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"Domestic violence is the most ubiquitous constant in women's lives around the world. There is virtually no place where it is not a significant problem, and women of no race, class, or age are exempt from its reach" -Joni Seager

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Abstract: Domestic violence against women is a social problem that occurs in nearly every corner of the world. Recently, some states have begun to recognize that women must be protected from abuse by family members and intimates. While policies and practices designed to protect women have emerged in a number of countries, many lag behind on the issue. This paper will examine the causal factors behind the variation in protection for women. The literature on women and politics suggests that when women are able to directly influence policies, via electoral pressure or participation in decision-making, women-friendly legislation will be more prevalent. Another possibility is the social context of a society determines whether women are able to influence the popular discourse, and therefore, advocate policies that protect women. A variety of statistics were gathered to test these hypotheses. Using bi variate correlation, the political and social influence theories were each tested in order to determine the cause of variation in levels of protection. The findings suggest that both direct political influence by women and the social context are important; however, women's representation stands out as the strongest indicator of level of protection. There is a solid argument for the use of affirmative action policies to increase women's representation as a strategy for increasing protection.

THE DOMESTIC VIOLENCE PROBLEM

Across the world, women are beaten, tortured, mentally abused, burned, and killed by their intimate relations. Domestic violence is defined as abuse between family members, but for the context of this paper I am specifically referring to abuse against women. Until relatively recently, authorities in many states have ignored or even condoned this type of violence. For example, the phrase "rule of thumb" comes from Anglo-American common law -- a husband was permitted to strike his wife with a stick as long as it was no wider than his thumb (Straus and Gelles 1986). In some cultures, domestic violence remains an acceptable means for a husband to discipline his wife. Experts generally agree that domestic violence is used to keep women in a subordinate position within the household (Seager, 2003; Straus and Gelles, 1986). Men use physical abuse against women in order to 'keep them in their place' -- to exert their power as the dominant figure in the household. Historically, domestic violence has been considered a private

matter, a problem between a man and his wife that the state need not become involved in (Abrar

and Lovenduski, 2002; Bush, 1992; Hawkins and Humes, 2002).

Recently, the domestic violence issue has been moved from the private realm to the

public in many states. Consequently, practices regarding the problem are changing and violence

in the home is becoming a criminal matter. Yet the degree of protection women receive varies

tremendously across states. Why is it that in some western societies, women can prosecute their

husbands for a slap in the face, yet in places such as Turkey, men receive reduced sentences if

the murder of their wives is an 'honor killing?' (*World Report,* 2003). In order to explain this

variation, I examine two different aspects of gender politics: direct pressure through

participation in formal politics and indirect, contextual factors that influence gender ideology and

discourses in a nation.

THEORIES REGARDING WOMEN'S PROTECTION

In order to determine why women's protection varies so markedly, this study examines

the forces behind women-friendly policy change. In a famous debate on the adoption of

mother's pensions in the early 1900's, two basic theories regarding the forces behind this

legislation were put forth. One side, voiced by Cheryl Logan Sparks and Peter R. Walniuk,

claimed that the instatement of mother's pensions was tied to the coming of women's suffrage.

They argue that women's votes, real or impending, put pressure on state legislatures to pass the

pension laws long before their normal legislative cycles would have predicted (Sparks and

Walniuk 1995). Women, it was believed, would come together as an electoral bloc and throw

out men who didn't support mother's pensions. In other words, direct political pressure by

women lead to the adoption of this policy. On the other side of the debate, Theda Skocpol

argued that women's influence was based on their voluntary organization in a context where

ideas about women and families were changing (Skocpol, et al 1993). They were able to shape

the popular discourse and convince state legislatures that mother's pensions were the right thing to do.

This debate sets up two distinct theories regarding the implementation of women friendly-policy. On the one hand, direct political influence, through voting or women's representation, may be the relevant force, because women are able to exert direct pressure over policies. Another possibility is that women's influence is determined by the social-cultural context of the society. If the culture is one in which women are able to shape the policy discourse, then their power may emerge through grassroots movements and campaigning (Beckwith, 2002; Bush, 1992; Margolis, 1993). Neither of these theories excludes the other, they both may be relevant to the creation of women-friendly policy. Because domestic violence is a concrete women's issue, these theories may be applied to policies regarding women's protection.

Direct Political Influence

The literature on women and politics suggests that political decision-making by women and their electoral participation is important for achieving women-friendly policy change and leads to the hypothesis that women's direct political influence results in higher levels of protection against domestic violence.

