

"Historicizing EU Equality Policy: Is Hindsight 20/20?"

R. Amy Elman
Kalamazoo College
Department of Political Science & Center for West European Studies
elman@kzoo.edu

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European integration is a protean process upon which we heap our aspirations and deepest reservations. It evokes dissension between political allies and agreement among ideological foes. Fascists and pacifists shared the goal of a renewed and rejuvenated Europe until World War II ended and it "carried grimmer connotations" (Judt, 1996, 9). It is thus ironic that, with time, "Europe's" apparent novelty helped nation-states expurgate their prior sins. For France "creating Europe [was] a way of regaining that margin of liberty necessary for a certain idea of France" (Delors in Judt, 1996, 14) and for Germany it relieved the burden of dwelling on the past. For progressive scholars, politicians and others concerned with the Community's commitment to sexual equality, Europe's founding Treaty of Rome set the foundation for more recent claims, including those demands to assist battered and sexually abused women.¹ In sum, "Europe" offers a democratic vision of Member States that coincides with their self-image as it offers hope to others that regard sex equality is an essential condition for democracy.

For the fifteen states that currently comprise it, European Union (EU) membership has its privileges: it signifies sophistication, "civilization and prosperity in an otherwise disorderly and disoriented world" (van Ham, 2001, 5). In a world where image matters, this is no small feat. Strong reputations are "important in attracting foreign direct investment, recruiting the best and the brightest, and wielding political influence" (Ibid, 2).

¹ Almost without exception, triptychs through equality policy issues imply that Article 119 of the Treaty of Rome set an intentional foundation for future claims. This is even so among those of us that explicitly recognize that sexual equality was hardly the intent of this Article (e.g., Hoskyns 1996, Elman 1998). That feminists utilized the treaty's equality rhetoric to their advantage should tell us more about their strategies than about the institution's past. That EU jurisprudence continues to be privileged over feminist activism in most analyses might suggest that we have often compounded (rather than corrected) women's invisibility.

Within the EU and among its Member States, one typically construes efforts to end sex discrimination as evidence of first world trade status and democratization, regardless of their successful implementation. Focusing on the EU's more conventional equality initiatives,² I have elsewhere asserted that the EU confers "virtual equality" --- that is equitable rhetoric that, when pragmatically applied, often proves disappointing (Elman, 1998). Thus, one cannot assume women to be the primary beneficiaries of equality initiatives. Yet, neither should one equate these efforts with an intentional subterfuge. Europe's record on women's rights is hardly idyllic but pessimism may prove its own obstacle to appreciating those inroads that (can and) do exist. To avoid both the optimist's naiveté and the pessimist's tendency to withdraw from benevolent possibilities, one must transcend the temptation to regard Europe's reforms and related statements against sexism as resulting from deliberate social engineering.³

This conference paper offers details that undermine the common assumption that EU policies emanate from enlightened foresight and/or coherent planning.⁴ To this end, it explores the relatively recent interest of Eurocrats in violence against women, an issue that few previously expected the EU to address.

Participant observation informs this brief exploration. As an activist engaged in grassroots efforts to end male violence for over two decades within the United States and, since 1988, throughout Europe, I have been a part of and closely observed several

² For example, equality directives and related action programs.

³ This analysis parallels that of Charles Tilly whose focus was on Europe's nation-states. He insisted, "It is all too easy to treat the formation of nation states as a type of engineering, with kings and their ministers as the designing engineers" (1992, 25). As with European nation-states, so too with the European Union.

⁴ I am not least guilty of this in my own work (e.g., Elman, 1998).

interminable, nitty-gritty efforts at social change. These have ranged from the lobbying that entails public speaking and private sessions with seemingly indifferent state and EU politicians and drafting polemical position papers to working within crisis lines and other agencies that provide direct relief to women men abuse. Like any activist, I have met with and watched on as politicians and others claimed credit for positions they previously opposed. I have responded with a silence that wavered between amusement and anger. Strategically speaking, it is easier working with someone that has come to think of himself or herself as an ally than one potentially embarrassed by your recollection that they were not. Upon greater reflection, I wonder about the extent to which such silence compounds the very falsehoods that I now wish to reject.

