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PANEL II

**Women's human rights
and elimination of all forms of violence against women and girls
as defined in the Beijing Platform for Action
and the outcome documents of the twenty-third special session
of the General Assembly**

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[English only]

Creating a World Free of Violence against Women:

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Domestic violence against women has been identified as a global social problem and has caught the attention of both governments and the civil society since mid 1980s. However, there are still some crucial issues that remain unsolved. These issues must be taken into consideration by both the activists and academia. I would like to concentrate on some key issues and raise some potential responses that may help us to understand the situation, i.e. what has happened, what has been changed and what remains to be changed.

Key issues

1. Domestic violence should be taken as a social issue

Domestic violence used to be and, still is taken as a domestic affair between couples in the world. Many studies indicate that domestic violence has been traditionally deemed as “family dispute ” or “a matter between husband and wife” (Levinson, 1989). It is known to all that the international community initiated a lot of activities and programs to combat domestic violence in the past twenty years and have played a leading role in the process. The adoption of Convention on Elimination of All Forms of Discrimination against Women (1979), the Declaration on the Eradication of All Forms of Violence against Women (1993) and the Beijing Platform for Action (1995) manifested endeavors in this regard. Domestic violence, which is deeply rooted in the social and cultural backgrounds in a given society, is a social trauma and is absolutely beyond a private matter limited to a family or an individual.

However, certain cultural beliefs and conceptions bring serious challenges to the legal

and administrative interventions against domestic violence in the world. For example, in some countries women victims are reluctant to report to the police when violence take place, as they believe that it is a shame for them to speak it out (Liu, 1999; Bowker, 1983). In the legal procedures, it is hard to get police and judges to get involved at the very beginning, as they believe that domestic violence is not worth intervening. It is clear that cultural customs are still prevailing in the world. This should be taken into serious consideration in the coming future.

2. Domestic violence should be taken as gender-based violence

Domestic violence, especially violence against women is actually an issue of unequal distribution of power between men and women in societies. One of the features of the patriarchal society is that women were placed in subordinate positions and considered as properties of their husbands and families. They had virtually no role to play in decision-making processes within the family (Hsu, 1971; Yuen, et al., 1998). Marriage was seen as the only aim in women's lives. To meet basic living needs, a woman had to 'marry a man to be fed and clothed'. As an instrument of reproduction for the family, little was accorded to women in terms of status and values. It is therefore not at all surprising to learn that men are portrayed as the sun and women the moon, or men as the sea and women the river in many popular folk songs and old sayings. For centuries the relationship between man and woman within the traditional patriarchy society and family has been maintained with women's total dependence on their families (i.e., the man) and complete control by men. The men's-superior-to-women gender division has been maintained despite the decades-long efforts to get it changed.

Within this gender framework, most women are subject to dominance, discrimination and control by men who maintained a dominant position in terms of allocation of resources and values upheld in the culture and the society. Under such circumstances, men beat their women, because they can as their cultural and social systems "legalize"

their acts as their rights (Gelles, 1983).

In view of above-mentioned picture, when we talk about domestic violence, we have to examine it within macro-gender relations in our society. In other words, domestic violence should not only be regarded only as an event between a man and a woman, but as a manifestation of unequal distribution of power between men and women, and a violation of women's human rights.

3. Different forms of violence should be taken into consideration

In the past years, the academia, social service practitioners and law enforcement officials paid more attention to the forms of visible domestic violence, i.e. physical and sexual abuse. Little attention was given to the hidden violence, psychological (emotional) abuse. According to a recent survey in China, it is found that psychological abuse is more prevalent than physical abuse among the respondents (Liu & Zhang, 2002). The psychological abuse includes men's refusal of communicating with their wives or using insulting and threatening languages to their wives. Research findings prove that the emotional abuse brings long-lasting, negative impacts on victims' life which may damage the victims' self-esteem and confidence, destroy their dignity and respect as human being, isolate them from the outside world and get them entrapped in the violence relationships (Johnson, 1995). It is imperative for us to pay more attention to those invisible forms of violence in research, intervention and prevention.

4. Judicial protection is inadequate

Domestic violence is a violation of human rights therefore, it is important to have sanctions for these violations, impose penalties on the abusers and protect the victims. It is suggested that judicial protection the following aspects: police involvement, investigation, evidence collection and prosecution. However, in some cases investigation is very difficult, as violence happens behind the doors and the victims are isolated from the society. Some women even do not know there are legislations

that protect their rights and interests once they are abused by partners. Under some special circumstances, women would murder the abuser and commit suicide instead of using legal aid to protect themselves. In some countries, the battered women syndrome has been applied as a defense, but, in some others, the BWS is not a defense. Accordingly, there is an urgent need to build up judicial protection for the victims, disseminate the legal knowledge among women so that they can make full use of the judicial system to protect themselves and their children.

Suggestions

Domestic violence against women is a global social problem and a gender -based violence as well. It happens across the nations, cultures, classes and ethnicities. As a violation of the human rights of women, it severely affects the development of the society in general and that of women in particular. Many governments have spared no efforts in combating violence against women by reforming laws and policies, introducing multi-agency co-operations and sponsoring multi-disciplinary researches.

