

## THE ONLY GOOD MAN IS A BATTERED MAN

### *Male victims – female perpetrators\**

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According to a Hungarian proverb “women beaten, money counted are good”. There is no such thing as a male victim of domestic violence by women. Not only the general public in Hungary but also experts on violence within the family think that the existence of male victims of female violence, in conflicts between adult couples is insignificant, or they question their existence altogether.

### **1. Male victim or injured party?**

A research of the National Institute for Criminology (OKRI)<sup>1</sup>—similarly to other research programs abroad during the past 30 years—provides proof that crimes against men, committed by women within the family, indeed, exists. The number of such cases is significantly lower than that of acts against women by their partners, just as violent behavior by women outside the family is in general only a fragment of violence by men. However there are no experts who would actually deny the existence of female perpetrators, to be dealt with as a problem of society. Yet men as victims, irrespective of magical numbers and ratios, seem to be invisible both within and outside the family. Society and scientific curiosity does record the existence of this phenomenon but, in all aspects, fail to give an explanation: why do men become perpetrators and victims a lot more often.

Looking at the numbers, the majority of victims of domestic violence are definitely women. At the same time, analyzing acts ending in the death of men, there is a

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\* This paper is a chapter from the author’s book published in Hungarian language. TAMÁSI ERZSÉBET: *Bűnös áldozatok. A családon belüli erőszak férfi szereplői.* (Guilty Victims. Male Participants of Domestic Violence). Budapest: BM Duna Kiadó, 2005, 216.

<sup>1</sup> The survey was conducted between 2003–2005, focusing on the analysis of prosecution files on cases closed with a verdict in 2002. The survey was directed at domestic violence cases, violent crimes against relatives. During the survey, a research team processed 1500 cases, indictments, verdicts, witness testimonies, expert witness comments. The results are summarized in a book of studies titled VIRÁG Gy. (ed.): *Családi iszonyok. A családi erőszak kriminológiai vizsgálata.* Budapest: KJK, 2005.

significantly smaller difference between sexes than one would expect. It seems that not only common sense, but also an unbiased investigation of the facts would lead to a conclusion that denies the existence of a single cause and source of and ultimate male responsibility for relationship conflicts. The following analysis intends to shed some light on the male side of domestic violence, looking into possible linkage between events and circumstances, the relation between sexes and the reasons for their aggression.

## 2. Quantified violence. Men and women by the numbers

Analyzing gender participation in violent acts based on simple numbers, the following conclusions can be drawn:

Figures derived from statistics of the Hungarian Police and prosecutor's offices (ERÜBS) show the following trends for the period between 1997–2002:

- a) As an average of 6 years, domestic violence cases make up for 5,6% of all crimes committed, involving ca. 7500 persons per year.
- b) 5,4 % of male perpetrators committed a crime within the family over a 6 year period, meaning an annual average of 6000 persons, of whom—according to the law—1500 committed crimes against their ex-wives, 1200 against their present wives, that is the annual average is 2700 persons
- c) 6,9% of women perpetrators committed crimes against their family members. Over 6 years that is 1200 on average per year, of this 300 against their husbands, 178 against their ex-husbands, that is the annual average is 478 persons.
- d) As an average of 6 years, the majority of assaults against men resulted in life threatening or grave bodily harm (162 persons), the number of light bodily harm cases is negligible (13 persons).
- e) As for homicides, every year 27 men die by the hands of a woman, while 49 women are murdered by men. (This number dropped to 38 women in 2002, with the number of male victims being 23 the same year.)
- f) Grave bodily harm, homicide and abusing/jeopardizing a minor happen to be the typical types of assaults on male victims. In case of violent acts within the family (murder and attempted murder), 3 out of 5 victims are men, meaning a 61% ratio of male victims. Boys are victims of abusing a minor twice more often than girls (67%-33%), 2/3 of child victims are boys.<sup>2</sup> According to an investigation into the connection between family ties and the sex of the victims, except for adult relationships, in all other types of relationships (own child, parent, brother, sister, in-laws, other relatives), the majority of both victims and perpetrators are men.

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<sup>2</sup> The ratios are almost the same within the surveyed sample group of 1500: in case of aggravated assaults the ratio of male victims is 65%, in case of abusing a minor, the gender ratio of victims is 65% boys 35% girls.

### 3. Statement of facts, forms of violence

Table 1. *Types of cases*

Victims	Persons	%
Children	302	20,8
Men (husband, partner)	130	8,9
Parent	157	10,8
Women	598	41,2
Other men	154	10,6
Other women	73	5,0
Adult children	39	2,7
TOTAL	1453	100,0

Analyzing 1453<sup>3</sup> cases of violence by OKRI, 130 were committed against current partners, husbands, and ex-partners, ex-husbands.

#### *Physical violence*

The selected documents were on proven cases of physical violence. Most criminal acts, committed against men by women, were acts of physical violence, primarily causing life threatening injuries or grave bodily harm. There are hardly any light bodily harm cases.

Life threatening and grave bodily harm cases are more often directed against husbands and less often against common law partners/cohabitants, while 30% of ex-husbands, ex-partners are affected by this form of crime.

#### *Verbal, emotional violence*

In case of adults, the law does not sanction emotional violence and battering as a standalone item. However the files allow peeking into methods to solve conflicts among partners, of a non-physical nature. The two sexes tend to refer differently to the type and content of arguments, disagreements, “name-calling”.

The statements by women quite often include the fulmination, verbal remarks made by the aggrieved men. Mostly, women are offended by the defamation of their family (mother). They do not go into details as to their own emotional reaction, they settle for mentioning that “I also slanged him”, “returned the compliment”. Sometimes they would call upon him to “go to your girlfriend”. They acknowledge having accused the men with being a drunk, spending the family budget or not earning enough.

<sup>3</sup> The survey is based on an analysis and comparison of verdicts of first instance, police investigation files, testimonies (defendant, victim, witnesses) and expert statements. These documents aren’t only important from a statistical point of view, but they shed some light on the events preceding the crime, the nature of conflicts and a number of minor details, which lead to domestic violence. The documents naturally reflect reasons and causes of committing a crime, the procedure focuses on the perpetrator, therefore significantly less data are available on victims, injured parties. There are no exact data in every case on age, education level, qualifications, personal history, only a few hints and references are available.

Men do not detail or only remotely refer to the verbal and emotional abuse they suffered.

There are quite a few cases when the criminal act is not preceded by physical violence on the men's part, and there are no signs of prior mutual abuse. On the contrary, a long process of boiling latent aggression, mutual dissatisfaction lead to in heavy drinking, arguments, but not to beating.

#### CASE NO 1.

The women tried to vent negative emotional pressure through nettled remarks and criticism of her husband. The long emotional battering within this couple, living with 3 adult children, led to a life threatening assault on the men. As a result of yet another argument, the woman stabbed her husband twice in the chest, while she was preparing food for the family—including the husband—in the kitchen. The adult daughter of this married couple gave the following testimony: "For decades, he has been like that, he has been drinking for as long as I can remember. I think that my mother grew weary of this long conflict. She did not want to accept it, but their sex life ended like 14 years ago. She staid upstairs, and my dad on the ground floor, in a separate room. After the case in question, my father did not change his way of life, unfortunately, he still drinks. I think my father is not mad at my mother and my mother is not afraid of my father."