This paper suggests that while European Commissioners, judges, activists and others are important political actors, they are hardly fundamental architects (or obstructionists) of sexual equality. This distinction, though modest, recommends that we see a more tenuous relationship between the past and present. In short, for all of our efforts to comprehend social change, a brief look at the issue of male violence underscores the way in which policy development is a serendipitous process with unintended and often misunderstood consequences.

THE EMERGENCE OF VIOLENCE AS AN "ISSUE"

It is an understandable oversight to suppose that few of Europe's feminists labored internationally prior to "globalization" in general and European integration more specifically.⁵ After all, despite feminism's idealistic embrace of all women, the goals of most activists have been domestic. Few have the resources needed to think and act more globally. This has been especially true of those working to end male violence at the end of the twentieth century.

Within a mere decade after several European shelter movements began in the mid-1970s,⁶ their success in reaching battered women within their localities had the unintended consequence of making shelter self-reliance significantly less feasible. As more women were willing to leave their abusive partners, activists were obliged to expand their services. However, they soon discovered that the needs of battered women far exceeded movement resources. This recognition typically came on the heels of reduced social service expenditures which, in turn, made shelter services all the more urgent, especially for poorer women.

During this period, Member States with diminished affluence took particular note of these women's movements.⁷ How could they not? Shelter movements helped provide

⁵ For a wonderful corrective that explores the "first wave" of international feminism (from the late nineteenth century through the Second World War), see Leila J. Rupp's *Worlds of Women: The Making of an International Women's Movement* (1997).

⁶ At this time, shelter movements established refuges in Belgium, Denmark, France, Germany, Greece, Ireland, the Netherlands and in the United Kingdom. Sweden's movement began nearly a decade after, one reason why one should not assume that states similarly evolve on matters of sexual equality and abuse (see Elman, 1996a).

⁷ For example, when Britain's Parliamentary Select Committee held its first national hearings on battered women in 1975, shelters received considerable attention and praise. "The committee expressed admiration for the practical work in refuges, emphasizing volunteerism, the principle of self-help, practical assistance and the provision of needed services with little financial assistance from local or national government" (Dobash and Dobash, 1992, 122). Embellishing the accomplishments and potentialities of such (private sector) initiatives

cost effective and creative solutions to a bewildering array of social problems including, though clearly not limited to, female homelessness, child abuse and male violence.

Governments, by contrast to the movements they observed, had long insisted on deferring action beneficial to women because of the expense (Ashworth, 1993). Some women's movements challenged this position with greater effect than others did; the Dutch did so early on. In 1982, they held a conference on violence against women that was initiated by the secretary of state for equal opportunities, Hedy d'Ancona. Following "the lead of the more radical sections of the women's movement", she had just left office and argued: "violence against women is a structural problem against which government should take action as part of its equal opportunities policy" (Grunell, 1999, 343). While the issue of violence against women was hardly new to feminists, D'Ancona helped place the matter on a new agenda, that of formal politics. This was unique because, at that time and to some extent still, many politicians and even scholars of "equality" kept a considerable distance between policies pertaining to sexual abuse and violence against women and those regarding equality (at work and in the family).⁸

In 1984, the European Parliament joined the chorus of outrage against male violence and after two years, its Women's Rights Committee issued a parliamentary resolution and report (European Parliament, 1986; OJ C 176/73, 11 June 1986). The report, drafted by D'Ancona, recognized the importance of shelters and encouraged Member States to take legislative action to assess and heighten the protection available to

provided the ideological scaffolding from which the state could off-load its responsibility for the provision of these public services (like housing and safety) more generally (Brush 1987; Hutton 1997; Leys 2001). By the decade's end, Britain's ascending right wing government ardently embraced the movement's desire for autonomy and the market's rhetoric of private provision and self-reliance.

⁸ Lisa D. Brush's article aptly titled, "Changing the subject" explores some reasons for this (2002).

physically abused and sexually harassed women,⁹ a position similar to that which she took four years earlier. However, because the European Parliament is not a typical legislative body and had no real power to implement policy, the report did not serve as a direct basis for concrete measures against male violence. Instead, it may have been a legitimating measure that was a substitute for action. After all, following this report, it took another decade before the EU took up another initiative.

