

The Greek Review of Social Research

Vol 117 (2005)

117 B' Special Issue: Differences in the framing of gender inequality as a policy problem across Europe. Editors: Mieke Verloo and Maro Pantelidou Maloutas



Domestic violence: who's problem?

Andrea Krizsan, Marjolein Paantjens

doi: [10.12681/grsr.9557](https://doi.org/10.12681/grsr.9557)

Copyright © 2016, Andrea Krizsan, Marjolein Paantjens



This work is licensed under a [Creative Commons Attribution-NonCommercial 4.0](https://creativecommons.org/licenses/by-nc/4.0/).

To cite this article:

Krizsan, A., & Paantjens, M. (2016). Domestic violence: who's problem?. *The Greek Review of Social Research*, 117, 63–92. <https://doi.org/10.12681/grsr.9557>

Andrea Krizsán*, Marjolein Paantjens**, Ilse van Lamoen***

DOMESTIC VIOLENCE: WHO'S PROBLEM?¹

ABSTRACT

This article juxtaposes shifts in prevailing frames on domestic violence in the Netherlands, Hungary and the EU. Domestic violence, first brought on the political agenda by women's rights proponents as a problem related to gender inequalities, has been framed and re-framed under the influence of mainstream policy makers. The analysis of these frames shows how shifts in the gender of governance, particularly the marginalization of feminist NGO voices, have led to shifts in the governance of gender. These shifts caused a weakening or even disappearance of gender-equality considerations in domestic violence policies, or an integration of it in a broader framework thereby going beyond gender specific interests. The authors argue that strengthening government engagement on the issue of domestic violence goes hand in hand with a de-gendering in the articulation of the problem. This shift has taken away the privileged position of women's rights proponents to speak out on the issue, and established the interests of other members of society to speak on it by affirming its cross-societal nature.

During the past years, the traditional aloofness of governments to interfere in people's private lives seems to have diminished significantly when it comes

* Research Fellow, Centre for Policy Studies, Central European University, Budapest.

** PHD-student, Department of Political Science, Vrije Universiteit Brussel.

*** M&E and gender mainstreaming counsellor in Nigeria for VSO.

1. We would like to thank Mieke Verloo and the MAGEEQ research team for generating such a nice and intellectually challenging environment in the project, which provided us with the incentive to write this article. The methodology used for data gathering and analysis in the paper and also a large part of the used data are the collective products of our project. See www.mageeq.net and Verloo (this issue).

to domestic violence. Many EU member states are actively engaged in shaping policies to prevent and fight domestic violence. Since 1997, domestic violence is also addressed in EU policy making. In this paper, we aim to study how domestic violence has been framed and re-framed by governments and the EU after it was set on the political agenda under the influence of feminist activists, NGOs and experts. Which elements of the initial frames resonate in contemporary policy now that governments have taken over the quasi monopoly of feminists in framing the topic as a public matter?

This paper juxtaposes (shifts in) prevailing frames concerning domestic violence in Hungary, the Netherlands, and the EU. The Netherlands has been selected as one of the first western-European welfare states in which feminist activists raised public and political attention to violence in the private realm. The first Dutch shelters for battered women already were established in the early 1970s. Hungary has been chosen as a Central European newcomer in the EU where, during the stage of agenda setting since the late 1990s, transnational feminist frames were adapted to the particularities of a post-socialist transition country. Prevailing frames in different stages of agenda setting and policymaking in these two countries will be juxtaposed to the way in which domestic violence is framed in politics and policymaking at EU level.

Our investigation goes beyond looking at the policy frames proposed by policy makers only and incorporates frames in the larger policy forum, including non-governmental actors and the interactions between policy makers and non-governmental actors. For the purposes of a better understanding of the evolution of policy debates around domestic violence, political opportunity structures, and within them the position of different actors, particularly women's NGOs, have to be taken into account. Standing of these groups in the policy forum largely defines the political authority of the women's movement and thereby determines the gendering of governance. Ultimately these factors together determine the governance of gender, defining how the state controls the autonomy and self-determination of women; how the gender equality perspective is taken into consideration in addressing the issue of domestic violence (Ferree and Gamson, 1999; Ferree, Gamson et al., 2002). Our analysis will show that in the selected countries, shifts in the gender of governance, particularly the marginalization of feminist NGO voices in the debates, have led to shifts in the governance of gender. The shift has caused the marginalization or even neglect of gender-equality considerations in some cases, or brought the integration of gender-equality within a wider, more inclusive perspective, thereby going beyond gender-specific interests. This takes away from women the privileged position to speak on the issue of

domestic violence. Thereby it affirms the cross societal nature of the issue and establishes the interests of other members of society, notably men, to speak out on it (Ferree, Gamson et al., 2002, p. 141).

The central question to be answered in this paper is how the topic of domestic violence has been framed and re-framed in government policy and legislation after it had been set on the political agenda under influence of feminist activists, NGOs and experts? What happened to the initial feminist framing after government actors in Hungary, the Netherlands, and the EU have picked up domestic violence as an issue of policy making? In view of this question, we complemented a frame analysis over the period 1995-2004 in the context of MAGEEQ. In the Netherlands, we conducted an additional light literature study with the aim of describing the way in which the women's movement set the issue on the agenda in the early 1970s and the main lines along which the issue has been (re)framed in government policy before the start of the MAGEEQ research period in 1995. In Hungary, we collected additional information on the roles of feminist NGOs and experts in the process of agenda setting and policy development concerning domestic violence, studying their input into the policy process. In the EU some additional NGO documents were analyzed as well.

The complexity of the prevailing policy frames on domestic violence at the moment is apparent. Given the ongoing debates on domestic violence new or revised policy frames are continuously taking shape, and old, forgotten ones, are being reassessed. This makes the analysis on the one hand particularly timely, on the other particularly difficult in methodological terms. For the purposes of this paper we picked up and placed in the context those frames that seem clearly distinctive at this moment and are illustrative for our argument.² The collection of new policy documents was closed in June 2004.

FRAMING DOMESTIC VIOLENCE IN THE NETHERLANDS: FROM RADICAL FEMINISM TO DE-POLITICIZED TECHNOCRACY

From anti-state movement to the state as contested facilitator: The 1970s and early 1980s

In the Netherlands, violence against women became an issue in the women's movement in the early 1970s. The forms of violence addressed, ranged from

2. For a more detailed analysis of policy frames in the two countries and the EU see MAGEEQ 2005.

rape and sexual assault to pornography and prostitution. Given our concern with violence in the private realm, we will focus primarily on initiatives addressing partner violence, at the time conceived of as «women's abuse». In 1974, a Dutch group of feminist social workers opened the first shelter for battered women on the European continent. The group adopted the working method of Chiswick Women's Aid, the first shelter for battered women in Europe, established in London in 1971. The Amsterdam initiative rapidly spread over the Netherlands; within a few years an extensive national network of women's shelters had been formed under the shared name *Blijf van mijn lijf* (don't touch my body) (Roggeband, 2004).

The shelters explicitly placed violence against women in a broader feminist analysis. In line with the Chiswick model, they conceived of domestic violence as a sex-specific mechanism used by men to maintain the unequal power relations between the sexes. Unlike regular care services, which mainly conceived of women's abuse as an individual-psychological problem, the shelters presented it as a structural societal problem and linked it to other power inequalities, e.g. women's economic dependence. The state was conceived as a patriarchal institution, maintaining and legitimizing violence, for instance by social security arrangements based on the «male breadwinner model». The women's movement criticized it for de-politicizing the private realm, and refusing to intervene in matters that were thought to be «private», e.g. rape and battering within marriage (Roggeband, 2002). The shelters therefore chose to establish state-independent, autonomous organizations, organized according to feminist principles and opposed state funding out of fear to become «captured» by the state.

