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**WOMEN'S VIOLENCE AGAINST MEN IN INTIMATE
RELATIONSHIPS. CASE STUDIES OF LITHUANIA AND
PORTUGAL**

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Abstract

Intimate partner's violence has been recognised as a serious social issue, public health problem and a violation of basic human rights. The notion has evolved that only men are using violence against their female partners and if women are using violence it's only for self-defense. Many recent researches have denied this statement, and some researchers even claim that women physically abuse their male partners more often than men. This thesis is a call for recognition of physical violence by women against men. The work emphasises women's violence as a serious social issue and examines particularity of women's violence, violent women's motivations and men victim's experiences. The protection from domestic violence is analysed within discourse of human rights: the main international treaties and states obligations concerning domestic violence are overviewed. The work is complemented with two case studies of women's violence and men victim's protection in Lithuania and Portugal. In final part, the recommendations are given how to tackle women's violence against men.

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Introduction

*“All truth passes through three stages.
First, it is ridiculed. Second, it is violently opposed.
Third, it is accepted as being self-evident”.*
Shopenhauer

Domestic violence has emerged as one of the world’s most pressing problems. After a period of lengthy neglect, family violence achieved heightened attention as a serious social problem in the early 1970s. Violence against women by an intimate male partner is now recognised throughout most of the world as a significant social problem. It has been identified by many countries, the United Nations and the European Union as an issue of human rights. But the negative side of it is that the notion evolved that spouse assault was exclusively male perpetrated or that female’s intimate violence, to the extent that it existed at all, was defensive or inconsequential¹.

The perpetration of intimate partner violence by women has long been a controversial topic. More recently, researchers, treatment providers and other professionals have begun to critically examine theoretical, research and practice perspectives to gather a better understanding of this controversial issue. The findings of some social scientists, particularly in the United States, appear to support the notion that the phenomenon of intimate partner’s violence is equally likely to be women’s violence against male partners, and some researchers even claim that women are more likely than men to be violent to their intimate partner. For example, a meta-analysis by Archer (2000) of gender differences in rates of physical abuse found that women were even slightly more likely than men to use physical aggression against intimate partners². In 2006 Straus counted that there were over 150 studies which showed equal or higher rates of assaults by women³. These findings have generated a great deal of controversy, in part because there has been no theoretical framework advanced to explain women’s violence. Although this may at first seem to be a non-existent issue even laughable, the concept of males as victims goes against the social perception of what it is to be a “man”.

¹ Dutton & Nicholls, 2005, p. 681.

² Archer, 2000, p. 651.

³ Straus, 2006, p. 1086.

The reality is that men also face violence from their intimate partners. Tjaden & Thoennes in National Violence against Women Survey found that 7-25 percent of men will sustain an act of violence from a dating/marital partner at some point in his lifetime⁴. Moreover, a 2005 Statistics Canada survey found that 653,000 women and 546,000 men had been subjected to spousal violence over the past five years. The study does highlight that men can be victims and denies the stereotype that women are never aggressors⁵. In the United Kingdom, for those aged 18 to 59, around one in four women and one in eight men reported experiencing partner abuse in 2008-2009⁶. The Northern Ireland Crime Survey Findings revealed that 14 percent of respondents claim to have been victims of domestic violence at some time in their lives, with females reporting 18 percent victimisation rate, but men just slightly smaller victimisation rate of 10 percent⁷. These findings demonstrate that even if men experience less domestic violence than women, the victimisation of men by their female partners occurs to a large extent as well.

It is important to note, that these findings were strongly opposed by the feminist researchers. Beliefs about men and women's violence are so "sacred" and arouse such strong feelings that the thought of questioning them can evoke violence. After Steinmetz published her book "The Battered Husband Syndrome" in 1978, she was not only derided and denounced, but her children's lives also were threatened. Cook in his book "Abused Men" also criticises the suppression of such scholars like McNeely and Straus because of their work on male victimisation⁸. Another strong example of opposition is the case of Erin Pizzey, who set up the world's first shelter for battered women and was founder of the movement to recognise domestic violence as a serious social issue. Like Straus and Steinmetz, though, Pizzey has been "excommunicated" from feminist ranks. How can this be? She dared to show in her book "Prone to

⁴ Tjaden & Thoennes, 2000, p. iii.

⁵ Molotkow, A., 'Why Feminists Need to Take "Men's Rights" Movement Seriously'. In *This Magazine*, 11 August 2009. Available at: http://this.org/magazine/2009/08/11/feminism-men-rights/?utm_source=thismag&utm_medium=related&utm_campaign=supplementary&fb_source=message (consulted on 6 March 2012).

⁶ Itzin, Taket & Barter-Godfrey, 2010, p. 73.

⁷ Carmichael, M., Experience of Domestic Violence: Findings from the 2006/07 Northern Ireland Crime Survey. 2008. Available at: http://www.nio.gov.uk/07_northern_ireland_crime_survey-3.pdf (consulted on 6 March 2012).

⁸ Cook, 2009, pp. 112-124.

Violence” (1982) that women, as well as men, can be violent. Pizzey reports that she has been the subject of death threats and boycotts because of her conclusion that most domestic violence is reciprocal, and that women are equally as capable of violence as men⁹.

The field of research on intimate partner violence has grown and it has become increasingly clear that women use intimate partner violence. Documentation of this aggression has sparked intense controversy.

Actuality of the problem

To date, there has been very little in-depth research about women’s violence to male partners.

First of all, the rate of intimate abuse is at risk of increasing rather than decreasing with the next generation. Archer noted that as gender equality and individualism increase, the sex difference in partner violence moved in the direction of lesser female victimisation and greater male victimisation¹⁰. A disturbing possibility is that progress towards equality between men and women can have harmful side effects. This is as well illustrated by the convergence theory of trends in female crime rates. The convergence theory predicts that as women become more equal to men in economic and social spheres, they will also become more equal in crime¹¹.

Women’s perpetration of abuse and men’s victimisation experiences in intimate relationships should emerge as important considerations in safety planning, preventive and therapeutic interventions, and legal responses to domestic violence. The problem should be identified and defined because on that depends the nature of actions to be taken in search of a remedy to the problem by policy makers and practisioners in criminal justice and social services. Ignoring or dismissing the very real needs of the male subjected to domestic abuse contributes to a cycle of family abuse for the next generation.

The criminal justice system struggles with how to deal with the issue of women’s violence with male partners. Most interventions for domestic violence offenders were

⁹ *Ibidem*.

¹⁰ Archer, 2006, p. 133.

¹¹ Straus, 2006, p. 1094.

designed for men and do not necessarily translate well to female offenders. Almost all violence prevention and treatment programs are based on the assumption that partner assault is almost exclusively a male crime. It is critical for theory and research to be advanced in the area of women's violence for these interventions to meet women's needs.

Women's violence is an acceptable social ill which needs to be confronted in entirety. The hidden aspects of family violence need to come to the public's attention as well as the female side of the problem.

The scope of the research

This research is carried out mostly from the perspective of family conflict research which defines violence as a physical assault. So, the term 'abuse' in this work will be addressed in terms of physical abuse or the threat of physical violence. Although research focuses on physical violence, other types of violence (psychological, sexual and economical) could also come into play because every particular case of violence is different and not necessarily only one kind. The research will focus only on female's perpetration of intimate partners violence, which is defined as a pattern of abusive behaviors by one partner against another in an intimate relationship such as marriage, cohabitation or dating, more precisely, females violence against their dating and cohabiting partners, husbands or ex-husbands. In order to maintain a consistent focus, women's violence is investigated only towards their heterosexual intimate partners. The aggression between homosexual partners is not considered. Furthermore, this work does not include studies of lethal violence by women. Also it is important to stress, that all of the analysed studies in this work are located in industrialised and developed countries such as United States of America, Australia and the European states. The role of women and domestic violence problems in developing or culturally dissimilar developed nations may be different. Lithuania and Portugal are the countries chosen for case studies because of resources availability. The last point could be told in the words of Susan Steinmetz, who after publishing the book "The Battered Husband Syndrome" in 1978 has told: "This paper is not intended to de-emphasise the importance of providing services to beaten wives".

Hypothesis

Women's violence against their male intimate partners is a serious social problem and more attention should be paid for prevention from women's violence, protection of men victims and assistance to them.

Research questions:

1. How are women acting as perpetrators of physical violence? What kind of violence against male partners they use?
2. Why are women using violence against their male intimate partners?
3. What are men's responses to their female intimate partner's violence?
4. Are men and women equally likely to perpetrate violence against an intimate partner?
5. Is women's violence a social problem in Lithuania and Portugal?
6. Are male victims present in sufficient numbers to be worthy of attention and services specifically to them?
7. Are Lithuania and Portugal able to grant protection and assistance for male victims?
8. How could women's violence against men intimate partners be stopped?

The structure

The work consists of two major parts: a theoretical part and a practical part.

The theoretical part consists of four main chapters.

Chapter I focus on the concept of violence. The question turns on having more detailed knowledge about the nature, extent and consequences of women's violence, in order to consider the veracity of these contradictory findings and try to answer the question: What kind of violence is perpetrated by women?

Chapter II identifies gender roles and tries to answer to the questions: Why women perpetrate physical violence against their male partners? How does the man victim feel and how does he respond to female partners' violence? Moreover, how do gender roles in society influence perpetration of violence?

Chapter III analyses the concept of gender symmetry and asymmetry and summarises the researches done in this field. In order to better understand how researchers have arrived at such apparently contradictory findings, the measures and samples of intimate partners' violence research are considered as well supplemented by the theory of different types of violence. This chapter tries to answer, if men and women are equally likely to perpetrate violence against an intimate partner.

Chapter IV introduces domestic violence from human rights perspective and reviews state obligations and basic international and European legal documents of protection from domestic violence and their application to male victims.

The practical part (Chapters V-VI) consists of case studies of two countries: Lithuania and Portugal. The data from these countries are analysed in terms of gender roles and societies structures in these countries, domestic violence statistics and legislation, the nature of women's violence and reasons for it, the accessibility of services to assist men victims of domestic violence.

There is given a comparison of domestic violence situations concerning women's violence in Lithuania and Portugal in Chapter VII. Furthermore, this chapter consists of recommendations how to tackle specifically women's violence.

I. VIOLENCE

1.1 What is violence?

At the time, in 1970s, when “domestic violence” was recognised as a serious social issue and public health problem, it was viewed as reflecting violence committed by husbands against their wives. But through development of the term the sex of perpetrator and victim was eliminated leaving the term “domestic violence” or more precisely “intimate partner violence” as gender neutral. The object of this research is “intimate partner violence”, only one type of domestic violence. More specifically, it is physical violence of female against her male intimate partner, that is, violence against her current or former spouse, civil partner or cohabitant, or boyfriend (only in heterosexual couples).

How intimate partner violence is measured, defined, and consequently responded to, is directly linked to the theoretical perspective adopted, thus, there is currently little consensus among researchers on exactly how to define the term “intimate partner violence”. As a result, definitions of the term vary widely from study to study, making comparisons difficult. For example, one source of controversy is whether to limit the definition of “violence” to acts carried out with the intention of, or perceived intention of, causing physical pain or injury to another person. Although this approach presents a narrow definition of intimate partner violence that can be readily operationalised, it ignores the myriad behaviors that persons may use to control, intimidate, and otherwise dominate another person in the context of an intimate relationship¹². Firstly, the need of focusing only on physical violence will be justified and further different definitions of violence will be explained.

Physical assaults

Much of the controversy over violence by women occurs because the participants in the debate use the same word for different phenomena. At one extreme are those who use violence as a synonym for any unjust or cruel state of affairs or maltreatment of another human being. At the other extreme are those who restrict violence to physical assaults,

¹² Tjaden & Thoennes, 2000, p.5.

i.e., to acts carried out with the intention of causing another person physical pain or injury, regardless of whether an injury actually occurs.

This research is carried out from the perspective that defines violence as a physical assault – the perspective which recognises the importance of injury just as one of the possibilities. Although physical assaults are not necessarily the most damaging, but one of the reasons for choosing to analyse physical assaults is that, with rare exception, the controversy has been about equal rates of physical assaults by women and by men, not about whether women experience more injury. It is worth to mention that currently domestic violence is understood to embrace a range of behaviours, aside from physical violence including sexual, emotional/psychological and financial abuse. Empirical research also supports the notion that different forms of violence tend to co-occur, and that it is rare for only one form of violence to be present in a domestic violence relationship¹³. Thus, the research will focus mostly on physical violence despite of the injuries, while other forms of psychological, sexual and economic violence could co-exist.

From the legal perspective, it is important to realise that injury is not required for the crime of assault. Threatening a partner with a gun would already be considered physical violence, although no injury has occurred. For example, according to Family Violence Prevention Act of Slovenia, “physical violence denotes any use of physical force that causes pain, fear or shame to the family member regardless of the fact whether injuries were inflicted”¹⁴. From a social policy perspective, although attacks by women result in lower probability of physical injury, one of the main reasons why “minor” assaults by women are such an important problem is that they put women in danger of much more severe retaliation by men¹⁵. Moreover, considering assaults by women is important from social policy perspective because of harm to children from growing up in a violent household. The link between partner violence and child behavior problems occurs not only when both partners are violent, but also when the assaults are committed

¹³ Bowen, 2011, pp. 5-6.

¹⁴ Legislation of Slovenia. Family Violence Prevention Act 2008. Art.3, para.2. Full text is available at: <http://sgdatabse.unwomen.org/uploads/Family%20Violence%20Prevention%20Act%202008.pdf> (consulted on 15 May 2012).

¹⁵ Strauss, 1999, p. 21.

exclusively by the male partner, as well as when the assaults are committed exclusively by the female partner¹⁶. The third perspective for considering an importance of addressing physical violence is ethical. The intrinsic moral wrong for assaulting a partner is the most fundamental reason for giving attention to assaults *per se*. Assaults by women are a crime and a serious social problem, just as it would be if men “only” slapped their wives and produced no injury. Although this is a fundamental reason for morally condemning women who “only” slap their partners, it should not be allowed to obscure the fact that assaults by men are likely to be even more morally reprehensible because they result in injury so much more often than women¹⁷.

Broad and narrow definitions of violence

It is necessary to return to the question, how the violence is defined. It is because much of the controversy over violence by women occurs as a result of each side using “violence” to refer to something different, especially considering violence in intimate relationships, as the available terminology has different meanings for different people.

Broadly, there exist two dominant perspectives within intimate partner violence research which vary in terms of their theoretical orientation, sampling methodologies and, consequently, definitions of intimate partner violence, particularly with respect to the role of gender. These can be categorised as the feminist and family conflict perspectives¹⁸. According to these perspectives, two types of the definitions of violence could be differentiated: the broad and the narrow definitions which are represented in Table 1.

Table 1. Definitions of violence¹⁹

BROAD DEFINITION	NARROW DEFINITION
Includes all types of maltreatment	Includes only physical assault (although other types of violence could co-exist)

¹⁶ *Ibidem*.

¹⁷ *Ibidem*, pp. 21-22.

¹⁸ Bowen, 2011, p. 7.

¹⁹ Based on Straus, 1999, p. 38.

An injury is an inherent part of the concept	An injury is one of many possible consequences to be investigated
Used mostly by service providers and feminist activists	Used mostly by academics and researchers
Statistics favoured to describe that the nature of the problem is Police and Crime Survey, because they show more women victims and suggest cause of patriarchy	Statistics favoured to describe that the nature of the problem is family conflict because they show ubiquity of the problem and suggest multiple causes
Statistics favoured to mobilise resources is family conflict, because rates are many times greater	Statistics favoured to mobilise resources is family conflict, because rates are many times greater
The primary moral concern is the end of oppression of women, regardless of the type of oppression	The primary moral concern is the end of physical assaults, regardless of the gender of perpetrator or victim
The definition is used for researches for cessation of assaults on women, especially assaults experienced as a “real crime”	The definition is used for researches for “primary prevention” of physical violence of all types, from spanking to murder

The narrow definition (family conflict perspective) restricts violence to the act of assault, regardless of injury, whereas the broad definition of violence (feminists’ perspective) includes multiple modes of maltreatment which results injury. Moreover, each definition also reflects an underlying moral agenda and professional role. A broad definition is essential for service providers. It would be ridiculous and unethical if service providers such, as shelters, batterer treatment programs, or marital therapists, restricted their focus to physical assaults and ignored the psychological assaults, sexual coercion, subjugation, and economic situation of battered women, or the behavior of men who engage in these other forms of degradation. On the other hand, those who use a narrow definition tend to be academics and researchers. They tend to focus on investigating one specific type of maltreatment, such as physical assaults, because each type is complex and difficult to investigate²⁰. Restricting the definition of intimate partner violence in this way makes it easier to compare identified correlates of “intimate partner violence” across studies, but raises questions about whether a more expanded

²⁰ Straus, 1999, p. 37.

definition of the concept would be associated with the same, or additional, predictors²¹. However, researches which take into consideration multiple modes of maltreatment are also required.

The difference in emphasis on injury reflects the different needs of service providers and researchers. For a service provider, it is essential to know if the assault resulted in injury because different steps are needed to deal with cases involving injury. For a researcher who is investigating such things as the type of family or type of society in which partner assaults are most likely to occur, injury may not be a crucial issue because it can be assumed that injury occurs in a certain proportion of cases²². For example, National Violence against Women Survey, used in Tjaden & Thoennes research defines “physical assault” as behaviours that threaten, attempt, or actually inflict physical harm. The definition includes wide range of behaviors, from slapping, pushing and shoving to using a gun²³.

Both groups of service providers/feminist activists and academics/researchers have favoured statistics to describe the nature of the problem. Service providers and feminist activists prefer Police and Crime Surveys because they show more women victims and suggest cause which is patriarchy. But academics and researchers prefer statistics of family conflicts because it shows ubiquity of the problem and suggest multiple sources. Although statistics favored to mobilise resources for both groups is the same: family conflict, because rates are many times greater (see Table 1)²⁴.

Moreover, these two groups using different definitions (the broad definition and the narrow definition) have different primary moral concerns. Service providers and feminist activists use a broad definition and tend to be primarily concerned with the well being of women²⁵. From the feminist perspective, the consequences of abuse for women, for example, subjugation or loss of autonomy and self-identity is the defining

²¹ World Health Organisation, *Intervening with Perpetrators of Intimate Partner Violence: A Global Perspective*. ISBN 92 4 159049 1, 2003, p. 13. Available at: <http://whqlibdoc.who.int/publications/2003/9241590491.pdf> (consulted on 15 April 2012).

²² Straus, 1999, pp. 37-38.

²³ Tjaden & Thoennes, 2000, p.5.

²⁴ Straus, 1999, p. 38.

²⁵ *Ibidem*, p. 39.

feature of domestic violence²⁶. On the other hand, academics and researchers defining violence as a physical assault tend to place ending physical violence at the centre of their agenda, regardless of whether the offender is a man, woman, or child (see Table 1).

According to Straus, one of the two evils, physical violence and the oppression of women, physical violence tends to take priority. Moreover, Straus argues that using the broad definition of violence and emphasising injury is useful only for informing programs designed to treat offenders or help victims, but not for prevention. By contrast, the researches by academics and researchers using a narrow definition of violence, and focusing on the act of assault, even if it does not involve injury, is the most useful for informing “programs of prevention”, i.e., steps that will prevent physical assaults from ever happening (see Table 1)²⁷.

Both perspectives of the feminists and the family violence researchers contribute to society. Researches which focus on the oppression of women, as well as researches which focus on physical assault are needed. By recognising both perspectives the controversy could be resolved and it would bring an end to attempts to discredit those whose agenda and professional role requires a different approach or different perspective. Despite of that, further in this work the narrow definition of violence will be used, which describes violence from a family conflict researchers perspective as a physical assault of any type, although other types of violence could also come into play because of their interdependence. The “violence” does not necessarily involve injury and suggest multiple causes why this violence occurs. Furthermore, the research concentrates on physical assaults by an intimate male partner (current or former spouses, civil partners and cohabitants or dating partners).

1.2 Types of violence

From a feminist perspective the defining feature of domestic violence is the consequences of abuse for women (loss of autonomy and self-identity, subjugation, etc.)

²⁶ Bowen, 2011, p. 8.

²⁷ Straus, 1999, p. 39.

rather than the acts used by men to achieve these ends²⁸. The family conflict perspective which is chosen for this work, in contrast, defines violence in terms of motive and consequences associated with specific acts and therefore as “an act carried out with the intention or perceived intention of causing physical pain or injury to another person”²⁹. Minor violent acts: to throw something at another, to push, grab, shove or slap. Severe violent acts: to kick, bite, or hit with a fist; to hit or try to hit with an object; to beat up the other; to threaten with a knife, gun, or other deadly weapon. Abuse is defined as physical abuse or threat of physical abuse, using violence or carrying out violent acts³⁰. The term “domestic violence” has been observed to mean different things to different participants. On the one hand, gender-neutral laws have been enacted that identify any act of violence by one partner against another as domestic violence and, for many social scientists as well, the term refers to any violence between intimate partners. For example, Family Violence Prevention Act of Slovenia distinguishes four types of violence (physical, psychological, sexual and economical) and use gender-neutral language for defining the victim and perpetrator³¹. On the other hand, for many in the field, domestic violence describes a coercive pattern of men’s physical violence, intimidation, and control of their female partners (i.e., battering). The terms domestic violence and battering have been used interchangeably by women’s advocates, domestic violence educators, and service providers for three decades, based on their belief that all incidents of domestic violence involve male battering³², which is not true.

A typology of domestic violence done by Johnson is a more recent attempt to reconcile two perspectives of feminists and family conflict researchers. Johnson argues that domestic violence is not a unitary phenomenon and that different types of violence were apparent in different contexts, samples, and methodologies³³. This observation was also made by Straus who asserted that researchers were studying different populations and that most likely these different forms of violence had different etiologies and gender

²⁸ Bowen, 2011, p. 8.

²⁹ *Ibidem*.

³⁰ Cook, 2009, p. 2.

³¹ Legislation of Slovenia. Family Violence Prevention Act 2008. Art.3. Full text is available at: <http://sgdatabse.unwomen.org/uploads/Family%20Violence%20Prevention%20Act%202008.pdf> (consulted on 15 May 2012).

³² Kelly & Johnson, 2008, p. 478.