Making a difference: Women's representation

One of the prevailing theories in women and politics literature is called the 'politics of presence.' According to this theory, women's presence in legislative bodies is essential because women representatives have different values, attitudes, and priorities than men based on their unique experience as females (Phillips, 1995). Women legislators will express these differences by putting women's issues on the agenda and making policy choices that benefit women as a group. Women's issues can be defined as "those that mainly affect women, either for biological reasons (such as breast cancer screening and reproductive rights) or for social reasons (sex equality or child-care policy)" (Lovenduski 2001). According to this theory, women

representatives will address domestic violence because it is a part of their experience as women. Even if the legislator has not experienced domestic violence personally, she probably knows someone who has, or can relate to the inequalities that lead to violence against women.

The degree to which female legislators can push this concern onto the government agenda may depend on "critical mass." The critical mass theory holds that once women gain a certain percentage in the legislature, they will have the ability to 'make a difference,' or make changes through the legislature that improve women's status (Dahlerup, 2001; Lovenduski 2001). Such changes may include implementing policy that is important to women, bringing attention to women's issues, or changing the norms and values of the legislative institution (Norris and Lovenduski, 2003). According to a classification made by Rosabeth Moss Kanter, there are three categories of women's minority status in the legislature: the skewed group of up to fifteen percent, in which women are merely tokens and have no real power to implement change; the tilted group of fifteen to forty percent, in which the minority is gaining strength through numbers and may influence the nature of the institution; and the balanced group, of about forty to fifty percent, in which women are no longer a minority (Dahlerup, 2001; Lovenduski 2001). Women need to hold about thirty percent of the seats in a legislature in order to achieve a critical mass. Once women reach that threshold, they will bring attention to the issue of domestic violence by putting it on the legislative agenda and implementing policy that protects women. In addition, an increased presence of women representatives will hopefully lead to more women in cabinet or ministerial positions. Positions of leadership in the legislature allow for more influence over the political agenda and policy choices (Reynolds, 1999).

Although the 'politics of presence' and critical mass theories are well-respected in women's representation literature, the policy effects that these theories predict has yet to be examined on an international level. Because women's presence in the legislatures of many states is a relatively new phenomenon, it has been too early to determine whether these theories will be realized when it comes to measurable policy change. It is possible that woman legislators will

behave no differently than their male counterparts; however, the hope is that women's representation will make a difference.

<u>Women's Political Participation</u>

The second direct political factor this study examines is women's history of political participation. A citizen's political participation includes a variety of activities: pursuing political knowledge, discussing politics, supporting a political party or voting. There is no question that political participation is valuable and leads to greater political power: "To the extent that citizen activity provides a critical channel for the expression of citizen preferences, those who are less active pay the price in terms of representation" (Verba, Burns, and Schlozman, 1997). Women's issues have not been on the political agenda in the past because women had little or no role in the political community and therefore had no place to voice their opinions (Fraser, 1999; Nelson and Chowdhury, 1994). If the most basic form of political participation is the act of voting, then the date of women's suffrage speaks to women's political power in a given state. In those countries where suffrage was granted only recently, it is unlikely that women have established a culture of political participation. Through voting, women are able to directly influence the political decision-makers, and therefore, policy affecting domestic violence.

Favorable Social Contexts

It is, of course, possible that women achieve protection against domestic violence without direct participation in law-making. In social contexts where women are supported, respected, and allowed enough freedom to fight for the policies that matter to them, they may be able to shape the discourse in such a way that they convince policy-makers that women ought to be protected from abuse. A woman-friendly context has at least three aspects: cultural attitudes, religion, and women's education.

Cultural attitudes

Societal attitudes determine a woman's place, whether that place is strictly confined to the home, nearly equal in the public sphere of employment and politics, or somewhere in between. In democracies, citizens have influence over which laws are passed. While not all policies are favored by everyone, most do have some degree of popular support. In places where women are not considered equal to men, but are instead viewed as property of men or simply lower-class citizens, women's protection will be severely limited, because the population as a whole will not value their protection.

Religion

Religion may help to determine how egalitarian a culture is. A nation's religiosity is its religious sentimentality, or the degree of importance the dominant religion plays in people's lives. Religion is an especially important factor to consider when examining the issue of domestic violence, because many religions are concerned with the family structure and consider women to be uniquely tied to the family. States that have fundamentalist religions follow the doctrine that women are subordinate to men (Reynolds, 1999). If women are considered to be subordinate, a husband's abusive treatment of his wife may be excused as 'discipline.' Traditional, highly religious societies are likely to consider the family a private sphere and discourage state interference, even in violent cases. Conversely, states with a large proportion of Protestants, secular, irreligious, or non-affiliated citizens are more likely accept a sphere of privacy relating to a woman's body and to protect that autonomy.