Though the problem analysis practically remained the same over time, in the early 1980s, as the shelters were faced with increasing demands, the directions in which the movement sought solutions to the problem gradually began to shift (Roggeband, 2004). Heated debates arose on whether or not to accept government subsidies. Although many feared to lose their critical independent position, more and more feminists were convinced that government policy was needed, in the form of subsidies as well as to promote victim support and prevention by the police, judiciary, and regular care facilities. After a period of distrust and tensions the state gradually came into the picture as a possible part of the solution (Roggeband, 2002b). After a co-operative conference in 1982 where the women's movement and shelter representatives were invited to set goals and principles for government

policy, Dutch government adopted its first *Policy Note on Fighting Sexual Violence Against Women and Girls* in 1984. Among other forms of violence against women, the plan refers to women's abuse (Boerefijn, 2000).

The gradual marginalizing of women's abuse: the late 1980s and 1990s

The 1984 plan testifies of successful advocacy by women's movement representatives. In line with the framing of the issue proposed by feminist groups, violence against women is pictured as a problem «rooted in» as well as «maintaining» the unequal power relations between the sexes (Boerefijn, 2000). The plan legitimizes public policy on violence against women by appealing to women's independence and women's constitutional right to protection and physical integrity, thereby pulling it out of the private sphere. Concerning women's abuse, it emphasizes the importance of more active involvement of the police and the judiciary (Römkes, 2000). As part of the policy goals, an amendment of the morality legislation is prepared to penalize marital rape and forced penetration; where «force» is not only conceived as physical violence, but also as psychological pressure. After years of political struggle, the amendment, formulated in sex-neutral terms, is adopted in 1991.

The early 1990s, with the adoption of a follow-up plan to the 1984 policy note,³ mark a shift in policy accents,⁴ from a framing of violence against women as a women's rights issue, to framing it as a social matter. The problem is related to cultural and social stereotypes and the focus is targeted more specifically at men's roles in maintaining the problem. Accordingly, the policy goals emphasize the treatment of perpetrators (Boerefijn, 2000). The policy scope however is limited more and more to sexual violence, with special emphasis on sexual child abuse and sexual intimidation at the work place. Subsidies for sex-specific care facilities are gradually withdrawn in the light of a new policy to integrate care in existing services. (Römkes, 2000). In mid 1990s the Ministry of Social Affairs and Employment begins to push for a spread of responsibilities for emancipation (including violence against women) over all ministerial departments. This formalization largely affects

3. Voortgangsnota 1990. The plan defines women's abuse as «the one-sided use of physical and/or sexual force against the will of the woman by her male (ex) partner, violating the woman's physical integrity».

4. The shift coincides with a shift in policy responsibility from the department of Social Affairs and Employment to the department of Welfare, Public Health and Culture.

future policies, as the responsibilities for victim care are spread over different ministries as well.

Partly in response to international developments like the Fourth UN World Conference on Women (1995) and the ratification of the UN Women's Treaty, the second half of the 1990s witnesses a strong articulation of violence against women in policymaking and legislation. In 1997, a conference on violence against women is organized from which many recommendations were taken over in the 1999 action plan, presented by the Ministry of Justice (KSII 26206, 11-12). There is however one major difference; the focus on violence against women in general is narrowed to «domestic violence». With this shift in attention, the framing of violence in the private sphere for years to come becomes visible: the previous notion of women's abuse is substituted by the more neutral term «domestic violence».

In the first paragraphs of the plan references are made to the UN Special Reporter on Violence against Women, and the definition on violence against women quoted is formulated as in the Beijing Platform for Action. It is therefore interesting to note that the definition of domestic violence presented a few lines later does not relate to violence against women in any direct way. Domestic violence is defined as «violence committed by someone in the victim's domestic circle». The Ministry of Justice seems to emphasize the «gender neutrality» of the problem by (selectively) presenting research outcomes like: «Boys and men become victims of domestic violence as often as women».⁵ From this time onwards, violence in the private realm seems to be framed in a new way, silently pushing out of the picture the initial feminist analysis and demands.

Shifts in the framing of violence in the private realm since the millennium break

The 1999 action plan sets the trend for a more «technocratic» and pragmatic framing of the government policy concerning domestic violence: «it is mostly a problem of direction, communication, and attuning in execution (where, who, how), rather than a question of content (what)» (SZW 1999).

5. This is moderated slightly by the remark that the forms of violence women and men are confronted with differ: «men are predominantly abused physically, women predominantly sexually». Still, the way in which the plan equalizes men and women in terms of victim percentages has been criticized fiercely for its failure to distinguish between physical, sexual, and psychological violence and for withholding sex- and age-specific percentages of perpetrators.

In 2002, the government adopts the interdepartmental action plan *Private Violence – A Public Matter*,⁶ which adopts the same pragmatic conceptualization of «domestic violence». Even though the issue is framed predominantly in gender-neutral categories – such as «victims» or «people concerned», at some points the prevailing notion of female victims appears (speaking of «women» instead of «victims»). At the same time the plan stresses that «boys and men are often victims of domestic violence, as well». Despite numerous references to international treaties and guidelines specifically addressing violence against women, women are not identified as a specific target group. Only migrant women are mentioned as a group deserving specific attention, next to elderly people and children. A separate problem analysis for these groups is not provided.

The overall problem analysis seems to relate primarily to domestic violence, and as a derivative to children witnessing violence. Rather than framing the problem in terms of structural inequalities in society, the causes of violence are located primarily within the family. Adult victims of violence are assigned responsibility for maintaining a cycle of violence by preferring to «protect» their family relations and not «getting out» sufficiently with «their» problem. Perpetrators are pictured as being caught in the cycle by suggesting that they might have been victims or witnesses of domestic violence themselves (KSII 28345, 1-2; SZW, 2002). This is implicitly discharging them from responsibility by picturing intergenerational *cycles of violence* as the main problem, rather than *violent behavior* as such. The taboo-sphere surrounding the problem is said to maintain the cycle especially within ethnic minorities (SZW, 2002; Donner, 2003). All in all, mechanisms causing or maintaining domestic violence no longer are associated with structural power inequalities in society: the cycle is located primarily within (problematic) families. With locating the causes of violence within the family the original link with society (i.e. the unequal power distributions) disappears. The way domestic violence is now argued to be a public matter is by pointing to its social and economic costs, deriving from expenditures on care, shelter and decreased labor productivity of victims

6. This plan is carried by six ministerial departments: the Ministry of Justice, the Ministry of Domestic Affairs and Kingdom Relations, the Ministry of Public Health, Welfare, and Sports, the Ministry of Education, Culture, and Science, and the Ministry of Social Affairs and Employment.

(KSII 28345, 1-2; SZW, 2002; KSII 29200XV, 37).⁷ Domestic violence tends to be more and more pictured as a security problem linked to other forms of violence in society.⁸ These arguments overshadow human rights and equality considerations. In 2002 the main reason for addressing the problem is that people need to be protected from violence, also if it occurs «behind the front door». Human rights are only addressed in relation to the international context. In the *Mid term Policy Plan on Emancipation* (2000), only genital mutilation is condemned explicitly as a serious violation of women's human rights (KSII 27061, 3). Other forms of violence are not typified as human rights violations *as such*, but as hindering women's full usage of rights and fundamental freedoms.

The pragmatic approach of the problem can also be seen in the emphasis on cooperation and information-exchange between various disciplines engaged in fighting domestic violence. A steering role is assigned to local governments while the national government merely assigns itself a role as policy facilitator and distributor of responsibilities. It also picks up the role of amending legislation and regulation. The individual responsibility of citizens is emphasized by stressing, «Victims should learn to stand up for themselves». Perpetrators are not assigned the same individual responsibility: the government remarks that they cannot break the cycle by themselves and that sufficient facilities for voluntary therapy should be available first (KSII 28345, 1-2).