#### CASE NO. 2.

The perpetrator of the attempted aggravated assault was a woman (beaten in her former relationship) who left two minors with her ex-husband. In her new partnership she was not battered, but arguments, results of the new partner's jealousy, led to stabbing the man one day. According to the woman's testimony: "I am dependent on drugs, resulting from an overdose of Andaxin that is not my fault, since my then marriage has gone bad, my husband constantly beat and abused me, he was always very jealous. I did not have the courage to testify against him, I always kept thinking of my children. In 1998 he decided that we should get a divorce, and I gladly agreed and moved to my mother's house alone. Since then I see my children on a regular basis, and I sticked to the divorce. I have been living with my current partner for a year, I take care of her 10 year old daughter, she is from his second marriage. My partner has become more and more of a drinker since I met him, and our relationship has been deteriorating. He never beat me, but always quarrels with me and keeps talking ugly about my family, he knows I love my children very much. He had been arguing with me for 4 days already, called my mother and my family obscene names. I started to lose my temper and I cannot explain why, I just ran into the kitchen and picked up the first knife I could lay my hands on. I think I just wanted to scare him with the knife, to make him stop."

#### 4. General characteristics of an intimate relationship

- a) ***Conflicted relationship.*** Contrary to the generally shared idea, the assaults are not targeted, planned and continuous terrorist acts on the men's part nor are they

acts of justified self defense on the part of exposed, defenseless and terrorized women.<sup>4</sup> Long relationships, full of conflicts, are typical, the acts of violence would occur after a short 2 to a long 32 years into the relationship. Disagreements drag on for an eternity, resulting in mutual abuse of the parties, whereby women perpetrators more often talk about bodily harm, and only make general references to their own behavior (I called him names, he's a drunk, does not bring enough money home.) Usually, there are only a few pieces of information available regarding abused male victims, even if a testimony exists, they would not detail the behavior of whoever beat them /they do not make accusations, instead, they are apologetic.

b) **Risk factors.** Violence in the family is combined with a number of risk factors.

Objective factors:

- Financial status: poor family, lack of resources, they mainly live on childcare and other benefits
- Unemployment
- Unresolved housing situation: staying in rented apartments or at parents' house
- Health status: the typical couple consists of a man with a disability pension and a woman with a disability grade due to a “nervous breakdown”. Elements of the decisive “battered woman syndrome”, known in the literature and in the American judicial practice can also be found in Hungarian cases.<sup>5</sup> A long conflict, mutual physical abuse of the partners is often combined with psychological treatment and taking tranquilizers in case of women, while in case of men, a disability pension, somatic symptoms and mainly alcoholism and related illnesses are signs of the ever increasing trouble within the family.
- Criminal record. Quite a few of the perpetrators and victims have one. According to available data, 20,8% of female perpetrators have a criminal record<sup>6</sup>. They would have typically committed fraud, larceny, and physical abuse within their former relationship was also frequent. The placement of victims on the criminal scale is similar. It is though not often that both parties would have a criminal record, rather, usually only one of them has a tainted past.
- In the literature, the lack of sexual intercourse is not considered to be a very important factor in generating violence, since this problem does not directly appear in the documents. At the same time, the testimonies reveal that in case of couples living together for years, this issue for women is one to file and forget, while for men it's an unresolved, lurking problem.
- Divorce. In case of assaults on men, the official divorce does not play a key role. However a significant amount of helplessness, dissatisfaction with each other derives from the emotional-sexual estrangement, and the actual divorce or separation sometimes does not take place, which is not driven by financial reasons, but by a fear of being left alone.

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<sup>4</sup> L. WALKER: *The Battered Woman*. (Harper Colophon Books) Harper and Row, 1979.

<sup>5</sup> Ibid.

<sup>6</sup> Within the whole sample group, 35% of the perpetrators already had a criminal record.

- Schooling/qualifications do not appear to be a risk factor. Women tend to have a higher qualification than male perpetrators and higher than the average of the sample of 150 persons.

Table 2. *Qualification of the perpetrators*

Qualifications	Persons	%
Never attended a school	1	8
Less than 5 forms (years)	2	1,5
Less than 8 forms (years)	7	5,4
Finished lower secondary education	57	43,8
Finished lower secondary vocational school	20	15,4
Some years in upper secondary schooling	3	2,3
Finished upper secondary schooling	22	16,9
Finished tertiary education	5	3,8
No data	13	10,0
TOTAL	130	100,0

Subjective factors:

- Jealousy on anybody's part
- A tendency for aggression in case of any of the parties
- Emotional distance, mainly on the woman's part

### ***Alcohol***

According to the documents, alcohol is a decisive factor in cases of domestic violence. Male alcoholism—in line with national and international statistics—is more often the case.<sup>7</sup> At the same time, a rather high percentage of female perpetrators (46,2%)—and this ratio is probably higher, if we also take latent, inconclusive cases (28,5%) into consideration—means they are over-represented compared to a nationwide average. 68,5% of male victims were under the influence at the time of the criminal act (the ratio of latent cases is some 20% here as well).

<sup>7</sup> The question revolves around whether alcoholism is a reason for, cause of or only an add-on element and risk factor in domestic violence. Most researchers believe, it is not a cause, rather an aggravating factor, be it on the part of the perpetrator or the victim (G. KAUFMAN-KANTOR – M. STRAUS: *The Drunken Boom. Theory of Wife Beating*. In M. STRAUS – R. GELLES: *Physical Violence in American Families*. Nbrunswick: Transaction Publishers, 1990.). At the same time, feminists tend to take an approach that identifies female alcoholism as a consequence of male violence. In their view, women who assault men, become alcoholics and violent as a result of male violence and alcoholism (M. TESTA – K. LEONARD: *The impact of husband physical aggression and alcohol use on marital functioning. Does alcohol „excuse” the violence?* *Violence and Victims* vol.16, 2001, no 5.). A warning sign may be that the drug abuse rate of American girls between 12-27 years of age is identical to that of boys (Fact and Information on the Use of Alcohol and other Drugs among Women. [www.ncadd.org/facts/women.html](http://www.ncadd.org/facts/women.html)). Drug abuse by young girls is also on the increase in Hungary (CSABA GY.: *A gyengébb és az erősebb nem*. (The weaker and the stronger sex.) *Természet Világa* Vol.3, 2002.), which could obviously be seen to have derived from their father's assumed alcoholism...

Table 3. *Was the perpetrator under the influence of alcohol?*

<b>Alcohol consumption by the perpetrator</b>	<b>Persons</b>	<b>%</b>
Yes	60	46,2
No	33	25,4
Cannot be established	37	28,5
TOTAL	130	100,0

Table 4. *Was the victim under the influence of alcohol?*

<b>Alcohol consumption by the perpetrator</b>	<b>Persons</b>	<b>%</b>
Yes	89	68,5
No	18	13,8
Cannot be established	23	17,7
TOTAL	130	100,0

Regular drinking primarily happens among middle aged women, there are quite a few heavy drinkers, alcoholics.

Looking into the detailed 24 criminal acts, ending in death, at the time of the assault, both parties consumed a large amount of alcohol.

It is also frequent that a drinking woman is the source of the domestic conflict. Majority of women would not be typical closet drinkers, rather they are alcoholics obvious to their environment, they drink in pubs, and don't even try to conceal their drinking habits or extenuate their alcohol problem.

Men and women *both state* that the main source of conflicts in the family is the *alcoholism of the man*, even if obviously *both parties are alcoholics*. According to women, all their troubles would just go away if only their husband gave up drinking.

## 5. Reasons for the conflicts

A crime is always committed when conflicts—mainly combined with a lifestyle of alcoholism—cannot be controlled any longer. Without any exception, it is the women, who wish to end the relationship, most frequently they urge the physical removal of the man or they themselves want to opt out of the relationship through divorce.

According to testimonies, the conflicts start soon after the couple gets together. From the very beginning, women know something about the man's past, his alcohol problem, unemployment. When a longer relationship breaks down, women's dissatisfaction is mainly caused by the man losing his job, his deteriorating health. From this point on, the relationship is characterized by emotional battering. Men tend to downgrade the feminine side of their partner (bitch, fat cow, etc.), however, the files do not contain references to how women heap insults on men (at most, men talk about being called a drunk). There are though a lot of remarks referring to their ability to earn money ("does not bring home anything, does not work, drinks the money

away” etc). The files also mention that in most families, women handle the budget, and men would usually ask the woman for money to buy a drink, and the woman would usually receive the state allowances.

