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**GENDER, THE STATE AND PATRIARCHY: PARTNER
VIOLENCE IN MEXICO**

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**GENDER, THE STATE AND PATRIARCHY: PARTNER
VIOLENCE IN MEXICO**

by

Sonia Frias Martinez, B.A.; M.A.

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Dedication

A mi hijo

Diego

por ser lo más maravilloso de mi vida y por darme
fuerza para continuar adelante

A mis padres

Encarnación y Salvador

por la vida, su cariño y por el apoyo incondicional durante todos estos años

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Gender, The State and Patriarchy: Partner Violence in Mexico

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This dissertation focuses in the phenomenon of partner violence in Mexico. It examines the causes of partner violence at multiple levels of analysis. At the micro level it examines characteristics of individual victims, the family and the relationship. At the macro level the focus is on the legal and social structures that define domestic violence and the State's response. Throughout the analysis, the State plays a central role as the set of institutional arrangements that define the rules of the game and that determine the possibilities for change and the potential roles and effectiveness of key players including the feminist movement.

Throughout the analysis I examine the confluence of forces that influence the State's attempts to reduce individual women's risk of partner violence through its legislative, judicial and police powers in a historically defined situation characterized by pervasive structural patriarchy. A major objective is to asses the influence of the pervasive patriarchy in the system on individual women's risk of partner violence. The approach adopted in this dissertation is based on the assumption that patriarchy is a social system that permeates social institutions and that becomes internalized and part of the

normative everyday reality that structures individual's interpretations and motivations. This research demonstrates that, on average, the structural gender inequality between Mexican men and women is high. This inequality is revealed through qualitative and quantitative analyses that demonstrate empirically the influence of the patriarchal system both on individual experiences of partner violence, and on the State's response.

Adopting a feminist post-structuralist approach to the analysis of the State's role, the research reveals inconsistencies between the discourses and practices of the Mexican State regarding partner violence. By analyzing administrative family violence legislation, I determine whether the Mexican State has in fact made substantively meaningful attempts to challenge patriarchy and to end violence against women in the family realm. The family violence legislation has two often inherently contradictory purposes. On the one hand the objective is to protect the family as a core social institution. The second, which is often in conflict with the first objective, is to protect women from abuse by their partners. This dissertation demonstrates that these conflicting objectives and the embeddedness of patriarchy throughout the social help explain why certain branches of the Mexican State tend to strengthen patriarchy and reify women's subordinate position in the family. The way in which the State interprets and implements family violence legislation reveals the inability and/or unwillingness of the State to protect women's rights and highlights the patriarchal assumptions pervading the State's actions.

Finally, this research looks at feminist and women's movements and NGOs to determine whether they have been effective in influencing the State to adopt measures to guarantee women a life free of violence. I looked not only for their influence on the legislative level, but also surveyed the role they continue to play in implementing anti-violence laws.

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CHAPTER 1: INTRODUCTION

“The legal right of a man to beat his wife is no longer explicitly recognized in most western countries but the legacy of the patriarchy continues to generate the conditions and relationships that lead to a husband’s use of force against his wife. Patriarchal domination through force is still supported by a moral order which reinforces the marital hierarchy and makes it very difficult for a woman to struggle against this, and other forms of domination and control, because her struggle is construed as wrong, immoral, and a violation of the respect and loyalty a wife is supposed to give to her husband. Despite this, women do continue struggle against their husbands’ specific oppression as well as against the ‘morality’ that forces a woman to remain silent or to seek fault in herself for her husband’s violence. Women struggle against all odds –against cultural ideals that still require a woman to submit to almost any form of treatment that her husband considers appropriate and against the policies and responses of various social agencies which often demonstrate direct or indirect support for the husband’s authority and his use of violence”. Dobash and Dobash (1979:ix) *Violence against Wives, A Case against the Patriarchy*.

The “hogar”, or hearth and home, is no sanctuary for many women in today’s world. The home is one of the most dangerous places for Mexican women (Díaz-Olavarrieta and Sotelo 1996). In 2003, approximately 40 percent of Mexican women were the victims of some type of abuse by their partners (INEGI and INMUJERES 2004). This research addresses an important and at the same time little understood phenomenon, violence against women perpetrated by their romantic partner in Mexico. While a great deal of attention has been paid to the individual and situational factors that influence the phenomenon, the roles of social structure, the State and the impact of legislation and public policies on the prevalence and severity of partner violence has been largely neglected. The current study addresses those shortcomings by focusing on the interconnections between social structure, the State and individual-level factors as determinants of the risk of domestic violence in a highly patriarchal social and cultural context.

The ingrained and pervasive nature of patriarchy in Mexico is revealed by the fact that 8.5 percent of Mexican women believe that their husbands have the right to use physical force to discipline them when they do not fulfill their obligations. Similarly, 11 percent believes that wives have an obligation to have sex with their husbands even if they do not want to (ENDIREH 2003). Violence against women has existed in Mexico in different manifestations since the pre-Hispanic era (Alonso 1997; Finkler 1997; Suárez Escobar 1999). The arrival of the Spaniards did little more than strengthen and reaffirm the already existing patriarchal social structure by adding cultural scripts that reinforced women's subordination (Suárez Escobar 1999). The right of a man to beat his wife is no longer explicitly recognized in Mexican legislation since it was outlawed in the 1871's criminal code (Alonso 1997). In Mexico wife beating is not considered a natural aspect of male-female relations, nor is it treated in law as a husband's or mates prerogative. Indeed, violence against women is rejected both in the private and public spheres and aggressors are stigmatized (Agoff, Rajsbaum, and Herrera 2006; Finkler 1997:1153). Yet the phenomenon persists at surprisingly high rates.

In order to address the problem of domestic violence, in 1996 the Federal District Legislative Assembly enacted the first administrative family violence law in Mexico. Soon afterwards, administrative family violence laws were approved in other states in Mexico. These were motivated by both international forces and local internal pressures from civil society, the women's movement, and as a result of a political legitimacy crisis. These forces acted together to further the approval of family violence laws.

The objective of administrative family legislation was to reduce the prevalence of partner violence by providing assistance to victims and promoting family violence prevention programs and policies. However, the role of the State was not straightforward. An examination of the passage and implementation of administrative

family violence legislation reveals the following paradox that will be examined throughout this dissertation: the laws have a dual purpose, on the one hand to protect and affirm the sanctity of the family, and on the other the protection of family members from the threat of family violence.

Based on the proposition that patriarchy is a social system that permeates institutions and that becomes internalized in individuals, my dissertation addresses several specific questions. One of the most central is, what is the role of the State in implementation of laws? A second is, what are the implications of the inherent paradox in the objectives of protecting the sanctity of the family while intervening to protect its members from violence? A third question relates to the type of protection women receive from the State under the administrative family violence laws. A fourth question asks whether State-promoted measures intended to protect women from partner violence are patriarchy-free. A fifth question addresses the level of patriarchy in Mexico. A sixth question asks if the level of patriarchy is similar in all states of Mexico. Finally, a seventh question asks how patriarchy affects individual experiences of partner violence. Although these questions are posed separately, they will be answered in many parts of the dissertation, often simultaneously.

