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Journal

UCLA Women's Law Journal, 1(0)

Author

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Publication Date

1991

DOI

10.5070/L311017549

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HOMELESS AND BATTERED: WOMEN ABANDONED BY A FEMINIST INSTITUTION

Lisa R. Green*

*Evidence of wife-beating exists wherever one cares to look for it.*¹

INTRODUCTION

Women have historically been subjected to violence and domination at the hands of men, even the men they love — husbands, boyfriends, and lovers. Until the mid-1970s, however, the battering of women by their own partners remained shrouded in silence. The 1976 publication of Del Martin's book, *Battered Wives*,² marked the beginning of a burgeoning social consciousness concerning the pervasiveness of this abuse.³ Enlightened by both the relatively new rebirth of feminism and the appearance of literature demonstrating the needs of battered women, women in cities across the nation mobilized in what is now known as the battered women's movement. "By claiming that what happened between men and women in the privacy of their home was deeply political, the women's liberation movement set the stage for the battered women's movement."⁴

* J.D., UCLA School of Law, 1991; B.A., U.C. Santa Barbara, 1987. I would like to thank Lucie White and Chris Littleton for their extraordinary support and guidance. My gratitude to Jollee Faber, Laura Reece, and Elizabeth Skorcz for their valuable editorial efforts. My appreciation also to the *Journal* members for their assistance and perseverance.

1. D. MARTIN, *BATTERED WIVES* 19 (1976) (emphasis added).

2. *Id.*

3. In 1979, Lenore Walker wrote, "The problem of battered women has only come into the limelight in the past few years, its progression toward public awareness paralleling the growth of the women's movement." L. WALKER, *THE BATTERED WOMAN* ix (1979).

4. S. SCHECHTER, *WOMEN AND MALE VIOLENCE: THE VISIONS AND STRUGGLES OF THE BATTERED WOMEN'S MOVEMENT* 31 (1982).

The feminist philosophy underlying battered women's shelters suggests they are safe places available to any woman, regardless of her race or class, trying to escape a battering relationship. A closer look at the women who comprise the majority of battered women's shelter residents, however, reveals a class of women who are not afforded the safety and support of this feminist institution. This is the class of women who occupy the lowest stratum of the socio-economic scale: homeless women.

The exclusion of homeless women in this context is an example of feminist "essentialism." Essentialism refers to the "tendency in dominant Western feminist thought to posit an essential 'woman-ness' that all women have and share in common despite the racial, class, religious, ethnic, and cultural differences among us."⁵ This tendency toward homogeneity results in a feminist movement that is often meaningless for women whose experiences differ from the paradigmatic woman at the center of the philosophy. The phenomenon of essentialism is demonstrated when battered women's shelters do not accept homeless women because these women do not conform to the prototypical battered woman whom the institution is designed to accommodate.

Although homeless women do maintain intimate relationships and are subject to abuse by their husbands, boyfriends, and lovers, the staff at battered women's shelters discount the issue of male violence when it is directed at women in the lowest socio-economic class in our country. This Essay explores the exclusion of homeless women from the safety and support offered by battered women's shelters — the feminist institution that declares itself a place where "women" can escape abusive men.

Part I provides a background to this exploration by describing the experience of homeless battered women in America, sketching a brief history of the battered women's movement, and explaining the structure of battered women's shelters. Part II demonstrates the ways in which homeless women are dismissed as unsuitable to benefit from the shelter system and are therefore excluded and left without any protection. Part III explains the theory of essentialism, and confronts the essentialist practices of battered women's shelters in their failure to address the needs of homeless women. Finally, Part IV discusses some possible responses that may mend the crack into which homeless battered women fall.

5. E. SPELMAN, *INESSENTIAL WOMAN: PROBLEMS OF EXCLUSION IN FEMINIST THOUGHT* ix (1988).

I. BATTERED WOMEN'S SHELTERS AND HOMELESS BATTERED WOMEN

This Essay addresses a problem that lies at the intersection of two highly publicized and gravely serious social issues — homelessness and battering of women. These areas each receive much attention in our society, but they are perceived as very separate issues and are treated independently. Although homelessness and battering are distinct problems in many ways, too many women experience their combined effects.⁶ The number of women in the homeless population and the prevalence of male violence in our society together result in a new subset of problems that requires the attention of advocates in both camps.

A. *Homeless Battered Women*

Although homelessness has existed throughout American history, it became a critical issue in the 1980s when the numbers of homeless people increased substantially and the composition of the homeless population changed dramatically.⁷ Before this time, the homeless generally consisted of older single individuals living in Skid Row areas, whom society perceived and stereotyped as “drunk bums” and “bag ladies.” However, the current homeless population, often referred to as the “new homeless,” includes thousands⁸

6. For instance, women too often become homeless as a result of leaving a battering relationship. Marjorie Bard specifically focuses on this problem. See M. BARD, *SHADOW WOMEN: HOMELESS WOMEN'S SURVIVAL STORIES* (1990). Bard herself became homeless while attempting to escape her battering husband. Over the years, she has collected approximately 2,000 stories of homeless women. *Shadow Women* is a fifteen year field journal of these women's personal narratives concerning why and how they became and remain homeless.

7. The factors contributing to this continuously growing problem are beyond the scope of this Essay. See generally P. ROSSI, *DOWN AND OUT IN AMERICA* (1989).

