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EU FP6 Co-ordination Action on Human Rights Violation (CAHRV)

Sub Network 2

FINLAND UPDATE ON NATIONAL REPORT with the focus on men's violences

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with assistance from Hertta Niemi*

1. Key points

- i. This report focuses on violences, especially men's interpersonal violences, in keeping with the main themes in the Co-ordination Action on Human Rights Violation.**
- ii. The gendered study of violence has not been a high priority in research in Finland until recently.**
- iii. The most important research initiative in relation to men's violences has been the Academy of Finland "Targeted Call": Gender, Power and Violence (2000-2004).**
- iv. Recent research has emphasised the gendered nature of violence, especially men's violence to women; there appears to be an increase in approaches that bring together materialist and discursive analyses of these violences.**
- v. The most important policy intervention have been the National Programme for the Prevention of Prostitution and Violence Against Women (1998-2002, and a number of legal reforms in violence against women, sexual violence and trafficking, that have generally sought to increase safety.**

2. The national gender background and context¹

The basis of the Constitution of Finland is a parliamentary form of government. The separation of powers is carried into effect by the Parliament, the Government and the President of the Republic. The judicial powers are exercised by independent courts of law, with the Supreme Court and the Supreme Administrative Court as the highest courts. The highest law officer is the Chancellor of Justice, who participates at meetings of government and ensures that the authorities observe the law and fulfil their duties. The Ombudsman is chosen by the parliament, and he or she aims to ensure that courts and civil servants observe the law. The legislative powers are exercised by Parliament, which also decides on State finances. The governmental powers are exercised by the President of the Republic and the Government. The President of the Republic is elected every six years. The present president, Ms. Tarja Halonen, is the first woman president. The Parliament of 200 members is elected every four years directly by secret ballot on a proportional basis. The Government consists of the Prime Minister and up to 17 ministers. The cabinets have recently been primarily coalitions.

Equality objectives set in the Programme of the present Government include the implementation of the mainstreaming principle in state administration; the implementation of the principle of equal pay in working life; the development of more flexible family leaves in co-operation with labour market organisations; and the

¹ This section is revised from Hearn et al. (2001a).

strengthening of gender equality, especially through initiatives in EU politics. Of the 13 ministries the Ministry of Social Affairs and Health is responsible of gender equality issues. The Office of the Ombudsman for Equality, i.e. the Ombudsman for Equality and the Council for Equality, is responsible for the practical implementation of equality. The Ombudsman for Equality supervises compliance with the Act on Equality between Women and Men, and issues statements, advice and opinions in cases relating to the application of the Act. The Council is a permanent council with advisory status within the state administration. From the beginning of May 2001 the division of work between the Ombudsman for Equality and the Ministry of Social Affairs and Health has been clarified so that supervision of law enforcement belongs to Ombudsman as well as informing about the law and promoting equality, whereas the Equality Unit of the Ministry deals with preparation of government's equality politics and legislation, EU equality legislation and mainstreaming of gender equality

The Finnish Act on Equality Between Men and Women came into force in 1987. As the Nordic predecessors of the Finnish Act, it is mostly a passive law to be used when it is alleged that someone is discriminated against. It does, however, include also active regulations for promoting equality between men and women. The Act prohibits discrimination, i.e., unequal treatment of individuals on the basis of their gender, and it obligates both the authorities and employers to promote equal opportunities. The Act contains a special provision on work discrimination. It covers recruitment, remuneration, working conditions, termination of employment and sexual harassment, and abuse in the workplace. The Act stipulates that both men and women are to be provided with the same opportunities for education and professional advancement, and it explicitly prohibits discrimination in job vacancy announcements and in advertisements for studying in educational institutions. Under the Act, employers are obligated to allow their male and female employees to reconcile work and family life. The Act states that employers with a regular payroll of at least thirty staff-members must incorporate effective equality-promoting measures into their annual personnel and training plan or labour protection action programs. The Ombudsman for Equality has the right to conduct inspections in the workplace.

The Equality Act prescribes that at least forty percent of the members of governmental law-drafting bodies and municipal bodies must be women and forty percent men. The Act does not cover advertising. Equality issues relating to advertising are monitored by a council of representatives from the advertising sector. Most recently, in 2005 the law on gender equality has been revised and strengthened. Employers with thirty or more employees that do not produce a gender equality plan may now face a fine, whereas previously there were no such sanctions. The Health and Safety Act 2003 also made employers responsible for dealing with harassment and other inappropriate behaviour in the workplace, such as bullying.

3. Research on violences

3.1. Research in the 1990s²

The gendered study of violence has not been a high priority in research in Finland until recently. Non-gendered traditions have dominated the field. In 1998 Suvi Ronkainen compiled a review of the Finnish research on gendered violence, giving a

² This section is a revised and edited version of that part of Hearn and Lattu (2000) addressing men's violences.

comprehensive picture of the current situation. She writes (1998, 39) that two words that describe best Finnish research on violence: paucity and gender-neutrality. Mainstream traditions on violence research in Finland have been criminological, historical and psychological (for example, Lagerspetz, 1990; Pajuoja, 1995; Ylikangas, 1996, 1999); all been rather gender-neutral. Violence has been taken for granted as men's violence, and the gender aspect has not been problematised (Ronkainen 1998, 7; also see Jyrkinen & Ruusuvoori 2002).