Education

Just as social attitudes and religion can be used to measure the beliefs of a society, the educational policies may help to explain a woman's place. Is it considered appropriate for women to receive some sort of higher education? This speaks to whether women are accepted as equals to men and whether they have the right to gain knowledge. Higher education leads to an understanding of issues that are important to women, as well as social and political mobilization around those issues: "Knowledge is power, the foundation of intellectual and political

development" (Fraser, 1999). If women are to understand that there are options beyond the status quo, they need education. Women are more likely to demand protection and more able to convince policy makers and opinion leaders that it is *right* to protect women's bodies if they are educated. They may also have greater resources that would allow them to leave an abusive situation. Therefore, the larger the number of women in higher education, the more likely a state is to protect women against domestic violence.

Research Design and Methodology

Design Strategy and Case Selection

In order to test the theoretical explanations offered by the literature, this study compares the levels of protection against domestic violence cross-nationally. The research design employed is a statistical method. Using bi-variate correlation, each independent variable is tested to see whether it has a significant relationship with the dependent variable, level of protection.

Examining twenty-nine members of the Organization for Economic Co-operation and Development (OECD) allows for a broad mix of cultures and polities. (Iceland had to be excluded due to lack of data). This variation is valuable if the diverse situation of women is to be examined. At the same time, using the OECD member states allows much of the "noise" created by non-democratic governments and large variations in wealth to be blocked out; all of these states are relatively well-off and have some form of democratic government. The countries included in this study are: Australia, Austria, Belgium, Canada, Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Korea, Luxembourg, Mexico, Netherlands, New Zealand, Norway, Poland, Portugal, Slovak Republic, Spain, Sweden, Switzerland, Turkey, United Kingdom, and the United States.

<u>Dependent Variable</u>

The dependent variable of this study is the level of protection for women against domestic violence. This variable is an unweighted summation of seven separate measures: marital rape law, divorce law, gender wage gap, percentage of salary paid during maternity leave, length of maternity leave, percentage of lone mother households, and child poverty rate in lone mother households. Many of these measures indicate the level of familialization, or the ability of women to leave abusive situations and live independently from their abusers (Haney and Pollard, 2003; O'Connor, et al, 1999; Orloff, 1993). The level of protection is measured on a scale that ranges from 11 (lowest protection) to 25 (highest protection). Data for this variable were obtained from a wide variety of statistical sources.

Marital rape law is a dichotomous variable. It is coded as 0 if the country does not have a law against marital rape and coded as 1 if it does. Marital rape laws are a direct measure of protection against domestic violence because rape is an act of violence. This variable indicates whether the state is willing to invade the private sphere of sexual relations between married couples in order to provide protection. About half of the cases in this study do not recognize marital rape as a crime.[1] The second aspect of the measure is a coded scale representing the degree of difficulty women face when attempting to obtain a divorce. The scale ranges from 0 to 3, with 0 being the most difficult and 3 being the easiest. Coding was based on the grounds for divorce in each country. States were given a point if women can initiate divorce, if mutual consent is a ground, if breakdown of marriage or a phrase of similar meaning is a ground, and if violence, battery, or abuse is a ground. A point was subtracted if there is a requirement for the couple to be separated for a certain amount of time before divorce will be granted. Finally, a point was taken away for factors that would likely cause difficulty in obtaining a divorce; for example, if no alimony or child support is offered or if divorce is considered a social stigma in

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[1] For the data source, see Seager, Joni. *The Penguin Atlas of Women in the World.* Penguin Books: New York, 2003. 58-9.

the country.[2] The third measure in the scale is gender wage gap. This variable captures the ability of women to be financially independent; the higher the gender wage gap, the more difficult it is for a woman to support herself and her children and to leave an abusive situation if she needs to. The scale ranges from 1 to 5, with 1 being the largest gap between male and female wages and 5 being the smallest.[3] The fourth and fifth components of the dependent variable are the percentage of salary paid during maternity leave[4] and the length of maternity leave.[5] These measures speak to the financial and social independence of mothers in a given state. If all or most of the mother's salary during leave is paid *and* she is able to take a substantial leave without the risk of losing her job, she will be able to "survive and support (her) children without being forced to marry or enter into other family relationships" (Orloff, 1993). Studies show that parental leave attracts women to the labor force and maintains their attachment (Kamerman, et all, 2003). Continued employment indicates that women have a better chance to leave or avoid being trapped into an abusive relationship, because they are more likely to be financially stable and have a support system outside of the family. Both variables are coded in a range of 1 to 5, with 1 being the least favorable leave policies for women and 5 being the most favorable.[6] The sixth measure of protection for women is the rate of lone mother households. This measure is coded as a scale from 1 to 5; a score of 1 indicates low rates of lone mother households and 5 indicate high levels. The rate of single mothers in a country indicates whether