8. There are obstacles to obtaining an accurate count of how many people are homeless. The difficulties in gathering such data are both technical and ideological. The main technical problem is that conventional research methods rely on reaching people through mail, telephone calls, and visits. These are largely useless for studying people who do not have addresses, telephone numbers, or permanent places of residence. Ideologically, the number counted will vary greatly depending on the definition of “homeless” used in the survey. A narrow definition will include only the “literal homeless,” those who literally sleep on the streets or in homeless shelters. A less restrictive definition will include those who are “precariously housed,” and are constantly moving in and out of the homeless condition. Despite these obstacles, estimates of the homeless population have ranged from as low as 250,000 to as high as 3,000,000. *Id.* at 45-81.

of couples and families who find themselves unable to pay the price of maintaining a home.⁹

There now exists an entire homeless subculture comprised of people interacting with one another, surviving together, and involved in the same types of interpersonal relationships as members of mainstream society. The problems associated with human interaction and relationships in the dominant culture also exist in the homeless subculture. Therefore, just as women living in homes are battered, women without homes are battered by the men with whom they are involved.¹⁰ In fact, homeless women are arguably at a higher risk of battering and rape simply because they have neither the safety that shelter might provide nor the security that neighbors or peace officers might otherwise offer. Nevertheless, the media and social science professionals rarely acknowledge battering of homeless women. There are at least three explanations for this silence. The first is the stereotypical perception of the homeless. Society sees them as deviant individuals, not part of a community, and definitely not participants in long-term relationships. Second, society assumes that women living on the streets are inevitably going to be battered by the rough characters who roam the streets, so that a battering relationship with one particular man is obscured by this overwhelming picture of violence. A third explanation is the belief that the problem of a woman's homelessness overrides the problem of a battering relationship.

Several sources support the conclusion that homeless women are also in battering relationships. The first is information gathered from interviewing service providers who work in shelters.¹¹ Staff at general shelters for the homeless, as well as at shelters targeting

9. Families with small children are the fastest growing sector of the homeless population. J. KOZOL, *RACHEL AND HER CHILDREN: HOMELESS FAMILIES IN AMERICA* 4 (1988).

10. Women are sometimes battered by women lovers, but this problem has only recently been exposed in any detail. See *NAMING THE VIOLENCE: SPEAKING OUT ABOUT LESBIAN BATTERING* (K. Lobel ed. 1986). It is hard to know how many homeless women are battered by women; because the focus of this Essay is on the homeless battered woman and not her batterer, and because battering is most generally associated with male partners, this issue will not be addressed specifically.

11. Personal interviews included Carol Arnett, Ann Brace, and May Tsushima, staff at Sojourn, Services for Battered Women and Their Children, in Santa Monica, California ("Sojourn"); Diane Franklin, Housing Specialist at Haven House, a battered women's shelter in Pasadena, California; and Betty Macias, Associate Director of Ocean Park Community Center in Santa Monica, California. Telephone interviews included Jill Halverson, Director of the Downtown Women's Center in Los Angeles, California; Darlene Lasher, staff woman at Daybreak, a shelter for mentally and emotionally disabled women in Santa Monica, California.

specific groups such as battered women and mentally or emotionally disabled women, all acknowledged that homeless couples exist and that there are many homeless women who are abused by their partners.

A second source is *Songs From the Alley*, a book in which Kathleen Hirsch vividly describes the lives of Amanda and Wendy, two homeless women she met while living in the subculture of homelessness in Boston.¹² Hirsch provides a firsthand account of these women and their relationships. Although Amanda and Wendy both underwent troubled childhoods and eventually became homeless, their experiences as homeless women differ greatly. While Amanda's story is equally intriguing, Wendy's tale vividly depicts the life of a homeless battered woman.

[A]t the bottom of the subway steps by the Prudential Center, Traveler and Wendy have been celebrating [New Year's Eve, 1986] on their own. It hasn't been a good week. The icy temperatures have hit them hard.

Traveler has broken a bottle against the tiles and is holding a jagged portion of it by the neck, high up over her. Wendy cowers but there's nowhere to go. Paralyzed by anticipatory fear and the sickening certainty of pain, she watches the glass descend. Down it comes, ruthless, determined. It rips into her leg — once, twice.¹³

Wendy is in a long-term relationship with Traveler, even though he hurts her brutally. She marries him despite the continued battering, though dimly recognizing her plight. "The word 'abuse' has crept into her consciousness. She pushes it back, refuses to accept it."¹⁴ Holly and Jamie, homeless workers who pass out coffee and sandwiches from a van are saddened and puzzled by Wendy's behavior:

Holly realizes that Wendy isn't coming forward as she usually does, but instead is hanging back in the shadows. She bends down, braces a hand on her knee, and looks in.

There is blood on Wendy's forehead.

.....

It makes Holly deeply sad. She realizes that the difficulties in this relationship are only compounded by the fact that the two are on the streets

.....

"Why don't you leave him?" Jamie asks Wendy now.

12. K. HIRSCH, *SONGS FROM THE ALLEY* (1989).

13. *Id.* at 314-15.

14. *Id.* at 353.