Next to pragmatism, the new framing of domestic violence as a security issue shifts the attention from protecting and assisting victims to handling perpetrators. Measures proposed in this direction include legislative changes –aimed at expelling perpetrators from the house (still in preparation) and extending the sentence for domestic violence– as well as psychosocial treatment facilities. The Ministry of Justice seems to be inclined to conceptualize domestic violence policy as a matter of fighting criminality rather than protecting integrity.⁹ All in all, the accent shifts to the security

7. These arguments are derived from a study published in 1997 estimating the financial burden of domestic violence on society on € 150 million a year.

8. It is suggested that children witnessing or being victim of domestic violence might be more inclined to become perpetrators of domestic and street violence, and that the perpetrators of domestic violence might be engaged in street violence as well.

9. This approach might be associated with the «law and order discourse» that increasingly gained weight in Dutch politics and public opinion since 9/11 and the rise and murder of the conservative right-wing politician Pim Fortuyn during the 2002 elections.

and criminal aspect of violence while attention for victim care declines.¹⁰

Contemporary counter voices of politicians, experts, and public media

When looking at political and public debates, domestic violence seems to be framed quite effectively in a new way. The «gender-neutral», technocratic discourse as adopted by the government is taken over fast and smoothly by many different actors. Parliamentary debates appear to evolve around practical problems and the «gender neutral» framing of the policy hardly is disputed.¹¹ Gender inequalities are only addressed indirectly, for instance by pointing to differences in means assigned for the treatment of victims and perpetrators. Also, the enormous discrepancy between the public budgets assigned to «private» security and those assigned to «public» security is addressed.¹²

In 2003, the Dutch parliament adopted a motion urging the cabinet to specify which action was undertaken to fight violence against women. Despite the title *Domestic violence and violence against women* (Ministry of Social Affairs, 2003), women only come to the fore where it concerns «culture-specific» forms of domestic violence, such as genital mutilation and honor killing. The «general» paragraph on domestic violence is framed entirely in gender-neutral terms. This one-sided conceptualization of «violence against women» seems to mirror a more general tendency in public and political debates to typify ethnic minorities (especially Muslims) as less advanced than «authentic» Dutch people, in which context women's emancipation tends to be gracefully referred to as a typical Dutch acquirement.

Criticism on the gender-neutral framing of the Dutch policy concerning domestic violence resonates most strongly in juridical reports and feminist expert reactions to the government's policy. These commonly refer to the Dutch government's duties in the context of the UN Women's Treaty and other international treaties. In a reaction to the 2002 policy note *A safe country where women want to live*, the Clara Wichmann Institute, a Dutch

10. A good illustration of this is the government's refusal to launch a national awareness raising campaign (KSI 28345, 1-2) by arguing that care and shelter facilities have insufficient capacity to meet the increasing demand for help that might be fuelled by such a campaign.

11. Only some female MPs point out that women are the main victims.

12. While for the former only some millions extra are reserved, for the latter one milliard extra are spent, even though the government itself recognises that domestic violence is the most frequently occurring form of violence in society.

expertise centre on women and rights disputes the government's claim that gender-specific policies «are passé» and that violence against women instead will be integrated in «relevant violence dossiers». It points out that the cabinet's comprehensive security policy plan *Towards a safer society* contains only one minor paragraph on domestic violence, labeling it a security problem without assigning any budget to the topic.

Professional organizations engaged in developing care and treatment methods concerning domestic violence adopt frames similar to the government when it comes to the cycle of violence being located primarily in the realm of the family. They also demarcate new categories of victims next to the traditional emphasis on women and children, e.g. in developing treatment methods for men and boys who became victims of domestic violence or focusing on violence committed against elderly people. Only the women's shelters – currently united in the *Shelter Federation* – continue to frame the problem from a women's rights perspective, although their contemporary framing strategies seem to be dismantled from their previous feminist-political angles. Unlike before, the shelters appear to locate the cycle of violence primarily within the family. Along with their choice to work with paid staff in the late 1980s, the shelters gradually seem to have substituted their initial rights frame for a psychosocial one.

THE HUNGARIAN STORY: AN INCLUSIVE POLICYMAKING PROCESS?

Penalizing marital rape: springboard for politicizing the private realm

Violence against women within the family has been on the agenda of feminist NGO's in Hungary since the early nineties, but did not reach the political agenda until 1997 when it was brought up for discussion in Parliament. After a heated debate the Hungarian Parliament amended the Penal Code to criminalize marital rape. Two ways of framing rape in marriage could be detected in this debate: an explicitly women's rights sensitive frame represented by defenders of the amendment, and a privacy frame arguing against the need for criminalization. Both frames are illustrative for the way in which domestic violence would be framed in later stages.

Supporters of both frames conflicted along several lines. One of the most important questions was whether or not the state was allowed to intervene in marriage-based families. At this point actors in the Hungarian political arena were very much divided on this issue. The «privacy claim», which

argued that family life is located in the private sphere in which state intervention is rarely acceptable, was still widespread. Another point of debate was the link between rape within marriage and gender equality. Proponents of the amendment argued that rape in the family is a form of violence against women and gender discrimination, occurring as a projection of patriarchal stereotyped roles in the family. These feminist arguments in combination with a human rights approach, led to demands for criminalizing other forms of abuse within the family as well (MP Tokaji MSZP). Counter arguments, formulated along the lines of the «privacy claim», ranged from negating the existence of marital rape to portraying women as «preferring the violent way» (MP Torgyán FKGP). The 1997 Parliamentary debate however, signaled a transition from holding on to the privacy claim to accepting the need for state intervention, when human rights are at stake, even though opposition was still fierce.

The rise of a feminist expert frame: translation in concept legislation

Domestic violence as such, reached the national policy agenda and received public attention in 1998. With the publication of Krisztina Morvai's book, *Terror in the family. Wife abuse and the law* (Morvai, 2001), the debate got very heated. Morvai analyzed domestic violence in Hungary from a gender equality perspective and argued for regulation. Another scholarly work published the same year (Toth, 1998) analyzed the incidence of the phenomenon in Hungary and its perception by the Hungarian population. These works sparked media attention for the issue, and together with the expert work conducted by NGOs brought about a shift in the reception of NGOs by state actors: the topic was elevated to a higher level and NGOs were increasingly viewed as experts worth consulting (Herman in Sáfrány, 2003, p. 15).

The echo of Morvai's book led to a government initiative to install an expert committee in 2001. The goal was to work on a package legislation dealing with domestic violence. The Concept Law on Protecting Human Dignity and Combating Domestic Violence and Other Forms of Violence Against Women prepared consisted of two parts, the first contained proposals for dealing with domestic violence, and the second discussed sexual harassment at the workplace. It pointed out that domestic violence was a form of violence against women and therefore a gender equality issue. The document summarized the salience of domestic violence in Hungary as reflected in statistics and quantitative research, emphasizing the gender specificity of the problem and the gender inequality mechanisms that

reproduce it. It conceptualized domestic violence as a universal problem that exists in all social categories. The solutions proposed in the concept law contained no explicit reference to gender, contrary to the diagnosis. However the proposed handling of domestic violence was sensitive to women's rights: protecting victims primarily by restraining measures. The idea was that restraining orders should allow the victim to escape the cycle of violence and provide enough time for her empowerment without being under the influence of the perpetrator. Due to absence of political will, the document never transcended the status of concept law. However, it did set the ground for further developments in the field.

Feminist frames in disguise?

