

2003

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Jody Raphael

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### Recommended Citation

Raphael, Jody. "Battering Through the Lens of Class." American University Journal of Gender Social Policy and Law 11, no. 2 (2003): 367-375.

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# BATTERING THROUGH THE LENS OF CLASS

JODY RAPHAEL\*

Elizabeth Schneider has written that the recent recognition of domestic violence as a social problem has a serious downside: the widespread acceptance of domestic violence as an important societal problem has resulted in the decoupling of domestic violence from the larger issue of gender subordination that animated the early movement. The result, she finds, is a perception that domestic violence can be cured through legal remedies or therapy. In reality, society must address issues of women's disempowerment and subordination in society if domestic violence is to be eradicated.<sup>1</sup>

National studies have documented the fact that, although domestic violence is indeed prevalent throughout all economic classes, household income does predict the probability of family violence: the lower the household income, the higher the rates of violence.<sup>2</sup> For example, The National Crime Victimization Survey finds that households with less than \$7,000 in annual income suffer five times the amount of domestic violence as do households with income above \$50,000.<sup>3</sup> Those with incomes between \$7,500 and \$25,000 experience nearly three times the amount of domestic violence as those with incomes above \$50,000.<sup>4</sup> Within the past six years, researchers have demonstrated extremely high levels of domestic violence within Temporary Assistance to Needy Families ("TANF")<sup>5</sup>

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\* J.D., Director for Research, Center for Impact Research, Chicago, Illinois.

1. ELIZABETH M. SCHNEIDER, BATTERED WOMEN & FEMINIST LAWMAKING 27-28 (2000).

2. See generally LAWRENCE A. GREENFELD ET AL., U.S. DEP'T OF JUSTICE, VIOLENCE BY INMATES: ANALYSIS OF DATA ON CRIMES BY CURRENT OR FORMER SPOUSES, BOYFRIENDS, AND GIRLFRIENDS 43 (1998), available at <http://www.ojp.usdoj.gov/bjs/pub/pdf/vi.pdf>.

3. *Id.*

4. *Id.*

5. See Title I of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Pub. L. No. 104-193, 110 Stat. 2105 (1996) (codified as amended at 42 U.S.C. §§ 601-619 (Supp. 2002)).

caseloads, and how that violence serves as a welfare-to-work barrier.<sup>6</sup>

However, this focus on low-income households is often attacked as contributing to the dilution of the feminist approach and a return to earlier work on family violence that historically associated domestic violence with male drunkenness among the working class.<sup>7</sup> Because of this history, it has been very important for feminists to characterize domestic violence as a problem that is not just an issue for the poor, but one that stems from patriarchal cultural norms that cut across all economic classes.<sup>8</sup> I argue that viewing domestic violence through the lens of class does not pose profound contradictions, but instead allows us as feminists to observe even more clearly how domestic violence is strategically employed by men to subordinate women. The pattern is clear and repeated thousands and thousands of times on a daily basis: men use violence to keep women economically disempowered and dependent on them. Then, men manipulate these very conditions of poverty to further abuse women, who are thus trapped in both poverty and abuse. A few examples will illustrate this practice.

Women receiving TANF are current victims of domestic violence at rates about ten times higher than women in the general population.<sup>9</sup> Twenty percent of 753 women in a longitudinal study of welfare recipients in Michigan, ("Michigan Women's Employment Study") interviewed in 1997 and annually since then, were victims of physical domestic violence within the previous twelve months.<sup>10</sup> When a

6. See generally Richard M. Tolman & Jody Raphael, *A Review of Research On Welfare and Domestic Violence*, 56 J. OF SOC. ISSUES 655 (2000) [hereinafter Tolman & Raphael, *Research on Welfare and Domestic Violence*] (discussing the relationship between women on welfare and domestic violence); see also JODY RAPHAEL & RICHARD M. TOLMAN, PROJECT FOR RESEARCH ON WELFARE, WORK, AND DOMESTIC VIOLENCE, TRAPPED BY POVERTY/TRAPPED BY ABUSE: NEW EVIDENCE DOCUMENTING THE RELATIONSHIP BETWEEN DOMESTIC VIOLENCE AND WELFARE (1997) (illustrating that many women on welfare cannot comply with the TANF training requirements because they are prevented from doing so by their abusive partners), available at <http://www.ssw.umich.edu/trapped>; JODY RAPHAEL, SAVING BERNICE: BATTERED WOMEN, WELFARE, AND POVERTY 30 (2000) [hereinafter RAPHAEL, SAVING BERNICE] (citing an example of a woman unable to escape welfare for work because her abusive partner would not let her).