By the early 1990s, feminists found that, with state reduced expenditures and the increased demand from women for their services; they had to transform the public consciousness on the connections between abuse, poverty and the state's fiscal health. In her suitably titled *Changing the Discourse: A Guide to Women and Human Rights*, Britain's Georgina Ashworth emphasizes the importance of demonstrating that oppression holds a significant cost "to the State, and to the healthy identity of the nation" (1993, 70). As suggested earlier, national identity is an essential part of any state's strategic equity and feminists began to insist that violence against women casts aspersions on any state's reputation for equality (e.g., Elman and Eduards, 1991; see also Weldon, 2002). In addition, battery obstructs women's full participation in society, not least in the labor market. Having convinced politicians and others that "there was an economic need for women to be involved in the labor market" (Griffin 1995, 7), activists then argued that the effects of violence spilled over into the workplace, at considerable loss to the economy, a point that concerned Member States and the EU interested with enhancing worker productivity.

⁹ See Evelyn Collins and Amy G. Mazur on sexual harassment (in Elman, 1996).

Whether the EU was more willing to confront the issue of violence against women because, like its Member States, it faced growing economic uncertainty or because it wished to diminish its democratic deficit¹⁰ and increase its responsiveness to women, the EU's stated willingness to confront social injustices is something that few feminists can afford to ignore. Sometimes activists respond less from the belief that politicians really care than from the conviction that they should. A salutary spin thus extends to almost any outcome in order to make it so. For example, in 1928 the US suffragist and inveterate lobbyist for women's suffrage internationally, Alice Paul, pretended to have the support of some nation-states to win over others (Rupp, 1997, 219). More recently, as we will note below, feminists may assert that police officers are reliable allies against woman battery more from a strategic claim for future intervention than from an accurate assessment of current conditions. Ironically, scholars may interpret such spin as a movement's satisfaction with or endorsement of authorities. Yet, this understanding, however mistaken, is also not without benefit as even the most symbolic of interventions has the potential to evoke something substantive. Like policies, the historical analyses and assessments pertaining to them have unintended consequences.

¹⁰ This term of art describes the very *indirect* and, at times, *insignificant* influence of EU citizens on most decisions made within European Union institutions. Further, EU bodies make key decisions in meetings that are closed to the press and general public.

MALE VIOLENCE FIRMLY ON THE EU AGENDA

Although it is tempting to credit the tenacity of battered women's advocates with forcing the EU to address abuse, one might remember that most such activists focused on their own countries and not on the future of a united continent with a set of institutions and rules that were both alien to them and still emerging.

Little in the early 1990s suggested a natural coming together of these advocates and their European counterparts to address this issue. "The low level of actual non-governmental communication between the peoples of Europe and the focusing of each country on its national issues [held] true for feminists as well" (Delphy, 1996, 149). This is not to deny the existence of some European networking, but as France's feminist activist, Christine Delphy notes "it occurs more often at the regional level within Europe, for instance between the Scandinavian countries or between the Mediterranean countries, although much less frequently among the later" (Ibid). With regard to more inclusive continental meetings, those concerning "women's issues" typically maintained a significant distance from the more horrific aspects of women's subordination. Their focus was on equality directives and thus on issues related to equal pay and equal treatment, not male violence.

In 1996, after a decade of relative disinterest, the Women's Rights Committee proposed EU funding to fight against violence against women. Though inspiration for this initiative is not entirely clear, Mark Pollack (1999) and others have suggested that the EU may have been keen to take action following a political scandal involving sexual abuse, trafficking, and the serial murder of young women and girls throughout Belgium that same

year.¹¹ Moreover, the man who confessed to these crimes (Marc Dutroux) was joined by others including a well-known executive (Michel Nihoul) who admitted to having organized numerous sexual "parties" for prominent male judges, senior politicians, lawyers, police officers and a former European Commissioner. Extending funding to combat male violence may have appealed to the Committee's desire to stand above even the appearance of impropriety, but there is more involved.

