

Spanish politicians discourse about the responses to violence against women

Carmen Vives-Cases^{a,b} / Daniel La Parra Casado^c

^aDepartment of Public Health, University of Alicante, Alicante, Spain;

^bDepartment of Sociology II, University of Alicante, Alicante, Spain;

^cCIBER of Epidemiology and Public Health (CIBERESP), Spain.

(El discurso de los políticos españoles sobre las respuestas a la violencia contra las mujeres)

Abstract

Objective: This study analyzes the discourse of some members of the Spanish parliament (MPs) in the 2 years before the Gender Violence Act was passed in 2004 to examine how gender-based violence is construed when legal measures are proposed.

Methods: Ten members of six different parties of the Spanish parliament were interviewed between November 2002 and March 2003. Each interview was recorded and transcribed. A discourse analysis was performed with Atlas.ti 4.2.

Results: Analysis of the interviews showed a discourse that revolved around the victim's report as the main mechanism for the public authorities to intervene and try to end gender-based violence. The interviewees proposed the following steps to help victims to escape from violence: reporting violence to the police, the provision of victim protection, punishment of the perpetrator, and avoidance of problems and death through different measures (law, police, support services).

Conclusions: Our analysis shows how a major social problem and the mobilization of women and mass media have had several effects. One of these effects is that lawmakers have turned their attention to this social concern. A solution to this phenomenon is being sought through the mechanisms of the Spanish parliament (promoting changes in the law) and government (making more economic resources available). The public action proposed by the MPs interviewed focuses on reporting; their discourse does not include alternative options (or includes only vague options) for victims not reporting violence.

Key words: Battered women. Qualitative research. Policy making.

Resumen

Objetivo: El estudio analiza el discurso de algunos miembros del Parlamento español en los 2 años previos a la aprobación de la Ley de Protección Integral contra la violencia de género para explorar cómo la violencia de género es percibida durante el proceso de institucionalización de medidas legales.

Métodos: Fueron entrevistados 10 miembros de 6 partidos políticos con representación en el Parlamento español entre noviembre de 2002 y marzo de 2003. Cada entrevista fue grabada y transcrita. Se realizó un análisis de discurso con el Atlas.ti 4.2.

Resultados: Se observó en el análisis de las entrevistas un discurso en torno a la denuncia de las mujeres afectadas como el principal medio para las instituciones políticas para intervenir e intentar combatir la violencia de género. Los entrevistados proponen los siguientes pasos a realizar por las víctimas con el fin de acabar con la violencia: denunciar a la policía, proteger a las víctimas, castigar a los maltratadores, y evitar los problemas y las muertes mediante las diferentes medidas existentes (ley, policía, servicios de atención).

Conclusiones: Se ponen de manifiesto los efectos de la construcción de un problema social y la movilización de grupos de mujeres y medios de comunicación. Uno es la creciente preocupación de los parlamentarios por este tema. La solución es identificada mediante los instrumentos del Parlamento (promoción de cambios en la legislación) y el Gobierno (incrementar la disponibilidad de recursos económicos). Las propuestas de actuación pública de las parlamentarias entrevistadas se centran en la denuncia, y resultan inexistentes o imprecisas las alternativas para las víctimas que no denuncian.

Palabras clave: Mujeres maltratadas. Estudio cualitativo. Elaboración de políticas.

Correspondence: Carmen Vives Cases.
Department of Preventive Medicine and Public Health.
University of Alicante. San Vicente del Raspeig Campus.
Ap. 99. C.P. 03080. San Vicente del Raspeig. Alicante. Spain.
E-mail: carmen.vives@ua.es

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Introduction

Gender-based violence is one of the main causes of morbidity and premature mortality amongst women all over the world^{1,2}. It has been estimated that between 13% and 61% of women have suffered Intimate Partner Violence (IPV) at some point

in their lifetimes³. In Spain, each year 1 out of 100,000 women dies as a result of this problem^{4,5}.

Gender-based violence is a major problem that has led to the gradual development of public policies aimed at reducing it^{6,7}. There are three key moments in the political construction of this problem in Spain: the First Plan of Action against Domestic Violence (1998-2000)⁸, the Second Comprehensive Plan against Domestic Violence (2001-2004)⁹, and the Gender Violence Act (2004)¹⁰. The latter defines gender-based violence as a specific type of offence, tries to encourage victims to report it, and takes steps to provide victims with social support, following the acts passed in other countries about this subject¹¹. Despite the significance of these measures, little is known about the process of formulation that has led to them¹²⁻¹⁴.