7. See Joan Meier, *Domestic Violence, Character, and Social Change in the Welfare Reform Debate*, 19 LAW & POL'Y 205, 223-24 (1997).

8. See *id.* at 224.

9. Tolman & Raphael, *Research on Welfare and Domestic Violence*, *supra* note 6, at 660 (reviewing studies measuring the prevalence of domestic violence in welfare cases and finding that recent or current rates of physical abuse ranged from 8% to 33%, with most rates ranging from 20% to 30% for women on welfare).

10. Richard M. Tolman et al., *Domestic Violence and Economic Well-Being of Current and Former Welfare Recipients* (unpublished manuscript, on file with the *American University Journal of Gender, Social Policy & the Law*) [hereinafter Tolman, *Domestic Violence and Economic Well-Being*].

broader definition of domestic violence that included emotional abuse and coercion was used in a study in California, 35% of recipients in Kern County and 49% in Stanislaus County were found to be current victims.<sup>11</sup>

Research has thoroughly demonstrated the many ways the partners of these women on welfare sabotage their efforts at education, training, and work by using violence and threats of violence.<sup>12</sup> Quantitative research has corroborated qualitative reports from welfare-to-work and job training providers, showing that abusers directly interfere with women's attempts to work by destroying homework assignments, keeping women up all night with arguments before key tests or job interviews, turning off alarm clocks, destroying clothing, inflicting visible facial injuries before job interviews, disabling the family car, threatening to kidnap the children from child care centers, and harassing women on the job.<sup>13</sup> Threatened by the victim's potential economic independence, the abusers use violence to keep their partners at home and out of the labor market.<sup>14</sup>

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11. See CAL. INST. FOR MENTAL HEALTH, THE PREVALENCE OF MENTAL HEALTH, ALCOHOL AND OTHER DRUG, & DOMESTIC VIOLENCE ISSUES AMONG CALWORKS PARTICIPANTS IN KERN AND STANISLAUS COUNTIES: EXECUTIVE SUMMARY 4 (2000) (reporting that the percentages reflect people who had been abused within the past twelve months), available at <http://www.cimh.org>. The percentage of people abused in their lifetime was nearly double. *Id.*

12. See Tolman & Raphael, *Research on Welfare and Domestic Violence*, *supra* note 6, at 664-68 (citing examples of abusive partners directly interfering with work). For a detailed measurement of how the abusive partners sabotage education, training, and work, see Stephanie Riger et al., *Obstacles to Employment of Welfare Recipients with Abusive Partners* (1998) (unpublished manuscript on file with the *American University Journal of Gender, Social Policy & the Law*). In that study 46% of a sample of women in domestic violence shelters in Chicago reported that their abusers had forbidden them to work, and 25% stated that their abusers had forbidden them to go to school. *Id.* See also JODY RAPHAEL, TAYLOR INST., PRISONERS OF ABUSE, DOMESTIC VIOLENCE AND WELFARE RECEIPT (1996) [hereinafter RAPHAEL, PRISONERS OF ABUSE] (describing how domestic violence can prevent a victim from obtaining or holding a job), available at <http://www.ssw.umich.edu/trapped>.

13. See Tolman & Raphael, *Research on Welfare and Domestic Violence*, *supra* note 6, at 664-67 (discussing various methods used by abusers to interfere with victims' attempts to work).

14. See RAPHAEL, PRISONERS OF ABUSE, *supra* note 12, at 6; see also Jessica Pearson et al., *Child Support and Domestic Violence: The Victims Speak Out*, 5 VIOLENCE AGAINST WOMEN 427, 436-38 (1999) (describing an assessment of 1082 new applicants for public assistance in four Colorado welfare offices in 1997 that found that 44% of domestic violence victims reported their abusive partners had prevented them from working); Lisa Brush, *Battering, Traumatic Stress, and Welfare-to-Work Transition*, 6 VIOLENCE AGAINST WOMEN 1039, 1051-52 (2000) (examining the reasons women dropped out of the welfare-to-work program). Lisa Brush interviewed 122 women on welfare enrolled in a mandatory four week welfare-to-work program for those considered the most job-ready in Allegheny County, Pennsylvania. Women who had sought orders of protection because of domestic violence dropped out of the program at six times the rate of women who had not, strong evidence that women experiencing severe domestic violence will be unable to comply with welfare reform