From 2001 onwards NGOs started to launch awareness raising activities on domestic violence for different important audiences; ranging from media actors to the police and law students. In 2002 a public campaign was going on to achieve dialogue on the issue both on the social and the political level. Morvai, the representatives of NANE and other NGOs met with relevant politicians and policy makers to raise awareness, to press for change on the level of legislation, and to seek political commitment. Articles were published and a petition signed by some fifty thousand citizens in favor of state action was presented. State actors were also invited to a conference, where Albin Diering, an Austrian expert on policies regarding domestic violence, lectured.

The approach of the NGOs during the campaign was twofold. On the one hand it was informed by the trans-national feminist movement's approach to domestic violence.¹³ On the other hand, Hungarian NGO activists creatively adapted the Western model to the specific characteristics of Hungary. In the process of public awareness raising, strategic decisions were made at crucial moments to keep the feminist profile as low as possible, and refrain from making domestic violence a feminist issue (Sáfrány, 2003), as prevailing public opinion often stood negative towards such arguments. This strategy is well illustrated by Morvai refusing to portray herself as an «extremist feminist civil rights defender» instead introducing herself as a married mother of three children, in a hearing before a Parliamentary Committee in 2002. Meanwhile Morvai argued in an interview:

13. Morvai, for example, has worked in both London and USA where she had the opportunity to learn about the approach of feminists to violence against women.

«All of our work is feminist: it builds on women's experiences, it is women we meet in the shelters, the posing of the problem of domestic violence is feminist, and making it part of the public discourse as well» (Sáfrány, 2003).

In 2002 the coordinated NGO actions along with the publication of some domestic violence cases (Sáfrány, 2003) and the influence of the international community (CEDAW, 2002) brought domestic violence up for discussion in the Parliament. In October 2002 a debate took place in Parliament between the State Secretary of Justice and different party-representatives. During this debate consensus formed that a national strategy to combat domestic violence should be developed. In March 2003, a «Parliamentary Decision on the National Strategy for Prevention and Efficient Handling of Domestic Violence» was presented,¹⁴ largely based on NGO suggestions and on the Concept Law developed a year earlier. It legitimized state action by pointing at societal discontent concerning the passivity of the state in domestic violence matters and unfulfilled international commitments.

The framing of domestic violence in the Strategy took a «gender-neutral feminist» approach. On the one hand, its language and the interpretation of it by MPs is entirely gender neutral. The causes are not explained, and structural gender inequalities, reproducing the problem, are not mentioned. Domestic violence is presented as a human rights issue, but it is not located in the realm of gender inequality. The possible victims are «dependent people», women being identified as just one of the groups at risk. On the other hand however, the conceptualization of dependency includes the most important reproductive mechanisms as identified by feminist, namely financial and emotional dependency. The proposed state action is victim-oriented, revolving around two important pillars: sanctioning the perpetrator and defending the victim. This is again consistent with a gender equality sensitive approach.

Draft law on restraining orders:

Selective implementation of the Austrian model

By 2004 the National Strategy fuelled the drafting of a law on restraining orders. Although the debate on the draft started in mid 2004, it was stalled after a few plenary sessions. The draft bill resembled international practices,

14. By a socialist and a liberal MP.

primarily those seen in Austria but disregarded an important pillar of comprehensive action: it said nothing about tasks related to developments in the field of victim care.¹⁵ The draft again showed signs of the «gender-neutral though women's rights sensitive» frame. Domestic violence was seen to occur in (financial, emotional, legal or physical) dependency relationships and was described as cyclical, and reproduced across generations. Victims were primarily women and children, but any dependent person could be a victim regardless of age or gender. Though in gender-neutral terms, the draft indirectly was in line with «gender sensitive» victim protection. The aim of the draft was to stop the dependency that provides the soil for domestic violence and allow victims to break out from the cycle of violence.

Feminist NGOs commented on the draft in a petition (May 2004). Their main criticisms were procedural: concerned the minimal length of restraining orders and the absence of the encouragement of the police to act on the spot. The artificial separation of violence against children and violence against women in the discourse surrounding the draft was criticized as well. The absence of any comments on the substance of the draft law seems to show the compatibility of its frame with the strategic framing of feminist organizations.

Victim policies: artificial division between women and children

As part of the National Strategy various Ministries launched awareness raising campaigns on domestic violence. The two main campaigns suggested a separated framing of domestic violence into a women's issue and a children's issue. One of the campaigns launched by the Ministry of Youth focused on children only and the other was entitled «Campaign for the Defense of the Weak and the Dependent». Though the title suggests a gender-neutral approach, the background material of the latter campaign (Hungarian Governmental Office for Equal Opportunities, 2004) specifically emphasized the gender aspects of domestic violence. From here on the division of tasks along the line of victim groups would recur frequently. Accountability for tasks are divided over two ministries: the Governmental Office for Equal Opportunity is seen as responsible for the tasks related to the implementation of the CEDAW, whereas the Ministry on Social and Family Affairs is in charge of tasks related to «child abuse and negligence» as

15. One of the founders of the Austrian shelter movement argued that the framework set by the Austrian domestic violence law was grounded on three pillars: expulsion orders, injunction orders and intervention centres as victim services (Logar, 2004).

defined by the WHO recommendations (Hungarian Ministry of Justice, 2004). This separation repeatedly occurs at the lower levels of policymaking and public discussions, although not on the level of legislation. Since the beginning of 2004 there is a tendency to place all statements concerning domestic violence, made by public officials, with the exception of the Minister of Equal Opportunities, under the header of violence against children.¹⁶ Contrary to a gender mainstreaming approach the artificially separated issue of «domestic violence against women» is put exclusively under the care of the Equal Opportunity Minister.

The Governmental Office for Equal Opportunities has also been in charge of developing and launching crisis centers. Contrary to some of the forerunner countries in handling domestic violence (Roggeband, 2004; Kantola, 2003; Johnson, 2004), Hungarian feminist NGOs have concentrated more on bringing the issue to the policy agenda and mobilizing the state action, than on autonomous action independently of the state. There were no shelters for domestic violence victims in Hungary prior to launching state action with the Strategy. The methodology developed for the experimental crises center, launched in December 2003, framed the issue from a gender equality perspective, conceptualizing structural gender inequalities as both the cause and the effect of domestic violence. This problem definition can be found in statements and speeches held by the Equal Opportunity Minister during the last years (Lévai, 2003, 2004).

Challenges to universality: Marginalization of domestic violence?

Another important frame can be detected in several documents on crime prevention. Somewhat similar to other cases in Europe (Kantola, 2003) the Police in Hungary had been in the forefront of action against domestic violence. In 2003, preceding the presentation of the National Strategy to Parliament, the police in cooperation with NGOs (Sáfrány, 2003, pp. 16-17) amended several of its by-laws and commissioned a concept paper on police tasks concerning domestic violence (Szabó and Diószegi, 2003). The frame

16. The conference titled «Facing It» (May 13, 2004) is a good illustration of this point. During the first, close to four hours long session of the conference featuring the Minister of Justice, the Prime Minister, State Secretaries from the Social Affairs and the Internal Affairs Ministries, the Head of National Police and the Minister for Equal Opportunities, women as a concerned group were only mentioned in the speech of the Equal Opportunity Minister. The Minister of Justice and the Head of Police made gender-neutral statements. All the other statements spoke about violence against children.

occurring in these documents placed domestic violence in the context of structural inequalities between women and men but in the same time seemed to deny the universal character of the phenomenon by linking it to other factors. It correlated domestic violence to alcohol consumption, poverty and social exclusion and blurred the boundaries between domestic violence, child pornography and sexual abuse of children. This seems to have marginalized the significance of domestic violence as such. The framing of domestic violence as a social problem of excluded groups, linked to poverty, alcohol or drug consumption and other «risk factors», can be found in other documents on crime prevention as well.