In many countries, special acts have been enacted that identify domestic violence as a crime and special courts have been set up to handle domestic violence cases. Shelters are funded by governments and NGOs to provide support to people in need. Governments also establish domestic violence victim supporting mechanisms in their social welfare systems providing substantial assistance to these people. For instance in China, great changes have taken place in the field. Since the Fourth World Conference on Women, the Chinese government has started to focus on this problem. In the newly revised marriage law, domestic violence is defined as a crime and is prohibited. Some Chinese NGOs such as the All-China Women's Federations work intensively on domestic violence by providing legal aid, information and counseling service as well.

But we must admit that women still suffer from domestic violence and in some situations the offence is serious. Domestic violence has become a destructive force against the progress of civilization. To prevent and eliminate violence against women,

I suggest that governments at all levels and the civil society work closely on the issue.

1. More international concern is required

International co-operations and campaigns are further required. Experiences tell us that these co-operations and campaigns, which guide the directions of combating domestic violence, are powerful and influential. Governments make promises and legal reforms.

2. Ending domestic violence is every government's responsibility

Government should fully understand the harm of domestic violence upon women, their families and the society. Governments should also review and improve all relevant regulations and their enforcement. They have the responsibility to provide women with effective legal aid and social security system and offer comprehensive assistances in terms of employment, housing, health care and education.

Governments may establish certain mechanisms for the management and self-regulation of the mass media so as to prevent them from describing women with defamatory or humiliating language and to eliminate social prejudice and discrimination against women. Measures should also be taken to protect equal status of women at home, to change the stereotyped role of women and to encourage both men and women to share family responsibilities.

3 Gender perspectives should be integrated into the whole process of ending domestic violence

Since domestic violence is regarded as a gender-based violence, it can't be understood nor addressed without gender analysis. Patriarchy, a system of power is rooted in the ideological distinction between home and market, family and economy, private and public, and between women and men. It is necessary to apply gender perspectives in analyzing and resolving this issue. Government officials, law enforcement officials, medical workers, social workers and all citizens should be offered training in

knowledge of gender and domestic violence. A gender analysis should be incorporated in formulating relevant policies and regulations and in designing and implementing services in the field.

4. Mass media must play a role in developing a violence-free society

Mass media bear impacts on sustaining domestic violence in society, in shaping public opinion and understanding of it. Hence, it should play an important role in changing public attitude towards domestic violence, raising public awareness, disseminating legal information to the public and building a violence-free society.

5. Breaking the silence and making domestic violence public

Public consciousness has been raised; as a consequence, more and more people feel it unendurable and unacceptable when encountered with domestic violence. Therefore, in some countries, more and more cases of domestic violence were disclosed by the mass media and brought to court. This cannot be understood as an increase of frequency of domestic violence; instead, it is an indicator showing that people are more and more sensitive to their human rights and the protection of their own rights and interests.

6. Developing and promoting multi-agency programs

As a social problem, domestic violence must be solved with the societal efforts. Initiatives have been made in many countries. The main rationale for this is that to mobilize and co-ordinate the resources from different agencies to effectively help victims of domestic violence. It has been proved this collaboration is both effective and efficient. Cooperation of different forms among government agencies, non-government organizations, legislative and judicial organs, academic institutions, national and international organizations, therefore, should be promoted. Communities should be encouraged to develop multi-agency programs against domestic violence. Attention should be paid to the study and collection of statistics regarding sex-oriented violence. The public security organs, the procuratorates and the judicial

departments should introduce reporting and statistics collection system. For example, Changsha, a city in central China developed a project of community with zero domestic violence. This project was operated by local women's federation and other organizations in this community. A community with zero domestic violence does not mean that the community becomes free of domestic violence immediately. The significance of the project is that whenever a case of domestic violence occurs, all relevant agencies and organizations intervene into the matter in a timely manner and render a settlement.

7. Empowering social service help to enhance the capacity of the public to prevent and intervene in domestic violence on the community level.

It is obvious that social service agencies have done a good job in intervening in and preventing domestic violence against women in the world. Still, there remains a lot to do in the future. First, the orientation for social service provision should be empowered and strength focused, i.e. to explore the potential of these women to deal with their own life situation. Second, treatment programs for male abusers should be provided. It is hoped that these abusers can change and come back to a normal and happy family life. Third, community-based public education should be conducted and the idea of zero tolerance to violence should be publicized to all people so as to create a society in which everyone is entitled to say NO to violence. It should be understood that one must pay for their use of violence esp. within the family. The ultimate goal is to end domestic violence and establish a violence-free family and society.

8. Academic research can guide the directions of intervention and legislations.

Academia has a quick response to domestic violence from a global perspective. Scholars in the world have contributed a lot to public consciousness raising, intervention programs and even to legal reforms. Government and foundations should support researches so as to enable scholars can continue to bear impacts on the government and NGOs in their intervention practices.

The whole society and everyone in the society should realize that domestic violence is a violation of human rights of women; domestic violence is absolutely beyond a private matter limited to a family and an individual; domestic violence is a social trauma; domestic violence should not be tolerable; the whole society is obliged to join efforts to eliminate domestic violence and; we should all take actions to create a world free of violence against women.

Women making a difference is a dream for the 20 century, and now it is coming true. It is hoped that we can make a difference for the life of women, and men as well. It is believed that with the efforts of all mankind, domestic violence can be eliminated and a society free of violence is waiting for us ahead.

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