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Keeping a woman on welfare not only separates her from economic resources, but it also relegates her to a highly stigmatized position in society, subject to control and abuse from governmental bureaucracies that contribute to her further disempowerment.<sup>15</sup>

With its mandatory work requirements, welfare reform has somewhat disrupted abusers' ability to use the welfare program to dominate their partners. However, recent research is demonstrating that many women are unable to comply with work requirements because of the violence, which makes them even more economically dependent and places them at greater risk of abuse from their partners. For example, the Michigan's Women's Employment Study found that women suffering from persistent domestic violence were almost four times as likely to be welfare reliant than wage reliant, compared to the women who never experienced severe domestic violence, and were almost twice as likely to be welfare reliant as those who never experienced domestic violence.<sup>16</sup>

Abusers also sabotage birth control arrangements in order to keep their partners out of the labor market and to make them unattractive and or unmarriageable due to large numbers of children, among other motives.<sup>17</sup> A recent study from Harvard University of over 2000

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requirements. *Id.*

15. See RAPHAEL, *SAVING BERNICE*, *supra* note 6, at 113 (quoting a battered woman on welfare as stating, "Women on welfare know that they are an untouchable class, that is how they are seen. Because they are already suppressed by being on welfare, these women are already there. All the abusers need to do is to maintain the situation."); see also Laura Ann McCoskey, *Socioeconomic and Coercive Power Within the Family*, 10 GENDER & SOC'Y 449, 450-52 (1996) (examining the financial and social repercussions of women's welfare participation and how that relates to familial power structures); Anita Raj et al., *Prevalence and Correlates of Relationship Abuse Among a Community-Based Sample of Low-Income African-American Women*, 5 VIOLENCE AGAINST WOMEN 272, 274 (1999) (discussing theories as to why this economic differential engenders violence).

16. See Tolman et al., *Domestic Violence and Economic Well-Being*, *supra* note 10; see also Angela Browne et al., *The Impact of Recent Partner Violence on Poor Women's Capacity to Maintain Work*, 5 VIOLENCE AGAINST WOMEN 393, 417 (1999) (demonstrating that women who had experienced physical aggression during the first twelve-month follow-up period had about one-third the odds of working at least thirty hours per week for six months or more during the following year than did women who had not experienced such aggression).

17. See RAPHAEL, *PRISONERS OF ABUSE*, *supra* note 12, at 7 (discussing how abusers can use children as a tool for preventing victims of abuse from working); see also Jacqueline C. Campbell et al., *The Influence of Abuse on Pregnancy Intention*, 5 WOMEN'S HEALTH ISSUES 214, 214-23 (1995) (demonstrating that women with non-marital births have one-fifth to one-half lower probability of a first marriage); RONALD B. MINCY, CTR. FOR RESEARCH ON CHILD WELLBEING, *WHO SHOULD MARRY WHOM? MULTIPLE PARTNER FERTILITY AMONG NEW PARENTS 19-20* (2001) (stating that the presence of children from a previous relationship reduces the prospects of a mother or father marrying in the future), available at <http://crcw.princeton.edu/fragilefamilies>.

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ninth to twelfth grade students in randomly selected classrooms in high schools throughout Massachusetts found a strong connection between domestic violence and sexual risk behavior, which is defined as first intercourse before the age of fifteen, not using a condom at last intercourse, pregnancy, and substance abuse.<sup>18</sup> The authors concluded that “the implicit coercion involved in both sexual and physical partner abuse is likely to have implications for pregnancy prevention.”<sup>19</sup> Other research has demonstrated abusers’ sabotage of birth control arrangements as well as verbal coercion to force women to bear their children. In a sample of 474 teen mothers on TANF in 1998, teens who were victims of domestic violence endured almost twice the amount of birth control sabotage, measured by a six-item scale, than did the teens who were not abused.<sup>20</sup> The greater the severity of the domestic violence, the more aggravated was the birth control sabotage.<sup>21</sup>