Wendy shrugs. "I love the man."¹⁵

Wendy's story is not an isolated or peculiar situation. Hirsch noticed several other battering relationships among the homeless people she observed.¹⁶

B. *History of Battered Women's Shelters*

The grassroots organizational effort to help battered women brought together women of diverse ideological, political, and personal backgrounds. The founders included radical feminists, women's rights activists, professionals, and previously battered women. "Although the programs for battered women that emerged in the 1970s articulated a multiplicity of philosophies, they shared one common belief: battered women faced a brutality from their husbands and an indifference from social institutions that compelled redress."¹⁷ The recognition that many women experienced male-dominated subordination within the private sphere of their lives united the diverse founders of the movement.¹⁸ "If feminism is broadly defined, then the battered women's movement is a feminist movement. The goals of the movement are feminist as is the leadership in most, though not all, locales."¹⁹ The agenda set by these feminists focused on naming the hidden and private violence in women's lives, declaring it public, and most of all providing support and safe havens.²⁰ The healing process could only begin with "refuges where battered women can nurse their wounds, reassure their

15. *Id.* at 360-63.

16. Other examples demonstrating battering relationships among the homeless include the following:

In a scene where Linda and Ned, staff members at a homeless women's shelter, are discussing their frustrations, Hirsch writes: "Linda diverts [Ned] from these thoughts now by pointing to a log note from last night. He leans over and reads: 'Janet Small — rumor amongst the guests is that Janet was shot today by her boyfriend in Blackstone Park. . . .' His eye travels down the page: 'Confirmed.'" *Id.* at 248.

A pronounced change has come over the group [of homeless women who often meet to have a meal together]. Colette, the group's artist, has announced that she is leaving. She's accepted a proposal of marriage from Danny, a street person who hangs around the Combat Zone. Privately, her friends are appalled. . . . He treats her like dirt, but she is head over heels in love with him, so the women keep their thoughts to themselves.

Id. at 300-01.

17. S. SCHECHTER, *supra* note 4, at 54.

18. "At the heart of anything that can coherently be called a 'women's movement' is the shared experience of being oppressed as women." E. SPELMAN, *supra* note 5, at 15 (1988).

19. S. SCHECHTER, *supra* note 4, at 49.

20. *Id.* at 11.

children, and begin to feel their own strength."²¹ Creating shelters for women attempting to escape abusive mates soon became, and remains, a top priority in the battered women's movement. Thus, battered women's shelters can be identified as feminist institutions.

In *Women and Male Violence*, Susan Schechter chronicles the development of the battered women's movement. Describing battered women's shelters, she claims that "For rural women and urban women, for women of different races and ethnic groups, shelters offered a chance to escape an unbearable situation. They created an environment in which diverse women came together to live, rebuilding pained lives."²² This statement clearly implies that women of all colors, cultures, and socio-economic classes experience battering. Schechter quotes a woman on the staff at Transition House, the first shelter on the east coast, established in 1976: "It goes back to mutual sharing, being there for each other. The shelter is a big connecting point between classes. . . . We get involved, excited, and have great respect and love for women we never would have met otherwise."²³

C. *The Structure of Battered Women's Shelters*

Because battered women's shelters started small, questions of organizational structure seemed to take care of themselves early in the movement. With expansion, however, came more complex questions concerning the organization of work and decision making. Most groups within the battered women's movement have moved toward some form of hierarchical structure. "The advantages of a hierarchy are that power and accountability are presumed to be clearly and honestly acknowledged, and work appears to be accomplished more efficiently. . . . And, perhaps most important, hierarchy is the most familiar organizational form, and so seems to be the simplest to implement."²⁴

Although each individual battered women's shelter is basically free to create its own structure,²⁵ it appears that most shelters have

21. D. MARTIN, *supra* note 1, at 8.

22. S. SCHECHTER, *supra* note 4, at 62.

23. *Id.* at 68 (footnote omitted) (quoting Rachel Burger).

24. *Id.* at 98.

25. Sometimes shelters are constrained by values and expectations imposed upon them by the institutions contributing funds or resources. *See id.* at 93-98 (discussing how money is a mixed blessing where funding sources explicitly influence the organization and structure of the shelter). *See also* Geraci, *Making Shelters Safe for Lesbians*, in NAMING THE VIOLENCE, *supra* note 10, at 77-78 ("A very pertinent and controversial question revolves around funding. If we come out as a lesbian-sheltering shelter with

similar rigid frameworks with three main components. First, all shelters have rules and regulations that must be followed by the residents. Second, the staff has expectations regarding the communication and relationships among the battered women and the staff. Finally, battered women's shelters have certain goals that serve as the underlying basis of the services provided.

1. House Rules and Customs

Daily living gives rise to recurring details that a well-functioning shelter must address.²⁶ Establishing house rules is one way of doing so. "When Women's Advocates opened in 1974, they had no house rules. Immediately, however, they found they had to set limits."²⁷ Two types of directives characterize the shelter structure: rules govern serious behavioral concerns, and customs dictate more informal standards of shelter life.

Rules include written, formal policies that each woman entering a battered women's shelter must agree to follow. They control the procedures deemed necessary for the shelter to function properly. Rules are "hard and fast," leaving little room for subjective interpretation. House rules include, for example: no contact with anyone outside the shelter for the first seventy-two hours; no drug or alcohol use while staying at the shelter; curfews for returning to the shelter at night. A violation of house rules may result in disciplinary action as mild as a reprimand, or as severe as expulsion from the shelter in the case of repeated violations or serious infractions.

Customs encompass standards of behavior considered appropriate for women trying to maintain the most "civilized" living situation possible under the circumstances of shelter life. Customary standards are more subjective and open to discretionary judgments, reflecting differences in cultural expectations. Examples of behavioral customs might include: keeping one's room neat and clean; disciplining children; sharing in the household chores such as cooking and cleaning; participating in group activities.