The Committee's renewed interest in male violence may also be attributed to structural changes like the adoption of the Maastricht Treaty, with its "third pillar" to cope with matters of asylum, immigration, police and judicial intergovernmental cooperation (Ibid). Yet, one wonders what prompted politicians to regard this pillar as an "opportunity structure" in the first place, especially as it offered no explicit guidance for handling more "sensitive" issues? Two further explanations are often proffered. First, one frequently presumes that Sweden's 1995 entrance into the Community served as a catalyst for the rights of women in other Member States (Ibid.; Gould 1999). Whether this is true (particularly on matters of sexual abuse and violence)¹² matters less than the expectation that because Sweden enjoys a stellar reputation it is expected to act accordingly. One might argue that in an effort not to disappoint, Sweden's Commissioner Gradin was more willing and able than most to take a broader view of equality when she assumed the portfolio for Justice and

¹¹ A series of interviews that I conducted in Brussels with numerous EU officials in July of 1999 confirmed Pollack's point that the European parliament and Commission responded, in part, to a Belgian public that was horrified and agitated by these crimes that received extensive coverage in the European press.

¹² This author traces this enthusiasm for Sweden to the fact that, when compared to their European counterparts, Swedish women appear to enjoy greater political strength and economic influence. Impressive portraits of Sweden's exceptionalism notwithstanding, a comparative exploration of sexual harassment policy at the state and EU level suggests that Sweden was advantaged by the Europeanization of its domestic policy on sexual harassment (Elman, 2000). In addition, for matters related to sexual violence, other states seem more willing and better able to adopt effective policies (Elman, 1996a and Elman, forthcoming).

Home Affairs. Second, Gradin and her colleagues enjoyed a more hospitable international climate than their predecessors did. At the 1993 World Conference on Human Rights in Vienna, most in attendance recognized violence against women as a substantial problem worthy of state and transnational intervention. Two years later, the United Nations again emphasized, through its Beijing conference platform, that violence against women posed an obstacle to achieving equality, development and peace.

In 1997, the European Commission released a report acknowledging that male violence is the most common form of violence within all Member States, a fact that echoed what shelter movements had been insisting for two decades. Indeed, the data for this claim came from movements and criminal justice sources within the Member States. Yet, the report differed from local accounts in that it rarely described, in detail, the brutality of such violence. Shortly after this report, the Commission formally revealed its community-wide information and action campaign against male violence called Daphne. In 1997, Daphne provided funding to 47 non-governmental organizations and volunteer programs for projects to prevent abuse and support survivors. The following year Gradin proposed that the Council adopt a program to provide further assistance to ten times as many projects.¹³ In 1999, the program funded 53 projects (OJ C 293/2000, 24 January 2000, 1).¹⁴

The European Parliament followed by designating 1999 as the "European Year Against Violence Against Women." In this public information campaign as well, eurocrats aped efforts that feminists had already mounted and had grown weary of at the local level.

¹³ The Commission since renewed Daphne as a Community Action Program. Funding for Daphne I (2000-03) totaled 20 million Euro. In February 2002, the Commission suggested a significant increase in budget (to 41 million Euro) for Daphne II (2004-08). In addition to recognizing the high level of demand (1,800 proposals), the Commission is considering the costs associated with the arrival of new Member States.

¹⁴ The Commission notes that since 1997, it has funded 270 projects to combat violence (2003).

Indeed, several of the posters from these campaigns were direct replicas of those used earlier. One, borrowed from Denmark, read "95% of Europeans believe that a man who beats his partner should be sentenced by a criminal court ... So why is only 1 out of every 20 incidents of domestic violence reported to the police?" Britain's publicly financed feminist inspired "Zero Tolerance" information campaigns from 1992 received considerable attention and was later used by Daphne as well. The 1992 effort focused on the perpetrators of violence and extended public validation to their survivors by asserting that responsibility for battery rests squarely in men's hands. Straightforward black posters with white lettering insisted that men have no excuse for woman abuse and proclaimed that local administrations (e.g., the police) would not tolerate it. Nonetheless, reality did not conform to rhetoric.

Several feminists have been outspoken critics of these and similar "Zero Tolerance" campaigns, insisting that they have "created an atmosphere in which it appears progress is related to domestic violence." As Liz Kelly explains:

If our attention is held only by what has happened in the higher courts, and on television, that interpretation is a valid one, but if we turn our attention to how the majority of domestic violence cases are dealt with by the legal system a rather different picture emerges (1995/6, 11).