In this context, the Spanish Parliament formed between 2000 and 2002 the Committee for the Eradication of Domestic Violence. Its main objective was to reach consensus on a series of recommendations about how to address IPV in future policies¹⁵. The members of Parliament (MPs) that took part in this committee are, therefore, key informants when it comes to analysing the main factors that may have influenced the process of formulation of the Gender Violence Act 2004.

Our analysis of the political institutions complements a previous study about the media¹⁴ and the parliamentary debates¹³, and offers an overall picture of the different representations that political actors in Spain have about IPV. The objective of our study is to examine how gender-based violence is analysed and construed when it comes to proposing the adoption of legal measures, that is, in the «policy-making» process.

Methods

Semi-structured in-depth interviews were carried out. Ten out of the eleven members of the Spanish Parliament –nine women and one man– sitting on the Committee for the Eradication of Domestic Violence were interviewed between November 2002 and March 2003. They were members of six different parties: Partido Popular (PP [People's Party] national conservative party), Partido Socialista Obrero Español (PSOE [Spanish Socialist Party]), Coalición Canaria (CC [Canary Islands Coalition] regional nationalist party), Esquerra Republicana de Catalunya (ERC [Republican Left of Catalonia] regional nationalist party), Eusko Alkartasuna (EA [Basque regional nationalist party]), and Convergència i Unió (CiU [Convergence and Union] Catalanian regional conservative party). Three of them were members of the PP, Spain's ruling party when the interviews were carried out, another three were members of the PSOE,

and there was a member of each of the other four parties. The CiU representative was the only male MP interviewed. The last member of the Committee, a female MP, refused to be interviewed.

During the interviews the MPs were asked a number of open questions intended to bring out fluid conversation about gender-based violence, following an interview script organised around these topics: origin of the problem, main actors, groups and events involved in introducing violence in the political agenda, proposals for ending violence, main obstacles and opportunities to achieve the goals set, opinions about the effectiveness of the measures adopted, and about the resources and measures required to deal with this problem, perceived differences between the parties.

One of the researchers (Carmen Vives-Cases) carried out all the interviews. They lasted, on average, 75 minutes; the range was between 65 and 95 minutes. Each interview was recorded and transcribed. The text was analysed with Atlas.ti 4.2. Both authors analysed the data and together we defined a list of codes to identify the actors (victims, offenders, forces of law and order, judges, politicians, etc.), their gender (man/woman/neutral), the type of preventive measure (primary, secondary, and tertiary), and the references to different sorts of resources (economic, legal, human, information). Then we worked independently to assign these codes to each quote (sentences or paragraphs), and after that went over the results together and discussed the similarities and differences to reach a consensus. Following this first analysis, we individually examined all the quotes that referred to gender violence incidents reported to the police, using an open coding system. Separate reports were prepared about the results each had obtained. Later we jointly checked the similarities and drew up a consensed report. The complete transcriptions of the interviews are available on request for further analysis.

Each quote included in the results section has a code identifying the interview (I1, I2...), the interviewee's political party with its Spanish acronym (see above), and her/his gender (F for female, M for male).

Results

The MPs discourse about how to end gender-based violence revolves around the idea that victims must make the decision of reporting their husbands or partners to the police. The victim's report is essential for her to get protection and help to solve the problem. Following the argument of the interviewees, public action should encourage victims to report the incidents, but it should also address the multiple problems that arise after it.

The centrality of reporting

As already mentioned, it is crucial that victims report the violence committed against them to set public action into motion:

«She must report it; otherwise we're telling her to put up with it» (I3/CiU/M).

«It's vital that they report it (...) without the report, we can't fight against violence» (I1/PSOE/F).

The victim's report is seen at the same time as a breaking point with the situation of violence (a starting point in finding a solution) and as a necessary step, that is, the only way to put an end to the assaults.

Encouraging the report as a mechanism to end violence

In line with the centrality of reporting in the discourses analysed, the interviewees suggest that the authorities and the media should encourage women to report the abuse.

«The first campaign against gender violence in Spain was 1983, with the same message as today, that women must report» (I4/PSOE/F).

«The reporting rate is increasing (...) however we still haven't done all what's necessary» (I2/EA/F).

«The first plan of action against domestic violence broke female silence, and the 3,000 or 4,000 reports a year suddenly became 18,000 reports» (I5/PP/F).

The authorities seem to play an important role by raising the awareness of the victims and their social environment, and persuading them to report the abuse, an action seen as being a social liberation for them:

«Women have freed themselves and they don't put up with it anymore. It's not that there is more violence (...) now less women see it as something normal and more of them dare to take this step» (I8/PP/F).

The victim's background as an obstacle in reporting

Public action focuses on overcoming the female resistance to reporting the abuse they suffer. Actually, it seems we are just seeing the «tip of the iceberg»:

«The reports only account for 5 to 10% of the incidents that take place» (I1/PSOE/F).

