

**A SYMPOSIUM CELEBRATING THE
FIFTEENTH ANNIVERSARY
OF THE
VIOLENCE AGAINST WOMEN ACT**

**PRESENTATION OF THE LEGAL MOMENTUM
HERO AWARD TO VICE PRESIDENT JOE BIDEN FOR
INITIATING AND CHAMPIONING VAWA**

GEORGETOWN UNIVERSITY LAW CENTER

LEGAL MOMENTUM AND *THE GEORGETOWN JOURNAL OF GENDER AND THE LAW*

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ALEX ALEINIKOFF: Welcome everyone. I'm Alex Aleinikoff, the Dean at Georgetown University Law Center. We are extremely pleased to host Vice President Biden today as he receives the Legal Momentum Hero Award. The award is being presented by Legal Momentum as part of an all day symposium celebrating the fifteenth anniversary of the Violence Against Women Act (VAWA).¹ The symposium is being co-sponsored by the *Georgetown Journal of Gender and the Law* which will publish the proceedings, and the symposium looks back both at the development of the landmark legislation and considers its impact over time. VAWA of course is a major piece of civil rights legislation. We salute the Vice President's important role and his leadership on this crucial issue, and we congratulate him for this well deserved award. And it is now my pleasure to introduce the president of Legal Momentum, Irasema Garza, and the chair of Legal Momentum's Board of Directors, Linda Willett.

IRASEMA GARZA: Thank you everyone for being here with us today, and thank you Dean Aleinikoff, and thanks also to the faculty, staff, and students of Georgetown Law School. In particular I would like to acknowledge the *Georgetown Journal of Gender and the Law* which, as the Dean said, is co-sponsoring this symposium celebrating the fifteenth anniversary of the Violence Against Women Act. As president of Legal Momentum, the nation's oldest legal defense and education fund dedicated to advancing the rights of all women and girls, it is my privilege to lead an organization with an extraordinary history in advancing the rights of women and girls with profound national impact.

Since 1990, we have been privileged to work with Vice President Biden, who was then Delaware Senator, to bring fruition to his dream of a federal law

1. Violence Against Women Act of 1994, Pub. L. No. 103-322, 108 Stat. 1902 (codified as amended at scattered sections of 18 U.S.C. and 42 U.S.C.) (referenced throughout).

designed to end violence against women. Passage of the VAWA in 1994 was a culmination of Senator Biden's four-year struggle to put the issue of violence against women in the national spotlight. At the public hearings he convened in mid-June of 1990, Senator Biden spoke with passion and conviction asking the nation to break the silence. He said we have ignored the fight of women to be free from the fear of attacks based on their gender. He went on to say that for too long we have kept silent about the obvious. Ninety-seven percent of all sex assaults in this country are against women. Legal Momentum, then known as the NOW Legal Defense and Education Fund, led a national coalition of women's organizations working with Senator Biden on the passage of this important legislation. Together we face tremendous odds, including the unprecedented public attack by then-Chief Justice William Rehnquist, who strenuously objected to the bill's most ground-breaking provision, Title III, allowing for civil rights remedies for victims of domestic violence.²

Today, fifteen years and two reauthorizations later, we hail the Violence Against Women Act and its champion for providing more than nine billion dollars in government funding for critical services for survivors of domestic violence, sexual assault, dating violence, and stalking. All thanks to the extraordinary commitment and leadership of then-Senator and now our Vice President of the United States, Joe Biden. To present our organization's highest award for heroic efforts to advance the rights of women and girls I call on Legal Momentum's board chair, Linda Willett.

LINDA WILLET: Irasema, thank you so much and it is my great privilege to welcome the Vice President of the United States, Joe Biden. It is my great pleasure to give you this Hero of Legal Momentum Award for your sustained commitment to ending violence against women, a role that we hope you will continue to play.

VICE PRESIDENT BIDEN: Thank you all so much. It may be an unusual thing to say, but I was asked backstage by a couple of you what generated my passion. So many people over the years, particularly the press, would ask me if this was a consequence of one of the women of my family. Pat is an old buddy of mine, Pat knows she's heard that question asked a hundred times, maybe not a hundred but a lot; and was my sister or my daughter or my mother or anyone close to me victimized, and thank God the answer to that was no. I genuinely wish my dad were here. The reason for my passion is my father.