Studies have indicated that the incidence of intimate partner violence among drug-involved women is higher than among non-drug involved women.<sup>22</sup> In recent research involving 204 women in a methadone maintenance program, 50% of the women had suffered physical assaults from intimate partners within the past year, and almost 31% were victims of severe abuse.<sup>23</sup> Within the sample, those women in more extreme poverty were more likely to be battered.<sup>24</sup> The researchers found that those women who did not have adequate food and who suffered other severe economic hardships were more

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18. See Jay G. Silverman et al., *Dating Violence Against Adolescent Girls and Associated Substance Use, Unhealthy Weight Control, Sexual Risk Behavior, Pregnancy, and Suicidality*, 286 JAMA 572, 577 (2001) (relating that high school girls in this study reporting experiences of violence from dating partners were found to be approximately four to six times more likely than their non-abused peers to have ever been pregnant).

19. *Id.* at 577-78.

20. MARY ELLEN KONIECZNY, CTR. FOR IMPACT RESEARCH, DOMESTIC VIOLENCE AND BIRTH CONTROL SABOTAGE: A REPORT FROM THE TEEN PARENT PROJECT (2000) (showing that 66% of the teens surveyed who had been abused suffered birth control sabotage, compared with 34% of teens who were not victims of domestic violence), available at <http://www.impactresearch.org>.

21. *Id.* at 20 (illustrating that 24% of the teens that had the highest degree of domestic violence also suffered the highest degree of birth control sabotage).

22. See Claudia L. Moreno et al., *Correlates of Poverty and Partner Abuse Among Women on Methadone*, 8 VIOLENCE AGAINST WOMEN 455, 458 (2002) (summarizing research correlating partner violence and drug abuse); see also Amy E. Hirsch, *The World was Never a Safe Place for Them: Abuse, Welfare Reform, and Women with Drug Convictions*, 7 VIOLENCE AGAINST WOMEN 159, 160-61 (2001) (noting the prevalence of abuse among females convicted of drug use).

23. See Moreno et al., *supra* note 22, at 464-65 (finding that 30.9% of those surveyed reported being a victim of severe domestic violence in the past year).

24. See *id.* at 471 (linking findings that the poorest women were the most likely to be subject to severe sexual abuse).

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likely to be seriously abused. They hypothesized that women without any money at all are forced to rely upon their partners to financially support them, and thus are less able to either leave the relationship, or resist sexual coercion and domestic violence.<sup>25</sup> In other settings, researchers have documented how abusers encourage substance abuse and sabotage detox or drug treatment opportunities to keep the victims at a disadvantage and dependent upon the abusers.<sup>26</sup>

In the only two existent studies of domestic violence in North American public housing projects, researchers have found rates of current domestic violence at 20-50%.<sup>27</sup> Anecdotal evidence demonstrates that many women in public housing are magnets for homeless men, who will control the women through violence in order to maintain their own access to this affordable housing.<sup>28</sup>

Research also demonstrates that many women involved in prostitution are the victims of violence, not only from customers or police, but also from intimate partners who are dependent on their earnings and control the women through violence. This violence makes escape from the life of prostitution difficult and dangerous.<sup>29</sup> In recent research conducted at the Cook County Jail in Chicago with a volunteer sample representing about 21% of the jail's population that day, 67% of the women reported domestic violence within the

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25. *Id.*

26. Nabila El-Bassel et al., *Social Support Among Women in Methadone Treatment Who Experience Partner Violence: Isolation and Male Controlling Behavior*, 7 VIOLENCE AGAINST WOMEN 246, 247-49 (2001) (describing how poverty, unemployment, and mutual drug-use practices enable abusive partners to monitor and isolate women, making it more difficult for the women to maintain ties outside of their relationship with their partners). In addition, women's decisions are affected by and filtered through their drug-use practices. *Id.*

27. Walter DeKeseredy et al., *Violence Against and the Harassment of Women in Canadian Public Housing: An Exploratory Study*, 36 CAN. REV. SOC. & ANTHROPOLOGY 499, 506-10 (1999); Claire M. Renzetti, "One Strike and You're Out," *Implications of a Federal Crime Control Policy for Battered Women*, 7 VIOLENCE AGAINST WOMEN 685, 688 (2001) (referring to a study of public housing residents in Camden, New Jersey).