Psychological and biological traditions on aggression studies are fairly well established in Finland (Ronkainen 1998, 8). Since the 1970s psychological research on aggression has been developed, especially by Kirsti Lagerspetz (for example, 1977, 1989, 1990) and others. Aggression studies have focused on comparing aggressive and non-aggressive people. In this approach the analysis of gender is somewhat problematic, as aggression is seen as a matter of individual character.

on alcohol and violence, I think this stays still bit unclear, what are really these studies on violence and alco. (this is perhaps written by myself)

Making the connection between alcohol and violence has a long tradition in Finnish research (for example, Lindman & von der Pahlen 1995). An example of criminological studies on violence is Jussi Pajuoja's (1995) doctoral work on psychological statements about those accused of violent crimes *Väkivalta ja mielentila. Oikeussosiologinen tutkimus syyntakeissuussäännöksistä ja mielentilatutkimuksista* [Violence and states of mind. Socio-legal research on provision of responsibility and mental diagnoses]. Janne Kivivuori's *Suomalainen henkirikos* [Homicide in Finland] (1999) analyses patterns of Finnish homicide and it connects the social exclusion of Finnish men and high possibility of involvement in violent crimes. Romanov et al (1994) have examined the more general relationship between self-reported hostility and suicidal acts, accidents, and accidental deaths.

In Finland, the gender-neutral term, 'family violence', has been much used. Policy makers and social policy researchers have frequently seen violence as a 'family problem'. One of the major studies on family violence is Teuvo Peltoniemi's (1984) *Perheväkivalta* [Family violence], based on the family dynamics theory.

While gender-explicit studies about violence by men to other men or violence by women have generally been rare, there are some gendered studies on violence against women in its different forms in the 1990s. One of the most important studies in 1990s on men's violence against women in Finland is *Usko, Toivo, Hakkaus. Kyselytutkimus miesten naisille tekemästä väkivallasta* [Faith, Hope, Battering. A Survey of Men's Violence against Women in Finland] (Heiskanen & Piispa 1998), based on a postal survey sent to 7100 women between 18-74 years. The study gives statistical information, such as prevalence of violence and threats, violence in partner relationships, violence perpetrated by others than partners, childhood experience of violence, and fear of violence. Among the main results are that 40% of women have experienced physical or sexual violence or threat of it sometime after reaching the age of 15, 22% from their current partner, 24% from a stranger or acquaintance (outside partner relationships), and 14% during the last year. Six percent had experienced sexual violence or threats thereof from their current partner, 17% from a stranger or acquaintance. It is planned to repeat the survey in the near future. Other gendered studies in the 1990s include Marjo Liukkonen's (1992, 1994) work on crimes of

passion where women are the victims. Marita Husso (1994, 1995, 1996, 1997) has studied violence in intimate relationships as eroticised oppression. She analyses violence as physical experience in the body, as well as the justifications for violence.

There have also been more focused studies on sexualised violence. A relatively early study on men clients responding to magazine advertisements for prostitution was by Hannele Varsa (1986). She found that men who contact prostitutes abroad may go on to use prostitutes in Finland. Men who had continuous contacts with prostitutes saw it as an easy way to cater for their sexual needs without any responsibility. Johanna Lammi-Taskula (1999) has summarised the 1995 Habitus Study in the report *Who's Buying? The Clients of Prostitution* on the Nordic Research Meeting on Prostitution (Keeler & Jyrkinen 1999). This found that 1:10 men had paid money for sex during their lifetime. In many ways the men using prostitutes and other commercial sex services were 'ordinary men' across all social classes; at the same time there was a tendency for users to have unhealthier lifestyles and lower mental well-being. Mari-Elina Laukkanen (1998, 1999) has produced some of the first Finnish research on male prostitutes. Sari Näre has examined various aspects of sexual violence: misogynist relationships, pornography and brothels (1994), gender culture (1995) and sex bars (Näre & Lähteenmaa, 1995; Näre, 1998).

A relatively new theme in Finnish research on gendered violence is sexual violence against young girls, including rape (Honkatukia 2000, Honkatukia et al. 2000). Honkatukia (2000) reports in her article that 41% of 15 year-old-girls (N=2222) had experienced unwanted advances, touches or kissing attempts at least once during their lifetime. Sexual harassment in the universities has also received some research attention (Mankkinen 1995, 1999; Husu 2001).

Critical studies on men and violence have not been well developed in Finland, at least not until recently. Most of the books state that it is men who are violent, but this is not problematised. The basic critical books on men (Sipilä & Tiihonen 1994; Jokinen 1999b) include Martti Grönfors's two general reviews (1994, 1999) on male culture and the relationship of violence to it, and other articles on men's violence to women (Hearn, 1999). Tarja Tolonen (1996) has studied schoolboys' relationship with violence and she concludes that violence touches them all; they all use it either as entertainment or to gain social advantages. They all recognise the hierarchy between the boys even if they all do not support or agree to it. In the late 1990s, building on international research and using individual interviews, Leo Nyqvist (2001) has studied men, who have been violent to women partners and who are in contact with professional agencies, dealing with their own understandings and justifications of violence.

3.2. Research in the 2000s

3.2.1. Academy of Finland "Targeted Call": Gender, Power and Violence 2000-2004

There has generally been relatively little interest in financing gendered violence research in Finland. The most significant research development of the last five years has been the Academy of Finland "Targeted Call" on Gender, Power and Violence 2000-2004. The researchers in the Targeted Call were contacted and the extracts below give some indication of the range of work. They are not comprehensive, as they have depended a great deal on the responses from the researchers. There have also

been a number of Finnish researchers and research networks, NorFA-funded Nordic Gender and Violence Research Programme, 2001-2004.

