

LESSONS FROM AUSTRIA

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The most horrific story of the week was undoubtedly the Austrian case of Josef Fritzl, who kept his daughter Elizabeth a prisoner in his cellar for 24 years, while he abused her sexually and fathered seven children with her. He raised three of the children with his own wife, who apparently knew nothing of the imprisonment of her daughter. One of the children died, and the other three were kept prisoner with their mother in the cellar. Their release came about due to a fluke, an illness which necessitated one of the ‘secret’ children being brought to hospital. Macabre, chilling, sinister – none of the adjectives used to describe this case in the media can adequately capture the appalling nature of Fritzl’s actions.

Coming so soon after the case of Natascha Kampusch, the Austrian schoolgirl who was held prisoner for eight years until her escape in 2006, the Fritzl case is of course causing immense consternation in Austria. Not only are people justifiably angry that anyone could have got away for so long with such inhumane conduct, but there is also reportedly a sense that something within Austrian society is to blame. There will undoubtedly be a great deal of debate over future days and weeks as to why such particularly terrible crimes were committed in such a quiet, peaceful country.

To seek an answer to this question in the nationality of the perpetrators is to miss the point, however. No country has a monopoly on abuse. After all, in Ireland we have a long and shameful history of imprisoning children in religious-run or State institutions, where many were subjected to horrific physical, psychological and sexual abuse over prolonged periods. The full extent of such abuse is now coming to light through the work of the Commission to Inquire into Child Abuse and the Residential Institutions Redress Board. The Redress Board alone has received over 14,500 applications for redress from adults who were abused as children in these institutions.

Explanations for the causes of abuse tend to lie not in any one culture or society, but in the power imbalance between abuser and abused. The children abused in Irish institutions were generally from disadvantaged backgrounds, whose families were unable to protect them adequately. Those who prey on children are good at pinpointing the especially vulnerable.

This does not just apply to children. After all, Fritzl’s daughter Elizabeth was 18 when he locked her up (although reportedly he had been abusing her before then). In cases of so-called ‘domestic’ violence generally, a significant power imbalance also exists. Yet this is often overlooked, as many myths about such violence exist.

The seriousness and pervasiveness of the violence is often played down. It is even sometimes seen as a response to provocation by the victim. Where victims are not

directly blamed for provoking violence, they are often regarded as complicit because they stay with their abusers.

Fortunately, research has contradicted these problematic myths, and has shown that domestic violence is not a rare or isolated event within otherwise happy families. It has been found, for example, that the apparently 'passive partners', who stay with their abuser and endure violence against themselves and their children, have undergone serious personality changes and become passive as a result of the abuse.

The issue of gender and domestic violence is also problematic. An increasingly vocal group of activists has challenged the evidence that most domestic violence is carried out by men against women. However, the most recent authoritative research in Ireland has established that women make up the vast majority of victims of domestic abuse. The 2005 National Crime Council report found that about one in seven women, compared to about one in 16 men, have experienced severely abusive behaviour of a physical, sexual or emotional nature from a partner at some point in their lives. The study also found that women were nearly twice as likely as men to require medical treatment for their injuries and ten times more likely to require a hospital stay.

Whether the victims are male or female, a core problem with the criminal law is that few acts of domestic violence are isolated events. The criminal law is generally designed to deal with once-off incidents, and to attribute liability for those isolated events to particular offenders. It can be difficult to apply it in the context of an ongoing abusive relationship. The statistics kept by police, for example, do not identify repeat call-outs, so that it is impossible to know how many recorded incidents involve the same individuals. Police records are incomplete in any case because so much domestic violence goes unreported.

However, the criminal law can only be one part of the solution. A whole package of other measures is necessary, such as the provision of shelters for victims and their children, treatment for abusers, and adequate resources for support groups. The Fritzl case may be at the extreme end of the domestic violence spectrum, but it should remind us of the urgent need to protect vulnerable women and children in abusive family relationships, not just in Austria but in Ireland too. Sadly, as Josef Fritzl's children know, home is not always the safest place.