Social problems are complex and need to be studied within their multiple levels of complexity. As a consequence, this research examines the causes of partner violence at multiple levels of analysis; from the individual victim, the family and the relationship at the most microscopic level, to the larger legal and social structures at the most macro, taking into consideration role of the State, an entity that has the potentiality of changing both the social structure and the individuals.

The study of partner violence is complex since violence is very often bidirectional. In this research I only focus in violence perpetrated by men against women,

since men exert violence based on a system that attributes them social prerogatives on women. This system is patriarchy. As men are the ones benefited from this system the nature of the violence perpetrated by women is of another nature, and it is not based on their privileged position in society.

1.1- SIGNIFICANCE OF THE STUDY

When domestic violence became the subject of scientific research in the early 70s, its definition was restricted to physical violence (see for example Gelles and Straus 1979; Yllo 1988). As time passed, the definition of violence was expanded to any act that is harmful to the victim, including physical attacks, threatened physical attacks, psychological or emotional abuse, sexual assaults or threatened sexual assaults, and neglectful behavior (Gelles 2000). Today there are many conceptions of those acts that constitute domestic violence and the scholar community has not reached a consensus regarding “how broad or narrow the definition of violence should be, or as to how to define the specific components of any definition (e.g., violence, neglect, rape, or psychological abuse)” (Gelles 2000:786). The Declaration on Violence Against Women (1993, Art. 1), defines violence against women as “any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life”, regardless if it occurs. When these acts are perpetrated by a romantic partner, the act is labeled partner violence or domestic violence.

The problem of partner violence is complex because its causes and its consequences reach beyond the individual and the family. At the individual level, research based on diverse western and non-western samples agrees that victims of partner

abuse experience personal losses beyond damage to their physical and mental health (Castro, Peek-Asa, and Ruiz 2003; García-Moreno 1999; Goodman, Koss, and Russo 1993; Heise and García-Moreno 2002; Valdez-Santiago and Juárez 1998), such as lower earnings compared to non abused (Morrison and Orlando 1999).

At the family level, violence in one family relationship is related to violence in other family relationships (Straus and Smith 1990). The children of abused women are more likely, than those of women who have not been abused to be victims of violence, to act violently against their intimate partners and their children (Egeland 1993; Kalmuss 1984; Larraín Heiremans 1994; National Research Council 1996; Straus, Gelles, and Steinmetz 1980; Straus and Smith 1990). Domestic violence teaches children that violence is an appropriate way of resolve disagreements, which increases the likelihood of engaging in violence outside the home (Morrison and Orlando 1999) and ultimately lead to adult criminal behavior (see review by Hackler 1991).

Finally, partner violence has a socioeconomic impact on society that includes expenditures on the criminal justice system, shelters, social and medical services, as well as impacts on the country's economic development (Buvinic, Morrison, and Shifter 1999). The expenses in the health system of Mexico associated with family violence are approximately 1.5% of the GDP, or approximately 92,292 million pesos per year (Oficina del Alto Comisionado de las Naciones Unidas 2003). In sum, partner violence is a problem that has broad implications for the individual, for families and for society in general and the problem requires a better understanding of its causes and consequences, its intergenerational transmission, its impact on other spheres of social life, as well as the role of the State in dealing with partner violence.

Until the last two decades most of the research about domestic violence was centered in North-America and a few Western countries (Jewkes 2002). For the most

part, research on domestic violence is dominated by English-language publications and researchers in other countries tend to rely on the extensive literature on violence in the U.S. to motivate and frame their analyses (see Krahe, Bieneck, and Moller 2005; Krane 1996). Only recently have researchers begun to test propositions and theories based on studies from developed countries in developing nations. Interestingly, this new research focused on other societies and cultures has largely corroborated Gelles and Cornell's (1983) tentative conclusion about the existence of country variations in rates of violence and other factors, including culture, that are related to family violence. This new comparative research, even given its limitations and limited representativeness (García-Moreno 1999; Torres-Falcón 2001), suggests that we cannot assume that the same factors that explain violence in the United States and Western Europe operate in the same way in other societies. Factors other than the individual and situational characteristics of the individual, the family and the relationship might influence partner violence. Among those we find structural level variables such as the level of structural gender equality, and the State.

Despite the fact that the World Bank has labeled Latin America as one of the most violent regions of the world (Buvinic, Morrison, and Shifter 1999), very little is known about the structural contexts, prevalence and factors associated to partner violence in this region, largely because of the lack of nationally representative studies in many countries (Heise and García-Moreno 2002; Watts and Zimmerman 2002). This analysis of partner violence in Mexico extends our current knowledge about partner violence in several ways. First, it contributes to better understanding the phenomenon in a developing country. Second, since Mexico is often stereotyped as Machista (Díaz-Olavarrieta and Sotelo 1996) and because of the fact that Mexican men are stereotypically seen as violent machos (Alonso 1997), Mexico represents an excellent case study for analyzing the role

of social structure and culture in the phenomenon of partner violence. Third, in light of Mexico's recent democratization process, the analysis of Mexico can shed some light about how the State deals with women's rights, and more specifically with partner violence, in a context of democratization. And fourth, theoretically, by using the case of Mexico, this research extends previous approaches by developing a theoretical bridge between the micro family violence approach (mostly focused in the individual) and a macro feminist perspective (mainly centered in the patriarchal nature of the social structure and the analysis of the state). This dissertation reconciles these two standpoints, so that rather than considering them as competing perspectives, treats them as complementary approaches that deal with different aspects of the same problem.

1.2- FEMINIST APPROACH TO WOMEN, FAMILY, PATRIARCHY AND VIOLENCE

With few exceptions, women have been historically subordinated to men. Yet, there is no agreement in the literature concerning the nature of patriarchy or *masculine domination* as a cultural and social phenomenon (see in example Bourdieu 1998; Segal 1993). Patriarchy, which defines the position of women in society as subordinate to men, has been historically supported and reinforced by legal, political, economic and ideological structures, including the religious system (Dobash and Dobash 1979; Moghadam 2004). These structures directly or indirectly maintain and reinforce the ideology and reality of men's authority over women and foster the acceptance of men's use of physical force against women.

The patriarchal society is one in which power is held by male heads of households in all realms public and private. In the private realm, the patriarch (male) enjoys power over all junior males, females and children. In the public sphere the power is shared and

negotiated among patriarchs. In the household women might influence indirectly that who occupies the power (male), but it never happens in the public sphere (Mann 1986). In order for the Western State to emerge as the dominant institution of power in society, it had to control the large feudal households, which hold political and economic power. The State deliberately increased the power of the husband and father in the family, strengthening patriarchy, as a way of creating loyalties and reinforcing hierarchy, both within the family and in the society giving a central position to the State in society (Dobash and Dobash 1979). The development of patriarchy within the family was instrumental for the State in assuring that the same patterns of obedience and hierarchy in the family would be reproduced in social life. Therefore, the nuclear family became a basic social cell and the basis of the State. Foucault (1965) argued that the family was the foundation of patriarchal society, and that other social institutions replicated the family model.