The Academy of Finland “Targeted Call” (or mini-research programme) on Gender, Power and Violence [approximately 1,680,000 Euros for 3 years, 2000-2004] funded both doctoral and postdoctoral research on gendered violence, and has been an important step in the development of the field. Ten (groups of) projects were financed, including those on global sexualised violence, men who batter their partners, sexualised violence in intimate relationships, violence in schools and other educational institutions, gender in legal discourses, incest, prostitution, political violence. This has generated some new information and theorising on men. In the review of the targeted call by the national research council there is no indication of further focused funding (Heikkilä et al. 2005). The Academy has no particular plans to follow this with, for example, a Research Programme on gendered violence, as is regularly developed for other underdeveloped research areas. The Targeted Call has led to several relevant sets of studies.

3.2.2. “Violence in the Shadow of Equality: Hidden Gender in Legal Discourse”³

The group project “Violence in the Shadow of Equality. Hidden Gender in Legal Discourse” is located in socio-legal studies and has been led by Johanna Niemi-Kiesiläinen. The context of this is that the level of violence against women in Finland is relatively high, compared with many other Western European countries, despite relative gender equality and a cultural view of strong women. Equality is still a myth in many respects. “The myth of equality” often means gender-neutrality, sometimes gender-absence. Gender-neutrality is seen as a value in itself, especially in law. For this reason gendered violence against women has been an unacknowledged topic in Finnish jurisprudence and legal doctrine. This project has concerned women as actors and legal subjects, and their invisibility in Finnish criminal law, criminology, criminal procedure, and legal theory. This invisibility and theoretical understanding of gender relations are uniting factors of the individual projects within this research group.

The various sub-projects are:

- Päivi Honkatukia: Young Women’s Experiences of Violence
- Heini Kainulainen: Investigation of Rape
- Helena Karma: Evaluation of Evidence in Rape Cases
- Tanja Mikkonen: The Concept of Discrimination in International Law and Violence against Women in Finland
- Johanna Niemi-Kiesiläinen: Domestic Violence and the Criminal Trial
- Sari Näre: Young Persons’ Construction of Sexuality and Sexual Violence; The Sexualisation of Public Space
- Minna Ruuskanen: The Paradox of Intimate Violence – When the Victim Becomes the Perpetrator

The main focus of the project has been on how (implicit) perceptions about violence against women are reflected and reproduced in legal discourses. Understanding of the Finnish gender system and sexual culture is a necessary prerequisite for a critical assessment of the gender blindness in the Finnish legal culture. Therefore, the

³ This section draws extensively on material provided by Johanna Niemi-Kiesiläinen

research project is multi-disciplinary, including lawyers and social scientists. Legal analysis of law, jurisprudence and legal doctrine is a central part of several sub-projects. Studying legal texts benefits from qualitative sociological methods, especially from discourse analysis. On the other hand, understanding women's experiences benefits from analysis of the law. Both approaches are needed to assess how and why women's experiences have been excluded from the legal discourse.

The results of the legal research concern both content and methodology. Knowledge about how domestic violence is met in the court has increased. In methodological terms legal research has been opened up towards constructionism and discourse analysis. A methodological anthology is planned for next year (also see Niemi-Kiesiläinen 2001a, 2004, 2005; Niemi-Kiesiläinen et al. 2003).

Näre's results have had a lasting impact on the public discourse in Finland. Her classifications on sexual violence are frequently referred to in the media. Her research on sexualised public space interests both media and ordinary people, especially parents. She has been active in Helsinki City council which has recently forbidden sexualised, offensive naming in schools. The City authorities are also at the moment alert concerning sexualised use of public space. This is a successful example of how research can have an effect on political decision-making. Some of the legal results will have an effect on law drafting and legal practice. The methodological developments are likely to also have an wide effect on the paradigm of legal research beyond this project. Sari Näre (2005) has reported results on changes in young persons' perceptions of sexuality and sexual violence. Their views have become differentiated and become disillusioned.

3.2.3. "The Violence of Sex: Meanings, Emotions, Practices and Policies of Sexualised Violence"

This group project has been organised by The Sexualised Violence Research Consortium, (SVRC), established in 1999, and led by Suvi Ronkainen and Jeff Hearn. It comprises several sub-projects, as well as a number of other linked studies:

- Arto Jokinen: Warriors? The Image of the Violent Man in Finnish Literature and Culture
- Jeff Hearn and Marjut Jyrkinen: Sexualised Violence, Global Linkages and Policy Discourses
- Suvi Keskinen: Constructing Intimate Violence in the Practices of Family Counselling Agencies
- Minna Nikunen: Murder Followed by Suicide: Constructions on Murder-suicide in the Finnish Press
- Minna Piispa: Generation, Violence and Partner Relationships
- Suvi Ronkainen, Power, Emotion and Subjectivity: Victimisation and Survival from Sexualised Violence

Minna Piispa (2004b) has completed her doctoral thesis on *Väkivalta ja parisuhde* [Violence and Marriage]. This builds on her earlier survey work (Heiskanen & Piispa 1998), and examines the gendered and generational experiences of women who have received partner violence in marriage and similar situations. Special attention is paid to differences between younger women and older women, and their opportunities to act, as well as to methodological issues. The concept of agency is used to examine

both action away from violence and the recognition of violence in the first place. The thesis is an article thesis, with four papers in both Finnish and international journals (Piispa, 2000, 2002, 2003, 2004a).

Arto Jokinen has produced a number of texts on men, masculinities and violence from a cultural studies perspective. *Panssaroitu maskuliinisuus. Mies, väkivalta ja kulttuuri* [Armoured Masculinity. Man, Violence and Culture] (Jokinen 2000) is on cultural representations of violence and analyses how in Finnish culture male violence is normalised and how it is represented as desirable behaviour. In this book Jokinen analyses Finnish folk texts, army texts and symbolic representations of violence. *Yhdestä puusta. Maskuliinisuuksien rakentuminen populaarikulttuureissa* [From One Stem. Construction of Masculinities in Popular Cultures] (Jokinen 2003) is a more general edited collection on contemporary cultural productions discussed and analysed in relation to masculinities.