While this attention to male violence may have convinced more women to report the men that beat them, the increase of reported abuse has not meet with a corresponding rise in either arrests or prosecutions. Indeed, the proportion of prosecutions appears to have decreased in some of the areas that have had "Zero Tolerance" campaigns (Ibid.). This fact, if known, would have been in contradiction to Daphne's insistence that raising public awareness about violence entails the exchange of "best practices."

When authorities insist that they will (and then do not) provide women redress, they can undermine the message that violence against women is a crime and that abused women should rely upon them. One should not underestimate the serious problems that attend the gap between women's expectations and outcomes. In short, the consequences of placing faith in a system that provides inadequate protection can prove deadly for battered women.

Despite whatever criticisms they may have of the Commission and its efforts to address male violence, few activists are likely to voice them and potentially forfeit the funding and related support they may have had or hope to receive from this institution. Funding has been important to those with a desire to learn more about what best works in other states. This is especially the case for activists from less affluent regions that rely more heavily on EU assistance. Still, for battered women's advocate everywhere – not least in Sweden, Europe's recognition offered respectability and political advantage for activists in their own states (Beausang, 1999). Just as important, the EU was able to garner legitimacy for itself.

The interest of European authorities in male violence has undoubtedly been beneficial to many battered women and their advocates, however the very social and political movements from which current efforts stem can be concealed. This is evident in the European Commission's 1999 eurobarometer survey on men's violence against women (European Commission, 1999). It revealed that over two-thirds (67%) of the Member State Nationals polled believed that the EU should "definitely" be involved in countering violence against women (Ibid, 103).¹⁵

After asking respondents to identify which groups and institutions were most appropriate for assisting battered women, the survey provided an array of nine options from

which to select -- shelters were conspicuously absent (see Appendix I). Options included, but were not limited to, religious organizations, social services, police, medical personnel and charitable groups. Having excluded shelters from the list of considered options, the survey somewhat misleadingly avers, "Europeans therefore regard all the [before-mentioned] entities as having *a legitimate interest* in the problem of domestic violence" (European Commission 1999, 48, emphasis added).

The omission of shelters from the list of possible organizations that should assist battered women may have been inadvertent. Yet, when the survey later asked for respondents to select from a list of important measures that could be taken to mitigate male violence, refuges were again absent from a list that included, among other options, phone-lines, contact cards (listing possible services), and sensitivity training for police (see Appendix II). The fact that this survey is likely to inform future measures, not least related to funding for those having "a legitimate interest in the problem", the absence of shelters from the survey becomes all the more worrisome.

This survey is only one example of the EU framing its opposition to male violence while rendering the role of women's movements to end it negligible, if not invisible. The same year the EU released this survey, it hosted an international conference on violence against women in Cologne. There then Commissioner Gradin shared the brief history of the EU's involvement with this subject. She explained, "All the way from the Rome Treaty and its article on equal pay for equal work, equal opportunities have been on the agenda of the European Union" (Gradin, 1999, 2). She moved from Rome to other routine equality destinations like Amsterdam (i.e., the Treaty), Vienna, and Beijing (both world conferences). Gradin also credited the Member States with legal reform. She

¹⁵ Only 5% suggested a non-interventionist approach is appropriate (European Commission, 1999, 103).

mentioned women's "organizations" only once, crediting them with having "been very instrumental in pointing to the necessity for legislation for the protection of women's rights." The fact that feminists throughout Europe have long been ambivalent and divided among themselves about engaging authorities in general and the law in particular was ignored (see Smart, 1989). More important, mentioning women's movements only in connection to legislative demands circumscribes their efforts and influence while inflating the protection that Member States and EU institutions can afford.

On the matter of male violence, few European institutions have the name recognition that the European Women's Lobby (EWL) enjoys. As early as 1998, it boasted of its newly established European Policy Action Centre on Violence Against Women. In a mass mailing on behalf of its Centre, the Lobby enclosed a five-page questionnaire stating that it would use responses to compile a *European Directory of NGOs* that would then offer battered women's services within the Member States. An ostensible non-governmental actor, the EWL is funded by the Commission on whose behalf it labors to portray the Commission as "woman-friendly" to an estimated 2,700 affiliates that range from the Vatican to pro-abortion, feminist groups. The lobby's funding source and disparate constituency account for its ideological infirmity, most visibly on the matter of women's fundamental reproductive rights. That the EWL champions sexual equality while ignoring reproductive self-determination, without which there is no equality concerns many feminists (e.g., Rossilli, 2000). As this paradox helps make clear, the EWL's primary allegiance extends to the Commission and not its numerous women affiliates as its name implies.