The family is perhaps the only societal institution that is conceptualized as essential and natural. Feminist discourse has criticized the nuclear family as the fundamental source of gender inequality and the primary locus of women's oppression. The family is one of the most patriarchal institutions in society (Dobash and Dobash 1977). In order to assure subordination the patriarch has the prerogative of using force; such as the State has it in the Weberian conceptualization of the State (1965). The family does not only maintains, but also validates men's use of violence against women (Bograd 1988). Although other forms of male violence against women are shaped by patriarchy as well, a man's right to dominate is nearly sacrosanct within the family (Dobash and Dobash 1977; 1988).

The structured inequality in the family, which frees men from child care, creates a male consciousness that makes boys want to differentiate than women and to treat them

as subordinate. Because men monopolize the positions of power and authority in the society, these desires to distance themselves from women and not to be like them are institutionalized in discriminatory policies and practices (Williams 1993). Thus it is through the family where the patriarchy is maintained and reproduced through the socialization of patriarchal norms and values that are transferred from one generation to the next. The core aspect of this theory is that the private patriarchal structure of the family is reproduced in the public sphere, thus reproducing and reinforcing the inequality between men and women. As the data attest, the family is not only the most patriarchal institution, but also the site in which more violence against women occur.

1.2.a- Feminist Approaches on Patriarchy and Violence

Patriarchy is a system in which men invariably oppress women. It is conformed by “a set of social relations which has a material base and in which there are hierarchical relations between men, and solidarity among them, which enable them to control women” (Hartmann 1976:138). Different men exercise varying degrees of power and control, and “women collaborate and resist in different ways” (Hondagneu-Sotelo 1994:3). The use of physical violence against women is a consequence of patriarchy and it is not only a way in which women are controlled and oppressed, but it is “one of the most brutal and explicit expressions of patriarchal domination” (Dobash and Dobash 1979:iv). Even one incident of abuse, even if it is moderate, serves the purpose of reminding a woman that the man has ultimate control, and that this control cannot be questioned (Calveiro 1999).

Feminism cannot be regarded as a homogenous group. Three main factions have been identified (Jaggar 1983; Mooney 2000). Liberal feminists argue that *patriarchy*, is the overriding cause and explanation of violence against women. Liberal feminists are also called equal rights or reform feminists and they believe that that the structural inequality between men and women generates a culture in which violence against women

is tolerated (Dobash and Dobash 1979; Fox 1988). Liberal feminists usually work toward achieving civil and political equality, or political reforms that will improve women's status in society in the context of the existing social order. The rationale behind is that as the status of female as a group becomes more similar to that of men in a certain society, women's situation of subordination and domination will change (Dobash and Dobash 1992).

The second group, socialist feminists, believes that women's situation is influenced by the socio-economic context, which has to change in order for women to be able to improve their situation. The concept of patriarchy was a late comer in feminist Marxism, which in its early stages was mainly centered in the domestic labor debate (see review by Mooney 2000). It was not until later that the concept of patriarchy entered in the discussion of why women had a subordinate status in society. For some, patriarchy and capitalism were two different systems of oppression (Hartmann 1976), while for others there were two interlocking systems that contributed to women's oppression (Young 1981). For Marxist feminists the improvement of women's situation and the eradication of violence will be associated with changes in the economic realm – capitalism- and in the ideological level -conventional family structure.

Finally, the third group within feminism, radical feminism, believes that male oppression of women (patriarchy) is the most fundamental form of domination and it predates capitalism. For the majority of radical feminists patriarchal domination is associated with “the male appropriation of women's sexuality and bodies and acts of violence (Mooney 2000:87); therefore, sexuality is central in their analysis of women's subordination (MacKinnon 1979; 1989). They claim that men control women using female's sexuality; the threat or fear of violence function as control mechanisms. Male violence against women has the function of maintaining male's supremacy and female

inferiority (Bograd 1988). For radical feminism, the family and the institution of heterosexuality which is derived upon the conventional family are key in understanding patriarchy and women's subordination (Radford and Stanko 1991).

1.2.b- Unveiling Patriarchy: How Does the Patriarchal System Work?

Dobash and Dobash (1977; 1979) examined with detail how the patriarchal system works in their ground breaking work, *Violence Against Women, a Case Against Patriarchy*. Embracing a liberal feminist perspective, their work illustrates the functioning and perpetuation of the societal patriarchal system. They theorize patriarchy as being composed of two elements, structure and ideology. The structural aspect of the patriarchy becomes manifest in the nature of the hierarchical organization of social institutions and social relations. Social institutions and social relations determine that some individuals will occupy positions of leadership and power, while others will be relegated to secondary positions. Access to these positions is not based on individual's achievement, instead, ascribed status or institutionalized forms of privilege allow certain individuals to reach these privileged positions.

The institutional nature of the hierarchical structure determines which groups will lead (men) and which groups will follow (women). This patriarchal structure also allows those who are in privileged positions to select who will inherit those positions, thus, perpetuating their advantage. Patriarchy is maintained and reinforced by assuring that women have no legitimate means of changing or managing the institutions that define and maintain their subordination: "Confining women in the home, banning them from meaningful positions outside the family, and excluding them from the bench and the pulpit is to deny them the means of bringing about change in their status" (Dobash and Dobash 1979:43).

The second aspect of patriarchy, the ideological, is related to the acceptance of the inequality between men and women. In some cultures women are socialized to accept physical and emotional punishment as their husbands' prerogative (Heise, Pintaguy, and Germain 1994; Levinson 1989). The patriarchal ideology serves as a legitimate base and a way to reinforce the acceptance of the structural patriarchy. The ideological component assures that complains and attempts to transform the patriarchal system will be seen as deviant and immoral. In this way, the socialization into an acceptance of the patriarchal hierarchical order allows these inequalities to persist over time and to remain unquestioned and unchallenged.

The patriarchal structure implies a hierarchy in which women are at the bottom of legal, political, economic and ideological structures. That women are not in the higher ranks of the social structures only perpetuates their formal inequality and it makes challenging the patriarchal ideology almost impossible. In other words, because women do not have the same access as men to influential positions in social institutions, it is impossible to change the societal ideology that places women in a subordinated position. At the same time, this ideology prevents women from reaching powerful positions in the social structure. Therefore, ideology and social structure feed on themselves and contribute to the inequality between genders. Without women in the ruling spheres, their subordination is guaranteed and the patriarchal ideology remains unchallenged.

In sum, according to liberal feminism, the societal systematic organization of male supremacy and female subordination and *consequently* violence, can be eroded on the one hand by women achieving positions valued in society and previously reserved to men. On the other, this process has to be accompanied with an ideological change. Nevertheless it remains unclear whether ideological changes will carry structural changes or the other way around, or the both have to occur simultaneously.