Minna Nikunen's (2005) doctoral thesis, is also concerned with representations of violence, in this case the reporting of murder-suicides in the national press in Finland. She examines the existence of certain moral orders, including the reproduction of the so-called "normal violence" between men. In contrast, violence within the family is understood as something else, understandable according to the relationships between the perpetrator and the victim family members.

Suvi Keskinen's (2005c) doctoral thesis *Perheammattilaiset ja väkivaltatyön ristiriidat. Sukupuoli, valta ja kielelliset käytännöt* [Family Professionals and Discrepancies of Working With Violence. Gender, Power and Discursive Practices] was published in 2005.⁴ The Finnish history of dealing with wife abuse has been different than in many other Western countries. When the issue became public the hegemonic discourse around it was the 'family violence' discourse. A decade later the 'violence against women' discourse was introduced and has gradually also become influential. Keskinen's dissertation set out to study: 1) how these two discourses were made use of by family professionals working with domestic violence and what kind of discursive practices were constructed; 2) what role did the discourses of heterosexuality and parenthood play in violence work; 3) what kind of subjectivities were constructed for abused women in the encounters with the family professionals. The study was done as an ethnographic research in three family counseling agencies. The material consisted of field notes and tape-recordings of encounters between professionals and abused women (as well as sometimes also children and violent men); and interviews with the professionals concerning their views on domestic violence and working with it. The theoretical frame of the study was built on post-structuralist feminism.

The research showed that there were considerable differences between the discursive practices of the family counseling agencies. Two constructions of domestic violence were identified: 'violence as a form of power' and 'violence as a symptom of something else'. The preferred ways of working with violence also differed depending on the construction. The first construction emphasized working separately with abused women and violent men and set different goals for working with these. The second construction preferred working with couples and pursued for shared goals for

⁴ This and the next four paragraphs draw extensively on material provided by Suvi Keskinen.

the couple. The second way of working included a lot of risk taking, since the history of violence was not regarded as important and emphasis was placed on positive aspects of the intimate relationship.

Discourses of heterosexuality and parenthood also proved to be problematic for the professionals' commitment to end domestic violence. The responsibilities and duties within the intimate relationship were gendered, thus constructing women as responsible for making compromises and taking care of their partner. Some professionals also discussed sexual intercourse as a necessary and regular part of an intimate relationship, thus bypassing women's accounts of feeling sexually abused or coerced. The motherhood of an abused woman was strongly connected to the responsibility of taking care of the children and their safety. The fatherhood of a violent man was often constructed as nearly non-existing and problematic, but there were also a lot of hopes attached to it. When relying on the complementary heterosexual family model (which is very strongly entangled to the family professional discourse) the father was constructed as a necessary figure for the normal development of the child.

On the other hand, some professionals were creating new practices for violence work where the questions related to intimate relationships, sexuality and parenthood were taken into account. For example the seduction of intimacy and hopes for togetherness were discussed with abused women in a way that enabled a loosening of the ties that bound them to violent men. The questions of embodiment and sexual desire for women having experienced violence were taken up. The connectedness of mothers and children were regarded as resources for their survival and healing. Some practices connected fatherhood with the use of violence and focused on making the situation of children visible for the fathers. Fathers were held accountable for the violence they had used and its effects on children (also see Keskinen 2001, 2002a, 2002b, 2004, 2005a, 2005b).

The Sexualised Violence, Global Linkages and Policy Discourses sub-project has focused on the sex trade (Hearn & Jyrkinen 2000; Hearn 2004b, Jyrkinen 2004; Jyrkinen & Hearn 2005). Marjut Jyrkinen's (2005) doctoral thesis, *The Organisation of Policy Meets the Commercialisation of Sex: Global Linkages, Policies, Technologies*, is based on empirical material comprising 30 semi-structured interviews with managers and professionals in five key groups of organisations (international affairs; law and law enforcement; social and health affairs and gender issues; technologies, communication and trade; and co- and self-regulating organisations and business), and many legal and policy documents relevant to sex trade and ICTs.

Some of the main conclusions are as follows:

- 1) Much of the sex trade is linked with and originates from gender imbalances, especially from subordination of women and prevailing traditional patriarchal structures and attitudes in organisations and society more generally.
- 2) The sex trade is much connected to 'grey area' businesses, even to organised crime.
- 3) Global linkages – especially economic, cultural, technological, geographical and policy linkages – are much of the basis for the increase of the sex trade locally.
- 4) Government policies do not effectively follow new situations in the contemporary sex trade.

- 5) Policies on the sex trade and sex trade in the context of ICTs differ between governmental sectors.
- 6) There are differing discourses, namely the legal/procedural discourse, the sexualised violence discourse and the negotiated discourse on the sex trade, which are much based on gender, gender positions and the level of expertise of the interviewees.
- 7) Technological and economic linkages of sex trade are increasingly important in its normalisation. In particular through ICTs and their applications, there are increasing pressures in Finnish society towards only minimal regulative policies on ICTs and the sex trade. However, there are also contesting discourses on the 'free flow' of ICTs and the sex trade.
- 8) The discourses on ICTs and the sex trade - the discourse of the committed, the compromising discourse and the discourse of the concerned - have strong intersections with the discourses on the sex trade in general.