Staff members take the rules and customs seriously because their jobs are easier when the residents follow such directives. This

lesbian staff and volunteers, we run the risk of alienating our funders and losing vital contributions.").

26. "Of equal concern are the day-to-day details that tend to recur in every shelter and which must be considered and decided upon by each house staff." D. MARTIN, *supra* note 1, at 236.

27. S. SCHECHTER, *supra* note 4, at 64.

makes sense in a setting where a number of women and children, all in crisis and displaced from familiar surroundings, are trying to live together in a fairly small place.

2. Interpersonal Relations

Many levels of communication must work simultaneously for shelter life to provide a healing environment for the battered woman. These include communication between the battered woman and the shelter staff, and between the battered woman and the other women concurrently residing at the shelter. Thus, having both group and interpersonal skills is helpful in this environment.²⁸

Both paid and volunteer workers comprise the staff of battered women's shelters. The hierarchical structure of the shelter places most of the power and decision making in the hands of the paid staff. While the staff retains such power, however, they ideally should exercise it in a way that will serve the battered women's best interests. An enormous amount of work must be accomplished if the battered woman is to achieve her independence in the short amount of time she is allowed to stay at the shelter. To become truly independent and begin a new life, a battered woman must achieve a number of goals while adjusting emotionally and psychologically to the trauma of leaving the batterer. To do this, the residents must be cooperative and communicative with the staff. Without this interaction, the battered woman will be unable to accomplish the steps necessary to recreate her life, and she will either return to her batterer or become homeless.

The number of battered women staying at a shelter varies, depending on the size and resources of the shelter. Some are very small and can only house two or three women at a time, while larger shelters have room for twenty to thirty residents. The balance of shelters accommodates a number somewhere in between. The dynamics among the residents is partially a function of the number of people living together. Shelters provide very little privacy and all of the facilities must be shared. Needless to say, interpersonal skills are required to prevent a constant stage of agitation.

3. Goals

Shelters provide special services to the residents so that they may begin new lives free from victimization through battering. These services, which include counseling, finding affordable housing

28. *Id.* at 93.

in an area away from the batterer, and obtaining employment or some form of financial assistance, serve the goals of both the shelter and the battered women. These defined goals encompass normative ideas of independent living, and the staff works to assist the women in achieving each step towards rebuilding their lives.

II. EXCLUDING HOMELESS WOMEN FROM BATTERED WOMEN'S SHELTERS

Although the three components of battered women's shelters discussed above — house rules, structured interpersonal relationships, and goals — result in an effective procedural framework, they also may be seen as a pretextual basis for excluding women who are different from the prototypical battered woman. What follows is a sample of stories and explanations, based on these components, which were offered by shelter staff in justifying their exclusion of homeless women.

A. *Excuses*

Battered women's shelter staff cited conduct on the part of homeless women who "broke" shelter rules and customs, problems in communication, and the inability to meet certain goals as reasons for excluding homeless women from a shelter program. Staff claimed that these failures were specific to homeless women.

1. *Drugs*

A staff person from Sojourn, a battered women's shelter in Santa Monica, said that homeless women are more vulnerable to drugs than women with permanent residences because homeless women have no other avenue of escape from a depressing or critical situation.²⁹ For instance, she claimed that the staff did not believe "Margaret," a resident at the shelter who had been living in a van with her abusive husband during the previous year, when Margaret denied using speed. The staff accused Margaret of drug abuse, which was never verified, because she displayed extreme mood swings and took trips outside the shelter to her van for no apparent reason. The staff person said the shelter could not afford to have drug addicts affect the other women and children in the shelter. Thus, the staff argues that since homeless women are likely to be

29. Interview with Ann Brace, counselor at Sojourn, Santa Monica, California (Mar. 9, 1990).

drug addicts and since no drugs are allowed at the shelter, no homeless women should be allowed in the shelter.

2. Cleanliness

Haven House, a long-established battered women's shelter in Pasadena, California, also avoids having homeless women as residents. The principal reason offered for this exclusion stems from homeless women's alleged lack of personal hygiene.³⁰ Two homeless women sheltered at Haven House refused to take advantage of the showers and other available facilities. According to one staff member, the county sets cleanliness standards that Haven House must follow, and homeless women jeopardize those standards.³¹

3. Communication

Discussions with staff about homeless battered women also included complaints about their deviant patterns of communication. Shelter staff complain of problems on two levels of association — with the staff and with the other battered women.

At least one staff woman expressed a belief that homeless women demonstrate manipulative behavior in order to get what they want from the shelter staff.³² Staff members complain that a homeless battered woman will say what she knows the staff wants to hear, whether or not it is truthful. For instance, when asked if she had a drug problem, Margaret told the staff that she used to be addicted but had been "clean" for five months. Because the staff did not believe her,³³ they perceived her as manipulative, saying what she had to in order to gain the benefits of the shelter. They asserted that manipulation is a survival skill homeless women learn on the streets. On the street, one staff woman claims, people have many "short-term" relationships in which they take the most they can get and then move on. She stated that such misuse of interpersonal relationships is intolerable in a fixed living situation.³⁴

The staff also gave examples of communication problems between homeless battered women and the other residents. One staff