1.3- THEORETICAL MODEL OF THE RESEARCH: STRUCTURATION THEORY, THE STATE AND LINKS BETWEEN MICRO AND MACRO PERSPECTIVES FOR ANALYZING PARTNER VIOLENCE

Individuals are members of society and are embedded in a particular social structure. There are several definitions of social structure. From one perspective social structure has been conceptualized as the set of relatively stable patterns of relationship among different entities or groups that compose the society. From another perspective the term has also been used to refer to the embedded institutions or norms that shape the actions of social agents. From both perspectives, social structure underlies and defines important social systems including the political system, the class system, the legal system, or the patriarchal system. Society can be interpreted as a *bounded system* (Giddens 1984). According to Giddens, a “social systems exist only in so far as forms of social conduct are reproduced chronically across time and space” Giddens (1984: xxi).

Giddens’ (1984) theory of structuration suggests that social structure, which consists of traditions, institutions, moral codes, and established ways of doing things, exists as a result of the mutually reinforcing actions of structures and individual agency. It is through the continuous repetition of the acts of individuals that structure is reproduced.¹ “In structuration theory, ‘structure’ refers to the rules and resources recursively implicated in social reproduction. Institutionalized features of social systems have structural properties in the sense that relationships are stabilized across time and space” (Giddens 1984: xxxi). Social structure is not monolithic. It can be changed when individuals act differently, either because previous acts are ignored, replaced or reproduced differently. Giddens emphasizes the duality of structure and agency, while claiming that the two cannot be conceived apart from one another. Therefore, Giddens

¹ Giddens (1984) defines social structure as the “institutionalized features of society which stretch across time and space, which involve the dual aspects of reflexive human actions and of their continuity over and above the individuals involved in any one instant”.

argues, structures are linked to individuals since it is through individuals' repetition that the structure is created, but structures do not completely determine individuals' behavior. Instead, structures are a set of rules and resources upon which actors draw, and which in the aggregate they reproduce.

The theory of structuration is very appropriate for explaining how the patriarchal system in Mexico is produced and reproduced, as well as both maintained and challenged by individuals and the State. Patriarchy is a social system in which men invariably oppress women. It is constituted by a set of social relations which have a material basis which generates solidarity among men that enables them to control women (Hartmann 1976). Patriarchy is embedded in social relations. Patriarchal ideology is manifested in a "normalization" and acceptance of gender inequality in several spheres of social life. Nobody questions, for example, that on average women's salaries are lower than those of men, that women are often forced to quit their job after having a baby; that women are expected to perform unpaid domestic chores, or that men have the right of controlling the behavior of their female partners. All of these internalized beliefs contribute to patriarchy and its perception as legitimate.

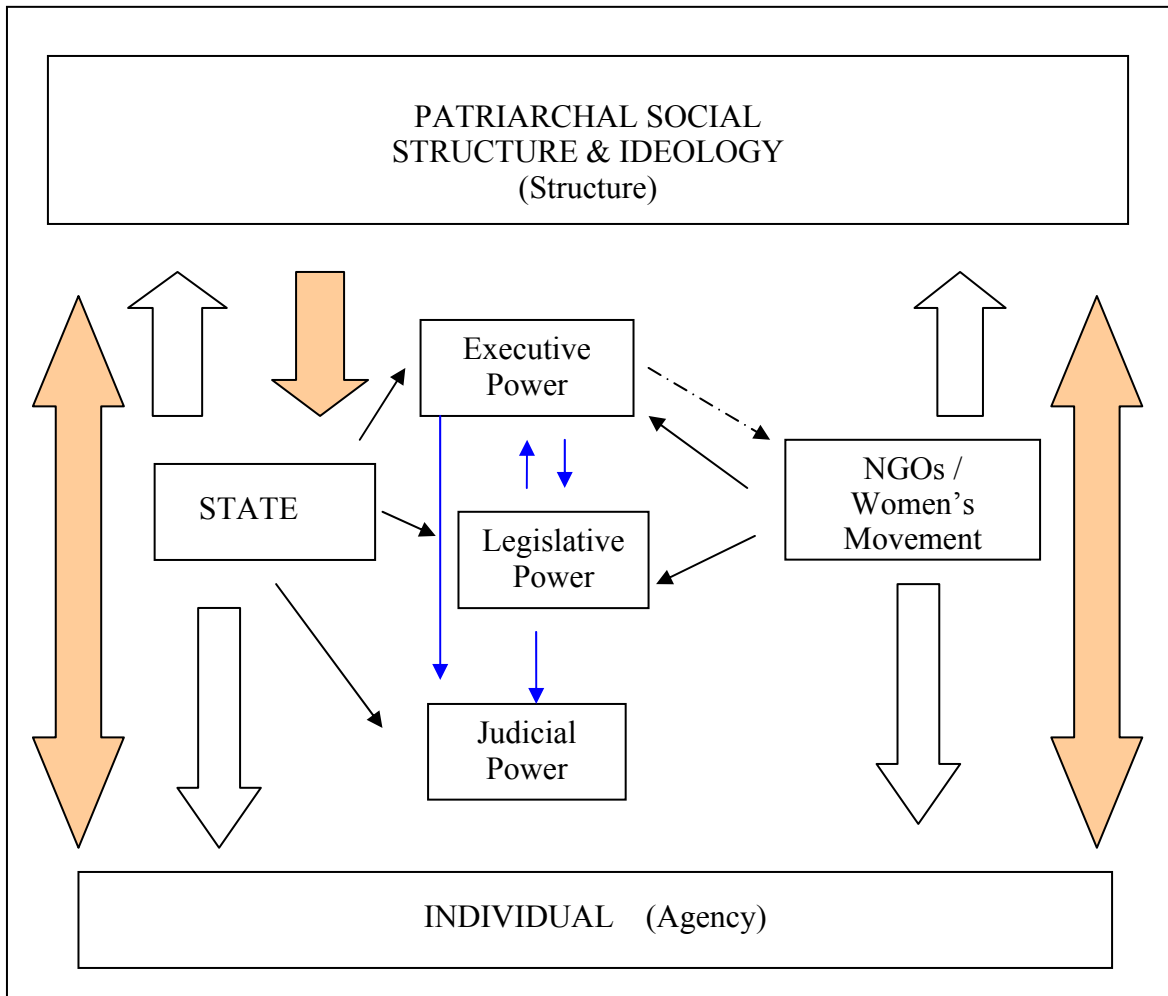
In the case of partner violence the repetition the behavior at the individual level over time and space results in the behavior coming to be regarded as something normal. Domestic violence lies at the core of the patriarchal system, leading some scholars to argue that domestic violence is the most brutal and explicit form of domination under patriarchy (Dobash and Dobash 1979; Radford and Stanko 1991). Of course, it is possible that such a situation can change if individuals alter the ways in which they interpret gender and family relations and the behaviors and gender relations they view as legitimate and morally correct. Through the establishment of new non-patriarchic practices it is possible that basic social structures can change. In elaborating this

possibility it is important to remember the role of the State, which exists as part of social structure but also can be seen as a key actor that operates between other components of social structure and individuals. In perhaps one of the most influential definitions of the State, Weber (1965), defines it as an organization that has a monopoly of the legitimate use of physical force within a given territory. The State is potentially able to influence both the society/group of individuals and the social structure, because through laws and the use of force, the State has the potential for changing how individuals act. Therefore the State can be seen as operating between society/social structure and the individual.