Potential applications of the results of the study include the following:

- 1) Researching organisational elites on a sensitive topic contributes to management and organisation studies, focusing on methodology, access, confidentiality, gender.
- 2) The commercialisation of bodies, sex and sexualities has been rarely studied by multi-faceted perspectives on global/local linkages; this contributes to more holistic analysis of the topic.
- 3) A more thorough conceptualising and understanding of the sex trade in the Finnish context.
- 4) The research results contribute to policy-making processes on the sex trade and information and communication technologies (ICTs) in Finland.

This study connects with another relevant area, namely violence and violation in and around organisations. Studies include general reviews of organisation violations (Hearn & Parkin 2001, 2005), autoethnography of organisation violations (Hearn 2004c, 2004d), processes of recognition of sexual harassment, bullying and violence at work (Hearn & Parkin 2004), men's violence in relation to education (Hearn 2004a; Hearn & Wessels 2005) and workplace bullying (Salin 2003a, 2003b).

There have also been more general policy related studies – on Finland (Hearn et al 2005), comparative studies between Finland and the UK (Hearn 2002b; Hearn et al. 2004; McKie & Hearn 2004), in Nordic contexts (Hearn 2002a, 2003); in European contexts (Edwards & Hearn 2004; Hearn & Pringle 2006), in the context of development (Hearn 2001), and in global contexts (Ferguson et al. 2004).

Furthermore, while most studies have examined men's violence, another member of the SVRC, Emmi Lattu (2005), is conducting a PhD study on women's violence in Finland. The focus is on how women, who have been violent, experience and interpret their violent acts. By exploring women's own accounts of violence, the study aims to analyse, for example (violent) agency and its relation to victimisation. The study is qualitative and the data consists of interviews and anonymous writings. The study includes women's physical violence targeted to children, partners and acquaintances; both lethal and non-lethal violence is present in the data.

3.2.4. "The Displacement of Violence"⁵

⁵ This section draws extensively on material provided by Marita Husso.

This research project included the work of Marita Husso on intimate violence. This study understands the embeddedness of the relationship between individual acts and societal, structural forces. It takes as its point of departure the notion of violence as both concrete acts of violence, experiences of violence, violating practices, discrimination, subjection, and exclusions and prohibitions, which support and construct societal orders and ways of knowing. The study focuses on the themes of everyday life and corporeality. These themes are a fruitful starting point for a research on current society and the differences, borders and spaces it opens up and closes. Displacement of violence project was closely related to a larger study, *The Politics of Violence and the Spaces in-Between* at Jyväskylä University (Jokinen et al. 2004).

The research questions posed by this and related studies at Jyväskylä show an interest in the agency of the subject, and the possibilities of resistance. In addition, to understand and to research the questions at hand, studies have focused on developing such notions of subjectivity, which would allow the existence of irrational, weak and contradictory acts and being. A particular approach has been developed combining various differences - those concerning gender, ability, sexual identity, and social class - and the notion of the embeddednesses and overlapping of these differences. Questions such as - how do the differences emerge and open up, and what kind of possibilities for action they embrace or exclude - have been addressed. This approach has led to consideration on the possibility for socio-political interventions as well as the need to make changes in the situations and the actions such situations call for.

The main results of Marita Husso (2002) study *Parisuhdeväkivalta. Lyötyjen aika ja tila* [Intimate violence. The time and the place of the abused] are as follows:

1. Being the object of intimate violence is a unique experience. To understand this experience in theory, practice as well as in public discussions on it, we need concepts which reach beyond the notions of human beings as rational and logical agents, autonomous and coherent subjects.
2. Various traditions of thought provide us with useful concepts (corporeal phenomenology, post-structuralism, feminist theory, psychodynamic theory) and combining these concepts serves the purpose of the research.
3. A meaningful / reasonable study of violence in heterosexual relationships calls for a clear and simultaneously complex analysis of gender.
4. Different forms of violence are profoundly interconnected.
5. The effects of violence on both the agents and the victims of it have individual and global percussions, which remain largely unexplored.
6. The final report noted "It has become more than evident that gendered violence involves a huge range of different factors, which still remain unexplored and require further research."

3.2.5. "Why Men Batter their Partners: A Narrative and Discourse Analytic Study"⁶

This project was carried out by Juha Holma, Terhi Partanen, Jarl Wahlström and psychologist colleagues, also in Jyväskylä University. The research shows how the voluntary participants of group therapy for intimately violent men spontaneously position themselves as victims in therapy-talk. This is in line with earlier findings on

⁶ This section draws extensively on material provided by Juha Holma.

the mitigating, rationalising and self-justifying discursive practices of perpetrators. From a treatment process aspect this is a significant problem. It is shown in the data that therapists deal with this problem either by ignoring and/or confronting directly the victim positions. The third way is that they use more complicated interaction strategies to deconstruct victim position. In this strategy they occasionally confirmed and/or disconfirmed the victim position depending on the complexities of the conversations.

Another aspect in the study concerns how the therapists and the clients negotiate 'the identity construction of the violent man' in talks of (self-)control. The issue of (self-)control appears to be very sensitive area of conversation and the male clients strongly reject the idea of intentionality offered by therapists. The therapists and the clients did have different (and partly opposing) constructions of the meaning of the controlling one's use of violence that clearly affects to the therapeutic negotiations of responsibility. These studies show in detail how these therapeutic negotiations are done between the male clients and the therapists. The aim has been to describe and study the programme principles and practices of the groups for perpetrators.