A distinctive element of this frame is the interpretation of violence as a cultural and not a universal question, which differs in different societies and different social categories. Helping victims can only go together with changing the culture of violence. This is translated in the idea that mediation and conflict resolution between victims and perpetrators might be a more appropriate solution than sanctioning. This approach is well illustrated by the statements such as: «you cannot make people happy against their will», (Gönczöl, 2003a) or «we cannot fight century old customs with sanctioning only» (Gönczöl, 2003b). In this frame, victim protection becomes contextual and priority is given to changing public attitudes and saving relationships where possible. Restraining measures are supported in extreme cases, but with a different justification: on the grounds of sanctioning, not as a tool for the empowerment of victims (Gönczöl, 2003b). The crime prevention frame conflicts thus in two major points with the gender equality frame. In its diagnosis by questioning the universality of domestic violence, and in its prognosis by acting upon families and society much less than on individual victims.

Roles assigned to NGOs: Participatory policymaking or passing on responsibilities?

While in the initial stages of policy development feminist NGOs and related experts had a crucial role, in the later stages their role became increasingly marginalized. The National Strategy prescribed cooperation with NGOs along all four proposed sets of tasks, pointing to the desirability of a participatory policymaking process. Involvement of relevant NGO's could guarantee that gender equality stayed on the agenda and that gender specificity was brought to particular actions, despite the gender-neutral framework of legislation on the agenda. However, one can question whether this cooperation is a way of shifting responsibilities to NGOs without

actually enabling them. NGO roles became more disputed in the process of the draft-law on restraining orders. Although the importance of NGO involvement in drafting the law was stressed in the parliamentary debate, NGOs criticized the way in which this actually was done. The drafting process revealed a shift in the level of cooperation. Whereas NGOs and related experts were active participants in preparing and drafting all earlier policy documents concerning domestic violence, in the case of this draft their role was reduced to that of external critics (Habeas Corpus Working Group, 2004).

In a 2004 handout that described the follow-up to the National Strategy, NGO initiatives seemed to be used to cover up the limited progress achieved by the government on the goals set by the Strategy. NGOs were asked to report on their activities, which were included in the handout as if those could be accounted for by the state. The purpose of the strategy to promote cooperative action between state and NGO actors seems to be turned around to hold NGOs accountable along with the state for absence of real progress.

DOMESTIC VIOLENCE IN THE EU

Human Rights versus Public Health

At the EU level, the issue of violence against women was translated into public policy programs only after the Beijing World Conference on Women (1995).¹⁷ However, violence against women already incidentally appeared on the agenda of the European Parliament in 1980's. The Committee on Women's Rights and Equal Opportunities produced an own initiative report on violence against women in 1986, fuelled by input from feminist NGO's. The document was debated in parliament and led to the adoption of a «resolution on violence against women». Violence in the private sphere was specifically addressed (Kantola, 2003). Before the Beijing conference, the

17. It is difficult to point out exactly which events or actions by which actors led to the introduction of domestic violence as a policy problem at the EU level. The entrance of the topic in EU policy making might be partly related to the rise of women's NGOs at EU level and the extension of the operational scope of the EU with the adoption of the Treaty of Maastricht (1992), but in the complex European arena many other actors and feminist voices might have played a role. At any rate, NGO's like the EWL (established in 1990) and WAVE (1994) have been actively engaged in the agenda setting process as well as in criticising the policy programmes established in a later stage.

EU dealt with specific topics that fall under the header of violence against women, e.g. sexual harassment in the workplace and trafficking in human beings. Violence against women in general, however, had not been subject of EU policy-making. After 1995 the issue of domestic violence sometimes comes up separately and sometimes as a form of violence against women.

The two main frames concerning domestic violence in EU policy circles can be typified as a Human Rights frame and a Public Health frame. These frames do not seem to originate from any of the member states, but have largely developed at EU and international level (Kantola, 2003). Whereas the human rights frame has a long history in the EU, the Public Health frame became a more dominant frame during the last few years. The conceptualization of violence against women as a breach of human rights can be traced back to the 1993 Vienna Declaration that explicitly recognized women's rights as human rights. Some of the roots of this frame lay in the Convention on the Elimination of all forms of Discrimination against Women (CEDAW), which is often referred to in official EU documents. The Beijing Conference seems to have given a major impetus to setting the issue of violence against women on the European agenda. With the establishment of the Amsterdam Treaty (1997) and the adoption of the European Charter of Fundamental Rights (2000), human rights were anchored more strongly.

The rise of the Public Health frame in the European political arena can be traced back to the period in which the Daphne Program –adopted in 1999– was prepared. The framing of domestic violence (or violence against women) as a health problem is derived from the World Health Organization. It's definition of health as a «*state of complete physical, mental and social well-being and not merely the absence of disease or infirmity*» was explained to encompass the issue of violence against women and quoted literally in the decision to establish the Daphne Programme. Thus, public health was introduced as an alternative legal basis for policies concerning violence against women.

Bellow the two different ways of framing domestic violence are described along the lines of the «Zero Tolerance» campaign (1997) and the Daphne Program (2000), which are two important policy programs on the issue that reflect the different conceptualizations and clearly show the way in which its framing has shifted over time.

The «Zero Tolerance» Campaign (1997-2000)

In 1997 the European Commission launched the campaign *Zero Tolerance of violence against women* (A4-0250/1997). The campaign frames violence

against women as a violation of their human rights with reference to international human rights documents, most importantly CEDAW and the Vienna Declaration. Domestic violence is legitimized as a public policy concern on the grounds that violence against women is a crime and a breach of human rights. A brochure *«Breaking the silence»* is published in which arguments that domestic violence is a «private matter» or that «women are to blame» are explicitly labeled «myths». Instead the problem is pictured as endemic to society and defined as «violence exercised by male perpetrators towards female victims». This violence «not only reflects unequal gender power relations in our society, but also forms a barrier to overcome inequality between women and men». Apart from the unequal power relations, several other causes and mechanisms responsible for reproducing the problem can be identified; taboos surrounding it, low awareness, stereotypical ideas concerning women and attitudes in society that regard women's bodies as commodities (like in pornography and prostitution). Also the lack of proper legal, social and economic instruments to protect victims is seen as part of the problem.

The measures proposed to fight domestic violence are primarily aimed at addressing the causes identified above. The low awareness has to be fought, by gathering data and informing people about the problem. The brochure *«Breaking the silence»* calls upon male perpetrators to seek help and upon victims to break the wall of silence. The campaign furthermore aims at enhancing the protection of victims and witnesses, training public agents and improving legislation. «Empowerment» of women is mentioned as a goal. One way to do this is by portraying women as survivors and not as victims, which is seen as a «stereotypical way of thinking». In the years 1995-2000 domestic violence was predominantly framed as a problem of «violence by male perpetrators towards female victims», linked to unequal power distributions in society. This framing in terms of gender inequality and women's rights was to change drastically in the following years.

The Daphne Program (2000-2004)

With the introduction of the Daphne Program¹⁸ a shift takes place in the problem definition, from framing it as a human rights and gender equality

18. Domestic violence is no longer treated separately but is referred to in broader policies on violence against women.

related issue to framing it as a health issue. The WHO's broad definition of health is adopted in the Daphne Program, after criticism and fierce debate in Parliament (EP debate 8 March 1999).¹⁹ Despite references to some UN human rights treaties the final decision of the Commission, establishing the Daphne Program, frames violence against women not as a violation of human rights, but as «a major health scourge». Another justification for addressing violence against women is the «high social and economic costs to society as a whole» that are caused by it (A4-0250/1997). Another shift can be noted in the demarcation of the victim groups. It is no longer «violence against women» that has to be addressed, but «violence against children, young persons and women».