By adopting a post-structuralist feminist perspective of the State, I consider the democratic State both as an arena in which tensions that originate in society are manifested and negotiated, and as an agent that has the potential for changing that same social structure, thereby altering gender relations through the use of force. In **Figure 1.1**, I represent graphically these complex relationships, central in the development of this dissertation. In the upper part of the figure we find the patriarchal system, that is, patriarchal social structure and ideology. I place the individual at the bottom. The double-headed arrows that connect the patriarchal system to the individual represent the duality described by Giddens as part of his structuration theory.

In the middle of Figure 1, I place the State. As argued by the post-structuralist feminist theory of the State, the State is plural, composed by a differentiated set of institutions, agencies, and discourses that are influenced by civil society and social movements in specific historical, social and political contexts (Waylen 1998). The legislation, policies and actions that the State adopts relative to women's issues must be understood in conjunction with the ideologies of elite State actors (Bourque 1989). For that reason the plurality of the State is depicted as the three branches lines that connect each branch. There are also arrows that connect civil society/NGOs, social movements

Figure 1.1: Theoretical Model of the Study: The State and Links between the Micro and Macro Perspectives for Analyzing Partner Violence



movements and women's movement to with the branches of the State. As we will see in chapter five, NGOs, social movements and the feminist movement are regarded as representing the same thing in Mexico (Lamas, Martínez, Tarrés, and Tuñón 1995). Through their own movements women have the potential of influencing the State, the individual and the social structure (Dobash and Dobash 1988). Finally, in Figure 1 we find a line that connects the State with the patriarchal social structure, this line reflects the

influence of the patriarchal system on the individuals that compose the State, again reflecting the pluralism within the State.

1.4 - DATA AND METHODS

In order to investigate the role of the various actors I employ a mixed-methods approach. Such an approach provides the opportunity for a far more comprehensive examination than is possible using a single data source or methodological approach (Creswell 2003). Next I describe the sources of data and methodologies used both in the qualitative and quantitative part of this dissertation.

1.4.a- The Quantitative Analysis

In the quantitative part of this dissertation I use two sources of data. The first one is a national representative survey, the National Survey on Household Relationship Dynamics (*Encuesta Nacional sobre la Dinámica de las Relaciones en los Hogares*, ENDIREH). The second one is a database that I created with socioeconomic, political, economic, legal and demographic state-level variables.

The National Survey on Household Relationship Dynamics was conducted in 2003 by the Mexican National Institute of Statistics, Geography and Informatics (INEGI). The ENDIREH is a national representative sample of women of 15 years and older who at the moment of the interview were either married or cohabiting with a male partner. The ENDIREH has also representative samples for eleven of the thirty-two states or *entidades federativas* that compose Mexico: Baja California, Coahuila, Chiapas, Chihuahua, Hidalgo, Michoacán, Nuevo León, Quintana Roo, Sonora, Yucatán and Zacatecas. The government of these states financed the surveys in their territory in order to assure its state-level representativeness. All ENDIREH's interviewers were females

and received extensive interviewer training. The interviewer administered the totality of the ENDIREH in Mexico. Respondents were guaranteed anonymity and confidentiality.

The ENDIREH collected extensive information about different forms of partner violence, decision sharing and gender roles in Mexican households from October 20 to November 14, 2003 (see INEGI and INMUJERES 2004 for more details), and serves as the source of information for estimates of rates of violence, as well as individual-level information about individual's personal history and situational, and exosystem variables. As we will see in Chapter 4, exosystem variables are defined as formal and informal social structures that impinge on the immediate settings in which a person is found and influence or delimit the individual's range of action, such as unemployment or socioeconomic status (Heise 1998).

The second quantitative data set was created by the researcher. It contains state-level information concerning sociodemographic, political, legal, economic and educational variables. Some of the variables included in this database measure the gender gap in the above mentioned spheres of social life. These variables are used in Chapter 2 to construct the patriarchy measures (Sugarman and Straus 1988; Yllo 1984). Some other variables are not gender related and measure general features of the state such as religion, population density, level of human development measured by the United Nations' Human Development Index (United Nations Development Program 1995), urbanization, migration, indigenous population, homicides, or distribution of wealth among others. These variables will be used as controls in the third chapter. These variables and its sources are described with detail in the quantitative part of my dissertation –Chapter 2 and Chapter 3.

In the quantitative part, I use binary analyses, factor analyses and correlations, in order to create a measure of structural patriarchy or gender equality: Gender Equality

Index in Mexican States (GEIMS), which is developed in Chapter 2. I also use multinomial logistic regressions to assess the individual-level correlates associated with the experience of the different types of violence: physical, psychological-emotional, sexual and economic-patrimonial. Finally, I use logistic hierarchical lineal models to evaluate the influence of patriarchal social structure (structural level of gender equality) on individual-level partner violence (Chapter 3).

1.4.b- The Qualitative Analysis

In the qualitative analysis of my dissertation I use several techniques: in-depth interviews, content analysis, and historical analysis. The qualitative analyses focus on administrative family violence legislation. As opposed to family violence provisions in the civil and criminal codes, the administrative legislation involves the three branches of the State more comprehensively. Administrative family violence legislation has a dual purpose: the protection of actual or potential victims of violence and the support and reaffirmation of the family as a core social institution. The focus on administrative law allows me to assess the extent to which this dual objective is achieved. This objective would have been impossible through an examination of the civil and criminal codes, since these laws are focused strictly on individual behavior and enforcement. Moreover, administrative laws also offer an excellent opportunity for studying the development of public policies related to family violence at the state level, and for examining how partner violence is conceptualized by those involved in the approval and implementation of the legislation.

1.4.b.i- In-depth Interviews

Most of the qualitative part of my dissertation consists of a series of semi-structured in-depth interviews with both men and women in professional positions in which they deal with the phenomenon of partner violence. This sample includes judges, state congressional representatives, members of the Women's Institute, directors of public agencies that provide services to victims of family violence, the actual providers of services, scholars, directors of domestic violence shelters, members of state commissions of human rights, police chiefs, doctors, and others. I conducted 89 in-depth open-ended interviews with these key informants from whom I gained insights into how domestic violence is conceptualized by key actors, the role of the agencies as well as the official stance and actions of the institutions and organizations that they belong to, I also collected information on related to their evaluations of the effectiveness of their organization/institution in addressing the problem, as well as their perception concerning other agencies, institutions and organizations (see **Appendix 1** for details about the interview protocol).

The objective of the qualitative component of the research was to illuminate findings from the quantitative component. For this reason I conducted interviews with members of the three branches of the State, members of NGOs and the feminist movement and scholars with expertise in the area of violence against women and partner violence. My assumption was that key civil society informants, representatives of NGOs and scholars would not be pressured to offer the *official* State version or politically correct information related to domestic violence and the response of government agencies. Members of civil society and NGOs have played an important role in defining domestic violence and have pressured the State to take measures to prevent domestic violence and provide assistance to its victims. For that reason their opinions and

perceptions are crucial for understanding the role of the State. The research was approved by the Institutional Review Board of the University of Texas at Austin (Protocol # 2005-04-0030).