³³ Johnson, 2005, p. 284.

patterns³⁴. Johnson argued that there are four qualitatively different types of violence between intimate partners and found gender differences in the commission of these types of violence. The main three types are: intimate terrorism, violent resistance and situational couple violence³⁵.

Intimate terrorism is a severe form of intimate partner violence when physical violence is used in a general pattern of control of one partner over another partner. This type of violence is frequent and severe, occurring at least on a monthly basis, is unlikely to be mutual and is likely to involve serious injury or emotional abuse. It is a form of terroristic control of wives by their husbands that involves the systematic use of not only violence, but economic subordination, threats, isolation, and other control tactics. In heterosexual relationships intimate terrorism is perpetrated primarily (although not exclusively) by men and is a result of patriarchal tradition of men's right to control "their" women³⁶.

Violent resistance is the violence engaged in by many of the women (and the few men) who find themselves entrapped in a relationship with an intimate terrorist. Violent resistance refers to physical aggression committed by a person who is violent but not controlling. The aggression is committed against a partner who is both violent and controlling. This type of violence is almost exclusively committed by women who are the partners of male intimate terrorists³⁷.

The third major type of intimate partner violence, situational couple violence, is a conflict based violence and involves arguments that escalate to verbal aggression and ultimately to physical aggression. It is defined as an intermittent response to the occasional conflicts of everyday life, motivated by a need to control in a specific situation but not a more general need to be in charge of the relationship. It does not involve a general pattern of coercive control and it seems to be equally initiated by men and women. The vast majority of both women's and men's violence falls into the common couple violence category³⁸.

³⁴ Straus, 1999, p. 29.

³⁵ For example, Johnson, 2011, p. 290.

³⁶ Johnson, 1995, p. 284.

³⁷ Johnson, 2010, p. 213.

³⁸ *Ibidem*.

Johnson's typology indicates that abusive relationships vary widely along dimensions of coercive control and emotional abuse as well as physical violence. A partner who is more physically abusive than his or her mate may or may not be the person who is "in control" of the relationship.

1.3 Nature and consequences of abuse

As Cook wrote, the old stereotype of a husband getting a plate thrown at him or being hit over the head with a rolling pin or frying pan is all too true. While some people may think of such an image as humorous, this type of violence often does result in serious injury³⁹. It is important to understand the nature of women's violence as well as the consequences of it. Although the narrow definition of violence is chosen for this work, defining violence as a physical assault not necessarily causing an injury, the consequences of violence which are injuries and other negative effects, should also be taken into consideration. Injury reports increase our recognition of all domestic violence as a serious social issue.

The problem of underreporting

Despite its staggering prevalence, violence is thought to be the single most underreported crime because of social and legal barriers that impede the accurate collection of data, including varying definitions used in surveys as to what constitutes violence, fear of retaliation, shame about being a victim, irrational feelings of guilt and mistaken sense of loyalty and ambivalent feelings about the abuser, who is often a relative of intimate partner⁴⁰. It's likely to be systematic underestimations in incidence figures estimating how often domestic violence occurs and to how many people. Prevalence surveys across Europe have problems of definition and measurement, and willingness to respond to such surveys, so that data sources that seek to represent intimate partners' violence are methodologically prone to underestimate the prevalence. Most domestic incidents occur away from public view and many adult victims are

³⁹ Cook, 2009, p. 24.

⁴⁰ Levison & Levison, 2002, pp. 135-136.

skilled at hiding the ‘evidence’ of domestic and intimate partner violence as part of managing and containing the abuse. Adults have a range of reasons why they do not report intimate partners’ violence including shame, fear, confusion, possible stigma and the presence of threats or perceived potential negative consequences of disclosing abuses⁴¹. Due to social prejudices, men can find it even harder than women to let other people know that they have been victims of domestic abuse and to seek help. They may be afraid not be taken seriously, to be criticised or ridiculed for ‘letting’ woman partner abuse them. Many abused men are reluctant to leave the family home in case they are later denied contact with their children.

The initiation of violence

In the study of Holtzworth-Munroe participants were asked who initiated physical aggression in the relationship (i.e., who first used physical aggression and thus introduced violence into the relationship) or who initiated physical violence in a particular incident of violence and, if so, which incident? The data from this study suggest that women were more likely to initiate violence than men. With the exception of women’s self-reported perpetration, however, in all other reports in this study (e.g., men’s reports of perpetration and victimisation and women’s report of victimisation), the majority of individuals did not report that they had initiated violence but rather blamed their partners⁴².

It remains not clear, which sex initiates violence more often. Holzworth-Munroe, after reviewing several studies comparing female and male violence, regarding the question of initiation of violence said: “the answer seems to be in the eye of beholder, with each gender is tending to claim that their partner ‘started it’ ”⁴³. Moreover, in trying to reveal who initiated violence first, it is important to look to the role of provocator. Straus argues that when a woman strikes her male partner, she greatly increases her chances of becoming a victim herself. The moral justification of assault implicit when a woman slaps or throws something at a partner for doing something outrageous reinforces his moral justification for slapping her when she is doing something outrageous, or when

⁴¹ Itzin, Taket & Barter-Godfrey, 2010, pp. 72-73.

⁴² Holtzworth-Munroe, 2005, p. 1122.

⁴³ *Ibidem*.

she is being obstinate, nasty, or “not listening to reason” as he sees it. One of the many steps needed in primary prevention of assaults on wives is for women to forsake even “harmless” attacks on male partners and children⁴⁴. Thus, it is difficult to answer the question, if women or men are more often are initiators of violence, because everyone holds their truth and most often indicates that the other has initiated violence.

The use of weapons and other violence tactics

Furthermore, women tend to use weapons in perpetrating violence more often than men. The weapons which women use are more varied and creative than men’s, doubtless in compensation for less muscle strength. Several more studies indicate male victims are as likely, or significantly more likely, than female victims to experience assaults involving the use of weapons⁴⁵.

One of the most common methods of attack reported by the men interviewed by Cook was their female partners’ habit of throwing at them anything that was at hand. According to the study of 328 married couples published in the *Journal of Marriage and the Family*, “women were significantly more likely to throw an object, slap, kick/bite/hit with fist, and hit with an object”⁴⁶. Moreover, women may be using other typical to them ways of assaulting like sleep deprivation and attacks during sleeping. As well, a common tactic for female perpetrators of violence is to hit or, more commonly, kick their partners in the testicles⁴⁷. Swan & Snow observed that women committs significantly more moderate physical violence (e.g., throwing something, pushing and/or shoving) than their partners use against them. However, women are more often victims of quite serious types of abuse, including sexual coercion, injury, and coercive control behaviors (e.g., restricting social contact, controlling the partner’s activities and decisions)⁴⁸.

⁴⁴ Straus, 1993, p. 79.

⁴⁵ See Dutton & Nicholls, 2005, p. 698.

⁴⁶ Cook, 2009, p. 44.

⁴⁷ *Ibidem*, pp. 45-46.

⁴⁸ Swan & Snow, 2002, p. 310.

Injuries

In domestic violence situations, women are much more likely than men to be injured and injured severely⁴⁹. Despite of that, owing to greater use of cutting objects and other weapons, offenses against men could be significantly more serious in nature than are offenses against women. Although according to Straus, attacks by women, like attacks by men, are overwhelmingly ‘minor violence’. The main difference is that attacks by women tend to be reported only if they are truly dangerous and/or if an injury actually occurred. Therefore males may suffer serious injury more often, whereas females likely suffer a greater number of total injuries ranging from minor to serious.

Most domestic violence involves physical contact in which the male’s greater physical strength comes into play – pushing, grabbing, shoving, slapping, - while most female violence in this category involves throwing things and using weapons. These types of physical acts of aggression towards a female by a male are more likely to result in injury requiring medical attention than the same type of physical acts by a female towards a male. A woman is unlikely to injure a man unless her aim is accurate which is further impeded by the emotions of the moment⁵⁰. Archer found that when measures were based on the physical consequences of aggression (visible injuries or injuries requiring medical treatment), men were more likely than women to have injured their partners⁵¹. The study by Barbara Morse showed that the pattern for abusive women seems to be to throw something or to use a weapon, thus, multiple injuries for men may be less common, but single injuries caused by objects and weapons and scalding liquids can still be serious enough to require medical attention and may even be life-threatening more often than injuries caused by the “heavy hand” of the male⁵².

It could be true that most medical personnel simply do not know how to recognise male abuse. Domestic violence awareness founder Erin Pizzey is among many who believe that medical personnel do not know what signs to look for and often do not think to ask their male patients about the source of injuries as being possibly inflicted by their

⁴⁹ Majority of researchers support this notion. For example: Archer,2000; Swan & Snow, 2002; Dobash *et al.*, 1992; Tjaden & Thoennes, 2000.

⁵⁰ Cook, 2009, pp.19-23.

⁵¹ Archer, 2000, p. 664.

⁵² Cook, 2009, pp.19-23.

intimate partner. In particular, physicians may fail to ask questions about eye injuries (due to thrown glass or ceramic objects), burn injuries, “accidental” poisonings, and groin area injuries due to an attempted or successful kick or slug to the testicles⁵³.

* * *

There may be some differences between the most common styles of attacks by women and by men, but the result comes out about the same: injury and intimidation. It is important to remember that men as well as women are likely to have injuries due to domestic violence, especially when we consider that there are no “rules” in these battles.

Moreover, not only physical injury as an outcome of violence is relevant. Steinmetz stressed that the one who gets injured the most should not be part of the debate: “I believe we should look at all violence as equally bad. It really does not matter who ends up with more damage. I get real nervous when we try to say one is more important than the other, or one needs more attention than the other. The bottom line is, in most of these families there are children who are witnessing it, psychological damage is there. Even when a woman slaps a man, and it doesn’t do any physical damage, it is doing damage to his psyche”⁵⁴.

Violence in the home, whether committed by women or men, is a serious social problem. Violence is damaging in a number of ways, not just in terms of physical injury. Victims of domestic violence suffer grave damage to their self-esteem, thus reducing the opportunity to be productive citizens. Domestic violence also contributes to drug and alcohol abuse, mental illness, attempted suicide, and depression⁵⁵.

1.4 Influence of violence to the next generations

Two theories have heavily influenced intimate partner etiology research; social learning theory, or the idea that violence may be transmitted from one generation to another and feminist theory, or the idea that male dominance in society affects interpersonal

⁵³ *Ibidem*, p. 23.

⁵⁴ Interview with S.Steinmetz. Cook, 2009, p. 29.

⁵⁵ Cook, 2009, p.29.

relationships⁵⁶. Central to social learning theory explanations of intimate partners' violence is the notion that violent and abusive behaviours and pro-violence beliefs are learned during childhood either through the direct experience or observation of these behaviours and attitudes modelled by others⁵⁷.

The evidence shows, that women hit, slap, and are otherwise violent as often as men in domestic situations. Cook argues that when a woman hits, pushes, or shoves a man and children are present, a clear message is sent to them that violence is an acceptable behaviour⁵⁸. Straus, Gelles and Steinmetz commented: "Men who had seen parents physically attack each other were almost three times more likely to hit their own wives.... Women whose parents were violent had a much higher rate of hitting their own husbands as compared to the daughters of non-violent parents". Straus, Gelles and Steinmetz concluded that those who grew up in homes in which parents were violent to each other tended to be more violent in their own marriages and there was no difference whether it was the father or the mother who was violent, or whether the child was a boy or a girl⁵⁹.

Calling on thirty years of living all over the world and working with violent and dysfunctional families, Pizzey finds the worst damage is done when a mother is violent because it is she who is the central focus of a young child's life and who has the most influence. When a mother batters, abuses and neglects her child, the primary pain of that rejection and abandonment drives the child onwards, often in a massively destructive pattern for life⁶⁰.

Furthermore, the findings on teen dating violence by O'Keefer, Brockopp and Chew suggest that the things will get worse in the next generation. The teenage girls are more willing to take greater risks with their relationships, because they have less at stake materially and emotionally. Moreover, these findings indicate that future generations of

⁵⁶ World Health Organisation, *Intervening with Perpetrators of Intimate Partner Violence: A Global Perspective*. ISBN 92 4 159049 1, 2003, p. 13. Available at:

<http://whqlibdoc.who.int/publications/2003/9241590491.pdf> (consulted on 15 April 2012).

⁵⁷ Bowen, 2011, pp. 58-59.

⁵⁸ Cook, 2009, p. 31.

⁵⁹ *Ibidem*.

⁶⁰ Corry, C. H., Fiebert, M. S. & Pizzey, E., 'Controlling Domestic Violence against Men', 2002. Available at: <http://freedownload.is/pdf/control-dv-against-men-5036412.html> (consulted on 30 March 2012).

women are more likely to participate equally in all aspects of their relationship, including violence⁶¹. It seems these researchers were right, because evidence shows that in the past 10 years, teenage dating violence surveys have shown an increase in female-initiated violence⁶².

Constant exposure to violence in the home and abusive role models teach the children that violence is a normal way of life and places them at risk of becoming society's next generation of victims and abusers. Thus, if society is concerned of reducing domestic violence in future generations, it should be concerned about violence of both genders, regardless the extent of physical injuries.

⁶¹ O'Keefe N., Brockopp K. & Chew E., 1986, pp. 465-468.

⁶² Cook, 2009, p.30.

II. WOMEN AND MEN

2.1 Violent women. What are the reasons?

In the meta-analysis of studies comparing men's and women's use of intimate partner violence Archer concluded that women were significantly more likely to have ever used physical violence against their partners and to have used it more frequently⁶³. The majority of the studies included in Archer's meta-analysis measured intimate partner violence as the number of violent acts over a designated time period. However, counting the number of intimate partner's violent acts does not provide information about why women use violence. The aim of this chapter is to understand, why and in what circumstances women use violence, what motivates them and how perpetration of violence comply with prescribed gender roles.

Many theories have been proposed to explain women's motivations for physical intimate partner violence. The theories vary with regard to the number of factors proposed as causal explanations of behavior. Specifically, theories of intimate partner violence tend to either focus on the role of single factors or to incorporate a multifactorial analysis⁶⁴. So, different theories exist at each level of explanation of intimate partner violence. The main two theories are the feminists' and family conflict researchers'.

Feminists' theory based researches emphasise the importance of gender inequity, suggest patriarchy as a cause of violence and propose that women use intimate partner violence only in self-defense or in response to their partners' pattern of abuse. From the feminists' perspective women's use of violence is viewed as arising solely in response to their own victimisation, typically in self-defence or, where violence was instigated by women, this was viewed as a pre-emptive strike aimed at triggering an inevitable male attack⁶⁵. A feminists' theoretical approach is strongly gendered, i.e., one that "uses gender as a central organising variable for understanding human behavior and social organisation" is needed to understand women's violence⁶⁶. Nethertheless, according to

⁶³ Archer, 2000, p. 664.

⁶⁴ Bowen, 2011, p. 53.

⁶⁵ *Ibidem*, p. 54.

⁶⁶ Swan & Snow, 2006, p. 1027.

World Health Organisation, the programme theories on the cause of intimate partner violence “subscribing to the feminist model are significantly more likely to be located in developing nations”⁶⁷, while this work focuses on female perpetrated violence in developed countries.

Family conflict researchers argue that men and women have similar motivations which include anger and the desire to resolve disagreements, i.e., this approach is not gendered⁶⁸. In western developed nations there is a greater impact of the norm of disapproval of partners’ aggression towards each other and a lesser impact of patriarchal values. Family conflict researchers concentrate slightly more on women’s motivations influenced by individual and relationship variables than on patriarchal power’s influence.

These theories, however, tend to depict women’s motivations as discrete and singular. The reality is likely to be more complex, with women having multiple concurrent motivations. One-dimensional perspective cannot explain many of the current findings on partner violence in modern western nations. Further in this work multifactorial analysis will be used to explain women’s violence at different levels: the main focus will be on family conflict researches but not excluding feminists theoretical approach suggested reasons of violence.

2.2 Explaining assaults by women. Nested Ecological Theory to explain violence: model of 4 interactive levels

As it was mentioned before there are many single factor theories trying to explain violence. But in order to explain intimate partner violence fully, complex multivariate models are required to further understand the phenomena of this violence.

The ecological framework attempts to consider the complex interplay between ecological systems and the way the interaction of factors within these different systems leads to intimate partner violence. This model proposes four interactive levels, each of

⁶⁷ World Health Organisation, *Intervening with Perpetrators of Intimate Partner Violence: A Global Perspective*. ISBN 92 4 159049 1, 2003, p. 13. Available at: <http://whqlibdoc.who.int/publications/2003/9241590491.pdf> (consulted on 15 April 2012).

⁶⁸ More about ‘family conflict’ studies in Kimmel, 2002, pp. 1338-1339.

which potentially affects women's intimate partner's violence motivations: 1) Macrosystem, including pervasive beliefs such as prescribed gender roles; 2) Exosystem, including societal structures such as the neighborhood and workplace; 3) Microsystem, including relationship characteristics; and 4) Individual, including personal characteristics⁶⁹.

The macrosystem represents the broadest level of analysis, which reflects socio-cultural influences including factors that maintain gender inequality, gender role norms and pro-violence societal norms. These influences may include ethnic group and social class. Contextualism underscores that human behavior does not develop in a social vacuum but is situated within a sociohistorical and cultural context of meanings and relationships, like a message that makes sense only in terms of the total context in which it occurs⁷⁰. To understand women's violence fully and the reasons why it happens the deeper analysis starting from the wider context of violence is needed.

2.2.1 Macrosystem: prescribed gender roles

Cultures and patriarchal parameters that determine gender roles are examined at the macro-system level. The macrosystem, or society at large, is the widest level and includes such factors as culture, socioeconomic group, ethnicity, media influences and exposure to violence. Studies founded on feminists' theories propose that men's violence against their female partners is an offshoot of the masculine gender role which is based on establishing mastery, supremacy, and authority. Furthermore, these studies indicate that men who engage in repeated acts of violence against their female partners do so to assert power and control in their intimate relationships. The cultural norms of women's violence are quite the opposite. Cultural prescriptions for gender roles generally prohibit a woman from engaging in aggressive actions targeting her male⁷¹. Do always these cultural prescriptions work and the man is always violent and controlling while the woman is always a victim? No. According to family conflict researchers, the prescribed gender roles also could be in favor of violent women. For

⁶⁹ Dasgupta, 2002, p. 1373.

⁷⁰ Swan & Snow, 2006, p. 1028.

⁷¹ Dasgupta, 2002, p. 1373.

example, slapping a man could be considered very feminine. Further, cultural norms and gender norms of conflict will be analysed based on the family conflict researchers' position.

The patriarchy is the basic cause of domestic violence, as feminist researchers believe. Historically, one would have had to agree with it. The Napoleonic Code, for example, stated, "Women, like walnut trees, should be beaten every day"⁷². Certainly, there are many cases in which a woman still must overcome great obstacles in convincing authorities that she is a battered wife. Men also face similar obstacles⁷³. Societal structures cannot be always blamed for relationship problems. The most important causal factors for abuse are more complex than patriarchy and are primarily related to circumstances in the family of origin and individuals choosing to be violent. Intimate partner violence against women is part of a systematic pattern of gender dominance and control, but the existence of lesbian and gay battering demonstrates that violence is related to power over others and is not simply a matter of men's power over women⁷⁴.

Acts of violence are governed by cultural norms, even if for most behaviour, the actors are unaware they are following cultural prescriptions. Our cultural conception of a battered woman is that she deserves sympathy and protection by the law. However, a woman who fights back against her partner's violence violates our notion of acceptable feminine behavior⁷⁵. Interpersonal violence, both within the family and outside the family also tends to follow unperceived rules and cultural scripts. A large percentage of the population finds hitting an unfaithful partner to be "understandable", it happens when a person "loses control". This indicates an implicit cultural norm that permits one to "lose it" when a partner is unfaithful. Thus, "losing control" under those circumstances is culturally expected. An implicit norm that helps to explain the high rate of domestic assaults by women makes the marriage licence a hitting licence⁷⁶.

So, there are norms about violence that are different for men and women, and different from behaviour inside and outside the family. Straus disputed that bigger relaxation of

⁷² Cook, 2009, p. 34.

⁷³ *Ibidem*, p. 35.

⁷⁴ Aulette & Wittner, 2012, p. 259.

⁷⁵ Swan & Snow, 2006, p. 1027.

⁷⁶ Straus, 1999, p. 32.

women's usual standards of civil social interaction could be expected within the family. Assaults by women outside the family are considered "unfeminine", but in intimate partners' relationships physical attacks by women are expected and even encouraged under certain circumstances. Slapping a man who does or says something outrageous is often seen as very feminine. Kathleen Willie, who charged President Clinton with unwanted sexual touching, said that she should have slapped his face "but I don't think you can slap the president of the United States". In short, because of his position of power, she failed to follow the culturally prescribed script⁷⁷. There is, however, a double standard operating in today's society, as reflected in television, movies, law enforcement, courts, feminist doctrine and propaganda, when women are openly given permission to hit men and slapping a man in the face is rarely, if ever, viewed as "domestic violence". We are fighting a losing war against family violence until society withdraws permission from women to hit their intimate partners. The problem and causes of female violence must be recognised and addressed⁷⁸.

The most direct evidence culturally permitting women assaults against their male partners comes from the survey done for the National Commission on the Causes and Prevention of Violence in 1969. The study was replicated by Straus and his colleagues in 1985, 1992 and 1995. In 1968 22 percent of American adults believed that there were circumstances when it is permissible for a wife to slap her husband's face. Through the last survey in 1995 that percentage has remained the same. But the percentage approving a husband slapping his wife was slightly lower in 1968 (20 %), but it declined to half that by 1995⁷⁹, which means that society is becoming less tolerant of assaults by husbands, but continues to find such assaults acceptable if done by wives.

Gender norms of conflicts have a lot of significance in domestic violence as well. Straus suggests an assumption that women are more inclined to discuss disagreements and men are more inclined to use an avoidance strategy. Conversely, physical attacks are more acceptable as the means of conflict resolution among men than women. Consequently, women interact more with other women than with men outside the family which means they interact more with a less violence-prone part of the population. In couple relations,

⁷⁷ Strauss, 1999, p. 32.

⁷⁸ Corry, Fiebert & Pizzey, 2001, p. 72.