My father was a gentle man, my father was slow to anger, as Victoria knew—she met my dad. I think of anything that I've done in my life my father was maybe most proud of my being smart enough to hire Victoria and ask her to write a piece of legislation for me, because I was raised in a household where my

2. Violence Against Women Act of 1994, Pub. L. No. 103-322, 108 Stat. 1902 (codified at 42 U.S.C. § 13981), *held unconstitutional* by *United States v. Morrison*, 529 U.S. 598 (2000) (referenced throughout).

father and my mother taught us that the cardinal sin of all sins was the abuse of power. In a time when things were kind of tough, my dad was managing an automobile dealership, and there was a Christmas party for the salesmen and the mechanics. There was a head table with the owner and at the time the promotional thing was silver dollars, you buy a car and you get silver dollars, and during the midst of this Christmas party the boss threw this bucket of silver dollars out on the floor because he wanted to see people reach for them. And my father quit on the spot, having no job, because he thought that was an abuse of power. But the ultimate abuse of power, he used to say—the only time I ever saw him moved to rage—was when he used to say (and I think Pat and others think it was original to me), “No man has a right to raise a hand to a woman under any circumstances other than self defense, never, never, never.” And so I’m very proud of this award, but I wish my dad were here to receive it.

You know, your work in advancing the cause of women everywhere has been of incredible benefit. I say to so many of you here in the audience, not just to women and girls but quite frankly to our country. And God willing, I am going to make a plea to you before we leave here to women and girls throughout the world. You know, I travel the world a lot, in my capacity of years ago—not years ago, a year ago, seems like years—as chairman of the Foreign Relations Committee and now as Vice President. As much work as we have yet to do in this country, the rest of the world looks to us on this issue of women’s rights. So many of you have been involved in the women’s rights movement beyond the violence issue. I guess you do know but sometimes you don’t take credit for it.

You’ve transformed the world map not just here at home, you’ve transformed the world map, you’ve raised expectations and aspirations of women all over the world. And you know, if there was any one thing we could do to transform the world today—if I could have only one wish, just one thing we could do—it would be to liberate women in countries where they are still essentially held in bondage. You know, a group of Muslim scholars, at the request of the former Secretary General of the United Nations, did a report on what would be the most significant thing that could happen in the Muslim world, particularly the Arab Muslim world. I think it was thirteen, don’t hold me to it, I think it was thirteen scholars wrote a report saying the single most significant thing that could happen was to grant equality for women in those countries.

I know you are giving me the Legal Momentum Hero Award, but I want to point out that the real heroes, my heroes, are people who have been victimized, the people who have had the courage to come forward. The women and the girls and—there are some just girls—who have stepped forward. I know you know it but I always say to my male counterparts, “Do you have any idea how much courage it takes to stand up and say, ‘This was done to me,’ to step forward and say ‘I’ve been abused, I’ve been raped, I’ve been beaten?’”

Pat has heard me say this before. I always tell male audiences—and I speak to them as frequently as I do women, as a matter of fact probably more

frequently—and I say, “You know how many of you guys, when you were being raised by your moms and dads, were told that if the bully takes your lunch money in the school yard and knocks you down and is on top of you, just hit him right in the nose, just poke him in the nose, make his nose bleed and he’ll stop?” I said, “How many of you have had the courage to poke him in the nose?” Not a whole lot of people I knew had the courage to do that, when the bigger guy is on top of you.

I say to male audiences, “How many of you saw the movie *Deliverance*?” Everyone raises their hand and I say, “What’s the one scene you remember?” Look at every man’s face and they remember the scene where one of the people going down the river was tied to a tree and raped. I would say, “How many of you guys would have walked out of those woods and gone and reported the crime?” Everybody said, “I would get my gun, I would go back, I would do this, I would do that.” Seriously? Seriously. Hardly anyone would. Why? Who would want to deal with the exposure, the sense of shame, the sense of guilt that society imposes? Well you know, by doing what you’ve done you’ve encouraged so many. I don’t want to embarrass you kiddo,³ but you’re one of my heroes, you genuinely are one of my heroes. You encourage so many young women to step forward. I don’t want to make anybody relive anything, but the truth of the matter is that you emboldened so many women to step forward, to speak out about domestic violence—because it was and has been up to now, the dirty little secret. So my heroes are not those of us who voted for it and wrote it, those of us and you who supported it, it’s those young women and old women and young girls who have screwed up the courage to come forward.

I’m fairly blunt, as you know, and I promised the President that ain’t going to change. I told him, when he asked me to do this job, two things. I won’t wear a funny hat or change my brand whatever it costs him or me. Let me tell you something. What sparked all this is—Victoria will remember. I thought I was the expert, by the way, but I want you all to see Victoria Nourse. Victoria, would you stand up? She’s acting like “Ah, no big deal,” but Victoria, remember, there weren’t a lot of us. There weren’t a lot of women either, Victoria. There weren’t a lot of anybody with this. And you believed in me and you went out there and you did what needed to be done and you gave me, with the woman sitting two seats to your left, the ability to go out there and take this on—so you deserve a lot of credit.