1.4.b.ii- Selection of Cases and Informants

In the qualitative part of my research I adopt a grounded theory approach. Grounded theory is an inductive approach to the study of social life that attempts to generate a theory from the constant comparing of unfolding observations (Babbie 2005; Creswell 1998). I adopted this approach because the objective of the qualitative research was to analyze the role of the State in protecting women from partner violence based on the analysis of the administrative family violence legislation enacted by the states. The selection of the cases of study (states), and individuals interviewed in each state was purposive. I used my own judgment as to who could provide the whole range of viewpoints concerning the passage and enactment of laws, as well as their enforcement. I employed a quota sampling scheme to select key State informants. The objective was to make sure that the sample included informants from the three branches of the state – executive, legislative and judiciary power, as well as from NGOs.

The five states in which I conducted detailed fieldwork include Chihuahua, Federal District, Guanajuato, Jalisco and Morelos. These states were selected in order to ensure diversity in several important state characteristics potentially associated with the role of the State in protecting women's rights. These variables were: the level of structural gender equality measured by the GEIMS, the strength of the women's movement measured by the percentage of NGOs devoted to women's issues, and the percentage of NGOs involved in activities intended to address violence against women. Another key variable for the selection was the manner in which domestic violence

legislation was enacted, either as the result of pressures from below (bottom-up) or a top-down path. I also wanted to include one state where no administrative family violence legislation had been approved, and assure variation among the political parties governing each of the states. **Table 1.1** shows the general characteristics of the States in which I conducted extensive fieldwork. The population from Chihuahua, Federal District, Jalisco and Morelos comprise 24% of the population of Mexico.

The results of the qualitative analysis cannot be generalized to all states in Mexico. They are intended to illustrate patterns, processes and common categories across states. Chihuahua was selected because it was one of the four states at the time that I conducted the field research had not approved an administrative family violence law. This state is exceptional given that Chihuahua has been the focus of international attention as a result of the murders of women in Ciudad Juarez (Ensalaco 2006; Fregoso 2006). As I found in my own research, many cases of female homicides are in reality cases of domestic violence. The Federal District was selected because it was the first state in which an administrative family violence law was enacted, and the Federal District is often taken as a model by many other states given the long-lasting political centralism as a result of seventy years of PRI dominance. Guanajuato is of special relevance in that it is the first state in which the family violence legislation approved in 1999 was annulled and a new administrative law was enacted. The experience of Jalisco is unique since it is the only case in which an administrative family violence law was approved as the result of a popular initiative. Finally, the case of Morelos represents a case in which the approval of the legislation followed a clear top-down model with no specific events that fostered its enactment.

Table 1.1: Selected Characteristics of States Studied Using a Qualitative Methodology

	Population	Number NGOs women's actions	Number NGOs violence	Percentage NGOs per 100.000 habitants	Percentage NGOs focused in violence against women actions per 100.000 habitants	GEIMS	Initiation of the legislation	Year of approval	Party in government in 2005- 2006	GDP per capita 2005	Percentage indigenous population
Chihuahua	3,241,444	29	11	0.89	0.34	45.3	---		PRI	12,767	3.4
Federal District	8,720,916	219	40	2.51	0.46	72.4	Bottom-up	1996	PRD	23,916	1.5
Guanajuato	4,893,812	22	4	0.45	0.08	41.2	Top-down	2000	PAN	3,348	0.2
Jalisco	6,752,113	24	2	0.36	0.03	41.2	Bottom-up	2003	PAN	9,240	0.7
Morelos	1,612,899	14	3	0.87	0.19	45.4	Top-down	1999	PAN	8,231	1.8
National Average	103,263,388	761	142	0.74	0.14	44.01				8,703	6.7

In terms of the characteristics of the informants, I sought to interview key informants from the three branches of the state, and members of NGOs, the feminist and women’s movement, and scholars. **Table 1.2** shows the number of people interviewed in each state and its adscription to each category. The number of interviews in each state ranges from 15 in Chihuahua to 21 in Morelos. I identified people in all five states one month before arriving and sent them a letter in which I explained my research project and asked if they would participate (see **Annex 2** for a model letter). I sent an average of 40 letters to potential informants in each state with the objective of interviewing key informants in the same category in each state. I wanted to obtain information from such informants as family or civil judges, directors of agencies providing assistance to women, members of the state women’s institute, the state commission of human rights, NGOs and so on. Once that I arrived in each state, I contacted key informants by phone to again explain the goal of my research and to inform them of the importance of their collaboration as key informants for my study.

Table 1.2: Characteristics of the Key Informants by State

State	Branch of the State			NGOs / feminist & women’s movement	Scholars	Total
	<u>Legislative</u>	<u>Executive</u>	<u>Judiciary</u>			
Chihuahua	2	7	1	5	0	15
Federal District	3	5	0	7	1	16
Guanajuato	2	6	1	7	1	17
Jalisco	3	7	4	5	1	20
Morelos	4	7	4	5	1	21
Total	14	32	10	29	4	89

As a result of cultural differences it took me a while to have access to the key informants in the first state where I conducted my research, the Federal District. Rather quickly I realized that I should give all the information about my research and sponsorship by the University of Texas at Austin to the secretaries and assistants of the people that I intended to interview. These individuals act as gatekeepers for their employers and exercise a great deal of discretion in deciding whether or not the issue requires the attention of the person one might wish to see.

On the interview day, I would handle the key informant documentation about the study, and all personal information and contact information, in that document the informant was told that his information would be kept confidential. Although the interviews were conducted in a journalistic style, some of the people that I interviewed mentioned that they were giving the information based on their experiences and that they did not have any problem in having their name released. Others requested their name not to be disclosed or that part of the information would be anonymous. In some cases I use the name of the person, in others I employ a pseudonym and/or provide provided situational and contextual information about the area of expertise of the key informant.

In some states the data-collection process was more complicated than in others. For example in Chihuahua the fieldwork was very complicated and that is the reason why the number of interviews is smaller than in other states. The political context of Juarez and the fact that Chihuahua has been the object both of national and international attention due to the murder of young women in Ciudad Juarez and Chihuahua, made access to key informants from the government and judiciary power difficult and often impossible. In Chihuahua access to members of civil society organizations and representatives of the feminist movement was also difficult. After ten days contacting key informants in Chihuahua I had succeeded in conducting only one interview. In order

to increase my chances of finding informants I participated in a demonstration organized by the feminist movement and NGOs commemorating the International Women's Day. After marching with them I had the chance of meeting prominent feminists and leaders of NGOs in Chihuahua. Some offered to participate on the spot and others agreed after several phone calls. The fieldwork went much more smoothly in the states of Jalisco, Morelos and Guanajuato. It was a little more complicated in the Federal District, where people were more reluctant to talk to me. As shown in **Table 1.2**, I conducted 15 interviews in Chihuahua, 16 in the Federal District, 17 in Guanajuato, 20 in Jalisco and 21 in Morelos.