⁷⁹ Straus, Kaufman Kantor, & Moore, 1997, pp. 7-9.

on the other hand, women interact with male partners who may be less reachable through discussion than in woman-to-woman relationships. When faced with a man who withdraws and refuses to talk about the problem and the problem persists, many women resort to slapping, kicking and throwing things in an attempt to turn partner's attention to the issue⁸⁰. Similarly, Fiebert and Gonzalez in their research found that 285 out of 978 female college students have hit their partner. The most common reasons why they initiated assaults are "I wished to gain my partner's attention" (checked by 44 percent) and "my partner was not listening to me" (checked by 43 percent)⁸¹.

Another theory suggested by Straus, why women assault their partners, is connected with the source of identity. The identity of women is more strongly based on what occurs within the family than is the case for men. Consequently, the need for women to defend their interests and identity in family roles is at least as great as for men. Moreover, the probability of needing to do so is increased because of cultural norms which presume that the husband is the head of the household. This creates a situation in which male partners feel privileged to direct and evaluate the behavior of their partners in the very spheres of life that are so crucial to woman's identity. Far more women than men are likely to be deeply offended and hurt by negative comments on their cooking, tastes in household furnishing, or methods of child care⁸², which could lead to the use of violence.

2.2.2 Exosystem: societal structures

At the exosystem level individuals come into contact with the systems and institutions of a society. Intimate violence does not occur in a vacuum. It is nested within the sociocultural context of a nation and is maintained, as well as supported by its' structures. Religion, law, art, socialisation patterns, education, economy, gender roles,

⁸⁰ Strauss, 1999, p. 34.

⁸¹ Hoff, B. H., 'Why Women Assault: Review of Fiebert & Gonzalez, College Women Who Initiate Assaults on their Male Partners and the Reasons Offered for Such Behavior'. *MenWeb on-line Journal*, 1999. Available at: <http://www.menweb.org/fiebertg.htm> (consulted on 10 March 2012).

⁸² Straus, 1999, p. 34.

and belief systems of a society legitimise men's violence towards women⁸³, but also *vice versa*.

In recent years, one of the most consequential institutions has been the criminal justice system. For domestic assaults, both women and men have been reluctant to involve the police. As a result of the women's movement, this has changed. For example, in most jurisdictions in the United States, state laws or police regulations now require or recommend arrest. However, consistent with the greater injury rate for women, these laws and regulations may state or imply a male offender and may deny male victims equal protection under the law⁸⁴. In fact, there are a growing number of complaints that attempts by men to obtain police protection may result in the man being arrested. The National Violence against Women Survey found that men call police only half as often as women, and arrests occur one-third as often. The complaint of the male victim is often ignored – all over the world⁸⁵. That ironic situation is an additional reason that men are reluctant to call for police protection. The main reason is one already discussed in explaining gender differences in police statistics: the injury rate is much lower when the offender is a woman and therefore the need to call for protection is less perceived. The fact that assault is a legal and moral crime, regardless of whether there is injury is lost from the view.

Men are also less likely to call the police, even when there is injury, because, like women, they feel shame about disclosing family violence. But for many men, the shame is compounded by the shame of not being able to keep their wives “under control”. Among this group, a “real man” would be able to keep her under control. Moreover, police tends to share the same traditional gender role expectations. This adds to the legal and regulatory presumption that the offender is a man. As a result, police is reluctant to arrest women for domestic assault. Women may know they are likely to be able to get away with it. As in the case of other crimes, the probability of a woman assaulting her partner is strongly influenced by what she thinks she can get away with⁸⁶.

⁸³ Dasgupta, 1999, p. 200.

⁸⁴ Straus, 1999, p. 36.

⁸⁵ Cook, 2009, p. 82.

⁸⁶ Straus, 1999, p. 36.

In addition to the criminal justice system, there are many other systems such as the church, health care, education, immigration, transnational laws, and child protective services that may influence a woman's violent conduct. For example, the religious leader of a temple may exhort a woman to remain in an abusive marriage and the doctor who treats her broken bones and bruised face may ignore the obvious cause of such repeated injuries. Such interactions with important institutions may lead a woman to believe that there is no legitimate help or escape from her abusive relationship and, consequently, she may resort to violence to stop the abuse⁸⁷.

2.2.3 Microsystem: relationship characteristics

There is a number of international studies which support the thesis that women are active contributors to domestic violence against their male partners and their children. The type and characteristics of the relationship influence the perpetration of violence as well.

For example, in two Australian studies done by Sarantakos, minor violation of household rules was the reason given by women for abusing their male partner. In Sarantakos' studies the three most common reasons were: to resolve the argument, to respond to family crisis, and to "Stop him bothering me!"⁸⁸. Further the main single reasons and motivations for women's violent behavior will be studied in the context of the relationships with male partners.

Women's violence in context of their victimisation

Examining abuse relationally is particularly important in developing an understanding of women's violence, as several studies indicate that the majority of women are violent in the context of violence against them by their male partners. The study of violent women motivations done by Swan & Snow revealed that although women were selected for the study based on their violent behavior, approximately one third of the sample was classified as victims⁸⁹. In the other study Swan & Snow also conceded that there is a

⁸⁷ Dasgupta, 2002, p. 1375.

⁸⁸ Corry, Fiebert & Pizzey, 2001, p. 74.

⁸⁹ Swan & Snow, 2002, p. 311.

bidirectional path between the woman's violence and her partner's violence - that is, as the violence of one partner increases, the violence of the other partner increases as well⁹⁰. A positive relationship between victimisation and women's violence, indicating that being victimised increases the likelihood that women will be using violence and *vice versa* was also confirmed by Archer⁹¹. Moreover, one of the main types of intimate partner violence identified by Johnson is violent resistance which refers to physical aggression which is committed against a partner who is both violent and controlling. This type of violence is almost exclusively committed by women who are victims of their male partners' intimate terrorism for self-defense⁹².

Self-defense

According to Dasgupta, "various researchers studying women's violent behavior towards intimate partners have asserted that women's main motivation is self-defense. Many have found that women who use physical force against intimate partners are battered women themselves and strike out to stop attacks on themselves and/or to escape such attacks"⁹³. Similarly, in the study of motivations of 32 women abusers, Dasgupta concluded that primary motivation for women to become violent is self-protection⁹⁴. In Swan & Snow analysis of women's motivations for violence 75 percent of female participants reported that they used violence in self-defense at least some of the time; of those who did use violence in self-defense, 86 percent stated that it was effective in stopping the violence at least sometimes⁹⁵. Similarly in the study of 95 couples by Dobash & Dobash indicated that 75 percent of women said their violence was 'always' in self-defence and 54 percent of men agreed⁹⁶.

Nethertheless, it remains unclear, how frequently women use violence for self-defense, because self-defense was defined differently between studies. 'Self-defense' as it is legally defined, however, may not explain all instances of a women's use of violence – especially when there is no 'imminent' threat.

⁹⁰ Swan & Snow, 2006, p. 1029.

⁹¹ Archer, 2000, p. 665.

⁹² Johnson, 2011, p. 290.

⁹³ Dasgupta, 2002, p. 1372.

⁹⁴ Dasgupta, 1999, p. 213.

⁹⁵ Swan & Snow, 2003, p. 95.

⁹⁶ Dobash & Dobash, 2004, p. 341.

Fear

There are significant gender differences in fear of the partner, with women being more afraid of their violent partners than men, but greater fear does not necessarily affect women's perpetration of violence. One of women's motivations for violence is infliction of fear to their male partners.

According to Dasgupta, women seem to be less interested in striking enduring fear in the hearts of their partners, than in seeking respect and revenge, retribution, stopping ongoing abuse, extracting attention and responsible conduct, or just expressing anger at and frustration with the situation⁹⁷. Inflicting fear to their male partners is not one of the most important reasons for women's violence, probably because it does not always give results due to gender roles. Firstly, males are taught by sex role conditioning not to admit fear. Researchers have found that a portion of men experiencing female partner violence laugh at it or think it is funny, suggesting that it does not intimidate them, whereas women do not find male violence to be humorous⁹⁸. Society has trained women (e.g., through socialisation, media, public service announcements) to fear male violence, whereas men's socialisation (e.g., toughness, machoism) would lead them to believe that they should not be intimidated by female aggression. If correct, then men and women experiencing partner violence might actually have equal bases for fear, but men have learned to ignore or not report their true levels of fear, whereas women may be oversensitised to, or likely to overreport, fear⁹⁹.

Anger

Anger was a common theme in studies of women's motivations. Some of these studies listed anger as a primary motivation, while others described anger as it related to another motivation or emotion such as anger secondary to jealousy over a partner's infidelity. Another studies found that anger/emotion release was the most common reason (39%) that women reported using intimate partner violence¹⁰⁰.

⁹⁷ Dasgupta, 1999, p. 213.

⁹⁸ Holtzworth-Munroe, 2005, p. 1121.

⁹⁹ *Ibidem*.

¹⁰⁰ Bair-Merritt *et al.*, 2010, p. 4, at:

<http://www.ncbi.nlm.nih.gov/pmc/articles/PMC2994556/pdf/nihms252177.pdf> (consulted on 20 March 2012).

Generally, individuals may express their anger in behavior directed towards other people or objects, ranging from making sarcastic remarks to striking out at others (anger-out), holding anger in by withdrawing from people or boiling inside but not showing it (anger-in), or calming themselves down and keeping their cool (anger-control). It is likely that women's styles of expressing anger are related to how they behave in violent relationships. Suppressed anger may lead to somatic symptoms and depression, whereas expressing anger outwardly may help women take steps towards ending the relationship¹⁰¹.

Control

Some women use violence as an attempt to control their partners. Swan & Snow in their analysis of women's motivations for violence concluded that 38 percent of the women had used violence to control their partners; of those, 53 percent stated that it was effective at least sometimes¹⁰².

Nethertheless, women's violence in order to control a partner is much less frequent. Women's violence is taken less seriously, is less likely to produce fear, and is therefore less likely either to be intended as a control tactic or to be successful as one¹⁰³. Dasgupta discussed that culturally dictated norms greatly limit a woman's ability to maintain absolute control over a male partner using these tactics. Women's abusive behaviour tends neither to significantly control their partners nor to produce desired outcomes¹⁰⁴. According to Holtzworth-Munroe, "men are more likely (or more willing?), than women to self-report using violence against their partner for instrumental purposes, thus suggesting that male violence may be more controlling than female violence"¹⁰⁵.

Despite of that, one study showed that male and female perpetrators of domestic violence exhibit similar levels of controlling behaviour. Graham-Kevan from the University of Lancaster compared the controlling behaviours of men and women perpetrators and victims of domestic violence from new data from the United Kingdom, the United States and Mozambique, and found that men and women perpetrators of

¹⁰¹ Swan & Snow, 2003, p. 81.

¹⁰² *Ibidem*, p. 95.

¹⁰³ Swan & Snow, 2002, p. 291.

¹⁰⁴ Dasgupta, 1999, pp. 212-213.

¹⁰⁵ Holtzworth-Munroe, 2005, p. 1124.

domestic violence were found to have very similar levels of financial control, sexual control and intimidation in relationships. This leads us to believe that we can't only attribute controlling behaviour to men. Professor Graham-Kevan said: "The results of this study tell us that we need to challenge some of the assumptions around domestic violence if we are to really tackle the issue and develop programmes that prevent continued violence, one such assumption is that controlling behaviour in relationships is unique to men"¹⁰⁶.

Retaliation

Moreover, women use physical violence for retaliation. The main difference of retaliation from self-defence is that self-defense is legally excusable, but retaliation identify a women as the initiator of violence and therefore legally punishable¹⁰⁷. For example, given the norms of American society which favor retaliation (as illustrated by a parent advising a child "If hit, hit back"), the probability of a woman physically retaliating against her partner is therefore also high¹⁰⁸. Several studies suggest that retribution for real or perceived wrongdoing is a common motivator of women's and men's violent behavior. In Swan & Snow analysis of women's motivations for violence, 45 percent of the participants stated that they had used violence for purposes of retribution. Women stated they used violence in retribution for their partners' emotionally abusive behavior (e.g., "punishment for his insults"), while men did not¹⁰⁹. Active motivations (control and retribution) refer to motivations that go beyond self-defense and encompass anger, revenge, and a desire to control the partner.

Lower probability of injury

It could be disputed that the smaller average size and muscle development of women contributes to both the lower rate of assaults outside the family and the equal rate within the family. Outside the family this physical disadvantage tends to make women fearful of retaliation and injury by someone who is not committed to them. But inside the

¹⁰⁶ Medical News Today, 'Psychologists Examine Role Of Control In Domestic Violence', 24 June 2009. Available at: <http://www.medicalnewstoday.com/releases/155185.php> (consulted on 16 June 2012).

¹⁰⁷ Dasgupta, 2002, p. 1373.

¹⁰⁸ Straus, 1999, p. 33.

¹⁰⁹ Swan & Snow, 2003, p. 95.

family, a combination of belief that the partner will not really hurt them, and the belief that hitting is ok because “I knew I wouldn’t hurt him” reduces inhibitions about hitting the partner and limits fear of retaliation¹¹⁰. Fiebert & Gonzalez (1997) indicated that 29 percent of their sample of 978 female college students reported having hit a male partner. Of the women who had hit, two thirds (62%) checked as one of the reasons “I do not believe my actions would hurt my partner” or “I believe that men can readily protect themselves so I don’t worry when I become physically aggressive”¹¹¹. Straus observed: “It is ironic, then, that the low probability of injuring their partner may be a contextual factor that could help to explain the high rate of assault by women. This, in turn, suggests research to test the idea that violence prevention programs for women need to make clear that any hitting, regardless of whether there is an injury, is morally unacceptable and a criminal assault, just as any hitting of a coworker would be”¹¹².

2.2.4 Individual characteristics of violent women

Individual characteristics of violent women will be analysed trying to identify the main individual causes of her violence.

Childhood Trauma / Previous victimisation

Programs for women who use violence in their intimate relationships need to address women’s past and current experiences of being victimised as important contextual factors of their use of violence.

Sullivan, Swan, Meese & Mazure reported that the level of child abuse traumatisation predicted women’s use of violence but not their being victimised. It seems probable that women who were abused as children learned violent behaviors through modeling and other learning processes, and as a means to address conflict, deal with frustration, gain control, or defend themselves¹¹³.

¹¹⁰ Strauss, 1999, p. 33.

¹¹¹ Hoff, B. H., ‘Why Women Assault: Review of Fiebert & Gonzalez, College Women Who Initiate Assaults on their Male Partners and the Reasons Offered for Such Behaviours’. *MenWeb on-line Journal*, 1999. Available at: <http://www.batteredmen.com/fiebertg.htm> (consulted on 7 March 2012).

¹¹² Straus, 2006, p. 1090.

¹¹³ Sullivan, Swan, Meese & Mazure, 2005, pp. 297-298.

In the research of intimate partner abuse of men done by Tilbrook, Allan & Dear in Australia, some participants mentioned the possibility that growing up in a dysfunctional family may lead to women's abusive behaviour. There was also a perception amongst perpetrators that the abuse was often behaviour that perpetrators had learned as children or in a former relationship where they were victims. Some participants also reported that perpetrators may have had a history of traumatic events¹¹⁴.

Personality disorder / mental health

In the research of abused men by Tilbrook, Allan & Dear, the mental health of perpetrators was often mentioned as a possible cause. The disorders mentioned ranged from psychotic to personality and mood disorders, in some cases linked to post natal depression¹¹⁵.

Substance use

Substance use may be the cause for violent behaviour as well as the outcome of it. Tilbrook, Allan & Dear in their research concluded that a number of participants mentioned substances as possible causes of the abuse men experienced. Alcohol was very frequently mentioned. Illicit drugs, especially amphetamines, were also frequently mentioned¹¹⁶.

Violence Prone Women

A violence prone woman is a woman who, while complaining that she is the innocent victim of the malice and aggression of all other relationships in her life, is in fact a victim of her own violence and aggression. Pizzey (1998) provides considerable evidence that such individuals form an addiction to violence early in life¹¹⁷. It is essential to understand the differentiation between our use of the words battered and violence-prone. For us, a battered person is the innocent victim of other person

¹¹⁴ Tilbrook, Allan & Dear, 2010, pp. 24-26.

¹¹⁵ *Ibidem*, p. 24.

¹¹⁶ *Ibidem*, p. 23.

¹¹⁷ Corry, Fiebert & Pizzey, 2001, p. 75.

violence; a violence-prone person is the victim of their own addiction to violence. Note that gender is not a defining issue for battered or violence-prone individuals¹¹⁸.

2.3 Men as victims of female partner's violence. Their responses

Male victims because of ideas of chivalry and lack of fear to be injured may be even more willing than female victims to tolerate being hit by a partner and even more reluctant to call the police.

2.3.1 Not hitting back and tolerating violence

Men does not hit back women mostly because women's violence is minor and usually does not cause any serious injuries, and make some men just laugh about it. Moreover, men take the abuse and often do not strike back because as young boys their parents taught that they should never hit a girl, because they are stronger and could cause serious injury.

In Dobash & Dobash intimate partner violence study of couples, men's reactions to women's violence against them usually did not reflect the negative consequences similar to those reported by women. Of the men who described their response to the violence of their female partner, the largest proportion said they were 'not bothered' (26%), followed by those who felt that the woman was 'justified' (20%) and those who 'ridiculed her' (17%) or were 'impressed' (3%) that she had managed to respond. Others felt 'angry' (14%) or 'surprised' (6%) and there were a variety of 'other' reactions (8%). Only a few of the men felt 'victimised' (6%). Men often described women's violence towards them as "insignificant"¹¹⁹.

Another example is Tjaden & Thoennes report on the National Violence against Women Survey where they surveyed 8000 women and 8000 men by telephone. The report found that 7-8 percent of men reported being physically assaulted, but the men were told that the survey was about "personal safety" issues, which shows that many men may not have viewed domestic violence as a threat to personal safety¹²⁰.

¹¹⁸ *Ibidem*.

¹¹⁹ Dobash & Dobash, 2004, p. 340.

¹²⁰ Tjaden & Thoennes, 2000, p. 25.

In Dobash & Dobash intimate partner violence study of couples, men sometimes viewed women's violent/aggressive acts as comical or ludicrous. Some men found it impossible to contemplate women's violence: it was only men who could and should use violence, not women. A few men even expressed a form of 'admiration' of women's violent reaction to their abuse. For them, the violence seemed to be the only meaningful expression of her objections to his violence towards her. Few of the men reacted to the violence in ways that suggested it had seriously affected their sense of well-being or the routines of their daily life. Rather, in those relationships in which women's violence occurred, men were often unconcerned and viewed it as relatively inconsequential and of no lasting effect. Although a few men were affected in a negative fashion and did experience serious injuries, this was not the norm for most of the men in the study¹²¹. Despite the results of Dobash & Dobash research, the question stays of how many of men told the truth without fear being ridiculed and laughed at.

2.3.2 Hiding it

One commonality with many women victims of domestic abuse is that abused men often hide evident injuries from friends and family with other explanations. Straus & Gelles evaluated that men are less likely to define themselves as victims, less likely to view an assault by a woman as a crime, and less likely to report victimisation than women. Husbands' reports of their own victimisation are only 72 percent of wives' reports of their own victimisation. Conversely, husbands' reports of their own victimisation are 79 percent of wives' reports of their own victimisation. If we assume that wives' reports of their own victimisation may themselves be an under representation, then men's victimisation reports are a gross under representation. Wives' own reports of their own victimisation are 208 percent of husbands' reports of their own victimisation. These data suggest that men grossly underreport both perpetration and victimisation by severe violence¹²². Husband-beating is a camouflaged social problem because men must overcome extraordinary stigma in order to report that their

¹²¹ Dobash & Dobash, 2004, pp. 340-341.

¹²² Dutton & Nicholls, 2005, pp. 690-691.

wives have beaten them. Men are unwilling to report their wives because “it would be unmanly or unchivalrous to go to the police for protection from a woman”¹²³.

In 1994 in CBS television was aired ‘Men Don’t Tell’, a TV movie on the subject of abused men (director Harry Winer)¹²⁴. Based on a true story, it dramatises the story of a loving husband Ed, who is terrorised by the violent behavior of his wife Laura. He had long endured the physical and emotional abuse of his neurotic wife. He tolerates this not only because he loves her and is concerned over the welfare of his daughter, but also because men are traditionally regarded as weaklings if they allow themselves to be battered by their wives. After one of Laura’s destructive tantrums brings the attention of the police, Ed is suspected of being the aggressor!¹²⁵ Ray Loynd in *Los Angeles Times* wrote about ‘Men Don’t Tell’: “Husband battering is the focus here, and the title cuts right to the provocative theme: men who are beaten by their wives are too embarrassed to admit it so they keep their mouths shut. <...> The most sobering point about ‘Men Don’t Tell’ is that we go into the story conditioned to make jokes about wives hurling rolling pins at their husbands and then starkly witness how unfunny and terrifying it really is”¹²⁶.

2.3.3 Shame and ridicule

The main reason why men tend to underreport their victimisation by female partners is shame and ridicule.

A battered husband in post-renaissance customs was considered as a threat to the patriarchal community social order. Men who suffered battering by their wives were also subjected to public humiliation and censure. Thus, for example in France, a husband who allowed his wife to beat him was made to wear an outlandish outfit, ride

¹²³ Dobash *et al.*, 1992, p. 76.

¹²⁴ More information at The Internet Movies Database, Movie “Men Don’t Tell”. Available at: <http://www.imdb.com/title/tt0107553/> (consulted on 6 April 2012).

¹²⁵ Domestic violence help, “Men Don’t Tell”, at <http://www.squidoo.com/OtherFaceOfDomesticViolence> (consulted on 6 April 2012).

¹²⁶ Loynd, R., ‘TV REVIEWS: Men Don’t Tell Focuses on Plight of Battered Husbands’. *Los Angeles Times*, 13 March 1993. Available at: http://articles.latimes.com/1993-03-13/entertainment/ca-10270_1_husbands-men-battering (consulted on 6 April 2012).

backwards around the village on a donkey while holding onto the tail¹²⁷. Nowadays still the incidence figures for male victims of domestic violence are particularly difficult to estimate as the phenomenon is broadly under-recognised, and shame and stigma are compounded by disbelief and denial¹²⁸. No one laughs of abused women, but what about abused men? “That comes from the culture of patriarchy”, says Fiebert. “In Western society, men were in charge of the family, and the economics, and the power of the family. Therefore, when it’s demonstrated that the person in position of power does not have the power, it’s an area of ridicule and humiliation”. That remains today, but Fiebert speculates that men are slowly but surely becoming more willing to come forward and present themselves as victims¹²⁹.