The narrative analysis shows how the men in the groups told that talking with other perpetrators of violence had helped them to reduce violence although they were not willing to talk about their violent acts. Talking about the violent acts increased their responsibility and decreased denial and belittling. They started to discuss more with their partner and they felt more equality at home. The group opens up a new prospect for the construction of non-violent narratives and ways of acting as well as for the construction of a new non-violent identity. The goal has been to increase the quality and quantity of programmes for perpetrators. The results can be put in practice both in individual and groupwork with the perpetrators. These kinds of practices are increasing heavily in Finland. This research project has been part of prevention of violence against women and developing good practices for perpetrators (also see Holma & Laitila 2003; Holma & Wahlström 2005; Holma et al. f.c.; Partanen & Holma 2002a, 2002b; Partanen & Wahlström 2003).

Overall there has been a lack of studies focusing on men who are violent to women and children. Gendered studies of men's racist violence, homophobic violence and suicide are needed. Gaps include detailed studies of men's violence to women and children, and gendered studies of racist violence, homophobic violence and suicide.

3.3 Statistical information

The main statistical sources on violence are police data, court statistics, Statistics Finland's interview and postal surveys on violence, National Research Institute of Legal Policy publications, which are often based on police and court statistics, and causes of death statistics.⁷

During the 1990s the average number of women killed has been 42 per year (Lahti, 2004). In 2002, of the 135 persons who were killed, 89 were men and 44 women. In 2002-2003, according to Statistics Finland (Väkivallan uhrin ... 2004) data on the causes of death, during 2000-2002 the amount of women killed was 43-47 per year,

⁷ Further information on statistical sources is to be found in Hearn et al. (2001b).

while in 2003 the amount was 29. In homicides of women, the perpetrator was most often the spouse or the partner of the woman killed (in 2000 n=19, 2001 n=25, 2002 n=15, 2003 n=13).

3.4. Law and policy

3.4.1. Legal and policy reforms⁸

Generally speaking, Finnish legislation, including laws on sexual violence, tends to be gender-neutral and often emphasises 'equality'. Specific genders are usually not mentioned explicitly, even with the growing interest in men's violence against women (Niemi-Kiesiläinen 1998, 2001b). Victims of domestic violence were first recognised in the reform of criminal procedure in the victims' protection bill in 2002. The Code of Criminal Procedure already contained a possibility to hear a witness in the absence of the defendant if she or he was afraid. After the reform it is also possible to hear a victim in the absence of the defendant, but in the presence of the attorney of the alleged perpetrator. The hearing can also be made via a video link if the witness, the victim or a person close to her is threatened.

With the general reform of the penal code in September 1995, domestic violence, which was formerly a plaintiff crime, came under general prosecution – though not in the case of what is defined as “mild” violence. This is a significant change, even though the prosecutor can still decide not to prosecute if the ‘victim seriously wishes it’. The law concerning rape was reformed in 1994, criminalising rape in marriage. As such, Finland was among the last European countries to criminalise marital rape. From 1997 onwards victims also have the right to free legal aid and support during the proceedings.

Buying sex from minors (under 18 years) was criminalised in 1999 and this applies also to the crimes performed by Finnish citizens in other countries. In 2000, Finland signed a convention that aims to prevent and punish trafficking of women and children (CEDAW/C/2001/I/CRP.3/Add.1).

The programme for the Prevention of Prostitution and Violence against Women 1998-2002 was launched by the Ministry of Social Affairs and Health as a part of the Finnish government's Plan of Action for the Promotion of Gender Equality. The programme is implemented in the National Research and Development Centre for Welfare and Health. It has two sister projects, on: violence against women, and prevention of prostitution. Multi-professional groups have disseminated information, trained people, and planned new treatment models for local needs. Subcommittees were focused on service network development, production of material and guidebooks, research and legislation, media and information planning, prevention of violence at workplaces, and violence against immigrant women. The project had 25 pilot projects around the country that included projects on violent men. The overall national project has now been concluded.

The National Programme for the Prevention of Prostitution and Violence Against Women (1998-2002) (consisted of two projects) was financed by the Ministry of Social Affairs and Health; during the Programme there were many policy actions, for example, building up local co-ordination action for authorities and NGOs,

⁸ Further information on statistical sources is to be found in Hearn et al. (2001a).

publications, handbooks and reports on the thematic, organising of national and international seminars etc. Many of the actions were organised with the sister project on prostitution prevention. This project co-ordinated two EU STOP-financed projects: on trafficking in women and children, and on minors in the sex trade. Research on male prostitution, minors in the sex trade, foreign women in prostitution and trafficking, money flows of the sex advertisements in newspapers. It also carried out awareness-raising campaigning on prostitution issues in Finland through media; and co-ordinated the Nordic-Baltic campaign against trafficking in 2002.

The Programme ended in 2002, but has been promised to be continued if and when there will be enough agreement on policy-making level on funding and agreement on the (re)placement of the action. However, until now there have not been enough political interest or agreement about the continuing of the co-ordination work on violence against women in Finland.

National Council for Crime Prevention has been established by the Ministry of Justice. Its '... goal is to decrease the harm caused by crime and to increase security. Activities focus on the implementation of the National Crime Prevention Program adopted by the Council of State in 1999'. Under the Council there are seven working groups, one focusing on violence against women.

Other initiatives have been made by Amnesty International Finland, including its campaign against violence against women, "Joku Raja!", and its survey of municipal politics and policies in this field ('...mutta veturi puuttuu.' 2005).

In 2005, two anti-violence projects have been started, both financed by the Slot Machine Association, on women perpetrators of violence. One project is run through Ensi ja Turvakotien liitto, the other by Maria Institute. Women's violence has been a topic of heated discussions lately and is perhaps being constructed as a "new social problem".