Men would like to prevent women from leaving, and feeling helpless, they resolve to intimidation. Physical violence by men results from women becoming emotionally disattached—due to their dissatisfaction with their circumstances and with men—while the fear of solitude and a relationship coming to an end, is a lot stronger in men than in women. Behind the deterioration of this coexistence, there is an unwritten agreement concluded by the parties at the beginning of their life together, in which they assume to have contracted for the rules of procedure. This contract reflects a more traditional setup: men provide for the well being of the family, the responsibility is theirs even if the women works too. After having children, the men’s responsibility grows even bigger, while women stand their ground on the house-keeping front. The conflict happens when men are not anymore capable of securing the resources required to satisfy the needs of the family. This remains to be a male responsibility with or without the woman reckoning and is a source of remorse and diminishing self confidence. Since, for objective reasons, men continue to be unable to perform as contracted—with the arrival of the children women becoming ever more sensitive to creating a sound material basis—they become the origin of a conflict. “If you don’t keep the rules, I don’t have to either” is the way of thinking that leads to male alcoholism and men find refuge in the male company of a pub. He is not at home – she terminates her part of the contract for the kitchen-children-housekeeping routine and playing “servant” to a man. In the best interest of her children, the woman considers it better to change partner. And she actually stands a greater chance of finding a new one, for the family-housekeeping service she delivers is in demand, while unemployed, drunken men are not quite a hot commodity. That is why women are mostly divorced, living in their second or third partnership, with several children (having a certain amount of capital available from childcare benefits and other allowances) wandering from relationship to relationship – often from and to strangely similar ones.

## **6. Aggression in the relationship**

Violence appears in quite versatile forms when it comes to resolving a conflict.

### ***The two types of female perpetrators:***

- a) has several children, lives under bad material circumstances, is unemployed, has a low educational level, is unqualified, divorced, lives in a partnership, is middle aged (between 40-50). The primary reason for her act is the lack of money and her partner’s or her own alcohol problem
- b) is middle class, at least a high school graduate, has an intellectual occupation, is divorced (more than once), or the divorce is pending, has adult children, no children at all, has a more balanced material status. The primary reason for her act is her partner’s jealousy, deteriorating material status, health and/or alcohol problem, and she is unable to accept her relationship going down the drain.



## 7. Types of relationships

The relationships are mostly characterized by mutual violence, however, the extent to which the partners are exposed to this and their personal history leading up to the unfolding events varies, and often there is only a thin line between becoming a victim or a perpetrator.

### *The aggressive woman*

Aggressive women are those with a criminal record, mostly with conflicted past relationships, having several children from various relationships. They quite often have a less bad tempered, older or less healthy partner than themselves.

Typically, the woman's drinking problem provokes aggression in the man who tends to behave aggressively anyway.

### *Alcoholic, aggressive woman – reproachful man*

#### CASE NO. 3.

The woman with a life of misadventures, had a child from her first marriage, the child was given to foster parents after the divorce. She had several common law spouses, and attempted to murder one of them. She was also brought to justice for fraud, after leaving a hotel without paying the bill, following a one week vacation with a male friend. The woman is a hairdresser, currently unemployed, and no children were born in her present relationship. This marriage has been full of conflicts from the beginning, due to the modest financial resources available, and especially because of the woman's drinking problem which was quite often remarked by the husband. During these arguments, they mutually battered each other, although the husband was significantly stronger built than the wife. The case happened when the woman returned home under the influence of alcohol and was reprimanded by her husband, the argument got out of hand, the husband lightly hit the woman, then left her, she picked up a kitchen knife and stabbed him in the back.

#### CASE NO. 4.

The 40 year old woman had a severe alcohol problem, she was on disability pension, had two adult children from a former marriage and a minor child from her second marriage, who was staying in a social institution. She lived together with her adult child from her second marriage and her two year old child born into her current marriage. In a run down environment, everyone was unemployed in the family. "Yesterday I got 6000 HUF family allowance from the postman, then I went to the pub, had three pear brandies and two pints of beer. I went home at half past two, my son picked up my little daughter from her granny. When my husband arrived, he started to argue with me because he was also drunk a little, like me. As far as I remember, we argued about money and we started to call each other names. My husband took his red handled knife from his pocket but did not try to stab me, my brother in law who, was

there, held him down and said he should stop acting stupid. He put down the knife, then I picked it up and stabbed him in his thigh. I had stabbed my former husband once, which caused a light injury and I did not have to go to court for it.” The husband suffered an almost lethal artery wound. The couple is still living together.

*Self-seeking woman – defenseless man*

CASE NO. 5.

The woman had a primary school graduation, lived with her 15 year old child from a former marriage that ended in divorce, got married to an also divorced man with a disability pension due to SM. The woman had a criminal record /suspended prison sentence for fraud, vandalism/, she moved into the man’s house and they lived on his pension. According to the men’s testimony: “On October 21 we got married, then were separated already on October 24, meaning there was no sexual relationship between us afterwards. I was going to be hospitalized on January 8, on the 7th I told her to leave the house while I am in hospital, but it was like I didn’t say a thing. I was about to leave for my mother’s house because they prepared some things I was going to take to the hospital. That’s when she threw that garbage can at me, my rib was broken and poked through my lungs.” The man, leaving for his parent’s house on a bike, “was pushed from the bicycle, consequently he fell to the ground. While the victim was trying to stand up, the defendant grabbed the cover of the 100 liter aluminum garbage can, standing beside the gate, and threw it at the back of the victim, who was getting on his bicycle. He fell on the ground and could not get up. The victim, who was by this time in a bad shape, continuously reviled the woman, for she would not help him”

*Woman trying to deny or palliate her alcoholism – alcoholic man*

This type of couple makes up for more than half of all cases, especially characteristic of relationships between middle aged or retired women and men.

CASE NO. 6.

The retired woman, sentenced to suspended imprisonment several times (for fraud, falsifying private documents) went to do some shopping with her husband, they entered the local pub and the husband started playing an arcade game. According to the woman, the case, resulting in grave bodily harm, happened as follows:

“My husband had two big drinks while playing, I had a smaller one. He lost a lot of money, and when he came home, he asked me to give him some more. I put the pan on the stove and started cooking. I put on some water for the cabbage. My husband was drunk when he entered the apartment, and he wanted to continue drinking but we had no wine at home. He then started to shout at me. I didn’t even care, I was stirring the cabbage in the kitchen. My husband went into the room and shouted at me from there, he called me names, a bitch, a whore. I got so upset that I took the pan from the stove with the cabbage boiling in it. My husband was lying on

the bed and had already changed. I had the pan in my hands and poured a little on his chest and thighs. When I did this, my husband screamed from the pain and I put the pan back on the stove, then I took off his clothes and ran over to the neighbors to call an ambulance.”

Woman in an intellectual occupation with an alcohol problem – defenseless man in an intellectual occupation

CASE NO. 7.

The divorced college graduate woman had been living together for 16 years “with the well-respected male victim, working as an engineer/teacher, who occasionally had a few drinks. The defendant regularly consumed a large amount of alcohol and had ad hoc male partners. Under the influence, she often started an argument with the victim and sometimes she expelled her husband from home when she received one of her male partners. One afternoon, the man had a phone installed in the apartment, and during the installation the woman kept calling him names, so the technicians left the premises, the man left for his office and only came back late in the evening. The woman returned home quite drunk, late at night, with a male friend, and wanted to chase her partner away, starting to force the door of his room open. The man picked up a rubber bludgeon, stepped out of the room and stroke at her, she took the bludgeon from him and hit him with her bunch of keys, then kicked the man, who then went over to the neighbors and slept there. A few days later, after work, the man entered a restaurant to have a beer, saw his drunken partner, who verbally abused him. By the time he got home the woman was already at home and told him she would call the police because he beat her. The man tried to conciliate the situation, asking her not to do so. The woman asked for money so she could continue drinking. The man rejected that, the woman started cursing, picked up a knife, waved around with it, cut the man’s chest while hitting and kicking him. The man grabbed her hands, slapped her on the face, the woman became hysterical and delivered a strong kick into his lumbar region. The man—to avoid further violence—went to his room and lied down on the bed. The woman phoned the police, two officers arrived at the scene, they saw the very drunk woman with no visible signs of violence on heard her inconsistent blabbering. They woke the man up, and took his bludgeon that he kept in the bed. The next day the man did not feel good at the office, he was taken to hospital where his spleen had to be removed as a result of the beating.”

