁰. Violence against women in the military is essentially disregarded, proof of which resides with in fact much of the violence is ignored by military officials. The military’s own criminal justice system has been systematically tolerating the behavior of military men accused of sexual assault for years⁶¹. Military wives realize that even if they do muster up the courage to report a domestic assault, little action will be taken in response.

In addition to fearing a lack of action, military wives may fear potential consequences of speaking out. In a recent study on the fears of military wives, the vast majority of victims said they feared what would happen to their own wellbeing if their husbands were disciplined⁶². Military wives feel intense pressure from other military wives to play their proper roles and may fear the consequences of violating a sense of community cohesion. Additionally, a military wife living on base may experience isolation from civilians, separation from family and friends, and a dependence on her husband’s career as her means of economic survival. Even those living off base are immersed in military culture and are often financially dependent on their spouse’s military income. Military wives often feel they have to stay quiet so they do not harm their husband’s careers. According to Becky Meyers, “military spouses don’t often report abuse due to a concern over ‘getting their spouse in trouble⁶³.” Those who support the military’s policies on domestic violence may feel that it is not the responsibility of the military to address the fears of abused women. Such supporters may argue that

these concerns arise from individual women and can not be subjected to military policy. However, these concerns are not fabricated in the minds of military wives. Rather, they are instilled in women through their experiences in the military's patriarchal structure and reinforcement of the proper role of ideal military wives.

Whatever the reason for the general lack of effective domestic violence policies, there remains a major need for reform. Domestic violence affects families in every branch of the military, and policies are needed to address such conditions. The few policies developed by the military have been unsuccessful in dealing with domestic violence among military families. Effective policies would confront the hyper masculinity, male dominance, and failure to properly readjust male soldiers to home life. In order for polices to be successful, they must acknowledge the unique pressures women face to keep abuse private and address consequences when violence is reported. Only then can military families be afforded the protections they have been denied for so long.

Endnotes

¹Meyer-Emerick, Nancy. *The Violence Against Women Act of 1994: An Analysis of Intent and Perception*. Westport: Praeger Publishers, 2001: 1.

²Nancy Meyer-Emerick 3.

³Ibid.

⁴Ibid.

⁵Hanmer, Jalana, and Catherine Itzin, ed. *Home Truths About Domestic Violence: Feminist Influences on Policy and Practice: A Reader*. London Routledge, 2000: 188.

⁶Nancy Meyer-Emerick 4.

⁷De Hart, Jane and Linda Kerber. *Women's America, "Refocusing the Past."* 5th Ed. New York: Oxford University Press, 2000: 585.

⁸Jane De Hart and Linda Kerber, 585.

⁹Enloe, Cynthia. *Maneuvers, "The International Politics of Militarizing Women's Lives"*. Berkeley: University of California Press, 2000:196.

¹⁰Cynthia Enloe 196.

¹¹Ibid.

¹²Ibid.

¹³Ibid.

¹⁴Gordon, L.P., ed. *Violence Against Women*. New York: Nova Science Publishers, 2002: 78.

¹⁵Nancy Meyer-Emerick 3.

- ¹⁶Lombardi, Chris. "General: The Good Soldier Doesn't Beat His Wife." Women's E News. Online. Womensenews Online. 15 March 2001: 1.
- ¹⁷Hansen, Christine. "A Considerable Service: An advocates Introduction to Domestic Violence and the Military." Domestic Violence Report. Vol. 6, No. 4. April/May 2001: 1.
- ¹⁸Chris Lombardi 4.
- ¹⁹Christine Hansen 5.
- ²⁰Christine Hansen 1.
- ²¹Christine Hansen 3.
- ²²Christine Hansen 4.
- ²³"Interpersonal Violence Associated with the Military: Facts and Findings." Domestic Violence in the Military. The Miles Foundation Online. 7 April 2005: 1.
- ²⁴The Miles Foundation 1.
- ²⁵Cynthia Enloe 161.
- ²⁶Cynthia Enloe 162.
- ²⁷Ibid.
- ²⁸Cynthia Enloe 163.
- ²⁹Gordon, Linda. Heroes of Their Own Lives. New York: Penguin Books, 1988: 286.
- ³⁰Linda Gordon 286.
- ³¹Cynthia Enloe 126.
- ³²Barstow, Anne, ed. War's Dirty Secret "Rape, Prostitution, and Other Crimes Against Women". Cleveland: The Pilgrim Press, 2000: 180-181.
- ³³Anne Barstow 181.
- ³⁴Cynthia Enloe 108.
- ³⁵Cynthia Enloe 111.
- ³⁶Ibid.
- ³⁷Ibid.
- ³⁸Ibid.
- ³⁹Cynthia Enloe 119.
- ⁴⁰Ibid.
- ⁴¹Cynthia Enloe 121.
- ⁴²Ibid.
- ⁴³Cynthia Enloe 189.
- ⁴⁴Cynthia Enloe 190.
- ⁴⁵Ibid.
- ⁴⁶"Fort Bragg Domestic Homicide Review." Family Violence Prevention Fund. Online. End Abuse Online. 12 November 2002: 1.
- ⁴⁷Family Violence Prevention Fund 1.
- ⁴⁸Ibid.
- ⁴⁹Ibid.
- ⁵⁰"Fort Bragg Report Urges Change in Military Culture." Feminist Daily News Wire. Online. Feminist Majority Foundation Online. 8 November 2002: 1.
- ⁵¹Elliston, Jon and Catherine Lutz. "Domestic Terror," Vermont Network Against Domestic Violence and Sexual Assault. Online. Vol. 6, No. 4. VNADVSA Online. 2002: 2.
- ⁵²Jon Elliston and Catherine Lutz 2.
- ⁵³United States. Defense Task Force on Domestic Violence. Initial Report on the Defense Task Force on Domestic Violence. Washington: GPO, 2001: 1.
- ⁵⁴United States 2.

⁵⁵Cynthia Enloe 168.

⁵⁶Ibid.

⁵⁷Ibid.

⁵⁸Ibid.

⁵⁹Taylor, Lauren. "Pentagon Says military Domestic Violence Must End." Women's E News. Online. Womensenews Online. 4 December 2001:1.

⁶⁰Cynthia Enloe 189.

⁶¹Cynthia Enloe 115.

⁶²Kozaryn, Linda. "DOD Targets domestic Violence." American Forces Information Services News Articles. Online. United States Department of Defense Online. 14 January 2003: 1.

⁶³Meyers, Becky. "Month to Raise Awareness of Domestic Violence." DC Military. 30 September 2004. Online. DC Military Online. 8 October 2004: 2.

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