As regards recent legislation and debate on prostitution, procuring and trafficking in persons in Finland, in 2002 the Finnish Ministry of Justice set up a working group on issues concerning trafficking in women, procuring and prostitution.⁹ This follows the decision in neighbouring Sweden to criminalise the buying of sex. In 2003 the working group gave up its first report with suggestions on amendments in legislation. These included the following: the increase of the penalty on buying of sex from a minor from existing six months to one year; a new paragraph on aggravated procuring; a new paragraph on trafficking in persons; and, the criminalisation of the buying of sexual services. The last suggestion divided the members of the working group, and three members out of seven did not carry the criminalisation of (only) the client of sex. (*Ihmiskauppa, paritus ...* 2003) In the aftermath, the report was circulated for consultation and comments by various organisations. In favour of the suggestion were 18 organisations, including the Equality Ombudsman, the Council for the Equality, Ministry of Foreign Affairs, Ministry of Education, the Police Department of the Ministry of the Interior, Women's Studies Christine Institute, Women Lawyers, NYTKIS – the Coalition of Finnish Women's Associations,¹⁰ the

⁹ The remainder of this section draws extensively on Jyrkinen (2005).

¹⁰ NYTKIS is an umbrella organisation for Finnish women's organisations, and its member organisations are the Association for Women's Studies in Finland, Christian Democratic Women in

National Council of Women of Finland,¹¹ the Finnish League for Human Rights, the Family Federation of Finland, and the Association for Finnish Local and Regional Authorities. Opposing statements to the suggested criminalisation of the buying of sex were given by 21 organisations, including eight prosecuting authorities, district courts and their associations, the National Bureau of Investigation, the Helsinki Police, the Evangelic Lutheran and Orthodox Churches, the Prostitute Councelling Center, SALLI – United Sex Professionals in Finland,¹² SEXPO Association, and the Finnish Association for Sexology. Eleven of the 21 organisations which were reluctant to the criminalisation of buying of sex would, however, had been in favour of the criminalizing of the buying of sex in cases of trafficking in persons. Altogether six organisations carried the opinion that both the buying and the selling of sex should be criminalised. (Melander 2004; *Hallituksen esitys Eduskunnalle...* 2004.)

The division of opinions concerning the criminalisation of the buying of sex is very interesting. The comments given by various organisations are a rich empirical material package for further research on prostitution and its policies. This division reflects more generally the anti- and pro-prostitution division of the organisations. In addition, inside the organisations there were differing views on the issue of the criminalisation of the buying of sex: for instance, the opposing view of a (male) member of the working group which prepared the proposition was contradicted by his own organisation later on when the report was sent for the formal consultation. In this case, the organisation decided to carry the proposition of the criminalisation of the buying of sex.

In 2004 new legislation concerning issues on prostitution, procuring and trafficking in persons was accepted in the Parliament of Finland (*Laki rikoslain ...* 2004). However, the decision on the possible criminalisation of the buying of sex was postponed to 2005. The main amendments to the legislation, which entered into force in August 2004, were the following:

- 1) The organising of the illegal entry of persons to Finland was broadened to cover also the cases of passages through the area. The sanction for such a crime is a fine or at the maximum two years of imprisonment, and for its aggravated form four months to two years of imprisonment (17 paragraph, 8 § and 8 a §).
- 2) The earlier article concerning child pornography (obscene picture, video, film or other visual recording of a child) was replenished with defining the child as a person under 18 years of age. Thereby, the *delivery* of child pornography is a crime the committing of which leads to a fine or at the maximum imprisonment of two years, and in its aggravated form to imprisonment from four months to six years. Same punishments concern also sodomic and violent pornography. (17 paragraph, 18 § and

Finland, Finnish Social Democratic Women, The Green Women's Association, Left Women, the National Council of Women in Finland, the Women of True Finns, the Women's League of the Coalition Party, the Women's Organisation of the Centre Party, the Women's Organisation of the Swedish People's Party, UNIONI, The League of Finnish Feminists.

¹¹ Naisjärjestöjen Keskusliitto has 56 member organisations and together half a million members.

¹² SALLI defines its mission and basis as the following: 'SALLI is an organisation for all who work in sexual or erotic labor in Finland. SALLI is for sex workers, private escorts, erotic performers, stippers [assumingly strippers, MJ], pro doms, porn models, telephone entertainers etc. The aim of SALLI is to promote sex/erotic workers' human rights, well being, safety at work, *professional skills*, possibility to control ones own working conditions, *common interests*' (italics MJ). The number of the members is not available on the Web site of the organisation. <http://www.salli.org/english/index.html>

18 a §). From the *possession* of child pornography the penalty is from a fine to imprisonment of one year (17 paragraph, 19 §).¹³

3) The maximum penalty of the buying of sex from a person under 18 years of age was raised from six months to one year. The minimum penalty of such a crime, whether committed in Finland or abroad is a fine. (20 paragraph, 8 §.)

4) The article on procuring was extended to cover also advertising of prostitution and accommodating another person for such purposes. The penalty of procuring is a fine or at the maximum of three years of imprisonment, and of the aggravated form from four months to six years of imprisonment. (20 paragraph, 9 § and 9 a §.)

5) A new article on trafficking in persons was included to the legislation. Trafficking in persons is defined to consist of actions through which a person ends up to be sexually exploited, into forced labour or other conditions where her or his human dignity is violated, or for the organ sale. The means for trafficking in persons can be the abuse of other person's vulnerability, deceiving the other person, recompensing for someone else who has the power over a person or receiving such a compensation. The penalty for trafficking in persons is from four months to six years of imprisonment, and its aggravated form from two to ten years of imprisonment. (25 paragraph, 3 § and 3 a §.)