***Aggressive woman – aggressive man***

In the majority of the cases, both parties have a tendency to be aggressive, mutual aggression seems only natural to them, especially, when both of them have a drinking problem.

CASE NO. 8.

The woman, earlier sentenced to prison for vandalism and causing bodily harm, had a child from a former relationship, the court gave custody of the child to the

grandmother, the woman had a minor child with her current partner. The several years of the life of this couple was characterized by drinking and arguments. According to data revealed during the investigation the man—who otherwise had a reason to be jealous—already broke his partner’s arm and hit her on the lips. According to experts, the woman had a personality disorder, she was a hot tempered, impetuous person, showing signs of a deformed personality caused by alcohol and she underwent psychological treatment, several times before. The text of the verdict says: “the injured party had a regular job and gave his salary home. Both of them regularly drank and the arguments usually ended in violence. At the time of the case, the rather drunk man jealously called the defendant to account, then they started to verbally abuse each other. The angry man hit the defendant several times on her face and body, then he took a 20 cm long blade kitchen knife from the drawer, and put it into the defendant’s hands, so she would stab him with that „just stab me, don’t worry, you’ve done it before” – he shouted. The woman grabbed the knife and stabbed the man around his stomach, then made some waving movements and wounded the man’s head in the process. The man’s life could only be saved thanks to a quick medical intervention.”

CASE NO. 9.

The woman was hardly 30 years of age, she was widowed, had two children and lived with her partner. The man had a job, the woman’s income consisted of a widowhood pension and other allowances. In a former relationship the woman already had bad experiences of domestic violence, her then husband wounded her with a knife. “The defendant and the victim had 2 liters of wine each, and the defendant was under very heavily influence.”

The woman stated: “Yesterday we drank some already in the morning. We had two liters of white wine, then I went to bed and woke up before 4 pm. We picked up the kids from the kindergarten together. They were in the living room, we were in the kitchen. We had another 2 liters of white wine. My partner took out the trashcan, the neighbors left a bicycle on the sidewalk and he almost fell over it. He said he would talk to them about it. I told him not to talk to anyone. We started to argue, shout, pushed each other around, I told him off, called her mother names. He picked up a big knife, I told him to put it down, he then dropped it, and sat down on the chair. I leaned down for the knife and I don’t know why, but I was so upset, that I stabbed him in the chest.”

The couple is still living together and they raise the woman’s children together, the childcare service regularly checks up on how the kids are treated.

*Repeat offender woman – aggressive man, mutual and continuous violence*

CASE NO. 10.

The middle aged, alcoholic married couple has for long lived together with conflicts, raising the woman’s 11 year old child from a former marriage. In 1999 a case against the woman was dismissed, on the grounds of justified self defense: her violent

husband had tried to strangle her and slapped her on the face, then she stabbed him in the stomach. The couple stayed together after the case. In 2000 the man and the woman—both drunk—had an argument, the man hit her in the nose with his fist and pulled her hair. He stopped beating her and went into the room, while the woman picked up a knife in the kitchen and stabbed the man in the chest. He suffered severe liver wounds. The man acknowledged his responsibility in aggravating the situation and he also said that his wife did not drink on a regular basis, only occasionally. According to the welfare official, the woman had an aggressive personality, she kept accusing everybody, made ugly remarks even about her child and regularly battered the child as well. The mother was often found under the influence. People said they both drank but the man would normally not be aggressive in this situation, while the woman's behavior was absolutely unpredictable.

This case, which is not a unique one in this series of cases of regular and mutual domestic violence, sends a warning signal, that the aggression in relationships tends to build up, and can become impossible to control after a while. The parties—not only men but women too—resort to violence.

***Classic situation: a battered woman tries to protect herself, and starts a retaliatory assault on the man – aggressive man***

Old couple, the man has a drinking problem

The cause of aggression between retired couples living in the countryside, in a long marriage, with adult children, is the man's drinking problem and his violent attitude. Women in such relationships often fight depression, are on a disability pension, and work as housekeepers with no other job to do. The parties have for long been missing sexuality nor do they maintain a relationship of an emotional nature, they usually stay in separate parts of the same house. The men also have some illness, they normally do some gardening and other chores around the house, their emotional isolation is strengthened by the fact that it is the woman who has a closer relationship with the children. According to women's testimonies, men tend to drink already at an early phase of the marriage, and are frequently violent.

CASE NO. 11.

30 years of marriage, husband and wife—both on a disability pension—they used to have a regular job (salesmen, hairdresser). Their two adult children stayed with them. The woman said: the husband was a “brutal, aggressive man, he calls me and my mother names, a whore. This is what he always says, and I return the compliment and call him an alcoholic. I would usually ask him where he got the money from and why he is drunk again and he should do some work at home. He starts to call me a bitch, I will cut your throat, and you will bleed out, that's how he insulted me. I told him okay, take the knife and stab me to death, I don't care anymore. Then My husband sat down, took a knife from under the seat and we mutually insulted each other, I told him to try and stab me. He wanted to get up but I pushed him back, I somehow grabbed his hand and took the knife from him. I never thought the knife could have

wounded him and he did not complain or anything. I just put the knife into a rucksack hanging in the hallway.” The man suffered life-threatening injuries, in lack of medical assistance, he could have died. After the treatment, the man forgave his wife, and the situation was resolved, according to the file.

Middle aged couple, deteriorated relationship – together in one apartment

A really classic case, the couple is divorced but due to financial reasons they do not move out, instead try to separate in the shared apartment. The tension and conflicts build up in such a situation, because of shared expenses, contacts to common children and problems of everyday life. In almost every case, there is no sexual relationship between the parties, but they share their meals, wives cook and do the shopping. This is quite frequent among older couples too.

In case of relationships where the divorce or separation is pending, conflicts ending in severe violence are also common, none of the parties care about the other. The objective is not even making the other one move out of the apartment, instead, they try to vent the pressure through mutual emotional battery and arguments resulting from a sense of helplessness.

#### CASE NO.12.

After the divorce the husband was supposed to stay in an adjacent part of the building but he allowed a friend to move in there, and stayed in the common apartment with his ex-wife.

“We had a lot of arguments about that. My husband has not worked for 5-6 years, I don’t give him food but he is also using the apartment and I pay the bills. I feel he is feeding off me. I also know that he was never able to come to terms with our divorce, he is still in love with me. Several times he threatened to commit suicide if I don’t take him back. When he came home, I told him to get out of the apartment, I cannot bare the sight of him, and I am completely flipped out. He would not budge. Then I pushed the coffee maker and the microwave oven to the floor. I picked up the knife from the table and pushed it against his shoulder, telling him that I would stab him. My husband continued to unnerve me, he said „stab me, stab me”, and he was laughing in my face.”

#### CASE NO. 13.

The 20 year long marriage started to go astray 10 years ago, but the couple continued to live together. The man once left his wife for another woman but later moved back, although in the meantime the woman had another relationship. Still, the couple lived together with their children, sexually and materially independently. During the last 2 years, both had more a more alcohol, the woman showed clear signs of alcoholism, meaning both mental and physical symptoms. Arguments became more and more frequent, on the day of the events, the man started to wave around with a baseball bat and hurt the woman’s hand, she ran out to the kitchen and came back with a 23 cm long blade knife, after a fight the woman stabbed the man several times, once she hit his liver, then his face. After the stabbing, she left the apartment. She denied the assault, saying she was only trying to protect herself. The man said, he tried in vain

to ask the woman to call an ambulance, she said “Die, right where you are.” The woman suffered light injuries, the man was hospitalized with almost lethal wounds.