Unlike the «Zero Tolerance» campaign, references to inequality or unequal distribution of power between men and women are no longer made. The only way in which equality is said to be part of the problem, is because violence is seen as having implications for the «equal opportunities of those concerned». The causes of violence are left unaddressed. No analysis of the problem is provided, and no causal relations or mechanisms are mentioned. The framing as a health issue, in combination with the extended problem definition including children and young persons, appears to lead to an approach which sees women as one victim group among others but lacks the analysis into the causes and especially the structural inequality aspects of the problem. The Daphne Program identifies domestic violence next to other forms of violence against women, but does not provide a separate problem analysis on this topic and tends to emphasize other forms of violence such as sexual exploitation and trafficking.

The Committee of the Regions (COR) argues that a distinction should be made between women and children in the program and that a gender-sensitive analysis of domestic violence or a reference to structural causes should be integrated in the program. The COR argues that domestic violence is a «sex-specific problem caused by the unequal balance of power between women and men» (1999/C 198/63). The Social and Economic committee also argues that «aspects relating to the balance of power between women

19. Originally the Daphne Programme was supposed to have Article 235 as its legal basis, but several member states opposed this. In the discussion Article 129 (Public Health) was suggested as a way out of the problem. Many (predominantly female) MEP's were afraid this ground would be too narrow and argued that human rights issues shouldn't be reduced to health. As there was a real possibility that the Programme, if based on article 235 would be blocked, the change to public health was accepted.

and men must also be addressed». (CES 456/99) These suggestions however are not adopted in the final text on the Daphne Program. As logically follows from this conceptualization of violence against women, the program's proposed measures are also more aimed at the effects of violence against women than at its causes. Most measures proposed are aimed at victims and formulated in gender neutral terms; perpetrators are not mentioned in the texts at all, although the COR and the SEC both pointed out that there has to be attention for perpetrators as well. It seems a contradiction that the goal of the program is «prevention» when at the same time perpetrators and causes are left out of the picture. In the evaluation of the program some new criticism arises on the «gender neutral» perspective. The evaluators recommend that a paragraph should be adopted on the inequality between women and men, but when the proposal for a second phase of the Daphne program is presented, the language is again gender neutral and without references to unequal power relations or structural causes. It is striking that all the evaluators working on this report are women. This fits within the larger picture within the EU of women holding speeches on violence, women discussing it in Parliament, women writing the reports etc. In this respect violence against women does seem to be a problem of women and articulated by women.

Contrasting frames and feminist voices

Feminist voices concerning domestic violence in the European political arena go back at least to the mid 1980s and were raised by European Women's NGO's, by MEP's and commissioners. In the earliest official report on violence against women from 1986, the Committee on Women's Rights represents violence against women as both the cause and the consequence of the unequal division of power between men and women (Hoskyns, 1996). The resolution that followed did not take over the whole feminist analysis of the problem, but did challenge the public – private boundaries. After that it took several years before the issue was dealt with again. The European Women's Lobby (EWL) has been articulating a gender equality frame on domestic violence and trying to get the issue on the EU policy agenda since its establishment in 1990. Another large, European women's NGO, Women Against Violence Europe (WAVE) was established in 1994.

The EWL (2000) pictures the unequal power relations between women and men as the cause and effect of violence against women. In some documents the argumentation is even stronger, representing violence against

women as a «control mechanism used by men over women». WAVE appears to articulate a more radical view on violence against women. According to them violence against women is a structural matter, a control mechanism exercised by men over women, intrinsic to a system of power and control and embedded in the social structure of society and linked to inequalities in the distribution of power between women and men. Apart from these feminist voices outside of the official EU-bodies, some resonate in the EU itself as well. The speeches of Commissioner Anna Diamantopoulou (2000, 2003) and MEP and chairperson of the Committee of Women's Rights, Maj Britt Theorin (2000) on the issue resemble the diagnosis and analysis of the EWL and WAVE. They clearly take a gender equality approach to domestic violence.

Looking at these representations and legitimizations, by European women's NGO's and women's rights proponents inside the EU, a gender equality frame can be clearly discerned. The idea that power inequalities are an important cause of violence against women is expressed by all the feminist voices analyzed within and outside the EU institutions. However, these voices and their approach do not seem to reach the final policy-making stage, especially not during the last, Daphne years.

CONCLUSIONS

De-gendered violence against women?

Although all fed by feminist perspectives, the political opportunity structures in which domestic violence was set on the agenda in the Netherlands, Hungary and the EU were quite different. In the Netherlands the first actions concerning violence against women were initiated in the early 1970s by grass-root feminist action. The first policy documents adopted by the government date from the early 1980s. In the EU, violence against women first surfaced in the political arena in the 1980s, brought to the fore by the Committee of Women's rights, but only came on the policy agenda after the Beijing Conference in 1995. The issue seems to be framed more on grounds of EU-transcending (international) documents than adopting approaches prevailing in EU member states. In Hungary, feminist NGOs and experts, inspired by transnational feminist frames, were a driving force behind the first policy initiatives related to violence against women. In the agenda

20. Especially CEDAW and Council of Europe. The EU is rarely mentioned as a reference in the domestic violence policy documents examined here.

setting process international treaties²⁰ provided an important impetus as well. Despite many differences in policymaking processes in the Netherlands, Hungary and the EU, a similar trend can be noticed: the disappearance of a gender equality perspective from the framing of the problem of domestic violence.

Shifts in problem articulation:

The move towards de-gendered domestic violence approaches

The shift towards a «de-gendered» approach of domestic violence can be seen in two trends found in all three policy contexts. Firstly, the link with feminist analyses is weakened or cut off. Secondly, the scope of the problem is widened or changed from focusing on women to focusing on wider categories: such as the dependent, children, other «vulnerable groups»; respectively from focusing on domestic violence to focusing on genital mutilation, honor killing, trafficking, child pornography etc.

Whether through strategic framing by feminists, NGO's and experts, or as a consequence of strengthening government engagement, the articulation of domestic violence as a policy problem seems to have lost its initially strong link with a feminist analysis. The disappearance of a feminist analysis to domestic violence has several consequences. The causes of the problem are not taken into consideration, victims and perpetrators become «gender-less» and gender equality is no longer sufficient legitimization for government action. In the Netherlands the loss of this link can be illustrated by the positioning of the causes of domestic violence back into the private realm, cutting them loose from structural inequalities and dependency relations in society. Domestic violence is legitimized as a public policy concern by its effects on the society (costs, violence on the street etc.). In Hungary we see a de-linking from feminist analyses as well. Although at first sight the «de-gendering» appears the same as in the Netherlands, the case of Hungary is somewhat different. It seems that the «de-gendering» was a conscious decision, a strategy of feminists to place the issue on the policy agenda by working together in a wider coalition. NGOs expected the gender-neutral framing to fare better on the political agenda. Although the terms «victim» and «perpetrator» are de-gendered and no explicit link is made to structural inequalities, there is reference to «dependency relations». This «dependency framing» in reality is sensitive to women's rights. Frames that later have developed from this, however, are no longer sensitive to women's rights and therefore are highly contested by women's NGOs. Finally in the EU, the official articulations of domestic violence have untied themselves from

feminist argumentations as well. This shift becomes very clear in the transition from the *Zero Tolerance Campaign* to the *Daphne Program*, the transition from «human rights» or «women's rights» to «health» considerations. The formulation of domestic violence as a health threat made it difficult to retain a link with structural power inequalities and dependency relations.