Similarly, Tilbrook, Allan & Dear in the research of abused men in Australia found that the male victim reportedly experienced high levels of distress, in some cases involving intense shame and helplessness. Some men experienced a loss of masculinity (a sense of not being a real man anymore) and other impacts on their self-concept and self-esteem¹³⁰. In conclusion, it should be noted that the physical injuries are not the reason why men victims of women’s abuse suffer the most, but the shame, loss of masculinity and self-esteem.

2.3.4 Victimless crime

Victimless crime is a crime where is no apparent victim and no apparent pain or injury. This class of crime usually involves only consenting adults in activities such as prostitution, sodomy, and gaming where the acts are not public, no one is harmed, and no one complains of the activities.

Domestic violence is the most common but least reported crime. Because of the complex interpersonal relationships between victims and offenders, domestic violence cases include the unique phenomenon of victims who are unwilling to report being

¹²⁷ Cook, 2009, pp. 34-35.

¹²⁸ Itzin, Taket & Sarah Barter-Godfrey, 2010, pp. 72-73.

¹²⁹ Parsons, D., ‘Pitcher’s case Throws a Curve at Common Beliefs about Abuse’, *Los Angeles Times*, 10 April 2002. Available at: <http://articles.latimes.com/2002/apr/10/local/me-parsons10> (consulted on 8 April 2012).

¹³⁰ Tilbrook, Allan & Dear, 2010, p. 66.

victims and cooperate in the prosecution of offenders. According to Richard, there has been argued that victimless crimes “lack victims in the sense of complainants asking for the protection of the criminal law”. Of course, people can be victimised, or at least put at risk of harm, without knowing it, and much of the absence of complainants is due to the secretive nature of these crimes¹³¹. In this sense it could be argued that domestic violence, especially violence against men, as well falls into the spectrum of victimless crimes.

Richard further argues that “victimless crimes tend to have no complaining parties other than the police because the immediate participants in these crimes do not see themselves as victims, have no desire to complain to the police, and would fear criminal liability if they did complain”¹³². This statement could be applied to men victims of domestic violence, who are less likely to define themselves as victims, less likely to view an assault by a woman as a crime, and less likely to report victimisation¹³³. Moreover, considering the prevailing attitudes of our society that ‘men are always the aggressors’, it is understandable men’s stigma to complain fearing the criminal liability despite the fact, that it was the woman who was more violent. Thus, these underreported cases of women’s violence against men could be considered as victimless crimes, moreover, if no significant physical injury is done. Without the complaint of the victim, especially in domestic violence cases, the state does not know if the crime has occurred and cannot take measures to deal with it and provide assistance for the victims.

There is even victimless prosecution developed in some states (for example, United States of America, Lithuania) in response to the fact that victims of domestic violence are often reluctant or unwilling to cooperate with the prosecution of the accused batterer. The prosecution would be started by a prosecutor based on gathered information from the third parties even without official complaint of the victim. Among the most important elements of a victimless prosecution are statements made to police officers by victims and offenders at the scene of the incident¹³⁴.

¹³¹ Richard, F. S., ‘Victimless Crime’. In *Encyclopedia of Crime and Justice*, 2002. Available at: <http://www.encyclopedia.com/doc/1G2-3403000270.html> (consulted on 13 June 2012).

¹³² *Ibidem*.

¹³³ Dutton & Nicholls, 2005, pp. 690-691.

¹³⁴ Fulkerson & Patterson, 2006, p. 13.

It is important to encourage men to report their victimisation, because without reporting this crime simply does not exist in our society and the victims of domestic violence are deprived of protection and assistance.

2.3.5 A changing society

The social stereotype view of a male is one of physical, social, economical and political dominance and women are viewed as submissive whose primary occupation is as wives and mothers. However, the positive influence of the feminist movement and the capitalist society has closed the gap of inequality and moral values and as well as rapid economic reform has changed the social concepts. These social stereotypical roles have changed.

Cook argues that the exceptional isolation of the abused male may be the characteristic that distinguishes him most from his abused female counterpart. If it is true that men are less likely to seek help with personal problems than women are, it may also be true that many of these abused men (and men in general) have failed to examine their changed role in general societal structures¹³⁵. Furthermore, Cook disputes that in a changing society men are assaulted by uncertainty in work place, because the very nature of the work available has changed. Women have developed options in child rearing and part-time jobs, but male options stay limited. The economic pressures that have resulted in a two-income family have profoundly affected men's and women's view of what it means to be a man. All this has particular meaning to male victims, who "are assaulted by their spouses, assaulted by uncertainty in the workplace, and assaulted by the misandry of some feminists – with support in the media"¹³⁶. Thus, the costs are high for assaulted men in the society nowadays. Society should try to stop all violence, because all forms of violence negatively influence the current generation and could be transmitted to the next generations. In today's society many men are powerless in their public and private lives, while women are gaining increasing political and financial power which has possibly lead to an increase in male domestic abuse even though it continues to be grossly under-reported and ignored.

¹³⁵ Cook, 2009, p. 88.

¹³⁶ *Ibidem*, pp. 89-90.

III. GENDER SYMMETRY

For over two decades, considerable controversy has centred on whether it is primarily men who are violent in intimate relationships or whether there is gender symmetry in perpetrating violence. “Gender symmetry” is the terminology often used to indicate that men and women are equally likely to be intimate partners violence offenders. Research findings are contradictory, suggesting, on the one hand, symmetry, with men and women equally likely to perpetrate violence against an intimate partner, and, on the other hand, asymmetry, with men being the primary perpetrators of violence against women partners. Proponents of both viewpoints cite multiple empirical studies to support their views and argue from different perspectives. These apparent discrepancies between claims of gender symmetry and claims of dramatic asymmetry have led to significant confusion among policy makers and the general public. Is domestic violence a “women’s issue”, or do equivalent rates indicate that domestic violence is a problem shared by women and men equally or even not a problem at all? In order to explain contradictory findings we should consider how this violence is conceptualised, defined, measured, reported and what are the reasons for violence and possible motivations. Various studies on gender symmetry will analysed further in this chapter supplemented by the theory that different types of intimate partner violence exist in our society. The samples and measures used to collect the contradictory data will be examined as well.

3.1 Gender symmetric researches

Reports of gender symmetry have come to play a significant role in public and media discussions of domestic violence. Because these reports run counter to existing stereotypes of male-female relationships, they often have the headline-grabbing value of a “man bites dog” story¹³⁷.

Gender symmetry in intimate partner violence first was recognised by Straus in 1977: “Violence between husband and wife is far from a one way street. The old cartoons of the wife chasing the husband with a rolling pin or throwing pots and pans are closer to

¹³⁷ Kimmel, 2002, p. 1334.

reality than most (and especially those with feminist sympathies) think”¹³⁸. Steinmetz in 1977-1978 used the same survey evidence to proclaim the existence of “battered husbands” in her book “The Battered Husband Syndrome” (1978). She has remained one of the leading defenders of the claim that violence between men and women in the family is symmetrical. Steinmetz and her collaborators maintain that the problem is not wife-beating perpetrated by violent men, but “violent couples” and “violent people”¹³⁹. Over the last three decades, knowledge about intimate partner violence has grown exponentially. In the year 2006 there were already more than 150 studies showing equal or higher rates of assault by women, and this now includes results showing approximately equal rates of assault against dating partners by university students at 68 universities in 32 countries (Straus & International Dating Violence Research Consortium, 2004)¹⁴⁰. For example, in a meta-analytic review of the literature Archer (2000) looked at 82 studies that found gender symmetry¹⁴¹. According to Straus, the problem is that the issue of women’s violence is avoided. Some researchers avoid the issue because of an ideological commitment to the idea that men are almost always the sole perpetrators.

3.2 Gender asymmetric researches

Feminist theorists and activists argue that all intimate partner violence is rooted in heavily gendered issues of power and control. Feminist researchers claim that intimate partner violence is asymmetrical, with men more likely than women to perpetrate violence against an intimate partner.

Historical and contemporary evidence from many societies indicates that lethal and non-lethal intimate partner violence is overwhelmingly perpetrated by men against women¹⁴². Feminist researchers and shelter workers continue to maintain that there is not gender symmetry in intimate partner’s violence. Contrary to the national samples mentioned above, studies of samples from shelters, hospitals, and police reports find

¹³⁸ Dobash *et al.*, 1992, p. 72.

¹³⁹ *Ibidem*, p. 73.

¹⁴⁰ Straus, 2006, p. 1086.

¹⁴¹ Archer, 2000, in general.

¹⁴² Dobash & Dobash, 2004, pp. 327-328.

that as many as 90 to 95 percent of intimate partner violence involves a male perpetrator against his female partner or ex-partner¹⁴³.

In the research of Dobash & Dobash quantitative and qualitative findings from 95 couples where men's and women's violence was compared suggest that intimate partner violence is primarily an asymmetrical problem of men's violence to women, and women's violence does not equate to men's in terms of frequency, severity, consequences and the victim's sense of safety and well-being¹⁴⁴. Although while women do not generally use serious, consequential violence or perpetrate violence on a frequent basis, men and women report that a few women do use serious violence against their male partner¹⁴⁵.

3.3 Gender-based violence vs. nongendered violence

There is continuing controversy as to the basic frameworks used across studies and programs for understanding and addressing intimate partner violence as a public health issue, particularly regarding the gendered basis of the problem. In addition to addressing whether the frequency of intimate partner violence is gendered, it is necessary to ask whether the nature of it is gendered.

Including mutual aggression and female perpetration under the umbrella of intimate partner violence as a public health issue implies that (a) this is a nongendered phenomenon that affects the health and well-being of men/boys and women/girls similarly and at the population level, and (b) the etiology and nature of the behavior are similar regardless of perpetrator gender¹⁴⁶. As noted before, some studies find that both females and males report having been perpetrators and victims of partner aggression. For example, in the study of Straus & Ramirez physical aggression against dating partners were examined in 1446 cases. The authors concluded: "There was no significant difference between males and females in the chronicity of physical aggression

¹⁴³ Belknap & Melton, 2005, p. 3.

¹⁴⁴ Dobash & Dobash, 2004, p. 324.

¹⁴⁵ *Ibidem*, p. 339.

¹⁴⁶ Reed *et al.*, 2010, p. 349.

overall”¹⁴⁷. Family conflict researchers name violence in relationships a ‘human’ problem of aggression, not a gender-based problem¹⁴⁸. Authors of this kind of studies often conclude that violence among adolescent or adult intimate partners is not gender-based concern. For this reason it could be argued that the resources have been wrongly misplaced by not investing equally in understanding of female partner violence perpetration and prevention of male victimisation.

Some other studies and major health authorities describe, examine and address intimate partner violence as gender based issue, with the vast burden in regards to health, development, and economic security borne by women and girls. For example, according to the research done by Tjaden & Thoennes, “women who were physically assaulted by an intimate partner averaged significantly more assaults and suffered significantly more injuries than did their male counterparts. Given these findings, intimate partner violence should be considered first and foremost a crime against women, and prevention strategies should reflect this fact”¹⁴⁹. According to Reed *et al.*, the erasure of gender from the theoretical frameworks that guide public health efforts may have serious consequences, namely, the development of misguided and ineffective prevention and intervention programs to address intimate partner violence among adolescents and adults¹⁵⁰.

These two theories of gender-based violence and nongendered violence are the opposites, one representing feminist researchers’ views that violence is strongly gendered and all the resources should be placed in reduction of violence against women. While the opposite theory of nongendered violence of family conflict researchers states that violence is perpetrated almost equally by men and women, thus, resources should be placed equally for combating violence against women and men. None of these theories could be completely correct although this work support family conflict researchers position more.

According to Kelly & Johnson, these two viewpoints can be reconciled largely by an examination of the samples and measures used to collect the contradictory data and the

¹⁴⁷ Straus & Ramirez, 2007, p. 285.

¹⁴⁸ Straus, 2006, p. 1088.

¹⁴⁹ Tjaden & Thoennes, 2000, p. 55.

¹⁵⁰ Reed *et al.*, 2010, p. 349.

recognition that different types of intimate partner violence exist in our society and are represented in different samples¹⁵¹. First of all, the importance of different measures and samples in intimate partner violence research will be considered. Later gender symmetry and women’s use of violence will be explained using the theory of different types of violence.

3.4 The importance of different types of measures and samples in intimate partners violence research

Apparently, there are many researches on intimate partner violence which produce very different conclusions. For full understanding of intimate partner violence and the contradictory results of the researchers, the methodology these researches use should be shortly explained.

As it is mentioned before, there exist two major types of intimate partner violence researchers: feminist and family conflict researchers. These researchers use different ways of measuring violence and use different samples, for this reason their results often contradict. The different types of measures and samples are visually depicted in Table 2.

Table 2. Different types of measures and samples

Who perpetrates more violence?	Measures	Samples
Women are equally or more likely than men to use physical violence.	- measures based on specific acts ('act-based' approach)	- general samples
Men use violence more often than women.	- measures based on physical consequences of aggression	- agency samples

Family conflict researchers use measures based on specific acts and use general samples in their researches. An 'act-based' approach which conflates acts of violence and

¹⁵¹ Kelly & Johnson, 2008, p. 480.

aggression and does not examine the context, consequences, motivations, intentions and reactions associated with the overall violent 'event' or the relationships in which the violence occurs. Using 'act-based' approach is more likely to find 'symmetry' or equivalence of 'violence' between men and women¹⁵². Archer concluded that when measures are based on specific acts, women are significantly more likely than men to have used physical aggression towards their partners and to have used it more frequently¹⁵³. Family conflict researchers typically study general representative samples of married, cohabiting, or dating couples. Archer also estimated that intimate partner violence in general samples was roughly gender symmetrical¹⁵⁴. The large-scale, quantitative studies that have examined the gender neutrality of intimate abuse are based largely on the Conflict Tactics Scale (CTS) developed by Straus in 1979, or the revised version (CTS2 by Straus, Hamby, Boney-McCoy & Sugarman, 1996) which are self-report questionnaires. The Conflict Tactics Scale widely used by family conflict researchers was mostly criticised because it does not include the context and the consequences of violence. Family conflict researchers' claims of women being as violent as men are typically based on quantitative research that asks, using various scales. These studies consistently show few, if any, gender differences in intimate violence. What these studies miss is that they cannot measure the context, nature and meaning underlying each violent event.

Meanwhile feminist researchers use measures based on physical consequences. This approach is the more comprehensive methodology which provides additional data about the problem, including a more detailed look at the violence itself, as well as inclusion of factors such as context, consequences and intentions. This approach provides a wider base of relevant knowledge about the violence and illustrates important differences between men and women in the perpetration of violence, as well as its consequences¹⁵⁵. Archer found that when measures were based on the physical consequences of aggression (visible injuries or injuries requiring medical treatment) men were more

¹⁵² Dobash & Dobash, 2004, p. 343.

¹⁵³ Archer, 2000, p. 664.

¹⁵⁴ *Ibidem*, p. 664.

¹⁵⁵ Dobash & Dobash, 2004, p. 343.

likely than women to have injured their partners¹⁵⁶. These findings broadly support the view that measures based on acts and consequences produce different results. Feminist researchers typically study agency samples selected for high levels of partner violence by men, such as women from refuges or violent men on treatment programs, which are heavily male perpetrated¹⁵⁷.

Johnson, who is initiator of the theory of different types of violence, is concentrated not on the measures used but on the samples selected by the two sets of researchers. Johnson as well indicates that the two major sampling strategies (agency samples and general samples) tap two basically different intimate partner violence dynamics¹⁵⁸.

3.5 Explaining gender symmetry using the theory of different kinds of violence

Proponents of gender symmetry and asymmetry cite multiple empirical studies to support their views and argue from different perspectives. But these two viewpoints can be reconciled largely by an examination of the samples and measures used to collect the contradictory data and the recognition that different types of intimate partner violence exist in our society and are represented in these different samples. Much of the intimate partner violence researches still treat violence as if it was a unitary phenomenon, but several scholars have proposed that it is useful and necessary to distinguish different types of violence and perpetrators¹⁵⁹. This chapter is based on the assumption that violence should be differentiated and divided into different types which needs different theoretical frameworks and multiple theories.

The theoretical foundations of Johnson's control typology are grounded in the ostensibly mutually contradictory analyses of feminist theory and family conflict theory. Johnson believes that there is more than one type of intimate partner violence and the major types differ dramatically in almost all respects. Johnson's typology which began developing in the early 1990s is organised around the concept of coercive controlling

¹⁵⁶ Archer, 2000, p. 664.

¹⁵⁷ *Ibidem.*, p. 664.

¹⁵⁸ Johnson, 2005, p. 1127.

¹⁵⁹ For example, Johnson, 1995; Swan & Snow, 2002.

violence, a pattern of behaviors identified by feminists working in the battered women's movement as the type of intimate partner violence that was reported by women coming to shelters to seek help¹⁶⁰. The value of differentiating among types of domestic violence is that appropriate screening instruments and processes can be developed that more accurately describe the central dynamics of the partner violence, the context, and the consequences. This can lead to better decision making, appropriate sanctions, and more effective treatment programs tailored to the different characteristics of partner violence¹⁶¹.

According to Johnson, it is no longer scientifically or ethically acceptable to speak of domestic violence without specifying, loudly and clearly, the type of violence to which we refer¹⁶². There are three major types of intimate partner violence: Intimate Terrorism, Situational Couple Violence and Violent Resistance¹⁶³. These types are different in terms of frequency, mutuality, severity, consequences and motivations of the violence used.

Intimate terrorism¹⁶⁴

Intimate terrorism is violence enacted in the service of taking general control over one's partner. It involves the combination of physical and/or sexual violence with a variety of non-violent control tactics, such as economic abuse, emotional abuse, the use of children, threats and intimidation, constant monitoring¹⁶⁵. Intimate terrorism is an ongoing pattern of violence and coercive control that is likely (a) to frighten the victim into seeking help from law enforcement, a protection order, a shelter, or a divorce court, (b) to produce injuries that require medical attention, and (c) to draw the attention of others who report incidents to the authorities¹⁶⁶. It is the type most likely to be frequent

¹⁶⁰ Johnson, 2011, p. 290.

¹⁶¹ Kelly & Johnson, 2008, pp. 477-478.

¹⁶² Johnson, 2005, p. 1126.

¹⁶³ Johnson, 2011, p.290. These types were already shortly described in the chapter: 1.2 Types of violence.

¹⁶⁴ In some works of researchers this type also could be named as 'Coercive Controlling Violence'. For example, Kelly & Johnson, 2008, p. 478.

¹⁶⁵ Johnson, 2011, p. 290.

¹⁶⁶ Johnson, 2010, p. 213.

and brutal. Furthermore, it is the type that people bring to mind when they hear the term ‘domestic violence’¹⁶⁷.

It is important to consider that some forms of violence are rooted in historic and enduring inequality. Gender, playing a small to moderate role in a number of elements along the way, ends up being so central that intimate terrorism in heterosexual relationships is perpetrated primarily (although not exclusively) by men¹⁶⁸. Therefore this type of violence is strongly gendered.

This heavily male type of violence is consistent with a general motive to control one’s partner, a motive that is rooted in patriarchal ideas about relationships between men and women. The violence is often used in order to display a power and control over the partner¹⁶⁹. Some women who are able to perpetrate this type of violence use it as well for gaining control and power over their male partner.

Agency samples gathered from shelters, hospitals, police records, or the courts are biased heavily in favor of intimate terrorism because this type of violence is most likely to be repetitive and to escalate¹⁷⁰. Kelly and Johnson noted, that in shelter (or other agencies) samples, which are used by feminist researchers, 79 percent of violence was intimate terrorism¹⁷¹. For this reason the researches of feminists using agency samples show gender asymmetry, that is, men perpetrate the absolute majority of violence, although in this case it is only one type of violence which they perpetrate – intimate terrorism.

Situational couple violence

Situational couple violence involves arguments that escalate to verbal aggression and ultimately to physical aggression. It does not involve a general pattern of coercive control. It is by far the most common form of intimate partner violence, and also the most variable. It does not involve a general motive to control, for this reason it is less frequent, it does not escalate over time and is more likely to be reciprocated¹⁷². Milder

¹⁶⁷ Johnson, 2005, p. 1127.

¹⁶⁸ Johnson, 2010, p. 213.

¹⁶⁹ Johnson, 2001, p. 97.

¹⁷⁰ Johnson, 2005, p. 1127.

¹⁷¹ Kelly & Johnson, 2008, p. 481.

¹⁷² Johnson, 2001, pp. 97-98.

than intimate terrorism, this type of violence very rarely escalates to more severe abuse, generally does not include injuries that were serious or that caused one partner to be admitted to a hospital.

Situational couple violence, unlike intimate terrorism and violent resistance, is roughly gender-symmetric in terms of perpetration¹⁷³. This type of violence is not gendered and gender does not play central role here. While it is possible that men are more impelled to violence because of their experience and comfort within it, they are also inhibited by norms of chivalry. Women are perhaps less comfortable with violence, they also see their violence as relatively harmless. Thus, the general finding that incidence of situational couple violence is roughly gender symmetric makes sense.

Despite of the fact, that this type of violence is not gendered and roughly gender symmetrical, the impact of violence to women and men is not the same. Even in situational couple violence men's violence is much more likely to inflict serious injury.

Data from community samples reflect more similarity in the motives underlying men and women's use of aggression, tend to contradict patriarchal explanations of partner abuse, and offer little evidence that women's aggression, on average, is primarily in self-defense¹⁷⁴. Most often this type of violence occurs out of anger or frustration rather than as a means of gaining control and power over the other. Women's perpetration of this type of violence is reasoned by poor communication skills, impulsivity, high levels of anger, alcohol abuse.

This type of violence prevails in general samples, most often used by family conflict researchers. Johnson estimated that around 89 percent of violence in general samples was situational couple violence¹⁷⁵. Thus, when family conflict researchers claim that domestic violence is equally perpetrated by men and women, that is, gender symmetrical, they are describing situational couple violence.

Violent Resistance

Violent resistance is violence utilised in response to intimate terrorism. This type of violence is engaged in by many of the women (and the few men) who find themselves

¹⁷³ Johnson, 2011, p. 290.