One of the things that I think we underestimate was what got my attention to this, other than generically being outraged by the notion of abuse. I thought I was the expert on violence in the Congress and the Senate. I had been holding hearings for years and there was a study that was done by the Office of Justice Statistics—I think it was ’79 to ’84, I forget the year exactly now—and it shocked me. I saw this report, and I think you’ll remember my calling to your attention

3. Vice President Biden was speaking to Christy Brzonkala, the plaintiff in *Morrison*.

here, saying, “Hey I don’t get this, violence against young men ages eighteen to thirty has actually slightly *decreased* over this period of vast increase in gratuitous violence, but it *increased* by fifty percent against women. What’s that all about? What does that mean?” And we started holding hearings; literally, it turned out hundreds of hours of hearings. And one of the things that we found out was because of the women’s movement, because of NOW and many other organizations over the previous fifteen years, you had encouraged and emboldened women to come forward. Much of it wasn’t merely the increase in actual violent behavior—there was some of that—but it was that women were coming forward, and that is what sparked this whole effort.

I can remember it was like yesterday, those sparsely attended hearings in the beginning, attempts to try to get this off the ground, the frustration of talking to people who didn’t seem to want to listen. I remember like it was yesterday, the testimony of one of our heroines. Remember Marla Hanson, a beautiful person and a physically beautiful person, who was a model in New York City? Some creep who owned the building in which she lived kept asking her out, and she wouldn’t go out with him, so he ended up having two thugs literally slash her face, *slash her face*. And she sat before the Committee, which took a lot of courage, and she said—I can literally remember it like it was yesterday—she looked at us and she told the Committee about the letters she received. I prompted the question, “What kind of response have you gotten from the women you know and your friends,” and she told the committee that she got letters from friends as well as strangers that she began receiving while she was in the hospital recovering. It was a very celebrated attack; it made all the national news. And she mentioned, I quote her, the underlying element of blame, even anger coming in comments like this: “Well, what were you doing at that bar at twelve o’clock at night in the first place?” Or, “I told you something like this would happen if you moved to New York City.” That is what she told us. She went on to point out that she got the least sympathy from women, and that is when you all convinced me, and I became aware, that this was cultural, this wasn’t about violence, this wasn’t about sex. This was about power and about the abuse of power.

And I can remember at the time that sometimes, Victoria may or may not remember, sometimes the staff would literally sort of calm me down because of my anger. I don’t have my father’s equanimity, I have my mother’s Irish temper; but really, I had the feeling of rage about this. I particularly remember the study done and that poll done in Rhode Island that asked young men and women in the middle grades questions like, “If a man spent ten dollars on a woman on a date and wanted to have sex, did he have a right to use force if it was refused?” And roughly a third of the young boys said yes. But more staggering, close to a quarter of the young women said yes.

I kept hearing my father’s voice and listening to witness after witness, and when we weren’t getting much moving we went out in the field. We went to Washington State and up to Rhode Island and with many of you who are the

providers who actually interface with those young women and girls as they walk into a rape crisis center, the docs who actually are there in the emergency rooms when these young women or older women come in. I listened to the stories of the women who ran the shelters and the rape crisis centers all around the country, the emergency rooms, shelters that seemed to be supported by nothing more than a bake sale and the best of intentions.

Now with the leadership of my staff we issued a landmark report portraying the tragedy, the human tragedy of one week, *one week*, in the life of abused women in America. The report detailed 21,000 crimes against women that were reported every single week in America, just the ones reported, a small slice of the 1.1 million assaults, aggravated assaults, murders, rapes against women committed in the home, in the office place, in the work place, and the parking lot. A woman whose boyfriend broke her right arm with a hammer, a woman whose father had beaten her in the head with a pipe, a fifteen-year old girl stabbed by her ex-boyfriend the day he was released from jail. The rapes, the beatings, the blood and the tears all before Wednesday. It had a riveting impact on people and it brought home in graphic detail just one week, *one week* in the life of abused women in America.

I remember the hundreds of hours of hearings, the thousands of pages of congressional findings and testimony. I remember when others started to see the light and started to support the effort and it began to swell. And I want to pay particular tribute to Ellie Smeal. I love Ellie, she was the one who finally broke the stalemate sitting around our table. You remember, you were sitting there. You guys were all kind of like, "I'm not so sure," and Ellie finally said, "What in God's name are we doing, why aren't we behind this?" and it broke the dam. None of this would have happened without all of you because then it was an uphill fight. Everybody talks about you know, what's that old expression, you know—failure is an orphan and success has a thousand fathers and mothers. Well, I want everybody to feel success in this, but the reason it finally worked is the eight or nine basically women's organizations [that] sat around a table [and] got behind it. It went nowhere for a couple of years as we were pushing this. So we owe you all.