28. Interview with Jamie Kalven, Neighborhood Conservation Corps, Chicago, Ill. (Feb. 12, 2002).

29. See Melissa Farley & Howard Barkan, *Prostitution, Violence Against Women, and Posttraumatic Stress Disorder*, 27 WOMEN & HEALTH 37, 40-41 (1998) (discussing the extent of violence in the lives of prostitutes and accompanying symptoms of posttraumatic stress disorder in the San Francisco area); see also Melissa Farley & Vanessa Kelly, *Prostitution: A Critical Review of the Medical and Social Sciences Literature*, 11 WOMEN & CRIM. JUST. 29, 29-63 (2000) (summarizing the violence prostitutes encounter from customers, managers, pimps, and intimate partners); Celia Williamson & Terry Cluse-Tolar, *Pimp Controlled Prostitution: Still an Integral Part of Street Life*, 8 VIOLENCE AGAINST WOMEN 1074, 1078-88 (2002) (including interviews with women who are violently controlled by men who depend on their prostitution earnings); CLAIRE E. STERK, TRICKING AND TRIPPING: PROSTITUTION IN THE ERA OF AIDS (2000).

last year.<sup>30</sup> Among those women who disclosed they had been regularly involved in prostitution, the figure rose to 82%.<sup>31</sup>

These examples demonstrate how violence and threats of violence are used purposefully by the poor women's partners to subordinate the women, especially through sabotage of efforts that are key to their economic self-sufficiency. Freedom to pursue employment and freedom from violence are essential ingredients of women's liberation,<sup>32</sup> but only rarely have feminists analyzed how the two intersect to keep women from being subordinated.<sup>33</sup> Thus, rather than eschew the class analysis of domestic violence in the name of feminism, we can develop solid evidence of how that violence is deliberately used to disempower women and subordinate them economically to their partners if we demonstrate the effects of that domestic violence while considering the issue of class.

Elizabeth Schneider's response to this issue of class is entirely pragmatic. She simply writes that as all battered women are not all similarly situated, efforts to assist them must be tailored to meet their diverse needs.<sup>34</sup> Because of the ways that violence is used to foster dependence through poverty, however, this statement severely underestimates the burdens of poor women who are domestic violence victims and what is needed to assist them. As we have seen, women may be addicted to alcohol and drugs. Due to teen pregnancy, they may have dropped out of school and have low literacy levels. They legitimately fear losing their children to the child protective system. They have no money to escape, and may have unsupportive families and communities. When called, the police may not come into their poor neighborhood, and if they do, their response may not be helpful, putting the women at even greater danger. The woman herself might also be arrested.<sup>35</sup> Poor women

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30. CHI. COALITION FOR THE HOMELESS, UNLOCKING OPTIONS FOR WOMEN: A SURVEY OF WOMEN IN COOK COUNTY JAIL 1, 7 (2002), available at <http://www.chicagohomeless.org/fact/figures/jailstudy.pdf>.

31. *Id.* at 15.

32. See Martha C. NUSSBAUM, WOMEN AND HUMAN DEVELOPMENT: THE CAPABILITIES APPROACH 78-80 (2000) (listing "central human functional capabilities" which may be used to assess the quality of life of an individual).

33. See Meier, *supra* note 7, at 223-31 (discussing the differences between the battered women's and anti-poverty movements); see also SYLVIA WALBY, THEORIZING PATRIARCHY 128-33 (1995); Martha Davis & Susan J. Kraham, *Protecting Women's Welfare in the Face of Violence*, 22 FORDHAM URB. L.J. 1141 (1995).

34. See SCHNEIDER, *supra* note 1, at 62.

35. See Donna Coker, *Shifting Power for Battered Women: Law, Material Resources, and Poor Women of Color*, 33 U.C. DAVIS L. REV. 1009, 1032-42 (2000); see also Kimberlé Williams Crenshaw, *Mapping the Margins: Intersectionality, Identity Politics, and Violence Against Women of Color*, in THE PUBLIC NATURE OF PRIVATE VIOLENCE 93, 97-104



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and women of color may not trust conventional social services programs.<sup>36</sup> Lacking family and community support, the women may be dependent on domestic violence shelters. Most shelters serving drug-addicted women will require them to simultaneously undergo drug treatment, which could be a difficult process for women who have very recently escaped the violence.<sup>37</sup> If she is working, the woman actually may be required to quit her job, causing further impoverishment, lest her abuser be able to locate her by following her from work.<sup>38</sup> Without money, public transportation, or a driver's license, many poor women have great difficulty even obtaining access to domestic violence services.<sup>39</sup>

These barriers can, of course, be overcome, with some effort. There is something even more difficult, however, that is related to poverty. In the end, to escape domestic violence, a woman has to be in a place from which she can imagine something better for herself. The double bind of violence and poverty makes this process extremely difficult for many low-income women.