30. Interview with Diane Franklin, Housing Specialist at Haven House, Pasadena, California (Mar. 29, 1990).

31. *Id.*

32. Interview with Ann Brace, counselor at Sojourn, Santa Monica, California (Mar. 9, 1990).

33. See *supra* text accompanying note 29.

34. Interview with May Tsushima, Vocational Counselor at Sojourn, Santa Monica, California (Mar. 9, 1990).

member shared her observations of "Tina," a homeless woman who stayed at the shelter for only a short time because she felt uncomfortable there.³⁵ Tina kept in close contact with some of her "homeless buddies" while staying at the shelter. The staff person explained that Tina was very friendly toward her old buddies, demonstrating that she was not anti-social, but she was very distant and unapproachable toward the other battered women living at the shelter. The shelter's rationale was simple: Tina could only communicate with other street people who shared her experiences of homelessness, and the residents of the battered women's shelter were just not "her people."³⁶

4. Goals

Most shelters have at least one staff person, the "housing specialist," whose job it is to help the residents find a place to live. The specialist at Haven House considers her biggest problem with homeless women to be their lack of motivation to find housing.³⁷ She believes this is because they have become comfortable with "street life" and its attendant culture.

B. *Methods of Exclusion*

Based on these "negative" experiences, the battered women's shelters prefer not to have battered homeless women as residents. The unique procedural framework of battered women's shelters has produced three ways in which a shelter will exclude a homeless woman.

The first barrier occurs at the very beginning of the elaborate intake process. The intake procedure includes several hoops through which a battered woman must jump to gain access to a shelter. These have been created in order to keep the battered women's shelters as hidden as possible in the interest of secluding the women from their batterers. Thus, the only way to initially access a battered women's shelter is to call a "hotline."

During the initial phone interview, the staff person asks the woman many questions regarding her situation. These questions reveal whether or not the woman is an appropriate candidate for the shelter. The questions provide information that allows the hotline

35. Interview with Ann Brace, counselor at Sojourn, Santa Monica, California (Mar. 9, 1990).

36. *Id.*

37. Interview with Diane Franklin, Housing Specialist at Haven House, Pasadena, California (Mar. 29, 1990).

worker to decide whether to give the victim an in-person interview, or to direct her to other options which seem more appropriate to her situation.

Two types of women are considered inappropriate for acceptance into a battered women's shelter. First are women who seem to have enough familial or financial resources to "help themselves" by moving out of the home they share with the batterer, to seek and pay for psychological counseling, and to retain an attorney.³⁸ Second are homeless women whom the shelter assumes belong in homeless shelters because of their "different" problems. The staff does not consider battering to be their primary problem. Moreover, the shelter worker assumes that women who appear homeless lie about being victims of battering in order to take advantage of the environment of the battered women's shelter, which is generally "nicer" than that of homeless shelters.³⁹ Questions intended to reveal homelessness or presumed adequate resources include inquiries as to where the woman lives, how long she has been there, and how much money she has saved.

If a battered woman convinces the hotline worker that she is "qualified" for the assistance of battered women's services, she will be granted an interview at an appropriate shelter (based on room availability and location). At the interview, a woman is rejected if she looks extremely unkempt and has no "good" explanation for this. The staff believes appearance is a good indicator that the woman is homeless.⁴⁰ If a homeless woman "fools" them with her

38. The presumption that these women do not need the services of a battered women's shelter is often false. Although these women appear to have resources which poor women lack, they are frequently unable to access them independently. Because all aspects of our society have been created by and for a patriarchy, battered women coming from middle or upper class homes sometimes are unable to reach resources necessary for leaving. Abusive husbands usually deny their wives access to finances, attorneys, social organizations and other situations that potentially offer a woman the opportunity to seek help. See M. BARD, *supra* note 6, at 1-46. If these women are excluded from battered women's shelters, they too may be forced to remain with their batterers or become homeless. Bard notes that "Contrary to popular thought, many homeless women were once part of the uptown demography . . ." where "uptown" is defined as "the costliest homes, the best grocers and restaurants, the poshest shops. . . . Uptown implies residents' superior educational, social, professional, and/or economic status." *Id.* at 2. This revealing information also helps to dispel the typification of homeless women as Skid Row, drug abusing, and poorly educated people with behavior that does not fit in to "civilized" shelter life.

39. Interview with May Tsushima, Vocational Counselor at Sojourn, Santa Monica, California (Mar. 9, 1990).

40. Interview with Ann Brace, counselor at Sojourn, Santa Monica, California (Mar. 9, 1990).

appearance and demeanor — if she does not look stereotypically homeless — she may be granted shelter.

C. *Nowhere to Go: Unavailable "Options"*

A homeless battered woman does not have many options for shelter. As explained above, it is unlikely she will get into or remain in a battered women's shelter. The battered women's shelter may refer her to other types of shelters; however, these alternative shelters also show a reluctance to accept her.

1. Homeless shelters

A battered woman who is "escaping" from her batterer presents a safety concern to homeless shelters. A violent situation may potentially arise if the batterer finds his victim. Homeless shelters are vulnerable to this danger for several reasons. First, unlike battered women's shelters, homeless shelters are not hidden, and are in fact easily accessible to a pursuing batterer. Furthermore, staff members at a homeless shelter are not trained to deal with the unique violence accompanying a battering relationship. If a battered woman seeks sanctuary at a homeless shelter, she will most likely be referred to a battered women's shelter. But, based on the above discussion, this is a meaningless referral.