A second shift is the widening of the scope of policies from a focus on women to focus on «victims». If the group «victims» is specified women are mostly seen as victims next to children, young persons, elderly, handicapped and men. When Dutch policy documents started to take on the gender-neutral term of domestic violence, replacing the old term «wife abuse», the term victim seemingly became an empty signifier. Women as a group deserving special attention are only referred to in relation to «cultural specific» forms of domestic violence implying that it is not a problem of «authentic» Dutch women, but only of migrants and minorities. In Hungary, the shift in focus has been multifaceted. Firstly, from NGOs trying to get violence against women on the agenda to violence against the dependent; later elevating children as the most important group of victims. Yet another shift in the scope of the policy was the questioning of the universality of domestic violence, confining it to certain parts of the society: the socially excluded, marginalized groups, like alcoholics and drug-addicts. This approach can be compared to Dutch arguments confining the problem to minorities. In the EU several shifts can be seen, the most important being the extending of the target group (victims) to include beyond women, young persons, children, the elderly and other «vulnerable» groups.

Shifts in the legitimization of public policy

Legitimization of keeping the issue of domestic violence on the policy agenda has changed over time as well. While the public-private boundary was crossed, and states recognized that domestic violence was a public matter, justification for this has shifted throughout the years. Whereas action against domestic violence was initially legitimized by promoting gender equality, in later policies it seems that women's rights alone are not «important enough» to provide sustained legitimacy for policy action. In all three cases, other arguments came to play a more salient role. The shift in legitimization of domestic violence as a policy problem in our three cases is a shift from human rights or equality based arguments to pragmatic or collectivists arguments warning about the costs and negative effects of domestic violence for the society.

Recent Dutch policy documents reveal a tendency to approach the problem from a «technocratic» point of view: as a question of «how» more

than a question of «what». Public policy is legitimized primarily by pointing to the (potential) effects of domestic violence on society. Recent documents repeatedly suggest that domestic violence might result in street violence, and that the financial costs of domestic violence for society are high. Domestic violence tends to be increasingly framed in terms of fighting criminality, substituting the old framing in terms of victim care and protection. As a consequence, more attention goes to perpetrator treatment, especially in the realm of legislation.

In Hungary, as well, we witness a somewhat similar shift. Placing domestic violence within the realm of crime prevention is one approach used to warn about the costs of domestic violence for the society: it is society that suffers primarily, not so much the individual. Therefore emphasis is put on education, promotion of non-violence values, and finding mediated solutions, that is on changing the culture of violence by persuasion. Sanctions and restraining orders should only be used in last instance. Emphasizing children as the main victim group is another way to warn about the costs of domestic violence for society. Defense of children's interests in the Hungarian domestic violence debate is most often placed in the context of the intergenerational cycle of violence, where protecting children does not necessarily entail an individual rights approach but rather the more collectivist approach of protecting society by protecting the future generations.

Contemporary EU documents consider domestic violence primarily problematic in view of its effects. Initially, action was legitimized mainly on grounds of human rights, with reference to gender equality. Current legitimizations put more emphasis on the effects of violence. Apart from pointing to the social and economic costs to society, the *Daphne* program emphasizes that public health is at stake. The program also refers to human rights, but rather than arguing that women's human rights are violated as *such*, domestic violence merely is said to form an obstacle to the equal opportunities of «those involved». It is not a problem in its *cause* but in its *effect*. The measures proposed to combat and prevent violence in the *Daphne program* primarily focus on victims and on the effects of violence; perpetrators and the causes of violence are not addressed at all.

The Governance of Gender

Trends in the framing of domestic violence in the Netherlands, Hungary and the EU seem to have important similarities. They show that along with increasingly stronger government engagement in the field, new modes of

framing seem to overshadow, distort or replace the original analysis of the problem. In all three cases the initial definition of the problem is in terms of autonomy and self-determination of women, in terms of women's rights. The strong political authority that proponents of women's rights have at this point pays off in terms of the gender equality sensitive approach of the governance of gender. The shifts that follow in the examined period of time occur for different reasons in the three cases.

In the Netherlands the change in framing is against the wish of the women's movement. In the context of a strengthening gender mainstreaming approach –a higher– level principle of the governance of gender in the country (Verloo, 2001) and due to the technocratic approach of the issue, the problem becomes framed in a gender-neutral language. A dilution of the gender equality perspective is apparent as responsibilities for domestic violence are distributed along governmental structures. Structural inequalities behind the problem are largely disregarded. The gain of autonomy in terms of being better protected from domestic violence for Dutch women throughout the period is marginal. Women's rights activists continue their autonomous actions parallel to state action and maintain an external critical point of view to the state. The movement seems to lose its privileged position to speak out on domestic violence, while other actors smoothly take over the new technocratic gender-neutral frame.

In Hungary the women's movement keeps its political authority while the shift in framing domestic violence takes place. Recognizing the political and discursive opportunity structure in Hungary the movement strategically opts for integrating its struggle for the recognition of women's autonomy and self-determination within a larger coalition. The strategy proves partly successful. The movement manages to bring the issue on the agenda, and to actively participate in launching the policy-making process. Along the line however, the gender-neutrally framed issue is captured by several other actors and in some of their frames the goal of individual autonomy drops out. Aspects of structural inequality get lost; the interests of the society and family take precedence over individual human rights. As these frames come to dominate the policy arena in Hungary the women's movement loses its political authority and privileged position to speak out on the issue. As in the Dutch case the gain in terms of autonomy and self-determination in being protected from domestic violence is very limited.

In the EU, political authority of women's rights advocates to articulate domestic violence is maintained throughout the period studied. Although the extent to which their articulation is represented in the official policies has

diminished, in speeches, reports and opinions, the initial framing still comes through. Individual autonomy and self-determination do not disappear to the extent they did in Hungary or the Netherlands, though they are overshadowed by the priorities set by the public health frame. Proponents of women's rights from within the decision making structures of the EU, somewhat similarly to the Hungarian case, take the strategic decision of framing domestic violence within a public health frame, in order to keep the issue on the policy agenda. The current policy documents focus on effects of domestic violence for society (including decreasing autonomy of victims) but do not point to the structural inequality causality behind the issue. So although women's rights proponents in the EU maintain political authority to speak out on the issue of domestic violence, the framing of the issue, on the policymaking level, shifts from a strong gender equality and women's rights frame to a gender-neutral frame.

In all three analyzed policy contexts some progress has been made in addressing the issue of domestic violence, but all three are far from addressing all aspects of its complexity as a manifestation of gender inequality. The authority of women's rights advocates has determined the extent to which the gender equality aspects of the issue were integrated on the agenda, meanwhile the extent of this integration has also influenced the authority the women's rights advocates could keep in the process in speaking about domestic violence.

REFERENCES

- Boerefijn, I., 2000, «Hoofdlijnen en beleidskader in Nederland», in: Boerefijn, I., M. van der Liet-Senders and T. Loenen, *Het Voorkomen en bestrijden van geweld tegen vrouwen. Een verdiepend onderzoek naar het Nederlandse beleid in het licht van de verplichtingen die voortvloeien uit het vrouwenverdrag*, Den Haag, Ministerie van Sociale Zaken en Werkgelegenheid.
- Boerefijn, I., Loenen, T. , 2002, *De Bestrijding van Huiselijk Geweld tegen vrouwen in het licht van het vrouwenverdrag*, NJCM Bulletin, jrg. 27, 2, p. 106-122.
- CEDAW, 2002, Concluding Remarks on Hungary's Combined fourth and fifth periodic report to the CEDAW, submitted on 21 September.
- Committee of the Regions, 1999, Opinion of the committee of the regions on the proposal for the *Daphne Program*, 11 March (1999/C 198/63).
- Diamantopoulou, A., 2003, *Tackling domestic violence and trafficking in human beings – the role of the European Union, member states and civil society*, speech held at expert meeting, 30 May.
- Diamantopoulou, A., 2004, *Speaks out against violence against women*, speech held at the closing of the international conference on violence against women, Portugal, 4 May.