The origin of unreported violence, that is, the resistance to reporting is explained by the victim's background:

«This used to happen to women because they lacked culture and education, because they'd been brought up by their mothers to be resigned; it was their Christian upbringing» (I4/PSOE/F).

«They have a low self-esteem, but don't realize it (...) they don't feel they are qualified to enter the labour market» (I2/EA/F).

This resistance of the victims is reinforced by patriarchal social values:

«Her own family, her own mother (...) the Church (...) tell her she's surely done something to deserve it (...). The issues concerning women have always been left out of society» (I6/PSOE/F).

«Violence against women used to be considered a private thing», «a type of violence deep-rooted in our society» (I7/CC/F).

The characteristics of the victim, who appears in the interviewees' discourse as someone dependent, and the oppressive social relations surrounding her, make it advisable that public action focuses on raising awareness and encouraging victims to report the abuse.

Reporting as the cause of multiple problems and death

Nonetheless, the MPs point out a long list of problems that arise once the victim reports the violence to the police.

Threats from the perpetrator: «he threatened her so as to make her withdraw her complaint» (I8/PP/F), «when she's on her own, he approaches and threatens her» (I6/PSOE/F).

Leaving home: «it's the victim who leaves their home, instead of the abuser» (I1/PSOE/F).

Low protection of the courts: «as it is, judges contradict themselves» (I4/PSOE/F).

Slow proceedings: «the consequences of the proceedings being so slow (...) justice delayed, justice denied» (I3/CiU/M).

Judges' decisions: «it's not acceptable that an assault resulting in a head trauma ends up being a trial of a minor offence» (I10/ERC/F).

Lack of information and protection: «they report it, but maybe, before that, they have not gone to a health centre, nor got a medical report» (I1/PSOE/F).

Economic problems: «they don't have the means to become independent (...), so they are dependent on their husband» (I3/CiU/M).

Children-related problems: «there are children that must be schooled» (I2/EA/F).

Lack of public resources for their protection: «there aren't enough police officers to keep the victim home, remove the perpetrator from it, and watch over her» (I1/PSOE/F).

Lack of other resources: «the resources to tackle these issues, or the experts to tackle these issues aren't available everywhere» (I7/CC/F).

Coordination of services: «when the victims report it, first they go to the police station, then to a refuge, and after that they get a duty solicitor. We need more coordination between all of them» (I5/PP/F).

Loss of their social network: «losing your social environment» (I9/PP/F).

Personal transformation: «in many cases reporting means a break with what's been your life so far, and from then on making a new start» (I1/PSOE/F).

In short: «the ordeal they went through after reporting the violence» (I10/ERC/F).

Among the main concerns regarding the victims' report is the risk of experiencing further violence. This is related to the delay and arbitrariness of justice, the shortage of (police) resources for the victim protection, as well as the lack of the resources (accommodation, job, economic) they require to begin anew.

As a matter of fact, the interviewees agree that as soon as victims report the abuse, they are subjected to an increased risk of death. This association between reporting and death can be found throughout all their discourse:

«Most of the murders are committed after a woman has reported a situation of violence, and that's when he kills her» (I4/PSOE/F).

«The more women report abuse, the more women will live in danger of being murdered» (I5/PP/F).

«In most cases they are women who (...) have taken the steps to report the violence they are subjected to (...). We have put into place measures that get them to report it, and yet, they are being murdered» (I7/CC/F).

«Most of the women victims of domestic violence who have been murdered had repeatedly reported the aggressor» (I10/ERC/F).

Only one of the interviewees plays down the importance of the connection between reporting and death:

«It doesn't necessarily have to be that way, and in fact it isn't like that in many cases. Thousands of women report abuse and, I don't know about this year, but last one there were over seventy [murders] (...). I don't think there is a link. What I'm worried about is that women don't feel safe because that really does prevent them from reporting» (I10/ERC/F).

Proposed measures to avoid the problems arising from reporting

The interviewees defence of the report as the way of solving gender-based violence seems a paradox when we take into account the problems and deaths it may cause. To resolve this contradiction, they suggest concrete measures to deal with all the negative situations described by women who have reported incidents of abuse:

Improving the protection measures: «non-molestation orders» (I8/PP/F).

Management of the perpetrator: «controlling the distance between victim and aggressor, using GPS [global positioning system] technology (...) controlling the perpetrator (...) the blame must be laid on the perpetrator» (I3/CiU/M), «he must be imprisoned (...) the per-

petrator must be the one leaving the household, not the woman» (I4/PSOE/F), «zero tolerance» (I5/PP/F).