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[2] For the data sources, see Morgan, Robin. *Sisterhood is Global: The International Women's Movement Anthology. Doubleday. New York, 1984.* Although this source is not extremely recent, due to the persistence in patriarchal attitudes in societies, it is still considered a legitimate source (Pence, 1997).
Boele-Woelki, Katharina, Bente Braat and Ian Summer, eds. *European Family Law in Action Vol. 1: Grounds for Divorce, 2003.*

[3] For data source, see UN. *The World's Women 2000: Trends and Statistics.* NY, 2000.

[4] For data source, see World Development Indicators, 2003

[5] For data source, see UN, *The World's Women 2000: Trends and Statistics.* NY, 2000.

[6]Both length and percentage of salary paid were used to indicate the generosity of maternity leave policies because while some states offer leaves of up to one year, they are often unpaid, which would not be feasible for households dependent on the mother's salary. Thus, both length and pay are necessary to correctly measure the generosity of this benefit.

it is socially acceptable for a woman to live independently from a male family member or intimate.[7] In countries such as the United States and the United Kingdom, there are few social stigmas associated with single motherhood and accordingly, the rates are high: 15% and 19% respectively (Kamerman, et al, 2003). However, because these states provide few social supports for single mothers, the rates of child poverty for these family types are also high: 59.6% in the U.S. and 40.3% in the U.K. (Kamerman, et al, 2003). The seventh and final component of the dependent variable scale is the rate of child poverty in lone mother households. This variable is coded in a range from 1 to 5. A score of 1 represents the highest rates of child poverty and a 5 represents the lowest rates. Although it would seem that the percentage of lone mother households is a direct indication of child poverty rates, several studies indicate that if a country has progressive social benefits for single parent families, high poverty levels can be avoided (*The World's Women 2000*; Kamerman, et al, 2003). Therefore, this measure speaks to the social support offered to single mothers.[7]

Independent Variables

Five independent variables are analyzed to test the two theories discussed previously: direct political influence and social context. Data for these variables were obtained from several sources, primarily Joni Seager's *Atlas of Women in the World*. The first variable is women as a percentage of elected officials in each state, or the percent of women occupying seats in the lower or single house of their country's legislature. Those data, reported from the year 2002, indicate the level of women's representation.[8] The second variable, women's history of political participation, is measured by the date women's suffrage was introduced in each country.[9]

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[7] For data sources, see Kamerman, Neuman, Waldfogel and Brooks-Gunn. "Social Policies, Family Types and Child Outcomes in Selected OECD Countries." OECD, 2003.
Luxembourg Income Study, 1997; expert opinion

[8] For data source, see Seager, Joni. *The Penguin Atlas of Women in the World.* Penguin Books: New York, 2003.

[9] For data source, see Seager, Joni. *The Penguin Atlas of Women in the World.* Penguin Books: New York, 2003.

Women's representation and history of political participation are both used as measures of the direct influence women have over politics via electoral pressure or participation in decision-making.

The following variables are used to measure the women friendliness of the social context. A direct measure of cultural attitudes was obtained from the *World Values Surveys*.[10] See the appendix. The responses to this question are a reflection of the degree that each society believes it is acceptable for a woman to be independent from a man and to raise her children alone. This question is particularly pertinent because if a woman is to be protected from an abusive relationship, she often must live independent from her spouse or boyfriend. Accordingly, many of the protection policies are designed to make independence easier for abused women. The second variable in this set is religion, measured as percentage of the Protestants, secular, irreligious, and non-affiliated in a country.[11] The third variable is measured as women as a percentage of students in third level institutions, such as universities, technical schools, and equivalent institutions. Students of higher education have completed education at the second level or provided proof of equivalent knowledge. The data reported are from 2000 or the most recent available year. [12]

Analyses and Results

This section reports the findings of the empirical analysis. After coding and analysis, the dependent variable (level of protection against domestic violence) produced an index ranging from 11 to 25, with 25 being the highest degree of protection. As shown in Table 1, there is a reasonable amount of variance in the degree of protection (mean of 17.2, standard deviation of 3.42) even among countries with broadly similar levels of affluence and political development.