### ***Separated couples***

The majority of the couples are between 35-45, most of them have some kind of vocational training or at most a high school graduation, and live in separate apartments after the divorce, with their common children. The conflicts are mostly of a material nature, less frequently related to the children, and occur short after the separation. Physical violence is mutual. The divorce procedure is—with a few exceptions—almost always initiated by the woman, the man is forced to leave the common apartment, he moves to a rented flat or to his parents' home, in some cases both parties would move out until the property is sold.

As for after the divorce but before the agreement on splitting the family assets, we cannot come to definite conclusions. The files show that the women's testimonies, and argumentation does not reflect reality, rather one can find pattern sentences, presumably planted by legal counseling.

#### CASE NO. 14.

The educated couple, both in their fifties, with high income has been married for 30 years, the divorce was started by the woman. According to her statement, the relationship was already bad after 2-3 years, the man became ever more aggressive and children were on the way. The woman justified keeping up the marriage with the interest of the children. She caused severe arm wounds to her husband with a pair of scissors. “My husband in the protocol when he reported me to the police stated his version of the story which is completely in contradiction to what actually happened. He stated “my wife attacked me completely unexpectedly, from behind”. “This is absolutely nonsense, why would I attack him with no apparent reason? Considering this and that actually it was my husband who attacked me and beat me (as I wrote in my report to the police, I was only protecting myself with the scissors held up in front of me, and he was completely flipped out, and was wounded by accident), although he, understandably gave a completely non-realistic account of the events, I find it rather absurd that in this case I am the suspect and my husband is the victim, this should be the other way round. Another sign, pointing to the fact that my husband lies, is that during the confrontation, he would not look into my eyes, although several times called upon to do so by the officer present, and he would not dare tell into my face exactly what he thought had been going on between us.”

#### CASE NO. 15.

In the exception case when the husband asked for the divorce, the woman provided reason to end a 12 year long „love-match”, by causing lethal injuries to the man. The couple came together around the political system change in Hungary at the end of the '80s, they were employed in the catering/entertainment business and their lifestyle and workload started to endanger their relationship. After 7 years, the marriage was in trouble, the man had an affair with an employee and spent less and less time at

home. The woman wasn't willing to get a divorce, both started to drink and arguments turned into fights. The domestic conflict was aggravated by the fact the man could not accept that the woman had a daughter from an earlier marriage, while they had no children. The assault started with some verbal abuse by the man, coming home drunk, he called the woman a whore, she threw a crate at him, he slipped on the floor, hit his head into something and died from his wounds. The woman denied her guilt and blamed the man, calling him an „alcoholic sonovabitch”.

Neither with, nor without you

Almost all of these cases can be described as *better with you than with nobody*, but it is men especially, who do not think of getting a divorce, despite the emotional separation and distance. Women, way before any physical violence occurs, tend to have “abandoned” the men in a sexual or emotional sense. The physical separation does not happen due to obvious reasons, like financial insecurity, existing children, fear of being left alone and a number of other factors.

## 8. The victims

*In case of male victims, two types can be identified:*

- Unemployed, living on ad hoc jobs, finished primary school, unqualified, alcoholic, disability pension, middle aged, between 45-60. The conflict is caused by lifestyle and alcoholism.
- Used to have a decent salary, middle class, qualified, at least finished high school, disability pension, middle aged (between 40-60), gone down in society, has a drinking problem and uncertain means of living.

Male victims are typically reluctant to end their relationship, they seem to find a solution to their emotional and sexual problems, alienation, bad luck, unemployment and lack of money in alcoholism, and frequent bars. This is their way of letting loose, and this gives women a simple reason for reproachful remarks and leads to their strong yearning to be free.

## 9. Family types

The most versatile ones are a combination of monogamous relationships and children being born in various such relationships.

- Types of families living in the same apartment (by order of how often this happens):
- partnership, where there are common children and the woman also has children from a former relationship, not (all of them) staying with them;
  - marriage, one of the parties had multiple divorces, they stay together with the children of one of the parties (the woman);
  - partnership, both or one of them divorced, staying together with the children of one of the parties (woman);



- marriage with common children;
- marriage without children;
- divorced – the mother lives with their children, the father lives alone.

Looking at these confused domestic configurations, it seems that women tend to change their partner more often than men, and take their children with them. Often, their children from a former relationship are placed with the father, stay in a social institute or are born into partnerships as well. The theory that women run a higher risk when leaving the man, cannot be proven, since they only leave their current partner when they are absolutely certain that they cannot expect more support from them, or they constitute a bigger loss than benefit factor (alcoholism, unemployment). Men, especially middle aged ones, living in the countryside, still leverage, and do not think of leaving, even in case of relationships that do not work from either a sexual or emotional point of view. They are more helpless, hopeless, resign themselves, they really have nowhere to go, their only option is to become homeless or occasionally, to stay with their old parents.

The following case can be considered typical.

CASE NO. 14.

The woman had been in a number of different relationships, she had several children, no job, no place to live, no security. The man was unemployed, it was his first attempt at a longer relationship, he went into it with three kids of not his own, he was jealous and a drunk. According the expert “alcoholism also lead to a certain deterioration of his sexual abilities lately, which only added to his jealousy.” The 35 unqualified woman, who finished primary school, spent 6 years working all her life, and her 4 children were from 3 partners. She had one child from her first marriage and two from her second. She married her third husband after living together for 2 years with him. Her testimony: “I got pregnant during our relationship and my partner sometimes lived with us, sometimes he moved away. Since we met, we lived in separate apartments several times, because he battered me on several occasions. I sent him away a few times but he always begged me to take him back, promised everything if I did, promised not to drink anymore but could only keep these promises for a little while. On one of these occasions I had to call the police. He moved out this April and was away for 4 months, during which he never gave a penny home, he didn’t even care about the children. After this one month he begged me to let him come back and soon afterwards we got married. Before the case in question, he got upset in the evening, because I said something that hurt his sensitive soul, but I don’t remember any such thing. He accused me of thinking that I am a perfect woman and I answered if I was I would never have married him. The next morning he started again, asking who do I think I am and all, then he asked for my bank card, he said he wanted to check if his sick-pay was transferred to my account, I might add, that I have a bank account and his money goes there. When he came home, I could see he was drunk and I asked him to go wherever he could. He said he had no money left, he drank it all away and spent in on games but he bought me a ring and a medal, plus he put some

pot-plant on the table. He started to beg me not to send him away, I told him to leave me alone, then he picked up a big knife from the kitchen table and gave it to me saying „here you go, cut my throat”. Then he left. I immediately called the neighbors, because I was afraid he might come back and make some trouble. He came back, and asked if he could come in to have a glass of water. I let him in, he started to yell at me, called me a bitch for not letting him stay there, he said I was a bastard for putting him on the street without a dime. I was also upset hearing all his curses, and told him what was on my mind. Then my husband—with the neighbors watching—hit me once on my cheek with his right hand, I did not fall, although lost my balance. After that I also attacked him and slapped him and I completely lost my mind I didn’t even know what I was doing. I don’t know when that knife got into my hands. My neighbors told me that I just stabbed my husband.”

## 10. Characteristics of criminal acts

Except for a few ones, criminal acts happen in the shared apartment, mainly in the kitchen. The women are about to cook, the time of day would be sometime in the evening, that’s when men come home. The instrument of the assault is almost always some kind of a kitchen knife with a 15-25 cm long blade, less often they pour hot water or soup on their partner. In most cases women cause injury or death by stabbing once.