Improving the legal system: «summary trials» (I5/PP/F), «we've requested the medical check-up to be performed as soon as possible» (I8/PP/F), «a comprehensive Act» (I4/PSOE/F), «reform the penal code» (I8/PP/F), «the authorities' response must be clear and tough» (I10/ERC/F).

Improving support services: «legal aid for women» (I9/PP/F), «expert support services» (I1/PSOE/F).

Providing victims with more resources: «further education» (I2/EA/F), «access to the labour market for victims» (I5/PP/F), «refuge accommodation» (I8/PP/F).

Objective: free women from violence

It is difficult to find in the interviewees' discourse descriptions of life experiences about victims putting an end to violence and their personal growth. There are very few instances of them, in contrast with all the explanations that link reporting and death.

«There are women who have reported the abuse, who have escaped from this hell. I can do it, too» (I1/PSOE/F).

This idea is practically absent in their discourse, as the interviewee herself seems to think when she puts forward the following:

«I'd like to get an image of women who have gone through what I'm going through, who have reported it to the police, and have benefited from this resource, and that other, and that other, and eventually have managed to get over it by themselves» (I1/PSOE/F).

Discussion

The analysis of the interviews shows a discourse that revolves around the victim's report as the main mechanism for the public authorities to intervene and try to put an end to gender-based violence. The interviewees propose this route for the victims: report to the police, victims' protection, management of the perpetrator, avoidance of problems and death through different measures (law, police, support services). The victim appears as a person dependent on the abuser before reporting him to the police, and as someone dependent on the police, the legal system and the social services after doing so.

It is particularly interesting that the MPs discourse does not consider intervention strategies where victims have not reported the violence. All their proposals do not take into account measures such as promoting the victims qualification and independence, their empowerment, or the development of personal and collec-

tive programmes that could guarantee their protection or escape if they do not report.

The literature about this subject shows how the victims' decisions, including that of reporting the abuser, are conditioned by their emotional and economic bonds with the perpetrator¹⁶⁻¹⁹. Moreover, the interviewees point out the increase in the risk of suffering further violence, or even death, that victims face after reporting. However, their discourse does not consider alternatives to it.

Public action sets off with the victim's report. This implicitly means that, when victims avoid reporting it, gender-based violence remains symbolically in the private sphere, and therefore, victims cannot be protected by the law. Women who cannot make up their minds to report the abuse are excluded from that protection, although it is expected that the new measures will encourage them to do so. As a result, these women may be victimised not only by their partner, but also by themselves (double victimisation), that is, public authorities are providing increasing information, resources and protection to abused women, but those who do not report it are not doing what is necessary to escape the violence.

The main strategy proposed by the MPs interviewed to end gender violence is reporting it, despite the fact that its effectiveness in reducing repeat victimisation and the deaths this may cause has not been sufficiently assessed²⁰⁻²², and also despite the interviewees' acknowledgment of the problems that can arise after the report. Three hypotheses could explain this situation. First, we could argue that the criminal justice system is seen as the main means to address violence-related issues. In this sense, we are culturally unable to look for solutions to problems of violence that do not involve the use of force (in this case, getting protection from the police and the law). The second hypothesis highlights the fact that it is easier for MPs to address problems from the criminal justice systems (reports and sanctions). If gender-based violence were to be dealt with through social policies, a series of interventions (targeting individual, family and community concerns) should be designed, the professionals implementing them should be accordingly trained, and that public action should be appropriately funded. On the other hand, judges, prosecutors and lawyers are already working within the criminal justice system to tackle these issues. Finally, the third hypothesis takes into consideration that law-makers are required to develop homogenous measures (that is, fair and just) for the whole of the population. Reporting would be such measure. However, we should also bear in mind the difficulty of legislating against the heterogeneous nature of the abuse that women must face in their relationship with their partner.

In any case, the discourses analysed here should not be seen as being representative of the opinion of

the Spanish MPs as a whole. There is a higher proportion of women and feminist activist among the interviewees than in the Spanish Parliament, so the general discourse may have tended to consider gender-based violence as a public issue. The ruling party MPs (the conservative People's Party) may have emphasised a positive and conciliatory outlook on this question, in contrast to the more challenging discourse of the left-wing and nationalist MPs. Nevertheless, we have not found any significant difference regarding their defence of the report as the main mechanism to end violence.

As a main conclusion, our analysis has shown how a major social problem and the mobilisation of women and mass media have had several effects. Law-makers have turned their attention to this social concern. A solution to it is being sought through the mechanisms of the Spanish Parliament (promoting changes in the law) and Government (making more economic resources available). So far, however, they have proposed a homogeneous solution (reporting), but have failed to explore alternatives that victims of IPV go through.

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