For the EWL and other image entrepreneurs whose job it is to sell Europe, stylish websites, newsletters, and special "expert" meetings are key. I attended one such seminar in Stockholm that the Lobby arranged in cooperation with a group of Swedish women (in SAMS) concerned with women's rights and health). Anita Gradin, then an EU Commissioner, opened with a brief greeting. She emphasized the importance of Swedish women's organizations and their engaging at the EU level. While it was clear that, for a majority of the women in attendance, Europe was unfamiliar political terrain, the talks that followed were inaccessible despite their elementary content.¹⁶ The lectures were in English. Only after lunch, when we were divided into discussion groups and spoke Swedish, did we engage in substantive discussion. However, by this time the women from the Lobby had already left for lunch and shopping elsewhere in the inner city. They did not return. Meanwhile, activists sat dutifully in the conference hotel and deliberated, in earnest, on the questions the Lobby left us to answer.

The EWL asked those in attendance about what we believed were the important women's issues in Sweden. In addition, they wished to know how best the EWL and Swedish women could work together to effectively address such issues. After the discussion groups met and the general meeting resumed, a sense of betrayal overcame many of us. Like my Swedish counterparts, I had initially deferred to these European authorities – thinking that, in turn, they would be responsive. Over time, we realized that perhaps the greatest function our meeting served was that it further legitimized the Lobby in ways that would be reflected in their promotional literature and website.

¹⁶ The first talk was a 20-minute pitch for the EWL that the organizers dubbed "A General view of the EWL" - the second presentation was an hour-long civics lesson entitled "The actual work of the EU."

If the Stockholm meeting is any indication of the Lobby at work, the EWL is hardly the most receptive location for feminist claims. However, one cannot ignore that it has (if only indirectly) disbursed desperately needed funding European Commission for various meetings and projects. Thus, a consensus appears to have emerged. It is this: the benefits of from Europe seemed to outweigh the detriments, particularly for those researchers, shelters and related projects that either believed they had no choice but to accept EU funding or were simply delighted to do so.