In the analysis of the in depth interviews I followed a three step procedure. First, I analyzed the interviews state by state in a general manner in order to determine whether differences among them were immediately obvious. By doing this, I attempted to assess whether or not specific issues such as the manner in which domestic violence legislation was enacted, the party in government or the level of patriarchy could be associated with potential variation across states. Second, I analyzed information from similar key informants across states in order to identify similarities and differences in the conceptualization of the phenomenon of partner violence, their of behaviors relative to women victims of partner violence, and their personal opinions and attitudes towards domestic violence and the State's response. In this part of the analysis I sought to find different discourses and conceptualizations associated with the position that the key informant occupies within the structure of the State, or his/her membership to an NGO. Finally, I analyzed the data taking into consideration the gender of the informants. I could not perform this type of analysis by state because only 13 percent of the key informants were males (12 out of 89), and they belonged primarily to the judiciary branch or were responsible of coordinating legal assistance services in agencies that provide

services to victims of family violence. The fact that men constitute such a small percentage of all interviewees reflects the feminization of the positions within the legislative and executive branches of the State dealing with the issue of family violence, and the women's and feminist movements.

I had all the interviews transcribed and I applied the codes manually. I constructed categories and groups of information following each of the groups to which the key informants belong to. I differentiated then between information about the institution that they belong to, and information about other institutions or agencies that they had contact with. I constructed categories of meaning and I coded each interview accordingly. This method implied to going back and forth to the text in order to create meaningful categories that emerged from the interviews. In addition to the content analysis of the interviews, I used the interviews to complete the historical analysis in Chapter 6, where I examine the process and the rationale under which the family violence legislation was enacted.

1.4.b.iii- Content Analysis

For the analysis of the contents of the legislation in Chapter 6, I performed a content analysis of the administrative family legislation. I read all the state-level administrative legislation concerning family violence, and I attempted to find commonalities and differences. The identification of the commonalities and differences was partially informed by the interviews with key informants. I identified then the main characteristics of the legislation that based on the interviews with key informants could be associated with the protection of victims of partner violence. Then, I used quantitative analytical techniques for analyzing information gathered with the content analysis (see Marshall and Rossman 2006 for further details).

1.5- STRUCTURE OF THE DISSERTATION

This dissertation is organized in two parts. In the first part I present my quantitative analysis resulting from the analysis of the ENDIREH 2003. This part consists of two chapters. Chapter two is methodological, and Chapter 3 is analytical. In Chapter 2 I develop a measure of the structural component of patriarchy. I accomplish that objective by creating a composite index: the Gender Equality Index in Mexican States (GEIMS) for assessing the level of gender equality across the 32 Mexican states. After reviewing conceptual and methodological issues related to previous measures of structural inequality I detail the logic and methodology involved in the construction of a composite and multidimensional measure of gender equality, at the social structural or macrosystem level, in Mexico. The GEIMS measures the level of gender equality in different spheres of social life: economic, educational, political and legal. This chapter has been published as an article in *Social Indicators Research* (Frias 2007), and has already been validated and used for analyzing the relationship between patriarchy and the heterogeneous distribution of partner violence in Mexico (Frias 2008).

In Chapter 3, I analyze the influence of the patriarchal social structure on the individual. This chapter reconciles the two traditionally divorced sociological approaches in the analysis of partner violence: family violence and feminism. I use logistic multi-level models to examine the influence of structural factors, especially the level of gender equality, on the prevalence of diverse types of violence against women in Mexico, and how the level of structural gender equality interacts with individual-level and situational characteristics of women. The findings of this chapter suggest that, after controlling for other structural variables the structural level of gender equality is negatively associated with state-level average prevalence of physical and economic violence. Moreover, the results indicate that the level of gender equality mediates the

effect of individual-level characteristics such as employment, share of decision making and non-traditional gender roles for certain types of partner violence. Chapter 3 highlights the relevance of taking into consideration the context in which individuals are embedded in social research.

The second part of my dissertation consists of the results of the qualitative approach. Chapter 4 reviews previous literature about the state, women's movements and civil society. In this chapter I examine feminists' theories of the State and I theoretically justify the use of the feminist post-structuralist theory of the State throughout the remaining chapter of this third part. Post-structuralists argue that the State has no inherent position or set of interests relative to gender and that it can either be a controlling or enabling, depending on specific historical circumstances. Moreover, the State is conceived as both an agent and an arena in which the battles for women's rights take place. This conceptualization is key because it will guide both Chapter 5 and Chapter 6. In the second part of Chapter 4, I trace the evolution of the feminist movement in Mexico, and I explain the historical and political circumstances that might account for its evolution. Next, I review the relationship between the women's movement and the State, and how the feminist movement and feminist NGOs put the issue of violence against women in the public agenda.

Chapter 5 examines the ways in which in response to internal events and international pressures the State's actions relative to domestic violence has evolved. This chapter is based on two theoretical perspectives, post-structuralist theory and theories of legislative diffusion. I use these two theoretical approaches to identify three patterns of passage of legislation based on the relationship between the women's movement and the legislative branch of the State. These patterns are (1) collaborative efforts between the women's movement and the State (Federal District); (2) bottom-up activist efforts

(Jalisco), and; (3) top-down introduction of legislation that only later sought the citizenry legitimacy and support of the women's movement (Guanajuato and Morelos).

Chapter 6 examines the contents of the administrative legislation concerning family violence. In Chapter 5, I described how the women's movement conceptualized the administrative laws as a tool for protecting women from domestic violence, but in Chapter 6 I analyze the contradiction within the family violence legislation: protection of individuals within the family, and family promotion. I identify several aspects of the legislation that introduce the possibility of promoting violence as a result of the contradictory and often incompatible conflicting objectives I mentioned earlier of protecting women while reaffirming the sanctity of the family. In reality, the State places a greater emphasis on preserving the family than on protecting the rights of women.

In the last qualitative analytical chapter, Chapter 7, combining the feminist post-structuralist approaches to the analysis of the State and theories of gendered organizations, I analyze contradictions and inconsistencies among branches of the State, I discuss the issue of structure and agency in the State, and I review perceived gender differences within each branch of the State. I analyze each branch separately (legislative, executive and judiciary). In the case of the executive I focus on three key actors such as the Governor, police bodies, and agencies that provide services to victims of partner violence. In the analysis of each of the branches I do two things, first, I describe how that agency, ministry, or level of government deals with the issue of domestic violence. Secondly, I analyze how the members of other branches of government and civil society assess the role and the degree of success of each branch of government charged with dealing with some aspect of domestic violence, as well as how the gender of key actors affects the general response toward victims of domestic violence. In the last part of Chapter 7, I examine the strategies employed by individuals empowered to deal with

women's rights to make sure that, moving away from the family perspective, women victims of family violence are protected.

