

Koester: Violence against women must be confronted

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American Indian survivors of domestic and sexual violence recognize the critical nature of this epidemic and consider violence against women a public health, public safety and human rights issue.

Survivors call for more research

Current statistics reflect high incidences of domestic violence crimes in ethnic and rural communities, especially against American Indian women - 3.5 times the average of other races. It is with urgency that survivors are calling for additional study and research in Native communities about the nature and conditions under which violence flourishes.

It is such a critical time that we need to require community accountability for the health and welfare of our families. Survivors note damaging gaps in the systems created to protect us: from victims calling 911, to law enforcement investigation, to court proceedings including arraignment and sentencing, to offender rehabilitation and community re-entry. These responses are fragmented and not adequate.

American Indians organizing against domestic and sexual violence can affect public safety issues by focusing on several areas of strategic action that include developing multiple disciplined teams in order to build partnerships; develop community mechanisms of accountability; emphasize full and accurate evidence collection, including prior histories of offenses; and improving communication between all systems.

An attainable goal

Public health discourse proposes that what we as a society do collectively to assure the conditions in which people can be healthy is an attainable goal. The public health arena is an underutilized resource for educating and intervening with individuals, families and tribal communities on the issues of family violence. The public health concerns of victims and survivors leads us to examine domestic violence in the context of human rights violations and requires critical thinking about global impacts and our local ability to effect change.

We must start as individuals and examine our own histories of violence toward each other and vow to live peacefully. This examination entails an assessment of how we conduct our relations with others: emotional, physical, spiritual and psychological. Once balanced and enlightened, we can become a peace-making force within our family and community. It is this personal accountability we must take as the first step.

Devastating effects

Violence directed at women by their partners (current or former boyfriends, spouses) is an epidemic in our communities. These abusive acts have devastating physical, emotional, financial and social effects on women, children, families and communities.

Historically, theories of domestic violence were based on the premise that such abuse was a "family" or "private" matter that was a consequence of mental illness, alcohol abuse or poor impulse control. Current knowledge of domestic violence perpetration says that the purpose of the violence is the establishment of power and control over another through different forms of abusive, coercive and threatening behaviors. "Domestic terrorism" is a phrase coined long ago by victims and survivors. Despite this understanding, the characterization of domestic violence as a private aberration, as a product of traditional gender roles, reactions to economic hardship and reflective of religious practices continue to impede efforts to protect women, children and families, and hold batterers accountable.

'No tolerance' attitude

The development of inter-disciplinary teams is one of the most effective approaches in a community's coordinated response to domestic and sexual violence. The real killer is the secretiveness of the acts, the attitude that "what happens behind closed doors stays behind closed doors" and that talking about the violence is a betrayal of the family somehow. When viewed as a private family issue, the violence escalates in severity and frequency. Making the issue one of public health and safety enables the process of accountability and healing to begin.

Where we fall short

Under common law (tribal and non-tribal), all citizens are to be afforded the same treatment and with equal protection. States or governments who fail their duty via criminal and civil law to ensure the protection of victims and hold the batterers accountable constitutes one type of violation. A second violation occurs when a state or government fails to provide individuals who are harmed by an intimate partner with the same protection as those harmed by strangers.

Battered women have been denied equal protection when law enforcement officers respond quickly to reports of violence by strangers but fail to respond to reports of intimate partner violence, when forensic medical classifications allow accurate evaluations of the severity of injuries inflicted by strangers but consistently fail to reflect the seriousness of injuries inflicted in an abusive relationship over time, and when judges impose higher sentences on those who assault strangers than those who assault their intimate partners. Victim's advocates and scholars recognize violence as a form of torture. Under international human rights law, torture is severe mental or physical pain or suffering that is intentionally inflicted by a state actor or for an unlawful purpose. The dynamics of domestic violence mirror the defining elements of torture.

Our obligation becomes one of ensuring that all victims of domestic violence receive equal legal protections, on or off reservation. American Indian women deserve the same protection regardless of race in the United States of America - all women deserve the same protections under the law.

The WomenSpirit Coalition believes that as Native survivors of violence, our efforts toward community organizing will result in communities that return to an earlier time when the women were respected and valued. Whether a Native woman lives on- or off-reservation should not dictate her rights to safety, the freedom to pursue happiness and equal protection under the law.

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