6) The Law on Coercive Means was changed in order that wiretapping is a possible means in investigations on aggravated forms of these paragraphs (*Laki pakkokeinolain ... 2004*).

There have been many recent legislative changes concerning the sex trade in Finland. The need for amendments in the legislation has been brought up not only by police work, but also because of academic impacts in the field and NGOs' input. However, the very crucial and groundbreaking decision on the criminalisation of the buying of sex was postponed to the future, at least to 2005.

3.5.2. Men's politics¹⁴

The Finnish men's movement has always been small and scattered including various activities, networks and organisations: discussion and growth groups for men; fatherhood training; "man mate" activities providing fatherless boys with adult friends; organisations and projects offering male perpetrators of violence individual and group therapy; Men's Crisis Centre and men's help lines; 'Miehet väkivaltaa vastaan' [Men Against Violence] network in the mid-1990's and from 1998 onwards the White Ribbon Campaign Finland; Profeministimiehet [Profeminist men], a profeminist activist group of men ~~that has~~ since 1999 ~~has~~ organised demonstrations and a poster campaign, organised public meetings, and produced T-shirts, postcards and other materials. ~~There are also;~~ the annual Miespäivät [Men's Days] (previously Väinö Days), a men's cultural and discussion event in Tampere ~~and a;~~ man-e-mail list discussing men's issues. Miessakit ry (Men Groups' Association) has been active in organising education, discussions and developing men's groups (Jokinen 1999a; Hearn & Niemi 2006).

¹³ The Government Bill (*Hallituksen esitys Eduskunnalle ... 2004*) included a suggestion that these paragraphs would be waived if the person is over 16 years of age and has consented to such acts. However, this suggestion was abolished in the Parliamentary proceedings.

¹⁴ This section draws on material gathered in the 'Changing Men's Organisational Practices in Europe' (Hearn & Niemi 2005).

The most prominent men's organisation in Finland is Miessakit ry [Men's Groups] that is focusing on trying to generally make men's lives better. The official aim of Miessakit ry is, according to their website, to support men's spiritual, psychological and social growth. They also wish to complement the available crisis help for men and help men to work with themselves towards a violence free family life. Miessakit ry does not have a clear and positive relation to feminism. The organisation has approximately few hundred members and it seems to be by far the most active of men's organisations in Finland. It receives regular funding for premises and activities from the Slot Machine Association, including funding for its anti-violence program. The main activities of Miessakit ry are maintaining men's groups, societal activity from male perspective, and a support line, as well as crisis groups for men who have been violent towards their families, Lyömätön Linja [No Punching], Jussi työ [Jussi Work]. Lyömätön linja is the first men's programme project on men's use of violence in order to stop violence effectively, programme called Alternatives to Violence. It co-operates with the feminist Espoon turvakoti [Espoo shelter]. On their website the overall organization of Miessakit ry states: "The purpose of our activity in Finnish society is to bring a male perspective to public discussions in such a manner that both states our view on them as well as brings up the topics that we see as important." (<http://www.miessakit.fi/cgi-bin/iisi3.pl?cid=miessakit>). They also publish a magazine, *Urho*, that comes out six times a year and is sent to their members as well as being available in the Internet. The contributions are various; some are certainly not profeminist, some could be read as anti-feminist.

The Finnish White Ribbon Campaign group against men's violence to women developed in the late 1990s as part of the international and European White Ribbon Campaign. On their Finnish website they, however, state that their only goals are: to stop violence towards women, to stop the acceptance of the violence towards women, and to end the silence around violence against women (http://www.euowrc.org/01.euowrc/10.euowrc_fi/pres_fi.htm). The White Ribbon Campaign generally wishes to change the image of men as the naturally violent gender by showing the causes and consequences of violence as well as showing that masculinity can be performed without violence as well. The Finnish group has been very quiet in the last few years; previous to that when it was more vocal its relationship to feminism was ambiguous, in the sense of not having any specific position attitude to feminism and not necessarily accepting feminist analyses of men's violence to women.

Amongst the existing men's organising in Finland there are not many with a clearly and openly sympathetic and supportive relationship with feminism and women. An exception to this rule is the already mentioned Profeministimiehet. Their aim is "... to actively support feminist issues and to rethink male gender as the dominant gender. An important aspect of our approach is that we try to incorporate our position as men in this society in our activities." (<http://www.profeministimiehet.net/>) The organisation thus has a positive relation to feminism and women and they share a strong belief that it is important for men to state that they too believe in feminist politics and that even though feminist critiques of men might sometimes be uncomfortable for men they argue that it is important to support feminist politics. They also have a different take on violence and related issues compared to the other men's organisations, as they see men's violence and sexual violence as a part of a structural system of inequality between men and women. Instead of separating issues

like the wage gap, violence, representation in government and so on, they argue that they are part of the same structure of male dominance.

Very recently, a web-based petition against violence to women has been launched in the wake of widely publicised murders:

“On Wednesday (3-8-2005) a 34 year old woman was stabbed to death by her husband in front of her young child in Helsinki coming from the women’s shelter she was taking refuge in. Earlier this summer a young man in Finland killed his girlfriend and kept her in a bathtub for several weeks. Unfortunately these are only a few examples of the many women who fall victim to violence from their male partner or ex-partner. Most of these acts never get in to the newspaper headlines. In 2003 in Finland alone 13 women were killed by their partner or ex-partner. That is one every month. Violence against women is a serious human rights problem, that needs to be addressed at both a political and a private level.

With signing this petition I want to show as a man my conviction not to take part in any form of violence towards women, never to condone it and never to be silent about it.” (<http://www.naisrauha.uni.cc/>).

After two months over 550 men from Finland had signed this.

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