¹⁷⁴ Dutton, Nichols & Spidel, 2005, p. 18.

¹⁷⁵ Kelly & Johnson, 2008, p. 481.

entrapped in a relationship with an intimate terrorist and trying to resist with violence of their own.

In cases of violent resistance women's motivations are quite different from those of men. Females' clinical samples reveal high rates of self-defense, retaliation, and aggression reportedly due to fear of impending attacks by partners that have been assaultive previously¹⁷⁶. Violence resistance and intimate terrorism are the types of intimate partner violence that predominate in agency samples.

Given that these different approaches appear to be targeted to the major types of intimate partner violence, it seems reasonable to develop an effective triage system by which different types of violent men and women would be provided different types of interventions. Finally, of course, we must not forget all of the evidence cited above that intimate terrorism is largely male-perpetrated, that violent resistance is primarily a woman's response to intimate terrorism, and that all types of intimate partner violence involve more injury, fear, and psychological damage when perpetrated by men rather than women¹⁷⁷.

* * *

When the findings regarding gender, type of intimate partner violence and samples are put together, the gender symmetry of intimate partner violence is explained. Family conflict researchers who have argued that domestic violence is gender-symmetric have relied largely on general samples, which are biased heavily in favor of situational couple violence, thus, they have found gender symmetry in their research, leading them to the false conclusion that domestic violence is not about gender. Feminist researchers, in contrast, have relied largely on agency samples that are heavily biased in favor of intimate terrorism (and violent resistance), showing a heavily gendered pattern with men as the primary perpetrators of intimate terrorism, women sometimes resisting with violence. The intimate terrorism is what most people mean when they use the term "domestic violence", and it is indeed primarily perpetrated by men against their female partners.

¹⁷⁶ Dutton, Nichols & Spidel, 2005, p. 18.

¹⁷⁷ Johnson, 2010, p. 214.

International research done by Archer concluded, that in developed western nations, both sexes commit acts of physical aggression against their partners. Data from 16 nations showed that this pattern did not generalise to all nations. The magnitude and direction of the sex difference was also highly correlated with national-level variations in gender empowerment and individualism-collectivism. As gender equality and individualism increased, the sex difference in partner violence moved in the direction of lesser female victimisation and greater male victimisation¹⁷⁸.

Based on all the analysed studies, it is quite apparent that both men and women are violent in intimate relationships. There is gender symmetry in some types of intimate partner violence, and in some relationships men are more frequently the aggressors. Despite of gender symmetry in some types of violence women produce less severe injuries to male partners and usually do not evoke their fear. Women mostly perpetrate violence for self-defense, but also because of anger and retaliation or lack of attention. Less women perpetrate violence for gaining control over their male partner.

Further the states obligations, international and European legal protection for male victims of domestic violence will be considered complemented with two case studies on national level of Lithuania and Portugal.

¹⁷⁸ Archer, 2006, p. 133.

IV. PROTECTION

The human rights approach is based on the obligations of states to respect, protect and fulfil human rights and therefore to prevent, eradicate and punish domestic violence. Domestic violence is a violation of many human rights: the right's to life, liberty, autonomy and security of the person, the right's to equality and non-discrimination, the right's to be free from torture and cruel, inhuman and degrading treatment or punishment, the right's to privacy and the right's to the highest attainable standard of health. These human rights are enshrined in international and regional treaties, national constitutions and laws, which stipulate the obligations of states, and include mechanisms to hold states accountable.

Equality of rights for women and for men is a basic principle of the United Nations. The Preamble to the Charter of the United Nations sets as one of the Organisation's central goals the reaffirmation of "faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women"¹⁷⁹. One of the purposes of the United Nations is to achieve international cooperation in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to, *inter alia*, sex. The International Bill of Human Rights strengthens and extends this emphasis on the human rights. The Universal Declaration of Human Rights proclaims the entitlement of everyone to equality before the law and to the enjoyment of human rights and fundamental freedoms without distinction of any kind and proceeds to include sex among the grounds of such impermissible distinction. It is important to overview the main international and European legal treaties and states obligations regarding domestic violence and to check if the same treaties could be really applied to both women and men without distinction on the grounds of sex.

4.1 State obligations regarding domestic violence

Domestic violence is not confined to any one culture or region. Instead, domestic violence exists in countries with varying social, political, economic, and cultural

¹⁷⁹ United Nations General Assembly, Charter of United Nations. Adopted on 26 June 1945. Full text is available at: <http://www.un.org/en/documents/charter/> (consulted on 13 June 2012).

structures. Despite the widespread nature of the problem, it has long been considered a private matter best dealt within the home, not an issue of public policy. Categorised as such, domestic violence went largely unaddressed within traditional international human rights discourse¹⁸⁰.

Feminists' critiques leveled at international human rights discourse have highlighted the issue of domestic violence which was first addressed as violence against women. Traditionally the states have "negative" rights because the government must refrain from infringing upon human rights such as freedom of speech. However, international jurisprudence also recognises "positive" states obligations to protect and ensure human rights, not merely refrain from violating it. Kenneth Roth, Director of Human Rights Watch, argues that "[w]hen a state makes little or no effort to stop a certain form of private violence, it tacitly condones that violence. This complicity transforms what would otherwise be wholly private conduct into a constructive act of the state". Thus, states can be held accountable for tolerating domestic violence perpetrated by non-state actors. The evolving concept of state responsibility for individual acts of violence and the subsequent recognition of domestic violence as a violation of human rights is a recent advance in international law¹⁸¹.

According to the 1996 report of Special Rapporteur on Violence Against Women, Radhika Coomaraswamy, "the role of State inaction in the perpetuation of the violence combined with the genderspecific nature of domestic violence require that domestic violence be classified and treated as a human rights concern rather than as a mere domestic criminal justice concern"¹⁸².

In 2006 another Special Rapporteur on Violence Against Women Ertürk after providing a comprehensive survey of international law, including many of the human rights documents and cases, concluded that there is "a rule of customary international law that obliges States to prevent and respond to acts of violence against women with due diligence"¹⁸³. Ertürk also explained that "protection" has consistently taken the form of

¹⁸⁰ Hasselbacher, 2010, p. 191.

¹⁸¹ *Ibidem*, pp. 191-192.

¹⁸² U.N. Doc. E/CN.4/1996/53, 5 February, 1996, para. 29.

¹⁸³ U.N. Doc. E/CN.4/2006/61, 20 January, 2006, para. 29.

providing services such as telephone hotlines, health care, counseling centres, legal assistance, shelters, and financial aid to victims of violence¹⁸⁴.

According to the principle of non-discrimination, men who are victims of domestic violence should be provided with the same services.

4.2 The Convention on the Elimination of All Forms of Discrimination against Women¹⁸⁵

This convention was adopted in 1979 by the United Nations General Assembly, is often described as an international bill of rights for women. It does not explicitly address the issue of violence against women, although the definition of discrimination against women also includes gender-based violence, that is, violence that is directed against a woman because she is a woman or that affects women disproportionately and seriously inhibits women's ability to enjoy rights and freedoms on a basis of equality with men. In 1992 the Committee on the Elimination of Discrimination against Women incorporated violence against women into its reading of the convention by adopting General Recommendation 19. This recommendation established a robust definition of violence against women and mandated that "full implementation of the Convention required states to take positive measures to eliminate all forms of violence against women"¹⁸⁶. The main feature of this convention is that it is created exclusively for women and does not apply in the cases of women's violence against men. Nevertheless, it should be noted that not all the violence is gender-based, thus, this convention deals only with one type of violence and only protect women victims. Meanwhile the prohibition of violence against men is not specifically addressed in any international treaty and could be only generally included into system of the protection of

¹⁸⁴ *Ibidem*, para. 47.

¹⁸⁵ United Nations General Assembly, The Convention on the Elimination of All Forms of Discrimination against Women. Adopted on 18 December 1979. Full text is available at: <http://www.un.org/womenwatch/daw/cedaw/text/econvention.htm> (consulted on 13 June 2012).

¹⁸⁶ The Committee on the Elimination of Discrimination against Women, General Recommendation No. 19, 11th session, 1992. Full text is available at: <http://www.un.org/womenwatch/daw/cedaw/recommendations/recomm.htm#recom19> (consulted on 13 June 2012).

human rights such as the right to the highest attainable standard of health, security of the person, freedom from torture and cruel, inhuman and degrading treatment.

4.3 Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence¹⁸⁷

This new landmark treaty of the Council of Europe opens the path for creating a legal framework at pan-European level to protect women against all forms of violence, and prevent, prosecute and eliminate violence against women and domestic violence. This treaty is not yet in force. It requires 10 ratifications and as of 13 June 2012, only Turkey has ratified it.

According to the explanatory report of this Convention, “violence against women, including domestic violence, is one of the most serious forms of gender-based violations of human rights in Europe that is still shrouded in silence. Domestic violence – against other victims such as children, men and the elderly – is also a hidden phenomenon which affects too many families to be ignored”¹⁸⁸. It is also noted that other forms of domestic violence, such as elderly abuse and domestic violence against men, reliable data is relatively scarce¹⁸⁹.

One of the main purposes of this Convention is to design a comprehensive framework, policies and measures for the protection of and assistance to all victims of violence against women and domestic violence¹⁹⁰. According to the resolution of the Parliamentary Assembly, this Convention is the most far-reaching binding instrument in the world providing a comprehensive framework to prevent violence against women, protect its victims, prosecute the perpetrators and set up a wide range of measures to

¹⁸⁷ Council of Europe, Convention on Preventing and Combating Violence against Women and Domestic Violence, CETS No.: 210, 15 May 2011, available at:

<http://www.conventions.coe.int/Treaty/EN/Treaties/Html/210.htm> (consulted on 13 June 2012).

¹⁸⁸ Council of Europe, Convention on Preventing and Combating Violence against Women and Domestic Violence, Explanatory Report, para. 1. Available at:

<http://www.conventions.coe.int/Treaty/EN/Reports/Html/210.htm> (consulted on 13 June 2012).

¹⁸⁹ *Ibidem*, para. 4.

¹⁹⁰ Council of Europe, Convention on Preventing and Combating Violence against Women and Domestic Violence, CETS No.: 210, 15 May 2011, Art.1. Available at:

<http://www.conventions.coe.int/Treaty/EN/Treaties/Html/210.htm> (consulted 13 June 2012).

address this scourge in all its complexity¹⁹¹. It also asks the Council of Europe member states to apply the convention not only to women but also to other victims of domestic violence¹⁹², who could be children, elderly or men.

As mentioned above, States Parties are encouraged to apply this Convention to all victims of domestic violence, but particular attention should be paid to women victims of gender-based violence¹⁹³. Nevertheless, the definition of victim is gender-neutral: “victim” is any natural person who is subject to violence against women or domestic violence which means acts of physical, sexual, psychological or economic violence that occurs within the family or domestic unit or between former or current spouses or partners¹⁹⁴.

While the focus of the convention is on all forms of violence against women, which includes domestic violence committed against women, the convention also recognises that there are other victims of domestic violence, such as boys and men. The Convention applies to women more, but it also applies to men. States can choose whether or not to apply the convention to the men victims of domestic violence.

¹⁹¹ Council of Europe, Parliamentary Assembly Resolution No.1861, 2012, para. 2. Available at: <http://assembly.coe.int/main.asp?link=http://assembly.coe.int/Mainf.asp?link=/Documents/AdoptedText/ta12/ERES1861.htm> (consulted on 13 June 2012).

¹⁹² *Ibidem*, para. 9.

¹⁹³ Council of Europe, Convention on Preventing and Combating Violence against Women and Domestic Violence, CETS No.: 210, 15 May 2011, Art. 2. Available at:

<http://www.conventions.coe.int/Treaty/EN/Treaties/Html/210.htm> (consulted on 13 June 2012).

¹⁹⁴ *Ibidem*, Art. 3.

V. LITHUANIA

5.1 The Republic of Lithuania – basic facts

Lithuania is a country in north east Europe, the largest of the three Baltic States, situated along the southeastern shore of the Baltic Sea and has borders with Latvia, Belarus, Poland and Russia. Its' capital and largest city is Vilnius. The countries population is 3,187,176¹⁹⁵ of inhabitants, aproximately 1,737,300 of women (53.5 %) and 1,507,300 of men (46.5 %) ¹⁹⁶. The majority of inhabitants are Lithuanians – 83.9%, Poles compose 6.6 %, Russians – 5.4 %, and the others – 4.1 % of inhabitants¹⁹⁷. The minimum monthly wage in Lithuania is around 232 Euros¹⁹⁸. Average monthly gross earnings by women reache 534 Euros, by men - 623 Euros¹⁹⁹.

Lithuania declared the restoration of its independence on 11 March 1990. Republic of Lithuania is a parliamentary republic with some semi-presidential features inside of parliamentary republic type. The current Lithuanian head of state, Dalia Grybauskaite was elected on 17 May 2009 becoming the first female President in the country's history.

Lithuania is a member of the United Nations, the European Union, the Council of Europe, the Organisation for Security and Cooperation in Europe, the North Atlantic Treaty Organisation, the World Trade Organisation, and of the Baltic Council.

¹⁹⁵ Statistics of Lithuania. Number of Persons. The latest data of May 2012, available at: <http://db1.stat.gov.lt/statbank/selectvarval/saveselections.asp?MainTable=M3010101&PLanguage=1&TableStyle=&Buttons=&PXSID=7743&IQY=&TC=&ST=ST&rvar0=&rvar1=&rvar2=&rvar3=&rvar4=&rvar5=&rvar6=&rvar7=&rvar8=&rvar9=&rvar10=&rvar11=&rvar12=&rvar13=&rvar14=> (consulted on 8 May 2012).

¹⁹⁶ Statistics of Lithuania. Women and Men. The latest data of the year 2011, available at: <http://www.stat.gov.lt/en/pages/view/?id=1393> (consulted on 8 May 2012).

¹⁹⁷ Statistics of Lithuania. Population by ethnicity. The latest data of the year 2011, available at: <http://db1.stat.gov.lt/statbank/selectvarval/saveselections.asp?MainTable=M3010215&PLanguage=1&TableStyle=&Buttons=&PXSID=3236&IQY=&TC=&ST=ST&rvar0=&rvar1=&rvar2=&rvar3=&rvar4=&rvar5=&rvar6=&rvar7=&rvar8=&rvar9=&rvar10=&rvar11=&rvar12=&rvar13=&rvar14=> (consulted on 8 May 2012).

¹⁹⁸ Statistics of Lithuania. The minimum monthly wage. The newest data of the year 2012, available at: <http://db1.stat.gov.lt/statbank/selectvarval/saveselections.asp?MainTable=M3060102&PLanguage=1&TableStyle=&Buttons=&PXSID=3610&IQY=&TC=&ST=ST&rvar0=&rvar1=&rvar2=&rvar3=&rvar4=&rvar5=&rvar6=&rvar7=&rvar8=&rvar9=&rvar10=&rvar11=&rvar12=&rvar13=&rvar14=> (consulted on 8 May 2012).

¹⁹⁹ Statistics of Lithuania. Average monthly gross earnings. The latest data of the year 2010, available at: <http://www.stat.gov.lt/en/pages/view/?id=1398> (consulted on 8 May 2012).

5.2 Gender roles in Lithuanian society

Patriarchy in its many forms is real in underdeveloped countries and indeed continues to be present in the West. But as usual, not all is as it seems. According to the opinion of Arunas Kuras, the director of the Men Crisis and Information Centre in Vilnius, Lithuania is a matriarchal country: “as much as I see during families consultations, it is very often that the woman has very important role in the family. Woman represents family’s interests much more”. Lithuanians are oriented to such a family model where the leading role belongs to woman, and a man gets not the secondary but representative role, like a Prime Minister and President²⁰⁰.

According to Arunas Kuras, it comes from the antiquity that the role of women is very important in Lithuania. But here comes a new wave of feminism, which wants to improve the position of women in the family. A disturbing possibility is that progress towards equality between men and women can have harmful side effects. When these two waves come together, it could be that a man feels a bit worthless. In this case we could already talk not about equal opportunities of men and women in the family, but about bigger opportunities of women²⁰¹.

5.3 Domestic violence and the relevant laws

The definition of violence is given in the Law on Protection against Domestic Violence: “Violence shall mean an intentional physical, mental, sexual, economical, or another influence exerted on a person by an act or omission as a result whereof the person suffers physical, property or non-pecuniary damage”²⁰². It is difficult to separate each kind of violence. According to the National Strategy for the Reduction of Violence against Women, every particular case of violence is different and not necessarily only one kind: the most often violence in the family is a combination of physical, sexual,

²⁰⁰ Interview with Arunas Kuras, director, Men Crisis and Information centre, Vilnius, 15 March 2012.

²⁰¹ *Ibidem*.

²⁰² Republic of Lithuania, Law on Protection against Domestic Violence. 26 May 2011, No XI-1425, Vilnius, Article 2. Available at (in English): http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=410975 (consulted 9 May 2012).

psychological and economic violence”²⁰³, which could be experienced by women and by men. Further statistics of domestic violence in Lithuania are introduced with an overview of the existing laws. In the third part of this chapter the nature of violence is analysed interpreting given statistical data and relevant laws. The fourth part of the chapter focuses on the reasons of women’s violence and their motivations.

5.3.1 Statistics

The latest statistics of domestic violence in Lithuania is represented in Table 3.

Table 3. The data of domestic violence (15 December 2011-15 April 2012)²⁰⁴

Calls because of domestic violence registered by the police		9819
Victims	men	288 (8.7 %)
	women	2777 (84.1 %)
	children	236 (7.2 %)
Perpetrators of violence	men	2776 (95.8 %)
	women	115 (4 %)
	children	6 (0.2 %)

The statistics clearly demonstrate that during 4 months there were identified 288 men victims, thus, it cannot be denied any more, that these victims need protection and assistance services as well. Moreover, there were identified 115 women who may need a special treatment programme responding to their needs as perpetrators of violence.

5.3.2 Law on Protection against Domestic Violence

The Law on Protection against Domestic Violence adopted by the Parliament on 26 May 2011 and entered into force on 15 December 2011 is the first comprehensive law

²⁰³ National Strategy for the Reduction of Violence against Women. 22 December 2006, No. 144-5474, part II number 9. Available at (in Lithuanian): http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=289640&p_query=&p_tr2= (consulted on 9 May 2012)

²⁰⁴ E-mail from Ramunas Matonis, Assistant Manager in Communication Department, Department of Police of Lithuania, 9 May 2012.

on domestic violence in Lithuania. This law provides “definitions of domestic violence, perpetrator and person who has been subjected to domestic violence, suggests specific lines of state-funded prevention and action which public and municipal authorities should implement in co-operation with Non Governmental Organisations, e.g. running public awareness and communication campaigns, training persons working in the field of prevention and assistance. <...>. The set of specialised integrated assistance for the victim, including psychological and legal help, is foreseen”²⁰⁵.

Where the fact of an incident of domestic violence is established, the measures of protection of a victim of violence shall be imposed. The first measure of protection is the obligation for the perpetrator of violence to temporarily move out of the place of residence, if perpetrator resides together with the victim of violence. The second is the obligation for the perpetrator of violence not to approach the victim of violence, not to communicate and not to seek contact therewith²⁰⁶. Upon recording an incidence of domestic violence, a police officer shall immediately take measures to protect a victim of violence and, taking account of the circumstances, initiate a pre-trial investigation and notify the prosecutor if the prosecutor’s order is necessary to initiate the pre-trial investigation²⁰⁷. These measures shall be imposed by a ruling of the pre-trial investigation judge not later than within 48 hours, which practically means that the perpetrator of violence is detained for 48 hours.

The Law on Protection against Domestic Violence entered into force on 15 December 2011. The data collected by the Department of Police of Lithuania shows that during 4 months after the law has entered into force, the police received and registered 9819 reports about the possible domestic violence. After the findings of the cases of domestic violence, 3309 pre-trial investigations were started. During the first month police received 3489 calls, during the second month – 2220, during the third month – 1877, during the fourth month – 2133 calls because of domestic violence. During the first

²⁰⁵ United Nations Human Rights Council, Universal Periodic Review – Lithuania. National Report, No. A/HRC/WG.6/12/LTU/1, 3–14 October 2011, Geneva, para 25. Available at:

<http://www.ohchr.org/EN/HRBodies/UPR/Pages/LTSession12.aspx> (consulted on 13 May 2012).

²⁰⁶ Republic of Lithuania, Law on Protection against Domestic Violence. 26 May 2011, No XI-1425, Vilnius, Article 5. Available at (in English):

http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=410975 (consulted on 9 May 2012).

²⁰⁷ *Ibidem*. Article 6.

months 1176 pre-trial investigations were started, during the second - 737, the third – 674, the fourth – 722 pre-trial investigations. According to statistics, men perpetrate violence more often. During 4 months as suspects declared 2776 men, 115 women and 6 children. During this period the victims of violence were 2777 women, 288 men, 236 children (also see Table 3)²⁰⁸.

According to Arunas Kuras, not all the women (or men) know the consequences of the Law on Protection against Domestic Violence and after knowing it the number of calls to police should decrease in the future²⁰⁹. The possible decrease of number of calls by victims in the future could be seen from statistical data: the first month after the law entering into force, police received the highest number of calls – 3489. During the second month this number decreased till 2220 calls, which could show not only necessity of this law, but also people's curiosity how it works and what consequences it really brings. This law fits better to the critical situations, where it is necessary to arrest the perpetrator of violence to avoid serious damage. But when the situation is temporary, men and women only fell out with each other, the application of this law is not always correct.

5.3.3 The Criminal Code

Before the Law on Protection against Domestic Violence entering into force, application of corresponding articles of the Criminal Code in the cases of domestic violence were examined by the privat accusation order. After the Law on Protection against Domestic Violence entered into force on 15 December 2011, these cases are examined by the common criminal cases examining order. The victim does not have to adress oneself to the court directly, because the investigation of criminal activity is done by pretrial investigative institutions and the charges on behalf of the state is filed by the prosecutor in the court. It is important to note, that the Law on Protection against Domestic Violence introduced so called 'victimless prosecution' in Lithuania. Victimless prosecution is developed in some states in response to the fact that victims of domestic

²⁰⁸ Police Department. During the four months received almost 10 000 reports about the family violence, started 3309 pretrial investigations. 19 April 2012. Available at: <http://www.policija.lt/index.php?id=15868> (consulted on 9 May 2012).