2. Shelters for Emotionally or Mentally Impaired Women

"Differently-abled" shelters are specifically geared to help homeless women who have emotional and psychological problems. Just as they do not fit in general homeless shelters, homeless battered women do not fit in this type of shelter either. Again, the first concern of the staff at a differently-abled shelter is the potential danger of the batterer pursuing his victim. In addition, the staff is trained to deal with mental illness and not the special needs of a battered woman. Finally, many battered women have children, and these shelters generally do not accept children. The director of a shelter for women with mental illness and chemical dependency problems said that when a battered woman seeks shelter there, the staff will refer her to a battered women's shelter.⁴¹ Once again, the homeless battered woman is denied sanctuary.

41. Telephone interview with Jill Halverson, Director of The Downtown Women's Center, Los Angeles, California (Mar. 12, 1990).

III. ANOTHER FAILURE IN FEMINISM

It will be noted that there is a strong voice among the storytellers that the so-called "women's movement" has let them down — actually done nothing at all about the growing homeless female populations. There is an implicit if not explicit call . . . to begin where the National Organization for Women and National Coalition Against Domestic Violence members have left off.⁴²

Although women experience problems particular to their gender, such as battering by male partners, and although women must unite to fight patriarchal systems and experiences, each woman must be recognized as an individual based on her race, class, sexual orientation, and other defining characteristics. It is incorrect to assume that gender identity exists in isolation from race and class identity.⁴³

A. *Essentialism*

In recent literature, feminists point out the failure of feminism to take into account the actual differences that exist among women as a group. In the words of Adrienne Rich: "Marginalized though we have been as women, as white and Western makers of theory, we also marginalize others because our lived experience is thoughtlessly white, because even our 'women's cultures' are rooted in some Western tradition."⁴⁴ Because most of the early feminist writers were white, middle or upper class women, feminist theory embodies a perspective that reflects this racial and socio-economic position. Paradoxically, feminist theory is subject to the same criticism feminists make of phallogocentric society. In other words, the white, middle class woman is the norm, or "essential" woman.⁴⁵ The different experiences of "other" women are excluded.

Angela Harris calls the silencing of some women's voices "gender essentialism," defined as "the notion that a unitary, 'essential' women's experience can be isolated and described independently of race, class, sexual orientation, and other realities of experience."⁴⁶ She focuses on and explains how the voices of black women have been excluded from feminist thought.⁴⁷

42. M. BARD, *supra* note 6, at xiii.

43. E. SPELMAN, *supra* note 5, at x.

44. A. RICH, *Notes Toward a Politics of Location*, in BLOOD, BREAD, AND POETRY 219 (1986).

45. Harris, *Race and Essentialism and Feminist Legal Theory*, 42 STAN. L. REV. 581, 595 (1990).

46. *Id.* at 585.

47. Another example of essentialism is the exclusion of lesbians from traditional feminist thought. Leigh Leonard critiques the "heterosexual presumption" that exists

Angela Harris also comments on why smart, politically committed feminists are attracted to essentialism:

First, as a matter of intellectual convenience, essentialism is easy . . . essentialism means not having to do as much work, not having to try and learn about the lives of black women, with all the risks and discomfort that effort entails.

Second, and more important, essentialism represents emotional safety. Especially for women who have relinquished privilege or had it taken away from them in their struggle against gender oppression, the feminist movement comes to be an emotional and spiritual home, a place to feel safe, a place that must be kept harmonious and free of difference.⁴⁸

Harris' perception is validated by the statement of a white feminist at an international women's conference. When asked why "women's history" in Western countries is still very much "white women's history," she gave the following response: "We have enough of a burden trying to get a feminist viewpoint across, why do we have to take on this extra burden?"⁴⁹

Such essentialist attitudes cause women who are different from the "essential" woman to be ignored and deprived of the benefits that the women's movement has produced. The exclusion of homeless women from a feminist institution avowed to be a safe place for any woman subject to a battering partner is a strong example of this phenomenon.

B. *The Essentialism of Battered Women's Shelters*

"As battered women's shelters opened in hundreds of towns throughout the United States . . . women declared themselves *sisters* in a movement to end male violence . . ." ⁵⁰ But, in the words of Audre Lorde, "There is a pretense to a homogeneity of experience

in feminist legal theory, as evidenced by the failure to include the experiences or perspectives of women with "other" sexual orientation. Leonard, *A Missing Voice in Feminist Legal Theory: The Heterosexual Presumption*, 12 WOMEN'S RTS. L. REP. 39 (1990). The failure to recognize the concerns of lesbian women has also been pointed out as missing on an international level. In an article exploring the conventions and committees created by the United Nations to focus on women's rights, Andrew Byrnes writes: "One issue which has been significantly absent from the [Committee on the Elimination of Discrimination Against Women's] agenda is that of sexual preference and discrimination against lesbians, an issue of major importance to many feminists from all parts of the world." Byrnes, *The 'Other' Human Rights Treaty Body: The Work of the Committee on the Elimination of Discrimination Against Women*, 14 YALE J. INT'L L. 1, 31 n.102 (1989).