Women tend to only occasionally acknowledge their being guilty of committing the crime, especially soon after the events. In a great majority of cases—except for a few ones—women do not want to take responsibility for what they had done ( I could see, he just ran into the knife, he cut himself) or show no visible sign of regret, after having cut or stabbed the man several times. This lack of feeling remorse is caused by their anger over the man’s behavior and the disappointment he had caused.

At the same time, male victims consider the women’s behavior justified, they take responsibility for their acts that triggered the female violence. Men are apologetic and tend to extenuate what happened to them, that is why often the couples would stay together after the events. The strange situation occurs that aggressive women forgive men for what they did to the men. This behavioral pattern is all the more significant, because men and women show absolutely the same reaction as in case of reversed roles, that is when the man is the perpetrator and the woman is the victim. The victim is apologetic, has a sense of guilt and the perpetrator is in denial, irrespective of sexes.<sup>8</sup>

## 11. Procedural characteristics

### *Reporting a crime to the police*

The assaults are mostly not reported by the female perpetrator, nor by the male victim, but by the doctor or the neighbor. With only a few exceptions, female

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<sup>8</sup> About the habit of victim, see: WALKER op. cit.

perpetrators deny, in their statement to the police officers arriving at the scene, that they acted intentionally and deny their responsibility.

Women cause grave bodily harm or death to men /men do not report light bodily harm, unless it becomes part of the mutual reporting/complaint procedure. Women on the contrary, more often report even light bodily harm, any factor in being free is important for them, especially when the divorce is pending.

### *The verdicts*

Types of verdicts

Table 5. *Legal ramifications of the criminal act in question*

<b>Verdict</b>	<b>Persons</b>	<b>%</b>
Jail sentence	19	14,6
Fine	22	16,9
Suspended jail sentence	49	37,7
Community service	2	1,5
Probation	19	14,6
Parole	13	10,0
Acquittal	6	4,6
Total	130	100,0

Table 6. *Length of suspended sentences*

<b>Sentence</b>	<b>Persons</b>	<b>%</b>
1–6 months	10	7,7
7–11 months	6	4,6
1–2 years	16	12,3
2–3 years	15	11,5
Total	47	36,2
Other	83	63,8
	130	100,0

Table 7. *Length of probation sentences*

<b>Sentence</b>	<b>Persons</b>	<b>%</b>
One year	7	5,4
Two years	10	7,7
Three years	2	1,5
Subtotal	19	14,6
Other	111	85,4
Total	130	100,0

The table shows that the sanctions imposed on female perpetrators are not more or less severe than average. They mainly committed assaults, resulting in grave bodily

harm or death, and the most common form of punishment is suspended imprisonment (37,7%). The ratio of imprisonments carried out, suspension and fine is more or less the same. Prison sentences carried out (19 cases) mostly fall between 4-8 years, and in 6 cases, they exceed 8 years. Fines are mostly under 30 thousand HUF, there was only one case where the fine was more than 50 thousand HUF

## 12. Crimes against life

### *History*

The 1990-1998 homicide statistics<sup>9</sup> show that the ratio of female perpetrators within the total number of crimes—amounting to 10-11%—was way higher—24%—considering homicides only. Within the family, 23,5% of the victims were killed by their current or former partner or spouse.

63% of murder victims were men, 35,6 % were women.

According to statistics, 40% of the victims were between 35-55 years of age. The most common time of committing a crime would be sometime during winter months, mainly in December and February, full of various holidays, and falls between 8-11 pm, the time of family gatherings.

According to the marital status of the victims, the survey differentiates between legally (on paper) and actually married or not married status. From strictly a legal point of view, 30% of the victims were married, 30% were single, celibate, widowed, and 16 % were divorced.

But in reality the situation was quite the opposite: 30% of the victims lived alone and 46% of them had a partner. One quarter of the victims were retired, another 30% unemployed or had an occasional employment, 12 % had a physical and 3,2 % an intellectual profession, 4,3 % were entrepreneurs and 2% were homemakers.

Based on the 1997-2002 ERÜBS statistics,<sup>10</sup> 43 % of murders were committed within the family. Men attack one of their relatives in 36% of the cases (120-130 persons) and their spouses in 49% of the cases (fifty on average). The number of female perpetrators is lower than that, however 76%-80% of them attack their relatives (53 women on average per year). In proportion to men, more women commit a crime against their partners (56%) and children.

### ***Crimes and marital status***

The following conclusions can be drawn from an analysis of the files on 24 murder cases, closed in 2002:

<sup>9</sup> Published on the surveys KRÁNITZ M.: Emberölés: Áldozatok és tettesek. (Manslaughter: victims and offenders.) *Kriminológiai Tanulmányok* Issue 41, OKRI, 2004. The data analyzed here were made available by Mariann Kránitz, for which I would like to thank her.

<sup>10</sup> WINDT SZ.: A családon belüli erőszak statisztikai jellemzői. (Statistical characteristics of domestic violence.) In VIRÁG GY. (ed.): *Családi iszonyok*. (Family horrors.) Budapest: KJK, 2005, 136–151.

Crimes against life show a great variety from the point of view of the victim being the partner or the husband of the perpetrator. It can be clearly concluded that partners become murder victims a lot more often than husbands (the victims were partners in case of 16 murders and two attempted murders, and husbands in case of 5 murders and 1 attempted murder). While the most common would be the murder of a partner (11 persons), husbands usually suffer grave bodily harm causing death (4 persons), and there was only one actual murder.

It should be further analyzed and explained, why crimes against life most often happen between partners. As for the marital status and the history of female perpetrators, they are typically divorced at least once, had several partners, live with their child(ren) from former relationship(s) and also have common child(ren) with their current partner.

### *Age*

According to age breakdown, out of women born during the early '60s/9 women/3 killed their husbands, out of women born between 1957–1947 (13 women) also 3 killed their husbands, the others killed their partners. There were only two younger women (born in 1980 and 1969) who killed their partners. There were two cases where a greater than average age difference could be seen—men 10 and 15 years older—and one case where the woman was 5 years older.

### *Education level and murder*

3 of the female perpetrators did not finish primary school, 17 had no qualification, but finished primary school, one graduated from high school, two completed vocational school, and one had a college degree. No exact data are available as to the education level of the victims. Where it is known, the overall trend is that couples would have similar schooling background. Women have the same level as men, while there are more men with some kind of training or qualification, although most of them are unemployed.

### *Unemployment*

The majority of female perpetrators (14 persons) do not have a steady job, are dependent on their partner, unemployed and only 4 had a job or were small business owners, 5 were retired or lived on a disability pension.

Out of male victims, 10 were unemployed with ad hoc employment opportunities, 6 had a disability pension and 8 had a steady job.

### *The role of alcohol*

In each of the 24 cases, both victims and perpetrators not only consumed alcohol at the time of the assault, but they also had chronic drinking problems.

### *Aggression in relationships*

The women's tendency to being aggressive was obvious in every case, their current and former relationships, were typically tainted with conflicts. The relationship is often based on a more aggressive woman and a less aggressive man living together.

- |                  |                                       |
|------------------|---------------------------------------|
| Aggressive woman | with the man being                    |
|                  | – less aggressive                     |
|                  | – calm, only aggressive when drinking |
|                  | – submissive                          |
|                  | – never able to hurt the woman        |
|                  | – aggressive                          |

Aggression though does not primarily feed on blind hate or revenge/payback, just like in case of man, the main driver is a sense of helplessness, desperation and especially alcohol happens to be a decisive momentum. There was only one case where the man showed signs of a sadistic, suppressive, dependent (offended) personality, this happened to be a unique case within the sample group, a murder of extreme cruelty.