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[10] For data source, see *World Values and European Values Surveys*. Inter-university Consortium for Political and Social Research. 1990-1993 and 1995-1997.

[11] For data sources, see CIA World Factbook country profiles and Adherents.com.

[12] For data source, see Seager, Joni. *The Penguin Atlas of Women in the World*. Penguin Books: New York, 2003.

Table 1
The Dependent Variable: A Breakdown of Protection Levels

High Protection Levels		Moderate Protection Levels		Low Protection Levels	
Austria	19	Australia	17	Greece	14
Czech Rep.	19	Belgium	17	Ireland	12
Denmark	23	Canada	16	Japan	13
Finland	20	Germany	17	Korea	11*
France	21	Hungary	17	Luxembourg	14
Netherlands	19	Italy	16	Spain	15
Norway	25*	Mexico	17	Switzerland	15
Poland	22	New Zealand	16	Turkey 14	
Sweden	24	Portugal	16		
Slovakia	18	United States	16		
UK	18			* indicates high and low points	

The data in Table 2 clearly lend support for the hypothesis that women's increased access to direct political influence leads to a higher level of protection against domestic violence. Bi-variate analysis shows that percentage of women in elective office and level of protection have a positive, significant correlation. As predicted, the larger the number of women in the legislature, the higher the level of protection for women. This is the strongest and most significant relationship.

Table 2
Testing the Hypotheses: Results of Bi-variate Analysis

Political Factors:
Women's Representation
% women in elective office   Pearson's r = .655   p = .000**
Political Participation
Date of Suffrage   Pearson's r = -.372   p = .024*

Social Factors:
Cultural Attitudes
% responded "disapprove"   Pearson's r = -.001   p= .998
Religion
% Protestant, secular, irreligious, Pearson's r = .554   p = .002**
non-affiliated
Education
% of women in higher education   Pearson's r = .550   p = .001**

*Correlation is significant at or < .05
**Correlation is significant at or < .01

The second political variable, history of women's political participation, also behaves in the hypothesized manner. The later a country passed suffrage for women, the lower the amount of protection provided.

The second hypothesis, that a social context favorable to women will lead to more protection against domestic violence, was tested based on analyses of three variables. The first variable, cultural attitudes, does not behave in the hypothesized manner. As shown in Table 2, responses to the survey question and level of protection are not significantly correlated. This may reflect the problems of aggregating individual survey responses to the national level. It also suggests that a popular acceptance of female independence by itself does not translate into greater protection if there aren't women's groups and representatives willing to press for protection policies. A more egalitarian religious orientation, however, *is* significantly correlated to level of protection. It is difficult to say precisely how this variable works (when direct attitudinal responses do not), but it would stand to reason that the less hierarchical social relations and gendered role expectations in a society, the greater the chance to convince lawmakers that women have a right to full protection, that men may not discipline women or treat them as property. This may be reflected in the willingness to educate women equally. Educated women in turn can articulate the demand for protection. As hypothesized, an increase in women's education is associated with an increase in protection against domestic violence.

In sum, the results of this study suggest that women's direct political influence and the social and cultural context of a society are both important for determining the level of protection women receive against domestic violence. Although the direct measure of cultural attitudes was not significant in determining protection, women's education and religion are both strongly correlated to level of protection, which indicates that there are social factors at work here. Nevertheless, women's representation appears to have the strongest affect on level of protection of all the variables examined in this study.

Although both theories regarding women-friendly policies appear to be important, one must remember that if women's protection against domestic violence is to be increased, then the

focus should be on strategies that can produce change. While social factors may be influential, it is a very difficult and slow process to change the culture or beliefs of a state. Therefore, it only makes sense to focus on women's direct political influence, that is, their political participation and decision-making. Although women now have the vote in most countries, their level of representation continues to be quite low almost everywhere. In women and politics literature, much evidence has been found to suggest that unfriendly political institutions act as a ceiling to prevent women's representation (Reynolds 1999; Kenworthy and Malami 1999). For example, more women get elected under proportional than single member district electoral systems. Adopting institutions that widen women's access to formal power may therefore be a reasonable and relatively easy way to get more women into office. Although there are many other reasons for advocating women's representation, increasing women-friendly policies, including those that protect women against domestic violence, seems to be an especially important one.

Appendix

World Values Survey question:

V96. If a woman wants to have a child as a single parent but she doesn't want to have a stable relationship with a man, do you approve or disapprove?

1 Approve
2 Depends (If Volunteered)
3 Disapprove
9 Don't Know (Do not Read Out)

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