48. Harris, *supra* note 45, at 605 (footnote omitted).

49. E. SPELMAN, *supra* note 5, at 8 (quoting from OFF OUR BACKS, July 1986, at 3).

50. S. SCHECHTER, *supra* note 4, at 11-12 (emphasis added).

covered by the word *sisterhood* that does not in fact exist.”⁵¹ One might find the “essentialist” critique in this context perplexing at first because many residents of battered women’s shelters are women of color and of lower socio-economic strata. The structure of battered women’s shelters is narrowly tailored to the needs of a limited group, however, and excludes other women. This exclusion is the result of creation and management by feminists who have not put forth the effort required to include homeless women.

Dealing with difference takes energy.

Too often, we pour the energy needed for recognizing and exploring difference into pretending those differences are insurmountable barriers, or that they don’t exist at all. This results in voluntary isolation, or false and treacherous connections. Either way, we do not develop tools for using human difference as a springboard for creative change within our lives. We speak not of human difference, but of human deviance.⁵²

As used by Audre Lorde, “deviance” refers to people whose behavior differs from the norm or the majority’s expectations. When confronted with questions regarding homeless women, staff members at battered women’s shelters consistently cite homeless women’s “deviant” behavior as an impediment to their successful integration into such programs. It is easier to label something “deviant” and justify its exclusion than to use the term “different” and confront it. Some of the reasons given for excluding homeless women from battered women’s shelters are clearly pretexts for avoiding the extra effort it takes to understand and work with differences and move beyond stereotypes. Each of the excuses provided by shelter staff, discussed in Part II, are vulnerable to challenge on this ground.

Suggesting that Margaret’s mood swings were due to a drug addiction may be seen as a pretext for her exclusion.⁵³ Much of the literature describing typical characteristics of battered women suggests that battered women invariably suffer severe stress reactions with psycho-physiological complaints and become withdrawn.⁵⁴ Arguably, Margaret’s emotional difficulties were not very different from those of the “typical” battered woman. Rather than interpreting the extremity of her emotional displays as a battered woman’s cry for help, the shelter staff blamed her emotional instability on her presumed predisposition to drug abuse due to her homelessness.

51. A. LORDE, *Age, Race, Class, and Sex: Women Redefining Difference*, in *SISTER OUTSIDER* 114, 116 (1984) (emphasis in original).

52. *Id.* at 115.

53. *See supra* text accompanying note 29.

54. L. WALKER, *supra* note 3, at 31.

The derogatory stereotype that most homeless people are drug or alcohol abusers is widespread. Although a drug problem certainly exists on the streets, not every homeless individual is a substance abuser. The stereotype is both overinclusive and underinclusive: it punishes a group that includes innocents, and it denies the pervasiveness of substance abuse in the rest of society.⁵⁵

Stereotyping homeless women as substance abusers provides a convenient excuse for excluding them from the battered women's shelter. Exclusion is simply easier. Furthermore, even if battered homeless women did have a greater incidence of addiction, they still deserve shelter from the feminist institution that purports to protect all women from male violence.

Acting on another stereotype, Haven House is disinclined to accept homeless women because they are all presumed to lack a concern for their personal hygiene.⁵⁶ But this assertion is based on an extremely limited number of negative experiences involving a behavior that can be changed without much difficulty. Does this feminist institution really intend to stop short at inconvenience and personal distaste?

The staff at Sojourn insisted that the "manipulative" communication they experienced with Margaret was an uncommon problem at the shelter and, therefore, attributable to her homelessness.⁵⁷ However, and especially in this context, it is unfair to call manipulative behavior deviant and impute it to homelessness. Battered women in general are often described as possessing an incredible ability to manipulate their environment as a survival skill.

If we take women's own statements about their situations seriously, a picture emerges of women in positions of extreme danger and uncertainty performing literally amazing, and often successful, stunts to keep going, to stay alive. Along with "interesting manipulations" of other people who might affect the batterer's precarious balance come even more interesting manipulations of self-consciousness that allow battered women to continue taking care of pragmatic necessities.⁵⁸

55. This denial is analogous to racial minorities bearing the brunt of the "war on drugs." Whereas whites sell most of the nation's cocaine and account for eighty percent of its consumers, the majority of those prosecuted for drug use are Blacks and other minorities. Harris, *Blacks Feel Brunt of Drug War*, L.A. Times, Apr. 22, 1990, at A1, col. 1.

56. See *supra* text accompanying notes 30-31.

57. See *supra* text accompanying notes 32-34.

58. Littleton, *Women's Experience and the Problem of Transition: Perspectives on Male Battering of Women*, 1989 U. CHI. LEGAL F. 23, 42.

Being manipulative is an acceptable, even commendable, survival tactic for the average battered woman, but the staff considers it a negative characteristic for a homeless battered woman.

The goals which the staff expect the battered women to reach are also thoughtlessly stereotypical. A specific example is the primary ambition of the shelter that each resident find a place of her own into which to move so that she can become independent as soon as possible. The housing specialist at Haven House maintained that she did not want the shelter to include homeless women because she had too much difficulty motivating them to find a new place to live. Her characterization of the lack of motivation to move out of the shelter as deviant and unique to homeless women is simply incorrect. Many battered women find comfort in the community that battered women's shelters offer and have no desire to leave. "Women who work in shelters for the homeless or battered women often report that such women are reluctant to leave the shelter for the single apartments currently presumed to be their ultimate goal."⁵⁹

At least two obvious biases underlie the housing specialist's unwillingness to work with homeless women. First, it is not *just* homeless women who may not be "motivated" to find their own housing. This is simply another example of white, middle class essentialism — since these feminists value having "a place of one's own," they assume that *all* women want the same thing. Second, it is presumed that the homeless woman's rationale for not expressing a desire to leave the shelter is laziness. Professor Christine Littleton suggests that battered women's reluctance to move out is probably based on their desire for connection and community.⁶⁰ This valid and understandable motive exists for nonhomeless battered women as well as for homeless battered women. Again, pretexts prevent movement beyond the "essential" feminist agenda.⁶¹

If a homeless woman actually gains access to a shelter, she will be asked to leave if the staff finds that her habits and communication make her presence unproductive or too difficult to handle. Ironically, some homeless women (such as Tina) decide to leave

59. *Id.* at 56 (discussing the problem of evaluating women's experience and the problem of transition by focusing on the law's treatment of battered women).