#### CASE NO. 16.

38 year old cleaning lady, with a primary school graduation, divorced after a short marriage. The woman (with a minor child) got acquainted with the man in 1986, (he had a criminal record) and they moved into a semi detached part of a house, owned by the woman's mother. This relationship also quickly deteriorated, the man knew no limits in drinking, and was sexually abusive with the woman, their arguments regularly ended in violence. The man was imprisoned in 1990 for earlier crimes. The woman—according to her testament, in order to make him angry and leave her—entered into a sexual relationship with another man, and gave birth to a child. Her partner was released from jail prior to the birth of the child and accepted the child. The man continued to make a living on criminal activities, spent the family budget on drinks and cards. The woman reported her aggressive husband to the police several times, but she was reluctant to press charges, therefore after a while, police were not dealing with them anymore. The woman stated that the man's relationship with the children was not free of aggression or a sexual overtone. He would touch the child from her earlier marriage and would walk around nude in front of her, and she found him several times naked under the blanket with one of the boys, but since the boy did not complain, she made no further steps. She took their common child, a boy, for two months to her mother's house in the countryside. The boy from her earlier marriage fled to his grandparents from the husband's harassment. As to the victims sexual behavior, the woman made the following statement: "I think our sex life was more or less ok, but he had some things like for example we would go to bed and then during the night he would start molesting me, and wanted me to stick bottles up my whatever." The assault happened in January 1995, when the man came home drunk, started to make jealous remarks and during a long argument he said he would leave the women and was going to take their one year old child with him.

The woman begged him not to do that, and during a violent scene she tried to prevent the man from packing up the child's clothes. The man hit her on the cheeks so hard, she passed out. When she came around, she saw the man lying on his back on the bed. The woman decided to make absolutely sure the child was not going to be taken away. She took a heavy steak hammer and hit the man on his head and chest, countless times. When she saw the man drenched in blood, she burst into tears, folded the blanket over him, and decided she would keep all this a secret because she did not want to part with her one year old child. During the night, she dug a whole in the ground in the tool shed, buried the body, scattered saw-dust over it and placed various objects on top. She cleaned the house, threw the steak hammer in the trashcan and replaced the bedclothes. She said to neighbors that the man went abroad, but she confessed having killed her partner to her mother. The remains of the man's body were discovered in 2001 with the woman's assistance. She was sentenced to 6 years in prison.

### ***Sexual drives***

According to the files, sexual harassment or attempted rape was not a factor in assaults on men by female perpetrators. Only in two murder cases (detailed above) is attempted rape emphasized as an important element in the verdict.

#### CASE NO. 17.

The 31 year old divorced woman with 4 children (served multiple sentences for robbery, larceny and grave bodily harm already as a minor), met a man with two children, but they did not move together, only met occasionally and spent some time in one of their apartments. "Due to their aggressive personality, verbal harassment and threats were regular, the strongly built man had a jealous nature and had some problems with alcohol. He several times beat the woman who was at times also under the influence." On the day of the crime they went out for the evening then the woman—sent to the drugstore for drinks—started to talk to one of her male friends. Her partner saw that and out of being jealous, he hit the woman, then the couple headed home while arguing and verbally abusing each other. "At this stage the defendant said she would finally stop having a sexual relationship with the victim and told him not to come to her apartment. The woman did not want to let the man in, but he forced the door open, took off his over garment and lied down on the twin bed, where one of the woman's children was sleeping. He told the woman to have sexual intercourse with him. The woman did not want to obey him, but she was afraid, so she started to undress. The man was impatient, got up and tore her clothes off then lied back on the bed and expressed his intentions using obscene words. The woman was stalling for time, "she lit a cigarette and then she saw a kitchen knife in a basket under the table. Driven by her anger, she tried to stab the man, who was about to sit up, in the chest, several times. The victim blocked the first 3 stabs with his right arm, but the 4th one he could not evade, so the defendant stabbed him once in the chest at least with medium strength." The victim soon died.

### ***Criminal record***

Among the female perpetrators 4 had a criminal record facing charges in a court of law for petty theft, robbery and assault.

### ***The verdicts***

Most of the perpetrators were sentenced to prison. In 16 cases the prison sentences were carried out, in 5 cases perpetrators received suspended imprisonment, and in 3 cases they were acquitted. The court of appeal's ruling was an increase of punishment in 4 cases and a commutation of sentence also in 4 cases. The ancillary punishment was deprivation of basic rights for a certain period of time, and in 4 cases involuntary treatment in a mental institution was also ruled.

The female perpetrators, sentenced to suspended imprisonment, performed the factum of negligent and fatal aggravated assault (3) or attempted manslaughter (2), and in one case the defendant faced charges of heat of passion manslaughter. The court ordered acquittal in one case, for murdering a partner, on the grounds of justified self-defense.

The average duration of prison sentences was 5,9 years, the longest imprisonment for murder was 10 years and the court ordered involuntary treatment as well.

### ***Justified self defense***

In case of crimes against men, especially murder, feminist literature<sup>11</sup> tends to accept the concept of justified self defense, and passes judgment on the judiciary system for not setting a higher value on the long, continuous violent nature of a relationship, in which naturally women are physically abused by their male partners. At the same time, they disregard the often provocative behavior of women, the verbal and emotional battering of men and they never ever attempt to analyze the reasons potentially leading to male violence.

Justified self-defense is rarely a conclusion in cases of assault on men. Out of the 130 cases 19 ended with an acquittal, of which only 6 were on the basis of justified self-defense.

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<sup>11</sup> The transformation of justified self-defense is a key issue for feminist reforms in case of female perpetrators. In the international literature and legal practice, a debate is going on. The most comprehensive approach to this issue is seen in Westervelt's work (S. D. WESTERVELT: *Shifting the Blame*. Rutgers University Press, 1998.).



Table 8. *Causes of acquittal*

Causes of acquittal	Persons	%
Lack of grounds of punishability	4	3,1
Limitations of criminal liability	1	8
Bizonyítottság hiánya	1	8
Defendant deceased	3	2,3
Under trial	2	1,5
Self-defence	6	4,6
Private prosecution initiated beyond legal deadline	1	8
Criminal act threat to society is negligible	1	8
Subtotal	19	14,6
Other	111	85,4
Total	130	100,0

### *Attempted murder*

Out of the 24 crimes against life, 3 were in the attempted murder phase, two against a partner, one against a husband, where both members of the couple had one or more relationships before. In two cases, the appellate court commuted the attempted murder charge to life threatening bodily harm, and opted for justified self-defense. All three female perpetrators were in their early fifties, lived on a disability pension or were unemployed, with a working male partner. Both members of the couples had a drinking problem, the relationships began 2, at most 3 years before, and were characterized by mutual physical violence, in all three cases, the woman happened to be more inclined to act violently.

According to experts, all three women lived in constant emotional disharmony, were addicted to alcohol, one of them had to undergo involuntary treatment. All of them claimed justified self defense, denied their guilt. The man so to speak “walked into the knife”. 2 out of the 3 cases ended with the partners forgiving each other and living together since (at least at the time of the proceedings). In all three cases, the man was less bad tempered, according to their acquaintances. These 3 cases are not within the grave bodily harm category, because at the time of the acts, the man stopped fighting, but the drunken women could not quit, and continued the aggression in the bedroom, where the man had already lied down.

#### CASE NO. 19.

Both partners liked to drink, the man was a jealous type, and did not like the woman’s 7 year old daughter from her earlier marriage. The crime happened at home, after drinking with the neighbors. The man asked for money and went to get some alcohol but the store was closed, he got more upset, started to shout at home, argued and did not want to let the little girl watch TV. A fight broke out, the woman hit the man on the shoulder so hard, he fell under the bed. He jumped up, hit back, then took a knife from the kitchen and started to threaten the woman with it. “As we kept on fighting,

we turned around a few times and I managed to get that knife out of his hands, the next thing I know he is looking at me strangely. I looked down and saw that somehow I stabbed him in the chest". The man instantly died of his injuries. The woman was acquitted on the grounds of justified self defense. The court referred to both parties being under the influence, the verbal threats of the man, emphasized with the kitchen knife, the attempt and inability to run, ruled out exceeding the time limit, acknowledged conditions pointing to proportionality and the immediate call for help by the woman, proving she was in an emergency situation.