And finally, I remember like it was yesterday, President Clinton at the bill signing and I'm saying, "Let's roll up our sleeves and roll back this awful tide of violence and reduce crime in this country." That was fifteen years ago. Well, all of your sleeves are still rolled up and so are mine. And they've got to stay rolled up. You know, I will never be satisfied, nor will you, til I never hear again the words, "Well she asked for it," or, "Why was she wearing a skirt that short?" or, "She didn't have on a bra," or, "She looked at me in a way." Remember that idiot psychiatrist that testified before us? He was a blazing idiot. I will not mention his name, though, because I'm no longer on the Senate floor and so I don't have absolute immunity, right? As a constitutional law professor I think that's correct, so I'll be more careful. But we had a psychiatrist testify before us who said,

“Well, there is a trigger, which once triggered in a man’s mind he cannot be held responsible.” “It’s sexual miscommunication.” Or how many times have we heard, “It’s a family matter, it’s a family matter.” Those of you who worked with me a long time or, who I’ve had the pleasure to work with, you know that the thing I hate most is the term “domestic violence.” It makes it sound like a domesticated cat. It is the most heinous form of violence there is, it is the ultimate abuse, usually the consequence of someone you trust.

Remember that young girl who testified, just a beautiful person, she went to a small Catholic college outside of Pittsburgh and she testified before us? It was a learning experience for me, and I thought I knew a lot about this. She started a group on college campuses across America to deal with victims of violence. You know, the majority of women dropping out of college drop out because of sexual abuse. And so she said it was the first day, school hadn’t started and there was a bonfire. “There was a big game the next day, I went to the bonfire, the rally for the game,” she said. “I was coming back, going to go back to my room and my roommate’s boyfriend from home said, ‘I’ll walk you back, can you stop at my dorm [and] pick up my coat?’” And he got her in the room, dragged her in, and he raped her. She went back, I’ll never forget her testimony, she said, “I went back to my room and I was on the fourth floor and there was a communal shower and I took a scalding shower, came back and I sat on the end of my bed and I was crying and a couple of my newfound roommates, new people on the floor asked what happened.” She said the resident advisor came in and said “You’ve been raped,” and she said “No, I wasn’t raped, I knew him.” “*I wasn’t raped, I knew him.*”

If we do nothing more than educate our daughters that nothing they do, *nothing* they do nothing warrants a man being able to take physical liberties with a woman without her consent. Too many women have gone through their entire lives, women of my generation, dealing with the guilt of having blamed themselves for things that were not their fault. I promise you, there is seldom a city or a town I go into that quietly some woman my age doesn’t come up to me and pull me aside and say “Senator,” (now “Mr. Vice President”), “Thank you.” And I now know what they mean. They say, “I just wish it had been like that when I was a girl. Thank you.”

There is no excuse for violence against a woman or a child, there is no excuse. My dad said that no man has a right to raise a hand, period. You know, there was no legitimate excuse in 1994 when we wrote this legislation and there certainly is none now, there is no person who warrants being treated like this. There is no prison like a woman’s home; that is the worst prison in the world. Think of how many women are still imprisoned in their own homes. Because up to now they didn’t have a choice. Seventy-five percent of the homeless children on the street are there because their mother was abused. Domestic violence still affects one in every four women in America, and I know I’m preaching to the choir when I say we can’t afford to turn our backs.

We made a lot of progress in fifteen years, a lot of progress. Violence against women by a spouse or boyfriend has dropped almost sixty percent since 1994. Incidents of rape are down thirty percent, the number of women killed by abusive husband or boyfriend is down twenty-four percent. Today more than half of all rape victims are stepping forward to report the crime. Now that's a gigantic change, and since we passed the Act in 1994 more than one million women have found justice in our courtrooms and have obtained domestic violence protective orders. Just last year our national hotline received its two millionth call, two million. We have to maintain that progress. There is so much more we have to do.

