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A Troubled Marriage: Domestic Violence And The Legal System



Synopsis

Choice's Outstanding Academic Title list for 2013 The development of a legal regime to combat domestic violence in the United States has been lauded as one of the feminist movement's greatest triumphs. But, Leigh Goodmark argues, the resulting system is deeply flawed in ways that prevent it from assisting many women subjected to abuse. The current legal response to domestic violence is excessively focused on physical violence; this narrow definition of abuse fails to provide protection from behaviors that are profoundly damaging, including psychological, economic, and reproductive abuse. The system uses mandatory policies that deny women subjected to abuse autonomy and agency, substituting the state's priorities for women's goals. *A Troubled Marriage* is a provocative exploration of how the legal system's response to domestic violence developed, why that response is flawed, and what we should do to change it. Goodmark argues for an anti-essentialist system, which would define abuse and allocate power in a manner attentive to the experiences, goals, needs and priorities of individual women. Theoretically rich yet conversational, *A Troubled Marriage* imagines a legal system based on anti-essentialist principles and suggests ways to look beyond the system to help women find justice and economic stability, engage men in the struggle to end abuse, and develop community accountability for abuse.

Book Information

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Customer Reviews

This is a thoughtful, careful, and extremely innovative book about domestic violence. Professor Goodmark, who has a wealth of experience as a lawyer, law professor, and clinical director,

documents various forms of abuse (such as economic and psychological) for which the law does not provide protection. She also explains how stereotypes about victims of intimate violence cause prosecutors and judges to misunderstand and trivialize these harms. If you read only one book about domestic violence in law or psychology, read this one: it outlines methods of "creative legal advocacy to develop remedies for women subjected to abuse that are responsive to the harms that women seek to redress."

This is required reading if you want to understand how advocates for domestic violence victims think. If neither you nor anyone you know is a victim or a perpetrator of domestic violence, why is this understanding useful? It turns out that domestic violence considerations are hugely influential in shaping all kinds of family law. If you're sued for divorce, custody, child support, or alimony, for example, the way that the case is resolved may be influenced by the domestic violence world. Separately, as a citizen and a taxpayer, this book is important for understanding the extent to which the law is working to protect victims of domestic violence. (Short answer: not very well, despite the fact that advocates for domestic violence victims have pretty much gotten everything that they've asked for.)

This is an important analysis of where the service and policy design to reduce intimate partner violence should go forward, toward a less coercive, more empowering for women, more helpful to men, approach. It's a must read for thinking about what we could be doing better in this critical field.

Sad reality but great read that keeps your attention.

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