CONCLUSION

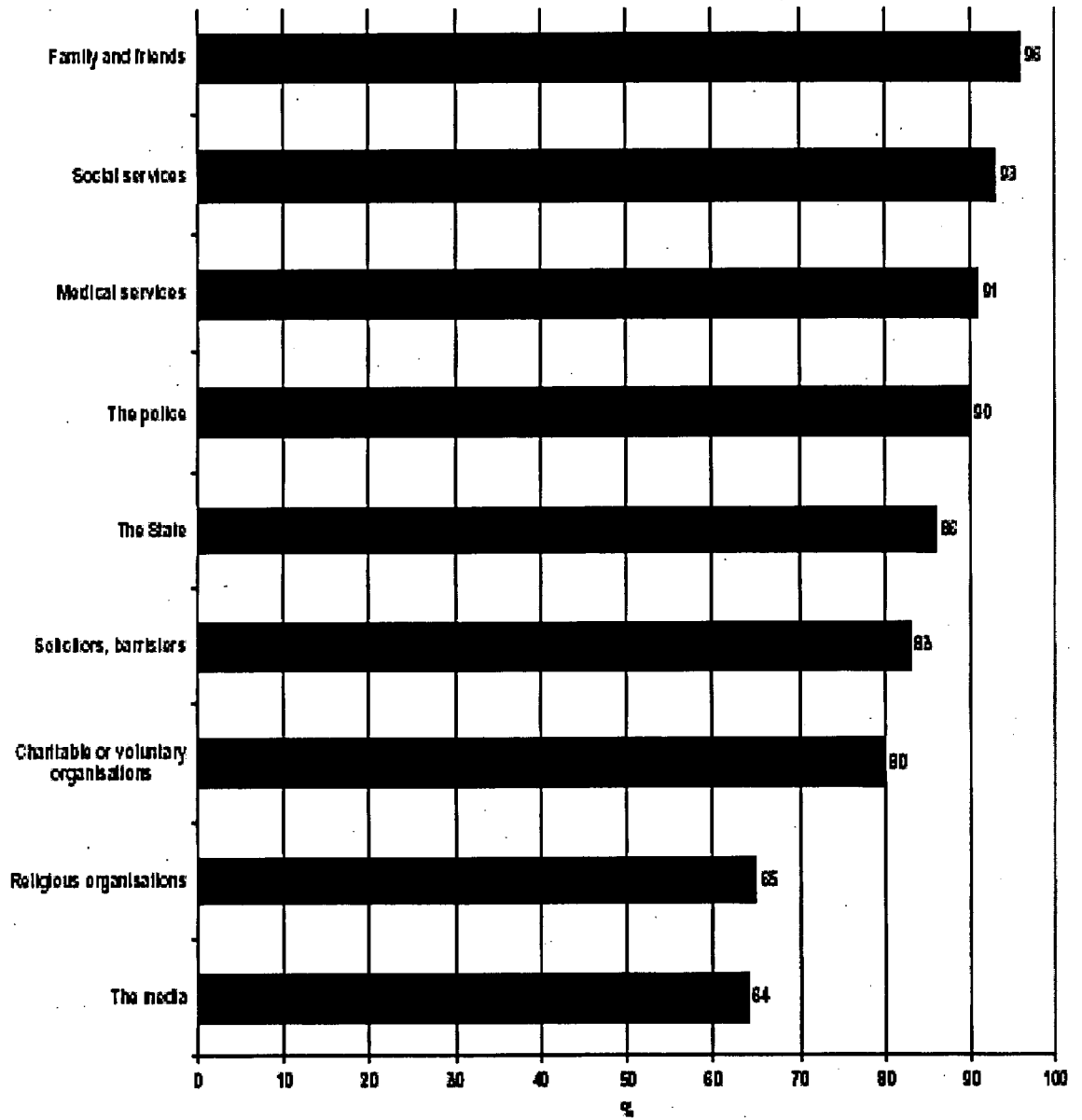
All social movements appreciate the importance of clearly conveyed articulations of social (in)justice (Gamson, 1992). Feminists that once wished for the EU and others to cover woman abuse may now wonder if their silence would have been preferable to their incessant self-promotional chatter. That said, the political significance of state and EU funding cannot be overemphasized even though movements are aware that such support almost inevitably comes with strings attached. Without resources and access to state power, social movements languish. Still, affluence and influence can also compromise a movement's credibility and critical distance from the very sites of power it seeks to alter. In short, a movement's effectiveness and legitimacy depends on its autonomy from power and its access to and vast resources from it, a precarious balance indeed.

The question for activists is thus not whether to engage the Union and their states but how best to do so, a query that begs movements to become more (not less) state and EU-savvy – knowing critical history is a means to this end. If, for example, social justice were best achieved through formal politics rather social movements in the ways that

Gradin and others suggest – feminists would be well advised to diminish the emphasis they extend to autonomous organizing through women's movements. However, if "women's movements are most effective ... when they are organized independently of political institutions and parties" this would be ill-advised (Weldon, 2002, 195).