You all know the unmet need that still sits out there. We can't allow this to slide from the consciousness of our daughters and our granddaughters. That is why this administration included \$225 million in the Recovery Act⁴, not that I had anything to do with that, for the violence against women programs that exist. That is why we are keeping our campaign promise to appoint—I've been given the authority by the President to pick who I have wanted—I've nominated a woman, I'm not at liberty to tell you her name now. You'll like her very much, you'll know her, but she's going through vetting now and you know this vetting process is kind of screwy, but we have that person. I have been given the authority to appoint a woman for that position within the Justice Department. What is going to happen here is that to make sure our commitments stay unyielding, there will be a strong voice in [the Department of] Justice. But the President has given me the responsibility, the authority to have her report directly to me in the Oval Office. And he did not have her report to me because he doesn't share the same passion—he does, he does. So you have an administration who is absolutely, totally, thoroughly, fulsomely committed to ending domestic violence and to shaping the policies of this administration, which constantly have to change. We have more than one iteration of the policy. Immigrant women, tribal lands, a whole range of things, each time as it is called to my attention by all of you leaders here, the kinds of changes we have to make. We try to do that, we try to keep it current today.

Our police are better trained to respond to domestic violence. And it took training. I'll never forget coming out of my church, St. Joe's on the Brandywine, one Sunday morning and a woman whose sister I had dated was a good friend of mine in high school, and her young sister pulled me aside and said "Joe, I need help. My daughter was raped two days ago." And the female police officer investigating the rape asked if she had had an orgasm in the rape, a *female* police officer. So we required education of female police officers as well as male police officers, judges, intake officers in the courts—because you all know this is one woman at a time, one woman at a time. All it takes is an intake officer.

4. American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, 123 Stat. 115 (codified as amended at scattered sections of 6 U.S.C., 42 U.S.C., 26 U.S.C., 19 U.S.C., and 47 U.S.C.).

When a woman screws up the courage to go into the family court or the court of jurisdiction in her state and lean over and say, “My husband beat me, I need some help,” and the intake officer says “He did what now? What happened?” The woman turns and walks out the door. This is one woman at a time.

In my state, because it’s small, I’ve had the ability and the courts have allowed me to go in and actually conduct yearly training sessions. The entire court from the Supreme Court on down to the clerks, the intake officers, every emergency room doctor in my state has been willing to sit with me and go through what their obligation is. You are doing that. Many of you out there, you are doing that in every state in the union. And you’re changing women’s lives. We’ve been able to open and maintain shelters all over this country. A study by the Center for Disease Control and Prevention found that the Violence Against Women Act funding saved the taxpayers nearly \$14.8 billion in averted social costs just in the last six years. Spending for the Act is not just the moral investment in this generation and future generations. It’s economically prudent, it’s economically wise, it moves us closer to ending the costly cycle of violence in the home.

The single most significant thing we could do to reduce violence in America—the single most significant thing we could do to reduce overall violence in America—is to end violence against women. There is only one thing we know for certain about violence from prison populations. It’s not that they have the same race in common or the same background. It’s that they cannot read and they were witnesses to violence against their mothers. Violence is a learned behavior. The most counterintuitive thing that you understand, but the public doesn’t understand, is, why would a young boy who saw his beloved mother beaten, why would he ever raise a hand to the woman that he loved? Because it’s a learned behavior. Imagine the hundreds of billions of dollars we could save in medical bills, social costs, economic costs if we were able to wave a wand. If the Lord came down and sat at that table and said, “Do one thing, you get one wish to reduce violence against all people in America, what would it be?” It would be to end violence against women, not just for women because these same people exercise and engage in violence in other endeavors as well.

One more thing, VAWA internationally. Some of you helped me draft a piece of legislation, and Dick Lugar, to his credit, joined me. And we’ve been trying to push, and the administration will push, tying the behavior of government policies in laws in other countries to our economic assistance and aid that is badly needed. The genital mutilation, the attitudes in some cultures and in some countries about whether or not a woman is still in the thirteenth century in England, the chattel to be done with whatever “her man” wishes. I think we can affect that behavior not merely by example and your leadership, not merely like people like my sister going into Africa recently to teach women about empowerment and how to get engaged in the political process, not by what all of you do but literally by the aid we either give or withhold. If we accomplish nothing else, if we accomplish not a single thing more, if I’m not involved in

another thing the rest of my career, the two things I am proudest of in my whole life beyond my family are convincing President Clinton to use force in Bosnia to end the genocide, and the Violence Against Women Act.

So I owe all of you, and some of you specifically in this room, but all of you generally for allowing me to be put in a position to have the opportunity to do something that matters. I did not do this alone, I'm not suggesting that at all—but to allow me the opportunity to be part of it. My dad used to have an expression. He would say, "It's a lucky person [who] gets up in the morning and puts both feet on the floor, knows what he's about to do and thinks it still matters." Well, you've made my career matter for me, and for that I'll be forever indebted. Thank you for what you do.