60. *Id.*

61. Other explanations of why homeless women do not belong in battered women's shelters included the following: our staff is not trained to deal with them; they have mental problems that come with being out on the streets; and they have an "attitude problem."

before their allotted time elapses because they are uncomfortably aware that they are not a part of the shelter family.⁶² In Tina's case, the staff person took no responsibility for Tina's early departure, most likely back to the streets. But, based on the attitude revealed by her telling of the story, the staff woman herself probably perpetuated the discomfort of the situation. It seems that the staff may not have even attempted to include Tina as a part of the shelter family.

Shelters could certainly surmount the particular problems encountered by including homeless women. The blatant exclusion is based on harmful stereotypes about homeless people that reveal a class bias. The exclusion of homeless battered women from shelters reflects an inexcusable essentialism along socio-economic lines.

CONCLUSION

Feminists and social service providers must acknowledge that homeless women may be involved in and need to escape battering relationships. The first step must be to close the gap between the asserted goal of the battered women's movement (that shelters provide refuge for any woman who is a victim of male violence), and the reality that the institution excludes certain women. Feminism is supposed to care for all women — white or of color; heterosexual or lesbian; housed or homeless.

Next, the women behind the battered women's movement must decide how to deal with difference in order to accept homeless battered women into the protective realm of this movement. There are two possibilities. First, women could create shelters specially designed for homeless battered women. Second, women could expand existing battered women's shelters to successfully embrace homeless women.

A. *Separate Shelters*

Different types of shelters meet the special needs of certain individuals. However, it is imperative to distinguish between differences which justify segregation and differences which are simply pretexts for segregation.⁶³ Examples of legitimately specialized shelters include those which cater to mentally ill women, women with children, and alcohol or drug addicted women. These women definitely have special needs that require a separate institution. Beyond

62. Interview with Ann Brace, counselor at Sojourn, Santa Monica, California (Mar. 9, 1990).

such obvious cases, what differences should be recognized as legitimately requiring separate shelters; in other words, which differences present difficulties impossible to overcome within an established shelter?

Allowing the exclusion of homeless women from battered women's shelters perpetuates harmful stereotypes of homeless people. And, recognizing homelessness as a legitimate basis upon which to justify separation threatens to institutionalize homelessness. Creating a special shelter for homeless battered women, separate from battered women's shelters for nonhomeless women, would institutionalize homelessness by saying, in effect, "Yes, homeless people are different, and they do not fit into mainstream society." This treatment would conflict directly with the ways in which homeless advocates attempt to end the apathy with which our society regards the homeless. Mainstream society justifies its apathy, if not disgust, for the homeless by writing them off as "different." A separate shelter for homeless battered women would simply reaffirm such stereotypes.

B. *All-inclusive Shelters: Dealing with Difference*

Another option is to exert the effort required to overcome the stereotypes and prejudices that prevent people from working and living with those "different" from themselves. Battered women's shelters have worked to surmount racial tensions that exist in these environments.

Because American society is so racially segregated, a shelter may be one of the few places women live interracialy. Battering, living in a shelter, and starting over with nothing are the common experiences among sheltered women; racial and ethnic lines are crossed through mutual aid.⁶³

If racial stereotypes can be overcome, so can stereotypes based on women's status as homeless.

Feminists at battered women's shelters continue to perpetuate the stereotypes engendered by dominant society by failing to attend to the needs of women who are somehow different from the "essential" battered woman. Homeless women are also perceived as detracting from the efficiency and safety of the institution. Homeless women are perceived as lesser women who bring added burdens that require more work for the shelter staff.

63. S. SCHECHTER, *supra* note 4, at 61.

One of the biggest challenges to be faced in battered women's shelters is breaking down all of the myths and stereotypes that keep people separated from each other in dominant society.⁶⁴ "To shrink from or dismiss that challenge can only isolate white feminism from the other great movements for self-determination and justice within and against which women define ourselves."⁶⁵

But on the other hand, to stress the unity of women is no guarantee against hierarchical ranking, if what one says is true or characteristic of women as a class is only true or characteristic of some women: for then women who cannot be so characterized are in effect not counted as women.⁶⁶

In other words, feminists must find a balance between uniting as women with shared experiences, and acknowledging and accepting the differences among women.

It appears that the differences perceived as accompanying homelessness overpower the shared experience of battering. Looking at homelessness as a product of our own society — as a class or subculture as opposed to a deviation — might be the first step toward true sisterhood.

64. Lecture by Judy Vaughan, National Coordinator of the National Assembly of Religious Women, presented to UCLA Seminar on Homeless Families (Mar. 21, 1990).

65. A. RICH, *supra* note 44, at 231.

66. E. SPELMAN, *supra* note 5, at 12.