- Donner, 2003, *Speech van de Minister van Justitiebij de start van het VNG-programma Huiselijk Geweld*, 20 November.
- Dutch Ministry of Justice, 2002, KSII 28345, 1-2, *Nota «Privé geweld–Publieke zaak. Aanpak huiselijk geweld»*.
- Dutch Ministry of Social Affairs and Employment, 2002, SZW, *Een veilig land waar vrouwen willen wonen* (SOZA-03-004).
- Dutch Ministry of Social Affairs and Employment, 2003, SZW, KSII 29200XV, 37, *Brief van de Minister van Sociale Zaken en Werkgelegenheid*.
- Dutch Parliament, 1984, KSII, 1983-1984, 18 542, nr. 1-2, *Policy Note on Fighting Sexual Violence Against Women and Girls*.
- Dutch Parliament, 1986, KSII 19209, 1-2, *Voortgangsrapportage beleid ter bestrijding van seksueel geweld*.
- Dutch Parliament, 1999, KSII 26206, 11-12, *Actieplan Emancipatietaakstellingen Departementen*.
- Dutch Parliament, 2000, KSII 27061, 3, *Meerjarenbeleidsplan Emancipatie*, Ministerie van Sociale Zaken en Werkgelegenheid.
- European Commission, 2003, *Amended proposal for a European Parliament and Council Decision adopting a program of community action (the Daphne Program) on measures aimed to prevent violence against children, young persons and women*, (COM(1999) 244 final).
- European Parliament, 1997, *Resolution on the need to establish a european wide campaign for zero tolerance of violence against women* (A4-0250/1997).
- European Parliament, 1999, *Debate on violence against women; The Daphne Program*, Sitting of 8 March.
- European Parliament, 2000, *Decision of the European Parliament and of the Council adopting a program of community action (the Daphne program) on preventive measures to fight violence against children, young persons and women*, 24 January.
- EWL, 2000, *Unveiling the hidden data on domestic violence in the European Union*, EWL publication, Brussels.
- Ferree, Myra Marx, Gamson, W., Gerhards, J. and Rucht, D., 2002, *Shaping abortion discourse. Democracy and public sphere in Germany and the United States*, Cambridge, University Press.
- Ferree, Myra Marx, Gamson, W., 2003, «The gendering of governance and the governance of gender», in: Barbara Hobson (ed.), *Recognition struggles and social movements*, Cambridge, University Press.
- Gönczöl, Katalin, 2003a, *Speech at a conference on domestic violence*, October 1.
- Gönczöl, Katalin, 2003b, Interview. <http://www.im.hu/csaladonbelul/?ri=504&ei=10>.
- Habeas Corpus Working Group, NANE and The Women's and Children's Rights Center, 2004, *Petition to the Hungarian Prime Minister*, 13 May.
- Hoskyns, C., 1996, *Integrating gender. Women, law and politics in the European Union*, London, Verso.

- Hungarian Governmental Office for Equal Opportunities, 2004a, *Crises Center. Draft Program for the development of victim protection services fighting against violence against women and children in the family.*
- Hungarian Governmental Office for Equal Opportunities, 2004b, *Press Material*, Together with the Ministry of Internal Affairs, 24 May.
- Hungarian Ministry of Justice, 2003, *National strategy on social prevention of crime.*
- Hungarian Ministry of Justice, 2004a, *Note about activities taken place until 20 April, 2004 by the governmental bodies and NGOs, as well as the National Police Head Office, the Chief Prosecutor and the National Justice Council with respect to establishing the tasks defined by the 45/2003 (IV. 6.) Parliamentary decision on preventing and efficiently handling domestic violence.* <http://www.im.hu/csaladonbelul/?ri=484&ei=58>.
- Hungarian Ministry of Justice, 2004b, *Draft Law T/9837 concerning the use of restraining measures in cases of domestic violence.*
- Hungarian Ministry of Social and Family Affairs, 2001, *Concept of the law on protecting human dignity and combating domestic violence and other forms of violence against women*, Draft, 24 April.
- Hungarian Parliament, 1997-2004, Protocols of the Plenary Sessions of the Parliament on April 15, 22 and 28, 1997; October 2, 2002; April 27, May 3, 2004.
- Hungarian Parliament, 2002, Protocols of the November 6 meeting of the Social and Family Affairs Committee.
- Johnson, J.E., 2004, *Importing «violence against women» into Postcommunist Russia*, Paper prepared for presentation at International Studies Association 45th Annual Conference, Canada.
- Kantola, J., 2003, *Transnational and national gender equality politics: European Union's impact on domestic violence debates in Britain and Finland*, Paper ECPR conference, Marburg.
- Logar, Rosa, 2004a, *Stopping the perpetrator. The new domestic violence bill and the work of intervention centres in Austria*, Manuscript.
- Logar, Rosa, 2004b, *Domestic violence policies in Austria*, Public Lecture at the Central European University, Hungary, May.
- Lévai, Katalin, 2003, *Speech at conference on domestic violence*, October 1.
- Lévai, Katalin, 2004, *Speech at conference on domestic violence*, May 13.
- MAGEEQ Project, 2005, *Comparative frame analysis: Domestic violence and sexual violence against women. The European Union, Austria, Greece, Hungary, Slovenia, Spain and The Netherlands*, by María Bustelo, Tamas Dombos, Maria Filiopoulou, Andromachi Hadjiyanni, Fray Kamoutsi, Andrea Krizsan, Raquel Platero, Karin Tertinegg, Jacinta Van Beveren, Mieke Verloo, March 2005.
- Morvai, Krisztina, 1998, *Terror a családban. Feleségbántalmazás és a jog* (Terror in the Family. Wife abuse and the law), Kossuth.
- Morvai, Krisztina, 2001, «Safe Haven», Interview, *Central Europe Review*, vol. 3, No 16, 7 May.
- Outshoorn, J., 1997, «Incorporating feminism: The women's policy network in the Netherlands», in: F. Gardiner (ed.), 1997, *Sex equality policy in Western Europe*, London, Routledge.

- Roggeband, C., 2002, *Over de grenzen van de politiek. Een vergelijkende studie naar de opkomst en ontwikkeling van de vrouwenbeweging tegen seksueel geweld in Nederland en Spanje*, Nijmegen, Katholieke Universiteit Nijmegen.
- Roggeband, C., 2004, «Immediately I thought we should do the same thing», *European Journal of Women's Studies*, vol. 11 (2), p. 159-175.
- Römkes, R., 2000, «Geweld in de huiselijke sfeer», in: Boerefijn, I., M. van der Liet-Senders and T. Loenen, *Het Voorkomen en bestrijden van geweld tegen vrouwen. Een verdiepend onderzoek naar het Nederlandse beleid in het licht van de verplichtingen die voortvloeien uit het vrouwenverdrag*, Den Haag, Ministerie van Sociale Zaken en Werkgelegenheid.
- Sáfrány, Réka, 2003, *Public and political discourse on domestic violence in Hungary: The prospects and limits of feminist strategies*, MA Thesis, Central European University, Budapest, Hungary.
- Social and Economic Committee, 1999, (CES 456/99), *Opinion on the amended proposal for the Daphne Program*, 28 April.
- Dr. Szabó Zsolt and Diószegi Gábor, 2003, *On the possibilities of police action against domestic violence*, National Police Headquarters, Crime Prevention Unit.
- Theorin, M.B., 2000, *Speech on violence against women, held at a meeting on violence against women – zero tolerance*, Portugal, 4 May.
- Tóth, Olga, 1998, «Erőszak a családban», in: Katalin Lévai (ed.) *Vegyesháló, Egyenlő Esélyek Alapítvány*, Budapest.
- Verloo, Mieke, 2001, *Another velvet revolution? Gender mainstreaming and the politics of implementation*, IWM Working Paper, No. 5/2001.
- WAVE, 2000, Good practice models; WAVE training program on combating violence against women, www.wave-network.org, 15 November.