As historian Linda Gordon has written, to escape domestic violence, women need to find realistic the thought that they can free themselves economically from their partners.<sup>40</sup> Years ago in the U.S., women were kept from higher education and employment through proscriptive rules and customs, which meant that this economic independence could not be easily envisioned or effectuated. Poor women today, bereft of resources and unable to support themselves due to lack of skills, may be in a comparable position, unable to even begin to think about removing themselves from their abusive situations.

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(Martha Albertson Fineman & Roxanne Mykitiuk eds., 1994).

36. See Anita Sharma, *Healing the Wounds of Domestic Abuse: Improving the Effectiveness of Feminist Therapeutic Interventions with Immigrant and Racially Visible Women who have been Abused*, 7 VIOLENCE AGAINST WOMEN 1405, 1412-15 (2001) (explaining problems in Canada relating to this issue of women's experiences with services to provide assistance, including linguistic and cultural isolation of immigrant women and different cultural norms).

37. Interview with Geraldine Linas, Mayor's Office on Domestic Violence, Chicago, Ill. (May 3, 2002).

38. See Jody Raphael, *Domestic Violence and Welfare Receipt: Toward a New Feminist Theory of Welfare Dependency*, 19 HARV. WOMEN'S L.J. 201, 223 (1996).

39. See Diane M. Stuart, *Domestic Violence Victims and Welfare Services: A Practitioner's View*, in BATTERED WOMEN, CHILDREN, AND WELFARE REFORM: THE TIES THAT BIND 79, 87-91 (Ruth Brandwein ed., 1999) (enumerating some of the crucial obstacles women face when moving from welfare support to work).

40. See Linda Gordon, *Women's Agency, Social Control, and the Construction of "Rights" by Battered Women*, in NEGOTIATING AT THE MARGINS: THE GENDERED DISCOURSES OF POWER AND RESISTANCE 122, 126-27 (Sue Fisher & Kathy Davis eds., 1993).

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For violence victims, the choices are already narrowed, because when suffering passes a certain limit, the victim's ability to think is affected. Primo Levi has written of his experience at Auschwitz, "It [thinking] is harmful, because it keeps alive a sensitivity which is a source of pain, and which some providential natural law dulls when suffering passes a certain limit."<sup>41</sup> When the vise of poverty is added to the mix, is it any wonder that so many poor women remain stuck?

One domestic violence survivor who was trapped on welfare for eight years recently stated, in the context of a discussion about her college English course, how the ability to fantasize affected her decision to try to escape all those years ago:

When I really began to imagine and to dream was when I began to read. Doing that I could see myself in a different world, even though it was just fantasy. Making the fantasy into reality didn't come until much later. But just allowing yourself to be able to explore is a start of taking your mind out of that prison that is built around you. If your mind is in prison, nothing is going to move. That is what reading does for me.<sup>42</sup>

Creating the spaces for and giving poor women the opportunity to think and dream of a better future presents a considerable challenge. This response to poor women will strain feminists' creativity and resourcefulness. Low-income survivors of domestic violence, who hold the seeds to effective solutions, need to be involved to help formulate and implement appropriate and effective responses.

Persistently denying that poor women experience domestic violence in greater amounts than women who are better off, and failing to perceive that many poor women face difficult and intractable problems making escape from that violence difficult, however, results in the movement's failing these women. We need not fear a dilution of our feminist principles if we go down this road; on the contrary, the journey, made in a way that will honor and affirm them, will bring the hope of this feminist empowerment to many low-income women for the first time.

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41. FREDERIC D. HOMER, *PRIMO LEVI AND THE POLITICS OF SURVIVAL* 120 (2001).

42. Interview with Bernice Hampton, Chicago, Ill. (Nov. 14, 2001).