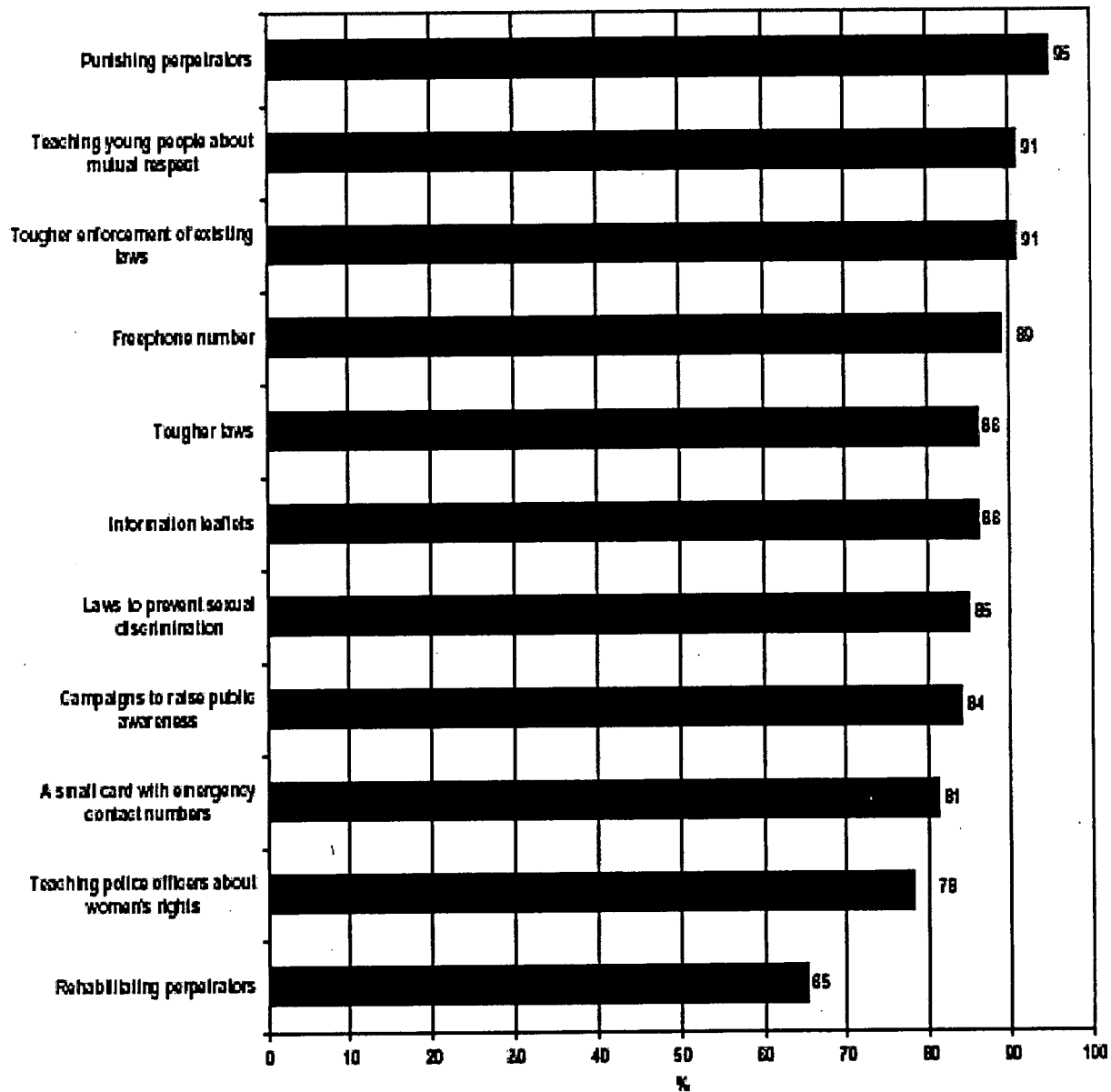
This paper suggests that while many politicians and conventional scholars are quick to credit relatively high profile politicians with (incremental) progress, such actors are best recognized as movement "allies in government." That is, rather than primary political movers, such figures (e.g., Anita Gradin and Hedy d'Ancona) provide the political will needed to take up an issue that was long articulated outside governmental institutions by women's movements.

Seeking refuge from violence through European institutions is not without problems. That once autonomous movements for battered women now seem part and parcel of the EU's "women's policy machinery" makes sense when considering that "advanced capitalism accelerate[s] the process by which initially counter-cultural forms [are] appropriated until culture itself became the prime commodity" (Chasin, 2000, 53). Policies, programs and other publicized efforts to end male violence have helped sustain or enhance the stature of numerous a polities -- the EU is no exception. What matters most is whether feminists can hold the EU to the finest standards it claims to have for itself.



Appendix I "Institutions/Groups That Should Help Women Who Are Victims of Domestic Violence"

The above chart shows the nine possibilities that the EU identified for respondents and their answers (European Commission 1999, Chart 6, 48).



Appendix II "Ways of Combating Domestic Violence Against Women"

The above chart shows the 11 possibilities that the EU identified for respondents and their answers (European Commission 1999, Chart 8, 77).

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