

**Frames in Contestation:
Domestic Violence Policy Debates
in Five Countries of Central and
Eastern Europe**

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THE RESEARCH QUESTION

- Integration of violence against women into the human rights agenda seen as a major success of feminist advocacy for transformative gender equality policy thinking
- Main element of the reform: recognizing violence in the private sphere (domestic violence) as HR violation and the responsibility of the state to address it.
- YET: worries that framing violence against women in the human rights framework in the process of translating norms to the national level results in the marginalization of the transformative gender equality elements (Kelly 2005) and co-optation
- Is transformative gender equality indeed lost in the process of translation to national level policies? How can we tell?

Conceptual Framework

- Gender equality as a dynamic concept (Lombardo et. al)
- With mainstreaming co-optation is a danger (Stratigaki)
- Co-optation is a core issue in the VAW literature
- How to assess if gender equal transformative content is co-opted in case of gender indifferent framing?
- In order to assess transformative gender equality content in DV policies we rely on Ferree&Gamson (2003) and Verloo(2005)
- Two aspects of empowerment should be considered:
 - autonomy (governance of gender) – freedom to make life choices
 - authority (gender of governance) – participation in political authority, in making decisions about the group
- Two aspects of transformative potential: displacement (challenging the gender hierarchy of societies) vs. empowerment (participation in articulation of transformative content)
- Concepts such a coordinated community intervention (Duluth) or implementation regimes (Johnson) in the VAW literature resonate well
- For this paper: transformative content of policy frames vs. gendered implementation
- Gendered implementation: empowerment of gender equality advocates in policy making and implementation processes

THE RESEARCH

-Analysis of domestic violence policy outcomes and processes in 5 countries of the CEE region (Bulgaria, Croatia, Hungary, Poland and Romania). All of them:

- Post-communist

- Women's NGOs bring domestic violence to the policy agenda

- Adopt domestic violence policies in the mid 2000s

- Policy outcomes do not explicitly refer to gender equality components

-Analysis is part of a larger project aiming to explain outcomes in domestic violence policies by analyzing actors and processes in making these policies. This paper is part of the outcome analysis.

-Data collection closed in 2009

METHODS

- Discursive institutionalist analysis (Schmidt 2010). Mixed methodology combining discursive analysis with process tracing and context analysis
- Policy frame analysis (Snow and Benford 1992, 2000, Schon & Rein 1994)
- Policy frames: “organizing principles that transform fragmentary or incidental information into a structured and meaningful problem, in which a solution is implicitly or explicitly included” (Verloo 2005: 20).
- Coding: diagnosis (victims, responsible, norms, location) – prognosis (target groups, responsible, norms, location)
- Frame construction: systematically co-occurring diagnostic and prognostic statements on what is the problem and what is the solution to it
- Analysis of policy debates across time and across countries: policy and legal texts, parliamentary debates, civil society texts (the ones that were linked to the policy debate)
- Tracing the policy process with particular attention to interaction between actors and institutions

MEANINGS OF GENDER EQUALITY IN THE CONTEXT OF DOMESTIC VIOLENCE DEBATES

- Variation of meanings that resonate with gender equality: a continuum from gendered to de-gendered frames which also reflects variation from group based approaches to individualistic ones
- The two ends of the continuum:
 - **Structural gender equality** - Diagnosis: DV is a manifestation of gender power inequalities in society; patriarchal norms; DV both cause and effect of gender inequality; universal phenomenon. Prognosis: gender transformation is a precondition for ending DV + complex intervention (restraining – protecting – raising awareness). Address the social roots of the problem
 - **De-gendered individual rights** – DV as an individual rights problem. Gender aspects, women victims not specified. But resonates on universality, harm to dignity and self-determination, crime in private sphere requires intervention. Proposes complex response for addressing the symptoms: problems of individuals

The gender equality – human rights continuum

Gender equality		Individual rights		
	Structural GE	Women centered	Implicit GE	De-gendered IR
DIAGNOSIS				
Relation DV – Gender Inequality	DV manifestation of gender inequality and structural power imbalances between women and men	DV affects women disproportionately ; DV violation of ♀'s IR	DV violation of IR References to GE instruments	DV violation of IR
Who are the victims?	Women Women and children	Women mentioned Children	Victims Children	Victims Children
PROGNOSIS				
Action taken	Complex set of measures: sanctioning of perpetrators; protection of victims; prevention of DV; state responsibility, but active NGO role			
Specific action taken	GE Transformation ♀'s empowerment Autonomous women's shelters		As implied by international instruments	

CONTESTING FRAMES

No direct challenge to gender equality, patterns of contestation address different major tenets of the GE continuum:

- **Family frame** contests the individual victim approach of the GE frame. The victim to be protected is the family, that has to be saved at any price.
- **Deviance frame**: contests the universalism tenet (class, alcoholism)
- **Perpetrator's rights**: prioritizes classical liberal rights (property, freedom of movement, privacy) over a new generation of HR
- **Children's rights** frame has different version:
 - Some versions exclusively target children, disregarding other victims (intervention only if child victims)
 - Other versions say, the only way to protect children is by saving the family (variation of family frame)

FINDINGS

- *Framing of law:*
 - Structural gender equality: none
 - Individual rights frame: 4
 - Contesting gender equality (family protection frame): Romania, some elements in Hungary
- *Framing of implementation documents*
 - Explicit gender equality: none
 - Implicit gender equality: Bulgaria, Croatia, (Hungary)
 - Individual rights: Poland
 - Contesting gender equality (family frame): Romania
- *Empowerment of independent women's rights advocates*
 - Yes: Croatia, Bulgaria (policy process, implementation, resources)
 - Romania, Hungary, Poland: give role and standing in implementation to contesting voices which are strongly present in the policy debates as well (public health – alcoholism, children's rights – family protection)

Overview

	Frame law	Frame in implementation doc.	Empower women's NGO
Croatia	Individual rights	Implicit GE	yes
Bulgaria	Individual rights	Implicit GE	yes
Hungary	Individual rights	(Implicit GE)	no
Poland	Individual rights	Resonant: Human rights	no
Romania	Contesting: Family protection	Contesting: Family protection	no

ANALYSIS

- Croatia and Bulgaria have framing that is more gender equality explicit in documents closer to implementation. NGOs maintain ownership of both policy making and implementation processes
- Poland and Hungary use individual rights frame more or less consistently. Have strongly polarized debates with very strong standing for contesting frames, strong implementation roles given to voices representing them.
- In Romania a gender equality contesting frame is the dominant both in framing and implementation.

CONCLUSIONS

- Bringing domestic violence on the agenda of CEE countries is successful in many different ways:

- in challenging the private public divide paradigm of human rights and recognizing the need for state intervention in power relations within the family
- in agenda setting and influencing discursive positions
- in adopting policies.

- Yet: concept of domestic violence framed dominantly in individual rights terms. Transformative gender equality content is not included manifestly in any of the policy outcome documents. In one case anti-gender equality cooptation

- For the rest: potential for retaining the transformative content comes through gendered implementation. Implicit gendering of implementation processes and particularly the empowerment of independent gender equality advocates are the guarantee against co-optation of resonant frames

- Better performance along the lines of the gender of governance compensates for reduced transformative content along the lines of the governance of gender (Bulgaria, Croatia)

- However this makes the sustainability of transformative content more vulnerable to political and economic cycles

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THANK YOU!