²⁰⁹ Interview with Arunas Kuras, director, Men Crisis and Information centre, Vilnius, 15 March 2012.

violence are often reluctant or unwilling to cooperate with the prosecution of the accused batterer. This type of prosecution relies upon physical evidence and testimony of third parties to support the charges against the defendant and does not require the official complaint of the victim²¹⁰.

Domestic violence is not a typified crime in the Criminal Code of Lithuania. Instead, the domestic violence perpetrators are punished according to several articles depending on the consequences of violence. During the four months of the Law on Protection against Domestic Violence being in force (15 December 2011 – 15 April 2012), 3309 pretrial investigations were started²¹¹. In majority of them, in 2345 cases²¹², the charges were filed according to the article 140 of the Criminal Code: Causing Physical Pain or a Negligible Health Impairment. This article states: “A person who, by beating or other violent actions, causes to a person physical pain or a negligible bodily harm or a short-term illness shall be punished by community service or by restriction of liberty or by arrest or by imprisonment for a term of up to one year”²¹³. In 282 cases the charges are filed according to Article 145 of the Criminal Code: Threatening to Murder or Cause a Severe Health Impairment to a Person or Terrorisation of a Person. For example, according to this article, a person could be punished by imprisonment for a term up to four years for terrorisation of other person. Another relevant article of the Criminal Code is 138: Non-Severe Health Impairment. This article was applied in 205 cases. In 3 cases the charges were filed applying article 129 of the Criminal Code: Murder. In 3 cases article 150 was applied, which states a Sexual Assault; in 4 cases it was applied article 187: Destruction of or Damage to Property²¹⁴.

²¹⁰ Fulkerson & Patterson, 2006, p. 12.

²¹¹ E-mail from Ramunas Matonis, Assistant Manager in Communication Department, Department of Police of Lithuania, 9 May 2012.

²¹² *Ibidem*.

²¹³ Republic of Lithuania, Law on the Approval and Entry into Force of the Criminal Code (The Criminal Code), 26 September 2000, No VIII-1968, Article 140. Available at (in English): http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=366707 (consulted 9 May 2012).

²¹⁴ Information taken from the e-mail from Ramunas Matonis, Assistant Manager in Communication Department, Department of Police of Lithuania, 9 May 2012; and the Law on the Approval and Entry into Force of the Criminal Code (The Criminal Code), 26 September 2000, No VIII-1968. Available at (in English): http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=366707 (consulted on 9 May 2012).

5.3.4 The nature of violence

According to the National Strategy for the Reduction of Violence against Women, “violence in the family does not depend on the social status, religion, sexual orientation or ethnic origin. Violence in the family could be experienced by both men and women, nethertheless absolute majority of family violence victims are women”²¹⁵.

Interpreting the given statistical data of domestic violence in Lithuania is clearly seen that overwhelming majority of victims are women, and perpetrators are men. Nethertheless, men as victims of domestic violence should not be excluded only because they face less domestic violence or less serious injuries. The statistics clearly show men being victims as well.

Asked who, men or women, use physical violence more often, Arunas Kuras answered: “I have an impression from my practice and it is difficult for me to change it, that women and men use violence equally. Anyway, men use violence more often and the consequences are more serious. If women use violence, the consequences of it are smaller, thus, women’s violence is not very well seen”. Moreover, the violence is often mutual in the families. The conflict often arises from a small reason and then both partners little by little grow this conflict till a certain explosion. Considering physical violence, men “explode” more often²¹⁶. Nethertheless, woman can also make a huge harm to man.

Asked to give some examples of women’s violence, Mr. Kuras remembered couple of cases. In one case the man got a lover and his wife after knowing this hit his head with a hammer. Moreover, the wife even did not regret it. Another case was when a man complained to the police that his wife used violence. The wife as well came to police and complained that this is he who used violence. After consultation of this couple it was clear that both of them used violence and both of them felt insulted and done wrong. It is difficult to give an objective truth, because each side of the conflict maintains that the other side used violence. Violence is often reaction to violence and it

²¹⁵ National Strategy for the Reduction of Violence against Women, 22 December 2006, No.144-5474, part II, number 7. Available at (in Lithuanian): http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=289640&p_query=&p_tr2= (consulted on 9 May 2012).

²¹⁶ Interview with Arunas Kuras, director, Men Crisis and Information centre, Vilnius, 15 March 2012.

grows from very small violence to bigger and bigger while it reaches the limit where police comes into play²¹⁷.

Men who participated in the research done by Agne Didzbalyte have experienced minor physical violence from their female partners which did not cause serious injuries, and medical assistance was not needed. The experienced violence by these men was named as punching, physical threats, striking to the chest. It is likely that these acts may cause the pain, but physical pain was not strong. Having more strength men could defend themselves from any physical attack, but they did not do it. These men evaluated psychological violence as very unfavourable and considered it the very hurtful part of their experiences²¹⁸. A man living in Lithuania G. agreed to share his experiences being abused by women: “Well, I have a temper, I can get good and angry... But never put my hands on a girl in anger... On each occasion, it had been me trying to keep the situation calm, and them getting angry. <...> Once my girlfriend just went mental and started hitting me... All I could do was hold her arms across her chest, put her on the bed, and sit on her...<...> All you can do when a girl is hitting you is restrain them if you are not the type of guy to hit a girl. Another time with the other girlfriend we had arguments and suddenly she grabbed me and was shaking me by the arms (of course she was much smaller and couldn't do the damage to me) but it was principle... She had been raped about 10 years beforehand... Terrible she had been raped of course... But she definitely had issues she carried because of it. <...> On both of those occasions, I broke up with those girls. <...> Nothing good can come from a girl putting her hands on a guy in anger... slapping... punching... whatever – doesn't matter... It is the principle, and with the wrong guy, well, it is asking for trouble... <...> A girl really can't hurt a guy... It's just one of those things... but it's the principle that they think it's ok to be violent, when if a guy does - his name is mud around the world. Still... there are no excuses to hit a chick...”²¹⁹. As we can see, not the injuries for victimised men are the most important, but the fact of violence itself and the principle of being abused.

²¹⁷ *Ibidem*.

²¹⁸ Didzbalytė, 2008, p. 39.

²¹⁹ Interview with G., the man who experienced violence from his female partners, Vilnius, 17 March 2012.

According Mr. Kuras, the most important in domestic violence is not the injuries, but with what intention violence is perpetrated and what kind of relationships couple has. We should see what kind of relation is revealed by perpetrating violence and what kind of relationships couple has after it. If the intention is to humiliate person, to do the harm or to take out anger, it does not matter anymore if physical or psychological damage is done because violence in this case is equally bad and may evoke partners' reaction. Only in rare cases the victim feels harmed and runs away from that situation, but more often fights back. This combat with each other creates mutual violence²²⁰.

5.3.5 What kind of women use violence and why

The reasons for intimate partners violence depends on a lot of variables. Violence is used for self-defense, to show one's ego, to take out anger or simply having lack of conflict solving knowledge.

According to the opinion of Mr. Kuras, violent is a woman who cannot control her emotions. There are two reasons why she is not in control of her emotions: internal and external. The internal reasons are connected with women's individual characteristics and her inability to control her emotions. The external reasons for being violent could be relationships with an intimate partner and living conditions in general. Home is the space where a woman takes decisions, controls family life, may manipulate her husband and threaten divorce. When she does not succeed in entrenching her power in a family, she may start violence, which could be learnt in the childhood and in previous relationships²²¹.

The reason of mutual violence is often self-defense, or at least it is understood as being "self-defense". The difference is that women announce using violence for self-defense, but men simply do not announce it (although they do use violence for self-defense). The masculinistic organisations do not blame violent women, but their aim is to help a man victim, thus, we don't have public information, that men's violence is a response to women's violence.²²²

²²⁰ Interview with Arunas Kuras, director, Men Crisis and Information centre, Vilnius, 15 March 2012.

²²¹ *Ibidem*.

²²² *Ibidem*.

The important point to consider is the experiences of men victims of women's violence. The research of abused Lithuanian men experiences done by Agne Didzbalyte demonstrated, that the "beaten men" mostly suffered from the feeling being unmanly, because they were tried to be convinced, that they are bad, not worthy and unwanted. Men were simply pushed to the side as they did not fulfil the norms of masculinity, but women were coming to the stage with pride. Women's violence against men evokes negative and unpleasant feelings and forces to believe that men did not fulfil the characteristics of a "normal" man, the characteristics which every male is supposed to have²²³.

5.4 Help for male victims

The help for a man who faces women's violence is a developing service in today's society. There is a start of paying attention to men's problems in Lithuania as well.

5.4.1 Women and men organisations

Specialised Assistance Centres

The creation of the Specialised Assistance Centres is foreseen in the Law on Protection from Domestic Violence. The program for creation of these centres is prepared by the Ministry of Social Security and Labour. The purpose of the Specialised Assistance Centres is to contact the victims of domestic violence and to propose help after the police visit the place of incident and after the violence is stopped²²⁴.

According to the Ministry of Social Security and Labour, at the moment only 15 percent of the victims contact the institutions which provide assistance for domestic violence victims. Till the adoption of the Law on Protection from Domestic Violence, the help was provided only for those victims, who themselves contacted the assistance centres. After the establishment of the Specialised Assistance Centres, the police officers after

²²³ Didzbalytė, 2008, p. 43.

²²⁴ Ministry of Social Security and Labour, Republic of Lithuania, 'The Program of Special Assistance Centres is Prepared'. 5 December 2011. Available at (in Lithuanian): <http://www.socmin.lt/index.php?388370846> (consulted on 13 May 2012)

coming to the place where incident of domestic violence has occurred, have to inform the victim of domestic violence about the possibility to get assistance and with a consent of a victim to report about the incident to the Specialised Assistance Centres. These centres in this case will have a possibility to contact a victim of domestic violence by phone or electronic mail and provide them with the information. In every case, the help is provided in individual, according to the needs of a person in specific situation²²⁵.

At the moment there are 19 Specialised Assistance Centres in all 10 districts of Lithuania. Only one of these centres, Kaunas District Men Crisis centre provides a specialised assistance for men victims in all the territory of the country. The rest 18 centres provide assistance either only for women (13 of the centres), either for the whole family (5 centres)²²⁶.

Other organisations for men and women

The director of the Men Crisis and Information Centre Mr. Arunas Kuras has told that there are only a few organisations for men in Lithuania. The main activity of Men Crisis and Information Centre is a consultative activity: if people have problems in the families, both men and women could seek for assistance in this centre, because the aim of calling it 'men's centre' is to counterbalance the situation in Lithuania, where there are so many organisations for women and only a few for men. This centre cooperates with police: police collects the data about domestic violence perpetrators and presents it to the centre. Moreover, Men Crisis and Information Centre organises public lectures, a discussion club, psychological communication groups, which are designed not only for violent men, but during these activities often the violence perpetrators are revealed, to whom this centre offers various assistance²²⁷.

According to Mr. Kuras, it is psychological help which men need rather than protection. For example, women organisations tend to work only with women, but to achieve better results, psychological help should be provided for both sides of conflict, men and

²²⁵ *Ibidem*.

²²⁶ The list of the Specialised Assistance Centres available at:

<http://www.vaikoteises.lt/media/file/SPCkontaktai.pdf> (consulted on 13 May 2012).

²²⁷ Interview with Arunas Kuras, director, Men Crisis and Information centre, Vilnius, 15 March 2012.

women. Even if a positive transformation in a work with one partner is achieved, this transformation tends to disappear when a partner comes back to a family, because this transformation does not correspond to established family norms²²⁸.

At the moment men crisis centres are just being created and are more designed for men violence perpetrators. Men often think they do not need separate centres because it is not manly to have problems, especially psychological, and to look for help. Nevertheless, no doubt that these centres are needed, where men could get an assistance, psychological help and support, but the encouragement of men to seek for assistance if needed is the very first step what should be done.

5.4.2 Shelters

There are no shelters for men victims of domestic violence in Lithuania. According to Arunas Kuras, the shelters for men are not in great demand, because men do not use this kind of services normally, they find themselves where to live. Thus, there is no need to establish a specialised shelter for men in Lithuania²²⁹.

5.4.3 Crisis lines

Mr. Kuras, director of Men Crisis and Information Centre in Vilnius, has told that men who have experienced violence could call to a few men centres, although according to him, almost nobody calls. The question is if we need special phone helplines for men. Of course we do, but there is a prior issue which should be solved: while men still have the stigma of complaining and still are ridiculed by society of being abused by a woman, nobody will call for help.

5.4.4 Police

According to Arunas Kuras, men are usually not willing to complain about experienced violence to the police. Sometimes they are afraid of being ridiculed by the policemen about not being able to control their wives what is not manly. It also could happen the cases where police has a prejudice about the causes of violence and the violent partner and whoever perpetrated violence but man is arrested. But nowadays policemen are

²²⁸ *Ibidem.*

²²⁹ *Ibidem.*

improving a lot in the cases of domestic violence. The competence of higher grade policemen grows quickly, as well as of those policemen who makes investigations²³⁰.

VI. PORTUGAL

6.1 The Portuguese Republic – basic facts

Portugal is a country situated in southwestern Europe on the Iberian Peninsula. Portugal is the westernmost country of Europe, and is bordered by the Atlantic Ocean to the West and South and by Spain to the North and East. The territory of Portugal is 92,212 km²²³¹ and its capital and largest city is Lisbon. The number of inhabitants is 10,561,614²³², approximately of those 5,514,227 of women (52.2 %) and 5,047,387 of men (47.8 %)²³³. The ethnical composition of Portugal is quite homogenous: 95.7 % of inhabitants are Portuguese, 1.6 % of European immigrants, 1.2 % of immigrants from Africa, 1.1 % of Brasilians and 0.4 % of others²³⁴. The minimum monthly wage is 485 Euros²³⁵ and the average montly gross earnings are approximately 900 Euros.

Portugal has been a democratic republic since the ratification of the Constitution of 1976. Portugal is unitary parliamentary constitutional republic. The current head of state is Aníbal António Cavaco Silva, re-elected on 23 January 2011 for a second presidential term.

Portugal is a member of the United Nations, the European Union, the Council of Europe, the North Atlantic Treaty Organisation, the Organisation for Economic Co-operation and Development, the Organisation for Security and Co-operation in Europe,

²³⁰ *Ibidem*.

²³¹ Statistics of Portugal. Area (km²) of national territory. The latest data of the year 2010. Available at: http://www.ine.pt/xportal/xmain?xpid=INE&xpgid=ine_unid_territorial&menuBOUI=13707095&contexto=ut&selTab=tab3 (consulted on 10 May 2012).

²³² Statistics of Portugal. Resident Population. The latest data of the year 2011. Available at: http://www.ine.pt/xportal/xmain?xpid=INE&xpgid=ine_indicadores&indOcorrCod=0005889&selTab=tab0&xlang=en (consulted on 10 May 2012).

²³³ *Ibidem*.

²³⁴ Comissão para a Cidadania e Igualdade de Género. *Igualdade de Género em Portugal 2010*. Lisboa, 2011, p. 23. The latest data of the year 2009.

²³⁵ Legislation of Portugal. Decree Law No. 143/2010, 31 December 2010, Article 1. Available at: http://www.dgert.mtss.gov.pt/trabalho/rendimentos/doc_smn/rmmg_2011.pdf (consulted on 20 May 2012).

the Community of Portuguese Language Countries, the Latin Union, and of the Organisation of Ibero-American States.

6.2 Gender roles in Portuguese society

According to the opinion of João Pereira, senior adviser in the Commission for Citizenship and Gender Equality, Portuguese society is patriarchal and family is patriarchal as well. It is true that women lead the family life, take some decisions, but they do not have the real power. It is the man who has power, and the final decision is of the man because it is him who is outside home, working for salary which helps to cover all the family issues²³⁶.

The still prevailing patriarchy of Portuguese society has to do with the previous dictatorial regime of Portugal. The dictatorship was completely patriarchal in terms of legislation: women could not get divorce, could not vote, could not travel without man's permission, etc. Taking into consideration that democracy is quite young in this country, only around 40 years, the patriarchal society is still prevailing here.

Despite of that it is worth mentioning one of the biggest achievements of Portugal in the sphere of gender equality. Portugal and Finland are the countries where the difference between the male and female part-time jobs is the lowest in Europe²³⁷. The vast majority (85%) of working women in Portugal have a full-time job. There has been virtually no change in the female part-time rate over the past decade, while the male part-time rate increased somewhat, resulting in a narrowing gender gap²³⁸. So, the gap between women and men are narrowing in Portugal, especially by implementing "The National Plan against Violence" in which one of the main goals are gender equality and redefinition of masculinity and femininity.

6.3 Domestic violence and relevant laws

Portugal has been pursuing the combat against domestic violence and gender violence

²³⁶ Interview with João Pereira, senior adviser, Gender-based Violence/Domestic Violence Unit, Commission for Citizenship and Gender Equality, Lisbon, 16 May 2012.

²³⁷ European Foundation for the Improvement of Living and Working Conditions, Part-time work in Europe, European Company Survey 2009, p.14. Available at:

<http://www.eurofound.europa.eu/pubdocs/2010/86/en/3/EF1086EN.pdf> (consulted on 20 May 2012)

²³⁸ *Ibidem*, p. 34.

by implementing an integrated and structured policy aiming at protecting the victims and prosecuting the perpetrators, knowing and preventing the phenomenon, qualifying the professionals and providing the country with support structures²³⁹.

The concept of domestic violence encompasses all acts of physical, psychological and sexual acts of violence perpetrated against people, regardless of gender and age, whose victimisation occurs in accordance with the content of article 152 of the Penal Code. It is important to stress that this concept was extended to ex-spouses and to persons of the same sex and different gender with whom the perpetrator maintains or has maintained a similar type of spousal relationship, even if not cohabiting/living together²⁴⁰.

6.3.1 Statistics

The domestic violence statistics of Portugal is represented in Table 4 and Table 5.

Table 4. Data on the Number of Occurrences of Domestic Violence in Portugal²⁴¹

Year 2010	Year 2011	Annual Rate Variation (%)
31 235	28 980	-7.2 %

Table 5. The Sex of the Victims and Perpetrators of Domestic Violence (number of occurrences and percentage)²⁴²

Sex of Victims and Perpetrators		Year 2010	Year 2011
Victims of Domestic Violence ²⁴³	Women	29 251 (82.3 %)	27 507 (81.6%)
	Men	6 283 (17.7%)	6 200 (18.4%)

²³⁹ Commission for Citizenship and Gender Equality, *IV National Plan against Domestic Violence 2011-2013*, Lisbon, 2011, pp. 8-9.

²⁴⁰ *Ibidem*, p. 9.

²⁴¹ Sistema de Segurança Interna, *Relatório Anual de Segurança Interna 2011*. 23 de Março de 2012, p.84. Available at: http://www.portugal.gov.pt/media/555724/2012-03-30_relato_rio_anual_seguran_a_interna.pdf (consulted on 14 May 2012)

²⁴² *Ibidem*, p.85-86.

²⁴³ The number of victims may exceed the number of reporting, since in each case may have been involved more than one victim.

Perpetrators of Domestic Violence ²⁴⁴	Women	4 282 (12.5%)	4 354 (13.3%)
	Men	29 947 (87.5%)	28 299 (86.7%)

Analysing the number of holdings by month and comparing them with the ones that were recorded in the respective period counterparts of the previous year, there is an effective decrease in the number of occurrences of domestic violence in 2011.

In 2011 in 62 percent of cases of domestic violence the victim was a spouse or partner, 16 percent were ex-spouse or former partner, 13 percent - son / daughter or the stepson / stepdaughter, at about 6 percent of cases the victim was father / mother / stepfather / stepmother and 3 percent of the cases corresponded to other situations²⁴⁵.

In most cases (78%) police intervention was due to a request from the victim, 8 percent was derived from information from relatives or neighbours, in 4 percent of the cases knowledge was held by Direct Security Forces, and in other cases the reason of police intervention was an anonymous or other type of complaint²⁴⁶.

Since 30 January 2011 it is possible to report any type of crimes in the Internet using Electronic Complaints System, in particular domestic violence (Article 152 of the Criminal Code). From 30 January 2008 till 31 December 2011 192 complaints of domestic violence were recorded using Electronic Complaints System, which consists 5 percent of the total complaints using this system. In 2011 69 complaints of domestic violence were received using this system, which corresponds to about 8 percent of total domestic violence' complains recorded in the year 2011²⁴⁷. It is worth mentioning that the number of complaints using Electronic Complaints System grows every year (53 complaints received in 2010, 42 in 2009 and 28 in 2008). The data collected by the report prepared by Directorate General of Internal Administration (Direção-geral de Administração Interna) on the first two and a half years of operation of the Electronic Complaints System (from 30 January 2008 to 31 July 2010) indicated that, with respect

²⁴⁴ The number of perpetrators may exceed the number of occurrences recorded because in each case may have been involved more than one perpetrator.

²⁴⁵ Sistema de Segurança Interna, *Relatório Anual de Segurança Interna 2011*. 23 de Março de 2012, p.87. Available at: http://www.portugal.gov.pt/media/555724/2012-03-30_relato_rio_anual_seguran_a_interna.pdf (consulted on 14 May 2012).

²⁴⁶ *Ibidem*, p.87.

²⁴⁷ *Ibidem*, p.87.

to 2009, 37 percent of domestic violence complaints were made by men. Comparing the domestic violence complaints made using this system with complaints reported by the usual channels, it is noted that in both cases the proportion of female complainants is higher than that of male complainants. It should be noted, however, that in the case of using the Electronic Complaints System the difference between men and women complainants is much smaller than the difference of domestic violence complaints reported using traditional ways (in this case about 84 percent of complaints are done by women, while using Electronic Complaints System only about 63 percent of complaints are done by women). This finding may reveal that the Electronic Complaints System is a privileged way for complaints by men²⁴⁸.

6.3.2 The domestic violence laws

Here is an overview of the most important legislation concerning domestic violence in Portugal.

The Law No. 112/2009, adopted on the 16th September 2009 is the main law for preventing and repressing domestic violence behaviors as well as supporting and promoting the autonomy and empowerment of the victims. This law represented an important milestone since it introduced the victim status, the urgent nature of domestic violence proceedings, the use of technical means to control the perpetrators at a distance, the possibility to arrest the perpetrator even if not caught in the act of committing an offense and that victims have the right to compensation, as well as established measures for legal, medical, social and labour support. It seeks to provide a more adequate answer unifying the laws regarding this matter²⁴⁹.