### 13. The role of the judge

According to the files, judging a domestic violence case is independent from the judge's sex. Concluding justified self defense was in only one case somewhat indicative of the (male) judge attaching importance to the sex of the participants of the case.

#### *Male victim or injured party?*

##### CASE NO. 20.

The man of the couple (in their fifties) was on a disability pension and had a drinking problem, the woman was a cleaning lady. The man was often sitting at home, drinking, was regularly "on edge" and physically abused the woman, who at one time was so scared, she picked up a knife and stabbed him.

The verdict talks about the preceding events as follows: "In the present case the basic situation as one can conclude is that—as it unfortunately often happens—the woman is employed and takes care of her family, while according to the files, the man with a disability pension regularly drinks, either at home or in the pub."

As for exceeding proportionality, the judge has the following to say: "[...] although the woman used a knife to react to being hit with bare hands, she was not offensive, rather defensive in doing so. One cannot overlook the fact that the victim is a man and the defendant is a woman. This court rules that a woman severely beaten by her spouse several times, indeed has the right not only to engage in a fist fight of dubious outcome, but to use an instrument when trying to defend herself against an assault."

The obligation to evade/avoid the assault cannot be referred to "since the female party of a married couple cannot always run with her minor children sometimes even with no appropriate clothes on—as it happens often unfortunately—and hide at the neighbors or relatives from the drunk man attacking."

The woman was acquitted, facing aggravated assault charges.

### 14. The price of freedom and power

Domestic violence today in Hungary mainly refers to wife and child beating at most. While in case of beating the wife, the perpetrator can only be the man, the role of

mothers and fathers in physically abusing or neglecting a child is not so easy to separate. The reason for that can be found in the basic concept of domestic violence, looking at aggression in intimate relations, between adults, as a result of a generic, historically and societally rooted male inclination for oppression and aggression. The conclusion is supported by various statistical data, part of which (criminal statistics, medical reports) point to a way higher number of female than male victims. At the same time, the explanation of female violence against men is exclusively based on the concept of this violence being the result of male dominance and patriarchal subjection, taking the shape of justified self defense.

The files on cases closed with appellate court verdicts in 2002, talking about female perpetrators and male victims, show a slightly more tinged picture.

### **Conclusions**

Conflicts are based on stereotypes of family, marriage.

- The man is the pater familias, as far as making money is concerned, and therefore he takes responsibility even if he is unemployed, and then even more
- For the man, the woman represents home, she controls what happens in the family, even if she works
- The woman is responsible for managing the family budget and distributing available goods (“he asked for more money, he sent me to buy some wine, I did the shopping, got the maternity allowance etc. Or I did not give money to him, he does not bring the money home, I support him”, etc.).
- The woman checks on how the man does chores around the house (“he did not feed the animals, repaired the door, did not change the bulb, paint the wall”, etc.).
- The woman is the homemaker even if the couple live as if separated in the same apartment for years (“did not give him dinner, there was no meat for with the potatoes, I poured some stewed cabbage on him” etc.).
- The crime does not simply take place in the apartment, but in the kitchen<sup>12</sup>, in an area supervised by the woman, at dinner time, they are cooking, or preparing for it, “paring potatoes” is a regular motive. Therefore, with almost no exception, women inflict pain with a knife or boiling water.
- The woman is responsible for the kids, she is on better terms even with adult children, women tend to accuse men of having lost their touch with the kids, not taking care of them, being angry with them, etc.

The cases lead to a conclusion that aggression within the family is by far not an exclusive consequence and representation of the oppressive physical and emotional rule of men, it is more the result of a mutually agreed hierarchy, and is aimed to prevent women from canceling their part of the contract for sharing power and

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<sup>12</sup> International research also describes the kitchen as the universal premise of the man’s death, while for the woman, the bedroom happens to be the deadly location. M. E. WOLFGANG: *Pattern in criminal homicide*. John Wiley and Sons, 1958.

workload. Women want this cancellation, because the man failed to deliver on his part of the contract, he did not assume adequate responsibility for taking care of the woman, her children, did not keep the family safe and secure (and with a drinking problem, even the remote chance of being able to rely on the man is lost). All this triggers an almost unconscious reaction in women, they go into emotional and sexual seclusion, and as a result of both parties' helplessness, the daily conflicts manifest themselves in verbal and then, more and more often, physical abuse.

One can observe that women assaulting their partners are not afraid of even a male partner with whom they live in a relationship that has for long been characterized by violent behavior. And battered men consider the assault on them a justified one, because deep down they think their behavior was improper and the punishment served them right.

The man

- has no money
- has no job
- usually has no place to stay
- and is physically and emotionally exposed to his partner

At the same time

- The woman is the keeper of the house, so she calls the man to account (“make money, take care of the family, I am working hard here while you...”, or “I raise the kids, do the washing up, cook, clean the house” etc.). Her female role does not seem to include a responsibility to earn money within or outside the family. The man is obliged to make money, while for the woman, providing for the man, “serving” him and taking care of the kids alone is something she is forced to do, even if she does nothing else outside the family and does not want to take on any other jobs.
- For the woman, it is not the man and marriage that are of primary concern, if the relationship does not bring adequate security (mainly material benefits) she tries to get rid of her partner, takes the kids or gives them in to a welfare institution.
- For the man, the home and being looked after does mean a lot, even if it does not bring any additional direct benefit.

Based on all the above, instead of the rather scratchy philosophy of “male oppression and female subjection”, a more realistic approach could be adopted. Within intimate relationships, both parties exercise some kind of power over their partner. Women—with their children—expect the man to keep them safe from a material point of view, in return for emotional and other support at home. Intimacy within couples is represented by a higher than average level of tolerance, sexual attachment and emotional backing. That is why they accept each other with a criminal record, or overlook—to a certain extent—failing to deliver on promises, and that is why women sometimes pick the infamously drunken and aggressive man as a partner. However, society is a lot more sensitive to the fate of women and children (“the weak”), and turns towards them with solidarity, while the female emotional power over “strong” men is not taken into account. We discuss female poverty, child poverty but there is no such thing as male poverty. Therefore the quest for “strengthening”

women and the problem of harmonizing career and family is much more of a talking point for the general public and also in crime prevention. When talking about the safety of families, harmonizing what men do for a living with resources required to take care of their families, is often forgotten. Modern society simply does not associate male role with work and the task of providing for the family, saying, this would strengthen the traditional, undesired family model of a single money earner. This philosophy supports the idea of a materially independent woman as a cornerstone in the fight against domestic violence. In the meantime, improving the situation in terms of male unemployment and homelessness—which prevent man from being independent—does not appear on the list of noble objectives that would help end aggression between the sexes. However, according to the files, the lack of the man's ability to sustain his standard of living and that of the family, is a key factor in violence within relationships, and the lack of this ability over time leads to emotional, sexual estrangement and violence generated by the „loser's” sense of helplessness.

What is needed, is not just making a decision on whether the traditional male and female roles have a reason to exist, rather making it possible to live together in an acceptably smooth manner, as much as possible. Our job is not to change or end the so called traditional casting of roles within the relationship, because it seems to evolve in a natural way and not due to some pressure from outside. The scientific and political issue is not whether people feel all right about how they play. Gender roles—in every age—happen to change in line with prevailing norms and rules. So far, the male and female role remained to be the basis for our identity: the man assumes a greater responsibility for self-preservation while the woman for reproduction. This—it seems—is not something we wish to change. Then let's be more active in creating an atmosphere where people actually feel okay, safe and let's not try to destroy the basis for this co-existence, replacing cooperation with punitive measures, regulations, building safe houses for victims and making unhappy children, who have to live without their parents.