Although Law No. 112/2009 enshrines the principle of equality (Article 5) stating that “all the victims regardless of ascendancy, nationality, social condition, sex, ethnic origin, language, age, religion, disability, political or ideological convictions, sexual orientation and level of education enjoy the fundamental rights inherent to the dignity of

²⁴⁸Comissão para a Cidadania e Igualdade de Género, *IV Plano Nacional Contra a Violência Doméstica (2011-2013). Relatório Intercalar de Execução, Ano de 2011*. March 2012, p.19.

²⁴⁹Legislation of Portugal, the Law No. 112/2009, adopted on the 16th September 2009. Available at (in Portuguese): http://www.pgdlisboa.pt/pgdl/leis/lei_mostra_articulado.php?nid=1138&tabela=leis&nversao= (consulted 15 May 2012).

the human beings and must be ensured equal opportunities to live free of violence and to preserve the physical and mental health”, article 53 of the same law regulates the public network of support the victims of domestic violence, which includes the shelters only for women victims of domestic violence and their minor children²⁵⁰.

Law No. 7/2000 of 27 May 2000 made public the crime of ill-treatment of the spouse or partner, which means that not only the victims but also anyone who knows about such cases of violence can lodge a complaint and/or institute proceedings. Police authorities are obliged to inform the prosecuting authorities if they know of such crimes²⁵¹.

Legislative Administrative Rule No. 220-A/2010 deals with Teleassistance and Electronic surveillance. Teleassistance comes from the general law (No. 112/2009) Article 35: Technical means of control through distance. According to João Pereira, teleassistance and electronic surveillance “both are new electronic means to protect victim and control perpetrators. They came as a new issue under the law and are definitely useful. We also have some data from the inquiries and the victims find it useful, that’s the most important”²⁵².

The Portuguese legal system seeks a non discriminatory gender based treatment, trying not to treat women and men differently in the Portuguese society, but the fact is that in some fields the overwhelming majority of the persons who are in need of a stronger protection by the justice system are women, because they are victims more often. Nethertheless, fewer men victims should not be forgotten.

6.3.3 The Criminal Code

The Criminal Code and the Code of Criminal Process were revised on 15 September 2007. Since 2007, domestic violence is, for the first time, according to the Portuguese Criminal Code, a typified crime. Domestic violence is a crime (Article 152 of the Criminal Code), punishable by 1 to 5 years of imprisonment. This crime consists in the

²⁵⁰ *Ibidem*.

²⁵¹ Legislation of Portugal. Law No. 7/2000 of 27 May 2000. Available at (in Portuguese): http://www.dgpj.mj.pt/sections/citius/livro-iv-leis-criminais/pdf4/1-7-2000/downloadFile/file/L_7_2000.pdf?nocache=1182158157.65 (consulted on 15 May 2012).

²⁵² Interview with João Pereira, senior adviser, Gender-based Violence/Domestic Violence Unit, Commission for Citizenship and Gender Equality, Lisbon, 16 May 2012.

infliction, whether repeatedly or not, of physical or psychological mistreatment, including corporal punishment, restriction of freedom and sexual offences to a partner, ex-partner, person of the same sex or different sex that have maintained or have a relationship analogous to that of partners, or to a person who is vulnerable due to age, deficiency, sickness, pregnancy or economic dependence living with the perpetrator.

The measures for the protection of the victims can include: prohibiting the offender from having any contact with them; banning the offender from the victim's home and/or workplace, which can be monitored by remote technical means (electronic bracelet); prohibition of using firearms and holding firearms licence (from 6 months to 5 years); and obligation to attend programmes to prevent domestic violence. The offender can be banned from exercising paternal authority, tutelage or family authority (from 1 to 10 years)²⁵³.

6.3.4 The nature of violence

'Gender Violence in Portugal', a national survey of violence against women and men done in 2007 is the first national study to include men aged 18 or older, also the first in Portugal, to analyse the indicators for these acts, in a comparative perspective between the victimisation of both women and men. The results of the survey on the victimisation of men aged 18 or older reveals that informants also admit to being victims of violence (49.7%) corresponding to all of the types of violence noted (physical, psychological and sexual and social discrimination)²⁵⁴. In fact, if we begin to analyse the criminal acts of the form of domestic violence, and using the criteria of the law of 2007, which considers the physical, psychological and sexual dimensions, for the last year, the prevalence of male victims is around three times fewer than that of women in the same circumstances (2.3 % as opposed to 6.4 %)²⁵⁵. Although it is less probable for a man to

²⁵³ Legislation of Portugal, the Criminal Code, as revised in September 2007. Full text is available at (in Portuguese): http://www.nao-estas-a-venda.sef.pt/docs/codigo_penal.pdf (consulted on 18 May 2012).

²⁵⁴ Lisboa, M., 'Gender Violence in Portugal. A National Survey of Violence against women and men'. Summary of results in English, p. 6. The original survey: Lisboa, M. *et al.*, *Violência e Género - Inquérito Nacional sobre a Violência Exercida contra Mulheres e Homens*. Lisboa: Comissão para a Cidadania e Igualdade de Género, 2009. Available at: http://195.23.38.178/siicportal/files/magnete-201102_Violencia_e_Genero.pdf (consulted on 21 May 2012).

²⁵⁵ *Ibidem*, p. 17.

become a victim of domestic violence, it cannot be denied, that also men are victimised, even if 3 times less often.

The results of the survey 'Gender Violence in Portugal' clearly show that in Portugal, while women are above all victims of male victimisation (in more than 75 percent of the cases), the perpetrators of violence committed against men are also men²⁵⁶. So, it should be admitted that even the statistics of Portugal in 2011 showed nearly 20 percent of the domestic violence victims being men, the majority of perpetrators against them were also men. It makes the violence of women against their male intimate partners much less prevalent, although it cannot be denied, that the problem of women's violence exists.

With reference to the acts of psychological violence, the prevalence of the victimisation of men is 60.8 percent of the total number of victims. In physical violence, the prevalence of male victims is 41.7 percent, and in sexual violence, it is 6 percent. The acts of social discrimination are 18.7 percent. Compared to the victimisation of women, the prevalence obtained for men for the different types of violence is greater than for women in physical and psychological violence: strikingly in the first (41.7 % as opposed to 22.6 %) and slightly in the second (60.8 % as opposed to 53.9 %). Concerning sexual violence and socio-cultural discrimination, the prevalence of male victims is less than that of women: 6 percent as opposed to 19.1 percent, in the first, and 18.7 percent as opposed to 52.5 percent in the second²⁵⁷.

It also should be noted that domestic violence is one of the most underreported crimes. The survey 'Gender Violence in Portugal' showed that the most frequent reaction of the victims of aggression through "shouts and threats" is "be quiet and don't do anything". When the acts are more serious, the probability that the victims will go to the police is greater – an example being the threat "I'll kill you". In this case, around 1/4 of the victims in the last 12 months reported it to the police. When the threat is made with guns and knives, one in eight of the victims reported the incident to the police²⁵⁸. Thus, we should also keep in mind the huge number of underreported cases of domestic violence by women, but also by men.

²⁵⁶ *Ibidem*, p. 6.

²⁵⁷ *Ibidem.*, pp. 17-18.

²⁵⁸ *Ibidem.*, p. 15.

6.3.5 What kind of women use violence and why

‘Gender Violence in Portugal’, a national survey of violence against women and men revealed that “the most significant thread to the victimisation of women and men is that it deals with the different nature of the violence: in women, violence, above all, occurs in a configuration of gender inequality; in men, such does not happen. We can see equal victimisation mirrored in the population at large; and when this is associated to gender roles, the male is in a stronger position”²⁵⁹. Although a woman, according to her gender role, is in weaker position for perpetration of violence, she could also be violent. The main structural reason for men’s violence could be named as gender inequality, while the reasons for women’s violence could be various, starting from individual and relationships characteristics, previous violent experience and society’s permission to be violent.

In the survey ‘Gender Violence in Portugal’ the main cause given by the victims for the acts of aggression through “shouts and threats” is alcohol consumption, jealousy and the difference in values (bad moral training of the perpetrator, inequality between women and men). The feeling of possession follows as one more cause of violence in these types of acts²⁶⁰. The reasons stated by men for the fact of having been victims of violence, in the acts that are statistically more significant, are, firstly, the consumption of alcohol and “misunderstanding”. The “differences of values” and “bad moral training” also appear, but with less significant occurrence. On the contrary, in the case of female victims, “jealousy”, the “feeling of possession” and the “mentality of men in relation to women” are the most often cited causes²⁶¹.

Continuing to analyse the most frequent acts in the victimisation of men, their reaction to violence is characteristically different to that of women. In men, in order of prevalence, the most frequent reactions are “to react violently”, “not to do anything” and “to contact the police”²⁶².

²⁵⁹ *Ibidem.*, p. 6.

²⁶⁰ *Ibidem.*, p. 16.

²⁶¹ *Ibidem.*, p. 21.

²⁶² *Ibidem.*, pp. 20-21.

The results of the survey clearly demonstrate that in the case of Portugal, the victimisation of women presents a configuration of gender inequality; while that of men is general victimisation; and, in this case, there is a gender component, in the sense of masculine reinforcement²⁶³.

6.4 Help for male victims

6.4.1 Women and men organisations

The non-governmental organisations which fight violence against women play an important role in the legal field, by providing the victims with support towards an easier access to the justice. Unfortunately there are no organisations designed to provide psychological, social and legal assistance only for male victims of domestic violence in Portugal.

There are a large number of support services providing psychological assistance, counselling and information for victims of domestic violence. The public administration have initial network of support centres. It is a national network with the centres in all districts. Each of these centres is connected with the local non-governmental organisations.

The Commission for Citizenship and Gender Equality works in partnership with around 30-40 non-governmental organisations because national support centres are mostly runned by non-governmental organisations. The Commission for Citizenship and Gender Equality coordinates the National Action Plan which is the major document in terms of the strategy for public policies to tackle domestic violence. This commission is in charge to coordinate the system of support centers and all the policies and issues concerning domestic violence in Portugal²⁶⁴.

6.4.2 Shelters

According to Regulatory Decree 1/2006 of 25 January, “This regulatory decree regulates the organisation, functioning and supervision of the shelters provided for in

²⁶³ *Ibidem.*, p. 19.

²⁶⁴ Interview with João Pereira, senior adviser, Gender-based Violence/Domestic Violence Unit, Commission for Citizenship and Gender Equality, Lisbon, 16 May 2012.

Law 107/99 of 3 August and Decree-Law 323/2000 of 19 December, which are part of the public network of shelters for battered women”²⁶⁵. “The shelters are residential units to provide temporary refuge for battered women with or without their minor children”²⁶⁶. Currently, there are 37 shelters in the country but only for women victims of domestic violence, there are no shelters for men. There are other possibilities to support a man who is victim of domestic violence in emergency cases according to emergency social strategy, but according to João Pereira, there should also be the shelters for men, because in this case men lose a possible technical support. The national network of shelters is not only a place for accommodation, but also a place where victims get support through technical process, which includes the rehabilitation for women and children, empowerment of women, the help for an employment etc²⁶⁷. Although there is a very little need for shelters for men victims of domestic violence, without the shelters men victims can lose the possibility to get a place to stay. Men also lose a technical support for the inclusion to life, which is also provided in the shelters.

6.4.3 Crisis lines

The crisis lines for the victims of domestic violence are coordinated by Commission for Citizenship and Gender Equality in Portugal. This organisation gets calls from all over the country. Once the call centre gets a phone call from any place in Portugal, they indicate to which place and to which organisation in that district the victim of domestic violence could get assistance and support²⁶⁸. Men and women could get a consultation in this phone helpline.

²⁶⁵ Legislation of Portugal, The Regulatory Decree 1/2006 of 25 January, Art.1. Full text is available at (in Portuguese): <http://app.parlamento.pt/violenciadomestica/conteudo/pdfs/legislacao/decreg12006.pdf> (consulted on 16 May 2012).

²⁶⁶ *Ibidem*, Art.2.

²⁶⁷ Interview with João Pereira, senior adviser, Gender-based Violence/Domestic Violence Unit, Commission for Citizenship and Gender Equality, Lisbon, 16 May 2012.

²⁶⁸ *Ibidem*.

6.4.4 Police

The police have an active role in domestic violence which is to protect a victim, for example in terms of teleassistance project, and to arrest the perpetrators. Domestic violence is considered as a very serious crime in Portugal, so the National Security Forces have created special police teams throughout the country to deal with domestic violence. Situation in police training and attitudes are constantly improving and nowadays they are very well trained to immediately react to domestic violence and to support a victim²⁶⁹.

²⁶⁹ *Ibidem.*

VII. COMPARISON & RECOMMENDATIONS

Lithuania & Portugal

According to the opinion of two professionals working in the field of domestic violence in Lithuania and in Portugal, Lithuania is a matriarchal country, while Portugal is patriarchal. Lithuania is much less formal country in terms of gender equality and women's position and role in the family stays very important, meanwhile Portugal has achieved a lot of in formal gender equality.

In Lithuania and in Portugal the vast majority of domestic violence victims are women: 84 percent in Lithuania and 81 percent in Portugal. The number of men victims in these countries is quite different: there are 8.7 percent of male victims in Lithuania and 18.4 percent in Portugal. Women perpetrate only 4 percent percent of violence in Lithuania and 13.3 percent of violence in Portugal. Respectively, men perpetrate 95.8 percent of domestic violence in Lithuania and 86.7 percent of violence in Portugal. In conclusion, these statistics clearly show that although in much smaller number of cases, but women perpetrate violence and men are victims as well, although women's violence against men is more prevalent in Portugal than in Lithuania.

Lithuania and Portugal are improving national network to tackle domestic violence, although in different ways. Portugal is a very advanced country in electronic technological means to protect victims and to control the perpetrators. Here successfully works Teleassistance and Electronic Surveillance programmes. Moreover, it should be noted that Portugal has introduced an Electronic Complaints System (complaints online) which is an important and privileged way for complaints by men. Lithuania is an advanced country in domestic violence sphere as well, especially after adoption of the Law on Protection against Domestic Violence. This law has introduced mandatory arrest policy and 'victimless prosecution'. Moreover, all the victims of domestic violence get assistance in Specialised Assistance Centres which are working throughout all the territory of the country.

Another difference between the analysed countries is concerning their criminal codes. In the Criminal Code of Lithuania domestic violence is not a typified crime and charges for a perpetrator are filed according to a few articles of the Criminal Code, such as

‘Causing Physical Pain’, etc. Domestic violence is a typified crime in the Criminal Code of Portugal – it is separated as a specific type of crime, showing the importance of this crime and its particularity.

There are a few organisations designed only for men in Lithuania, but there are no special organisations for men in Portugal. Male victims could get assistance from the other organisations designed for victims or for a family. There are no shelters for men in both countries.

Recommendations

- The academic researches of intimate partner violence which takes into account both violence against women and men should be encouraged. More reliable researches of intimate partner violence are needed that combine all of the dimensions of initiation, motives and consequences. Moreover, samples should be taken from wide variety of places and measures need to be modified to take gender differences into account. The development of a gender-weighted measure of domestic violence stands as a major research need.
- Education and public information programmes should help to eliminate prejudices. Preventive measures should be taken, including public information and education programmes to change attitudes concerning the roles and status of men and women. Effective measures should be taken to overcome these attitudes, practices and customs, and to ensure that the media respects and promotes respect for women and for men victims of domestic violence. We are tolerating violence scenes in television and in the magazines we read only about the issues of violence against women. Avoiding speaking about violence against men, we shape our societies mind not in the right direction.
- Public attitudes should be changed as well, because there is little conceptualisation of men in a positive light, even though most men do not beat their partners. Positive male role models are rarely given any prominence. Until such is done, progress will continue to be more an advocacy issue rather than a cooperative venture of both

genders. In some men (and some women), physical aggression against a partner can be a very stable phenomenon that is hard to stop or treat, and it is useful for us to be open minded about new conceptualisations of the etiology and treatment of this major social issue.

- Domestic violence programs should offer services to both men and women. We need to provide services and resources for men victims, which would be gender-just. Violence prevention and treatment programs should not be based on the assumption that partner assault is almost exclusively a male crime. Effectiveness of prevention and treatment programs should be improved by taking into consideration the findings that the men also experience violence from their female partners. The safety and protection should be available also to male victims. Specific practices should also be supported—for example, policies and training procedures that guide police officers in recognising the signs of defensive violence. Gender-sensitive trainings of judicial and law enforcement officers and other public officials is essential.
- Redefinition of gender roles and creating new masculinities and new femininities is important to stop domestic violence. Feminism movement cannot be the only target in pursue of recognition of violence against men. The masculine culture itself is a problem. To end violence we should change also masculine model, which is decribed by toughness, aggression and intensity and to encourage men to complain. The fear and shame to complain and chivalry should be removed.
- Gender neutral language should be used in legislation, in providing services and in educational programmes. The term ‘domestic violence’ should not be used interchangeably with the term ‘violence against women’, because it is not the same and distorts public opinion in such a way, that exceptionally only men use violence, which is not truth.

Conclusions

- Women's violence in intimate relationships is a complex phenomenon. Various researches have demonstrated that women use physical violence against their male partners but their violence in general terms is different from men's one. Women's violence tend to be more moderate and produce less serious physical injuries in general, although less muscular strength is often compensated by guns and various tools, thus serious injuries to men intimate partners can be caused as well.
- Women's motivations for a violent behaviour can be found in different levels. In society at large and societal structures abuse is situated within gender roles and cultural expectations regarding gender. Culturally prescribed script and traditional gender role expectations legitimise women's violence as an acceptable and often harmless behaviour. At the relationship level women's violence largely depends on their victimisation by partner and necessity of self-defense, as well on expressing anger. Although both women and men physically assault their intimate partners, in general, women have a less chance of systematically terrorising their male partners. Individual characteristics of women and their previous experiences and traumas could also influence the use of violence.
- Due to social prejudices and to prescribed gender role, men find it even harder than women to complain for an experienced violence caused by women. The exceptional isolation of the abused male may be the characteristic that distinguishes him most from his abused female counterpart. The most common reactions of male victims are fear of being ridiculed or not believed, consequently, hiding being victimised. In women's violence the differences in injuries are tremendously important. For men not the physical injuries are the most damaging, but the psychological harm and decrease of self-confidence. Thus, importance of consequences of women's violence cannot be deemphasised simply because it often does not produce visible physical damage.
- The claim that men and women are physically violent towards each other in equal rates and with equal effects is truth only in some cases. In some types of violence which are based on simple arguments which grows to physical violence, but not

coercive controlling violence, men and women could use violence equally, although in most cases women produce less serious physical injuries to men. Women's perpetration of violence and men victimisation rates depends on many variables, such as gender empowerment, gender equality movement, individualism-collectivism, the public attitudes, relationships and individual features of victims and perpetrators. The measures and samples used for researches significantly influence the results.

- The statistical data from Lithuania and Portugal has demonstrated that women use physical violence much less often than men. Despite of that, the data clearly demonstrate that women use violence and significant number of men are victims of domestic abuse, which makes it a social problem. It is hard to answer if the prevention of women's violence, protection of male victims and assistance to them is efficient in Lithuania and in Portugal. Although many protection and assistance services are gender neutral which could correspond to men needs as well, there is a lack of special services for men which will take into consideration their specific needs and experiences.
- Women's violence against men is a social problem and a violation of basic human rights, although how serious this problem is, depends on a subjective view. Women's violence and men victimisation are less prevalent and produce fewer injuries, for this reason women's violence cannot be a primary concern. Despite of that, a significant number of men experience violence from their intimate partner, thus, male victims of domestic violence deserve the same recognition, support, services and sympathy as female victims do.
- Not all the domestic violence is gender-based and rooted in patriarchal traditions. Substantial numbers of men experience physical and more important psychological damage as well. Men are particularly reluctant to report victimisation due to social norms of masculinity. There is lack of specialised services for men victims of domestic violence and recognition of the phenomenon in a society. For these reasons, more attention should be paid for prevention from women's violence, protection of men victims and assistance to them.

- To really tackle the problem of women's violence against men and develop programmes which prevent continued violence, firstly we need to recognise this violence as an important social issue. The change of public opinion and recognition of the phenomenon of women's violence is the most important. Moreover, redefinition of new masculinities and new femininities is necessary to remove a social stigma for men to complain and to recognise that women's violence has damaging consequences as well.
- Domestic violence is a violation of many human rights enshrined in international and regional treaties, national constitutions and laws, which stipulate the obligations of states. The prohibition of discrimination is one of the most important principles in human rights. Despite of that, there is a lack of recognition of violence against men. While appropriate services for the male victims of domestic violence are not created, their basic human rights are violated.
- Equal protection under the law of male victims is questioned. Lack of available services for men victims positions them in less favourable situation than female victims. Thus, we could talk about the negative discrimination of men on the grounds of sex because compared with female victims, men victims are in a less favourable position because of their sex.
- The recent advance in international law is the recognition of domestic violence as a violation of human rights and recognition of state's responsibility for individual acts of violence. If the state does not provide appropriate prevention of domestic violence, protection and assistance to male victims, according to international human rights standards, the state can be held responsible.

Bibliography

Books:

Aulette, J. R. & Wittner, J., *Gendered Worlds*. New York: Oxford University Press, 2012.

Bowen, E., *The Rehabilitation of Partner - Violent Men*. Chichester: Wiley-Blackwell, 2011.

Comissão para a Cidadania e Igualdade de Género. *Igualdade de Género em Portugal 2010*. Lisboa, 2011.

Commission for Citizenship and Gender Equality, *III National Plan against Domestic Violence 2007-2010*. Lisbon, 2008.

Comissão para a Cidadania e Igualdade de Género, *IV Plano Nacional Contra a Violência Doméstica (2011-2013), Relatório Intercalar de Execução, Ano de 2011*. March, 2012.

Commission for Citizenship and Gender Equality, *IV National Plan against Domestic Violence 2011-2013*. Lisbon, 2011.

Cook, Ph. W., *Abused Men: The Hidden Side of Domestic Violence*. Westport, Conn.: Praeger, 2009.

Itzin, C., Taket, A. & Barter-Godfrey, S., *Domestic and Sexual Violence and Abuse. Tackling the Health and Mental Health Effects*. London and New York: Routledge, 2010.

Lisboa, M., 'Gender Violence in Portugal. A National Survey of Violence against women and men'. Summary of results in English. The original survey: Lisboa, M. et al., *Violência e Género - Inquérito Nacional sobre a Violência Exercida contra Mulheres e Homens*. Lisboa: Comissão para a Cidadania e Igualdade de Género, 2009. Available at: http://195.23.38.178/siicportal/files/magnete-201102_Violencia_e_Genero.pdf (consulted on 21 May 2012).

Tilbrook, E., Allan, A., & Dear, G., *Intimate Partner Abuse of Men*. East Perth, Western Australia: Men's Advisory Network, 2010. Available at: <http://ultimo167.files.wordpress.com/2010/09/intimate-partner-abuse-of-men-2010.pdf> (consulted on 15 June 2012).

Articles, and articles in edited books:

Archer, J., 'Cross-Cultural Differences in Physical Aggression between Partners: A Social-Role Analysis', pp. 133-153. In *Personality and Social Psychology Review*, vol. 10, no. 2, 2006.

Archer, J., 'Sex Differences in Aggression between Heterosexual Partners: A Meta-Analytic Review', pp. 651-680. In *Psychological Bulletin*, vol. 126, 2000.

Archer, J., 'Sex Differences in Physically Aggressive Acts between Heterosexual Partners: A Meta-Analytic Review', pp.313-331. In *Aggression and Violent Behavior*, vol. 7, 2002.

Bair-Merritt, M. H., Crowne, S. S., Thompson, D. A., Sibinga, E., Trent, M. & Campbell, J., 'Why Do Women Use Intimate Partner Violence? A Systematic Review of Women's Motivations', pp.178-189. In *Trauma Violence Abuse*, vol. 11, no. 4, 2010 October. Available at:
<http://www.ncbi.nlm.nih.gov/pmc/articles/PMC2994556/pdf/nihms252177.pdf>
(consulted on 20 March 2012).

Belknap, J. & Melton, H., 'Are Heterosexual Men Also Victims Of Intimate Partner Violence?'. In National Online Resource Center on Violence Against Women, March 2005. Available at: http://new.vawnet.org/Assoc_Files_VAWnet/AR_maleVictims.pdf
(consulted on 14 June 2012).

Caldwell, J.C., Swan, S.C., Allen, C.T., Sullivan, T.P. & Snow, D.L., 'Why I Hit Him: Women's Reasons for Intimate Partner Violence', pp. 672-697. In *Journal of Aggression, Maltreatment & Trauma*, vol. 18, 2009. Available at:
<http://www.ncbi.nlm.nih.gov/pmc/articles/PMC2975361/pdf/nihms-244912.pdf>
(consulted on 12 June 2012).

Carmichael, M., 'Experience of Domestic Violence: Findings from the 2006/07 Northern Ireland Crime Survey'. 2008. Available at:
http://www.nio.gov.uk/07_northern_ireland_crime_survey-3.pdf (consulted on 6 March 2012).

Corry, C. H., Fiebert, M. S. & Pizzey, E., 'Controlling Domestic Violence against Men', pp. 70-86. In *Nuance*, no .3, December 2001. Available at:
<http://www.amen.ie/articles/corry.pdf> (consulted on 30 March 2012).

Dasgupta, Sh. D., 'A Framework for Understanding Women's Use of Nonlethal Violence in Intimate Heterosexual Relationships', pp. 1364-1389. In *Violence against Women*, vol. 8, no. 11, November 2002.

Dasgupta, Sh. D., 'Just Like Men? A Critical View of Violence by Women', pp. 195-222. In Shepard, M. F. & Pence, E. L., (eds.), *Coordinating Community Responses to*

Domestic Violence. Lessons from Duluth and Beyond. Thousand Oaks: Sage Publications, 1999.

Didžbalytė, A., 'Moterų Smurtą Patyrusių Vyrų Patirties Analizė', pp. 31-48. In *Socialinis Darbas. Patirtis ir Metodai*, vol. 2, no. 2, 2008. Available at: http://vddb.laba.lt/fedora/get/LT-eLABa-0001:J.04~2008~ISSN_2029-0470.N_2_2.PG_31-48/DS.002.0.01.ARTIC (consulted on 20 May 2012).

Dobash, R. P. & Dobash, R. E., 'Women's Violence to Men in Intimate Relationships', pp. 324-349. In *The British Journal of Criminology*, vol. 44, no. 3, 2004.

Dobash, R.P., Dobash, R.E., Wilson M. & Daly, M., 'The Myth of Sexual Symmetry in Marital Violence', pp. 71-91. In *Social Problems*, vol. 39, no. 1, 1992.

Dutton, D. G. & Nicholls T. L., 'The Gender Paradigm in Domestic Violence Research and Theory: Part 1—The Conflict of Theory and Data', pp. 680-714. In *Aggression and Violent Behavior*, vol. 10, 2005.

Dutton, D. G., Nicholls T. L. & Spidel, A., 'Female Perpetrators of Intimate Abuse', pp. 1-31. In Buttell, F. & Mohr Carney, M., (eds.), *Women Who Perpetrate Relationship Violence: Moving Beyond Political Correctness*, New York : Haworth Press, 2005.

Fulkerson, A. & Patterson, Sh. L., 'Victimless Prosecution of Domestic Violence in the Wake of Crawford v. Washington'. In *Forum on Public Policy*, 2006. Available at: <http://www.forumonpublicpolicy.com/archive06/fulkerson.pdf> (consulted on 13 June 2012).

Goodmark, L., 'When Is a Battered Woman Not A Battered Woman? When She Fights Back'. August 2007. Available at: http://works.bepress.com/leigh_goodmark/2 (consulted on 25 March 2012).

Hasselbacher, L., 'State Obligations Regarding Domestic Violence: The European Court of Human Rights, Due Diligence, And International Legal Minimums of Protection', pp.190-215. In *Northwestern Journal of International Human Rights*, vol. 8, no. 2, Spring 2010.

Hoff, B. H., Why Women Assault: Review of Fiebert & Gonzalez, College Women Who Initiate Assaults on their Male Partners and the Reasons Offered for Such Behaviour. *MenWeb on-line Journal*. Available at: <http://www.batteredmen.com/fiebertg.htm> (consulted on 7 March 2012).

Holtzworth-Munroe, A., 'Male Versus Female Intimate Partner Violence: Outing Controversial Findings into Context', pp.1120-1125. In *Journal of Marriage and Family*, vol.67, December 2005.

Johnson, M. P., 'Patriarchal Terrorism and Common Couple Violence: Two Forms of Violence against Women', pp.283-294. In *Journal of Marriage and the Family*, vol. 57, no. 2, May 1995.

Johnson, M. P., 'Conflict and Control: Symmetry and Asymmetry in Domestic Violence', pp. 94-104. In Booth, A., Crouter, A. C. & Clements, M., eds., *Couples in Conflict*. Mahwah, NJ : L. Erlbaum Associates, 2001.

Johnson, M. P., 'Domestic Violence: It's Not About Gender – Or Is It?', pp. 1126-1130. In *Journal of Marriage and Family*, vol. 67, December 2005.

Johnson, M. P., 'Conflict and Control: Gender Symmetry and Asymmetry in Domestic Violence', pp.1003-1018. In *Violence against Women*, vol. 12, no. 11, November 2006.

Johnson, M. P., 'Langhinrichsen-Rolling's Confirmation of the Feminist Analysis of Intimate Partner Violence: Comment on "Controversies Involving Gender and Intimate Partner Violence in the United States"', pp. 212-219. In *Sex Roles*, vol. 62, 2010.

Johnson, M. P., 'Gender and Types of Intimate Partner Violence: A Response to an Anti-Feminist literature Review', pp. 289-296. In *Aggression and Violent Behaviour*, vol. 16, 2011.

Kelly, J. B. & Johnson, M. P., 'Differentiation among Types of Intimate Partner Violence: Research Update and Implications for Interventions', pp. 476-499. In *Family Court Review*, vol. 46, no. 3, July 2008.

Kimmel, M. S. "'Gender Symmetry" in Domestic Violence', pp.1332-1363. In *Violence against Women*, vol. 8, no.11, November 2002.

Levison, J. H. & Levison, S. P., 'Women's Health and Human Rights', pp. 125-151. In Agosin, M., (eds.), *Women, Gender, and Human Rights. A Global Perspective*. New Brunswick, New Jersey and London: Rutgers University Press, 2002.

Loynd, R., 'TV REVIEWS: Men Don't Tell Focuses on Plight of Battered Husbands'. *Los Angeles Times*, 13 March 1993. Available at: http://articles.latimes.com/1993-03-13/entertainment/ca-10270_1_husbands-men-battering (consulted on 6 April 2012)

Molotkow, A., 'Why Feminists Need to Take "Men's Rights" Movement Seriously'. *This Magazine*, 11 August 2009. Available at: http://this.org/magazine/2009/08/11/feminism-men-rights/?utm_source=thismag&utm_medium=related&utm_campaign=supplementary&fb_source=message (consulted on 6 March 2012).

O'Keefe N., Brockopp K. & Chew E., 'Teen Dating Violence', pp. 465-468. *Social Work*, vol. 31, 1986.

Parsons, D., 'Pitcher's case Throws a Curve at Common Beliefs about Abuse', *Los Angeles Times*, 10 April 2002. Available at: <http://articles.latimes.com/2002/apr/10/local/me-parsons10> (consulted on 8 April 2012).

Reed, E., Raj, A., Miller, E. & Silverman, J. G., 'Losing the "Gender" in Gender-Based Violence: The Missteps of Research on Dating and Intimate Partner Violence', pp. 348-354. In *Violence against Women*, vol. 16, no. 3, 2010.

Richard, F. S., 'Victimless Crime'. In *Encyclopedia of Crime and Justice*, 2002. Available at: <http://www.encyclopedia.com/doc/1G2-3403000270.html> (consulted on 13 June 2012).

Straus, M. A., Kaufman Kantor, G., & Moore, D. W., 'Change in cultural norms approving marital violence: From 1968 to 1994', pp. 3-16. In Kaufman Kantor, G. & Jasinski J. L., (eds.), *Out of the darkness: Contemporary perspectives on family violence*. Thousand Oaks: Sage Publications, 1997. Available at: <http://gauss.unh.edu/~mas2/V54.pdf> (consulted on 7 March 2012).

Straus, M. A., 'Future Research on Gender Symmetry in Physical Assaults on Partners', pp.1086-1097. In *Violence against Women*, vol. 12, no. 11, November 2006.

Straus, M. A., 'The Controversy over Domestic Violence by Women: A Methodological, Theoretical, and Sociology of Science Analysis', pp.17-44. In: Arriaga, X. B. & Oskamp, S., (eds.), *Violence in Intimate Relationships*. Thousand Oaks, CA: Sage, 1999. Available at: <http://pubpages.unh.edu/~mas2/CTS21.pdf> (consulted on 9 June 2012).

Straus, M. A. & Ramirez, I. L., 'Gender Symmetry in Prevalence, Severity, and Chronicity of Physical Aggression against Dating Partners by University Students in Mexico and USA', pp. 281-290. In *Aggressive Behaviour*, vol. 33, 2007.

Straus, M. A., 'Physical assaults by wives: A major social problem', pp. 67-87. In Gelles, R. & Loseky D., (eds.), *Current controversies on family violence*. Newbury Park, CA: Sage, 1993.

Swan S. C. & Snow D. L., 'A Typology of Women's Use of Violence in Intimate Relationships', pp.286-319. In *Violence Against Women*, vol. 8, no. 3, March 2002.

Swan S. C. & Snow D. L., 'Behavioral and Psychological Differences among Abused Women Who Use Violence in Intimate Relationships', pp. 75-109. In *Violence Against Women*, vol. 9, no. 1, January 2003.

Swan, S. C., Snow D. L., 'The Development of a Theory of Women's Use of Violence in Intimate Relationships', pp.1026-1045. In *Violence against Women*, vol. 12, no. 11, November 2006.

Tjaden P. & Thoennes N., 'Extent, Nature, and Consequences of Intimate Partner Violence: Findings from the National Violence against Women Survey', Department of Justice of the United States of America, 2000. Available at: <https://www.ncjrs.gov/pdffiles1/nij/181867.pdf> (consulted on 20 May 2012).

Internet sources:

Domestic violence help, movie "Men Don't Tell", available at: <http://www.squidoo.com/OtherFaceOfDomesticViolence> (consulted on 6 April 2012).

European Foundation for the Improvement of Living and Working Conditions, Part-time work in Europe, European Company Survey 2009. Available at: <http://www.eurofound.europa.eu/pubdocs/2010/86/en/3/EF1086EN.pdf> (consulted on 20 May 2012).

Internet Movies Database, Movie "Men Don't Tell". Available at: <http://www.imdb.com/title/tt0107553/> (consulted on 6 April 2012).

Medical News Today, 'Psychologists Examine Role Of Control In Domestic Violence', 24 June 2009. Available at: <http://www.medicalnewstoday.com/releases/155185.php> (consulted on 20 June 2012).

Ministry of Social Security and Labour, Republic of Lithuania, The Program of Special Assistance Centres is Prepared. 5 December 2011. Available at (in Lithuanian): <http://www.socmin.lt/index.php?388370846> (consulted on 13 May 2012).

Police Department. During the Four Months Received Almost 10 000 Reports about the Family Violence, Started 3309 Pretrial Investigations. 19 April 2012. Available at: <http://www.policija.lt/index.php?id=15868> (consulted on 9 May 2012).

Sistema de Segurança Interna, *Relatorio Anual de Segurança Interna 2011*. 23 de Março de 2012. Available at: http://www.portugal.gov.pt/media/555724/2012-03-30_relato_rio_anual_seguran_a_interna.pdf (consulted on 14 May 2012).

Specialised Assistance Centres in Lithuania. Available at: <http://www.vaikoteises.lt/media/file/SPCKontaktai.pdf> (consulted on 13 May 2012).

Statistics of Lithuania. Number of Persons. Available at: <http://db1.stat.gov.lt/statbank/selectvarval/saveselections.asp?MainTable=M3010101&PLanguage=1&TableStyle=&Buttons=&PXSID=7743&IQY=&TC=&ST=ST&rvar0=&rvar1=&rvar2=&rvar3=&rvar4=&rvar5=&rvar6=&rvar7=&rvar8=&rvar9=&rvar10=&rvar11=&rvar12=&rvar13=&rvar14=> (consulted on 8 May 2012).

Statistics of Lithuania. Women and Men. Available at:
<http://www.stat.gov.lt/en/pages/view/?id=1393> (consulted on 8 May 2012).

Statistics of Lithuania. Population by Ethnicity. Available at:
<http://db1.stat.gov.lt/statbank/selectvarval/saveselections.asp?MainTable=M3010215&PLanguage=1&TableStyle=&Buttons=&PXSID=3236&IQY=&TC=&ST=ST&rvar0=&rvar1=&rvar2=&rvar3=&rvar4=&rvar5=&rvar6=&rvar7=&rvar8=&rvar9=&rvar10=&rvar11=&rvar12=&rvar13=&rvar14=> (consulted on 8 May 2012).

Statistics of Lithuania. The Minimum Monthly Wage. Available at:
<http://db1.stat.gov.lt/statbank/selectvarval/saveselections.asp?MainTable=M3060102&PLanguage=1&TableStyle=&Buttons=&PXSID=3610&IQY=&TC=&ST=ST&rvar0=&rvar1=&rvar2=&rvar3=&rvar4=&rvar5=&rvar6=&rvar7=&rvar8=&rvar9=&rvar10=&rvar11=&rvar12=&rvar13=&rvar14=> (consulted on 8 May 2012).

Statistics of Lithuania. Average monthly gross earnings. Available at:
<http://www.stat.gov.lt/en/pages/view/?id=1398> (consulted on 8 May 2012).

Statistics of Portugal. Area (km²) of national territory. The latest data of the year 2010. Available at:
http://www.ine.pt/xportal/xmain?xpid=INE&xpgid=ine_unid_territorial&menuBOUI=13707095&contexto=ut&selTab=tab3 (consulted on 10 May 2012).

Statistics of Portugal. Resident Population. Available at:
http://www.ine.pt/xportal/xmain?xpid=INE&xpgid=ine_indicadores&indOcorrCod=0005889&selTab=tab0&xlang=en (consulted on 10 May 2012)

Official documents:

Council of Europe, Convention on Preventing and Combating Violence against Women and Domestic Violence, CETS No.: 210, 15 May 2011, available at:
<http://www.conventions.coe.int/Treaty/EN/Treaties/Html/210.htm> (consulted on 13 June 2012).

Council of Europe, Convention on Preventing and Combating Violence against Women and Domestic violence, Explanatory Report. Available at:
<http://www.conventions.coe.int/Treaty/EN/Reports/Html/210.htm> (consulted on 13 June 2012).

Council of Europe, Parliamentary Assembly, Resolution No. 1861, 2012. Available at:
<http://assembly.coe.int/main.asp?link=http://assembly.coe.int/Mainf.asp?link=/Documents/AdoptedText/ta12/ERES1861.htm> (consulted on 13 June 2012).

Law on the Approval and Entry into Force of the Criminal Code (The Criminal Code). Republic of Lithuania, 26 September 2000, No VIII-1968, Article 140. Available at (in English): http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc_1?p_id=366707 (consulted on 9 May 2012).

Law on Protection against Domestic Violence. Republic of Lithuania, 26 May 2011, No XI-1425, Vilnius. Available at (in English): http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc_1?p_id=410975 (consulted on 9 May 2012).

Legislation of Portugal. Law No. 7/2000 of 27 May 2000. Available at (in Portuguese): http://www.dgpj.mj.pt/sections/citius/livro-iv-leis-criminais/pdf4/1-7-2000/downloadFile/file/L_7_2000.pdf?nocache=1182158157.65 (consulted on 15 May 2012).

Legislation of Portugal, the Regulatory Decree No. 1/2006 of 25 January. Full text is available at (in Portuguese): <http://app.parlamento.pt/violenciadomestica/conteudo/pdfs/legislacao/decreg12006.pdf> (consulted on 16 May 2012).

Legislation of Portugal, the Criminal Code, as revised in September 2007. Full text is available at (in Portuguese): http://www.nao-estas-a-venda.sef.pt/docs/codigo_penal.pdf (consulted on 18 May 2012).

Legislation of Portugal, the Law No. 112/2009, adopted on the 16th September 2009. Available at (in Portuguese): http://www.pgdlisboa.pt/pgdl/leis/lei_mostra_articulado.php?nid=1138&tabela=leis&nversao= (consulted 15 May 2012).

Legislation of Portugal, the Decree Law No. 143/2010, 31 December 2010. Available at (in Portuguese): http://www.dgert.mtss.gov.pt/trabalho/rendimentos/doc_smn/rmmg_2011.pdf (consulted on 20 May 2012).

Legislation of Slovenia. Family Violence Prevention Act 2008. Full text is available at: <http://sgdatabse.unwomen.org/uploads/Family%20Violence%20Prevention%20Act%202008.pdf> (consulted on 15 May 2012).

National Strategy for the Reduction of Violence against Women. 22 December 2006, No. 144-5474. Available at (in Lithuanian): http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc_1?p_id=289640&p_query=&p_tr2= (consulted on 9 May 2012).

United Nations Economic & Social Council, Commission on Human Rights, *Further Promotion and Encouragement of Human Rights and Fundamental Freedoms, Including the Question of the Programme and Methods of Work of the Commission*

Alternative Approaches and Ways and means Within the United Nations System for Improving the Effective Enjoyment of Human Rights and Fundamental Freedoms. Report of the Special Rapporteur on Violence Against Women, Its Causes and Consequences, prepared by Radhika Coomaraswamy, U.N. Doc. E/CN.4/1996/53, 5 February, 1996. Available at: <http://www1.umn.edu/humanrts/commission/thematic52/53-wom.htm> (consulted on 15 June 2012).

United Nations Economic & Social Council, Commission on Human Rights, *Integration of the Human Rights of Women and the Gender Perspective: Violence Against Women: The Due Diligence Standard as a Tool for the Elimination of Violence Against Women.* Report of the Special Rapporteur on Violence Against Women, Its Causes and Consequences, prepared by Yakin Ertürk, U.N. Doc. E/CN.4/2006/61, 20 January, 2006. Available at: <http://www.unhcr.org/refworld/pdfid/45377afb0.pdf> (consulted on 15 June 2012).

United Nations General Assembly, Charter of United Nations. Adopted on 26 June 1945. Full text is available at: <http://www.un.org/en/documents/charter/> (consulted on 13 June 2012).

United Nations General Assembly, The Convention on the Elimination of All Forms of Discrimination against Women. Adopted on 18 December 1979. Full text is available at: <http://www.un.org/womenwatch/daw/cedaw/text/econvention.htm> (consulted on 13 June 2012).

United Nations Human Rights Council, Universal Periodic Review – Lithuania. National Report, No. A/HRC/WG.6/12/LTU/1, 3–14 October 2011, Geneva. Available at: <http://www.ohchr.org/EN/HRBodies/UPR/Pages/LTSession12.aspx> (consulted on 13 May 2012).

The Committee on the Elimination of Discrimination against Women, General Recommendation No. 19, 11th session, 1992. Full text is available at: <http://www.un.org/womenwatch/daw/cedaw/recommendations/recomm.htm#recom19> (consulted on 13 June 2012).

World Health Organisation, *Intervening with Perpetrators of Intimate Partner Violence: A Global Perspective.* ISBN 92 4 159049 1, 2003. Available at: <http://whqlibdoc.who.int/publications/2003/9241590491.pdf> (consulted on 15 April 2012).

Interviews:

Interview (in Lithuanian) with Arūnas Kuras, director, Men Crisis and Information centre, Vilnius, 15 March 2012.

Interview with João Pereira, senior adviser, Gender-based Violence/Domestic Violence Unit, Commission for Citizenship and Gender Equality, Lisbon, 16 May 2012.

Interview with G., the man who experienced violence from his female partners, Vilnius, 17 March 2012.

E-mails:

E-mail from Ramunas Matonis, Assistant Manager in Communication Department, Department of Police of Lithuania, 9 May 2012.