Finally, in Chapter 8, I present the conclusions of this dissertation emphasizing the main findings and its theoretical contribution to the analysis of the phenomenon of partner violence. I also examine the policy implications; highlight the limitations and paths for future research.

This dissertation can be read in two different ways, as a whole document or as a collection of separate articles or chapters, each of which can be read independently. Each chapter has an introduction and conclusions, as well as a presentation of the theoretical perspectives that informs the chapter. All the chapters and parts of this dissertation are tied together in this introductory chapter and in the conclusion. Before proceeding, I must differentiate between State with capital *S* and state with a lower-case *s*. While the State refers to the abstract political institution, the lower-case state refers to each of the 32 *entidades federativas* or political units that compose the Mexican Federation.

CHAPTER 2: MEASURING STRUCTURAL GENDER EQUALITY IN MEXICO: A STATE LEVEL ANALYSIS

Social phenomena such crime, single motherhood, divorce, unemployment, partner violence, fertility and other manifestations of complex social processes are rarely uniformly distributed spatially, but rather reflect an ecological distribution in which areas of higher or lower population concentration correlate with other factors such as ethnic composition, cultural characteristics, the level of gender inequality, legal structures, social history, local labor markets, and much more. Mexico is no exception. Suicide, fertility, abortion, partner violence, poverty, educational attainment and industrialization are, among other social phenomena, unevenly distributed throughout the country, again reflecting local and state-related factors (Fuentes and Montes 2004; Híjar-Medina, Rascón, Blanco, and López 1996; Singh and Sedgh 1997). Whether or not gender inequality follows this pattern of ecological heterogeneity presents a critical research question that has to date received little theoretical or empirical attention. The importance of assessing the level of gender equality among Mexican states is of theoretical and practical relevance for understanding potential sources of regional differences regarding many social phenomena.

The current study has broader implications for future research. Much of the research that deals with gender-related social phenomena recognizes that at the societal level norms and discourses related to gender roles and equality influence individual-level behaviors. In the ecological model developed by Heise (1998) this societal context is labeled the “*macrosystem*”. Scholars have labeled the structurally based differences in attainment between men and women in the aggregate or macrosystem as *gender inequality* or *patriarchy* (Sugarman and Straus 1988; Titterington 2006; Yllo and Straus

1990). The macrosystem sources of gender inequality directly affect both aggregate rates of violence and an individual woman's risk of becoming the victim of partner violence (Dobash and Dobash 1979; Smith 1990; Straus 1994; Yllo and Straus 1990). It also influences her risk of suffering health problems, especially those related to sexual health including AIDS (Lawson 1999), of experiencing poverty, unemployment and unhealthy employment conditions (Rice 2001), homicides (Baron and Straus 1988; DeWees and Parker 2003; Titterington 2006; Vieraitis and Williams 2002), rape and sexual violence (Austin and Kim 2000; Yodanis 2004), and more.

The main goal of this chapter is to assess the level of gender equality across the 32 Mexican states.² After reviewing conceptual and methodological issues related to previous measures of structural inequality I detail the logic and methodology involved in the construction of a composite and multidimensional measure of gender equality, at the social structural or macrosystem, level in Mexico: GEIMS (Gender Equality Index in Mexican States). The methodology can be also used to construct gender equality indexes in other Latin American countries. The contribution of this measure is to extend previous research which has for the most part focused on individual level correlates of abuse to incorporate the structural manifestations of patriarchy (Castro and Ríquer 2003; 2004). The basic motivation for developing a measure focused on the macro societal level derives from the proposition that ignoring that structural determinants of gender inequality represent a potentially serious methodological fallacy in which the misattribution of structural determinants to the individual level is likely.

This argument is presented in six sections. The first section discusses the concept of gender inequality and reviews previous measurement attempts. The second part

² Mexico is composed by 31 states and a Federal District. The term that is referred to each of these units is *entidad federative* (federal entities). For homogeneity purposes I will call "state" to each of 32 political divisions of Mexico.

argues for the need for a gender equality index in Mexico and the methodology used in its development. Next, for each of the dimensions of the index, I present a theoretical justification of the variables included, followed by the calculation of the composite index. The fourth part covers the methodology for estimating the multi-dimensional index, the Gender Equality Index in Mexican States (GEIMS) and provides an overall assessment of the level of gender equality across Mexican states. The fifth part explores the geographical distribution of gender equality. Finally, the last part includes the discussion, and highlights the potential uses and limitations of the index.

2.1- GENDER INEQUALITY AND ITS MEASUREMENT

Gender inequality is “the departure from parity in the representation of women and men in key dimensions of social life” (Young, Fort, and Danner 1994:57). Although there is no consensus concerning the key dimensions of gender inequality, most scholars agree that it is a multi-dimensional concept composed by several spheres: economic, educational, political, legal, health and family systems (Dijkstra 2002; Harvey, Blakely, and Tepperman 1990; Sugarman and Straus 1988; Yllo 1980; Young, Fort, and Danner 1994). For present purposes, gender inequality can be conceived of as a system that justifies and perpetuates the domination of women by men in all areas of private and public life (Stacey 1997). This structural system of domination has existed throughout history and has been labeled *patriarchy* (see Dobash and Dobash 1979; Segal 1993). The most important conceptual point is that gender inequality is grounded in and is maintained by patriarchal structures and ideologies.

Most of the published research that deals with aspects of gender inequality tends to focus on a single dimension of gender inequality and employs either a single measure operationalizations of the construct (see review by Bradley and Khor 1993) or a set of

variables that tap such social dimensions as educational status, employment, poverty or political participation (Brewer and Smith 1995; DeWees and Parker 2003; Vieraitis and Williams 2002; Young, Fort, and Danner 1994). Few attempts have been made to develop a measure for assessing gender inequality in different spheres simultaneously.

Kersti Yllo (1980; 1984) was the first scholar who created an index for measuring gender equality across U.S. states, the Status of Women Index (SWI). The SWI is a composite measure designed to assess the status of women as a group compared to status of men as a group based on four dimensions, economic, educational, political and legal. The economic dimension is operationalized as five indicators, the educational and the political by four each, and the legal by thirteen. All indicators within each dimension were standardized and added together. The final SWI was the result of averaging the four individual dimension scores. The SWI has been used to examine the relationship between regional differences in partner abuse and gender inequality (Yllo 1980; 1984; Yllo and Straus 1984; 1990). The SWI's methodology has been recently used by Yodanis (2004) to create reduced versions of political, educational and economic measures of women's status.

The Gender Equality Index (GEI) by Sugarman and Straus (1988) was inspired in the SWI (Yllo 1980; 1984). As the SWI, the GEI aims to “measure the attainments of women *relative to men*” in the United States (p. 233). Attainment is defined as the “extent to which members of a particular gender have achieved such society valued statuses” (p. 230) in different realms: economic resources, legal rights or positions of political power. In contrast with the SWI, the GEI excludes the educational sphere, increases the number of variables in each of the sub-spheres and uses a more sophisticated methodology. The GEI was an average of the three sub-dimensions. After standardized, each variable had to meet two criteria for its inclusion in each dimension:

first, the correlation between the indicator and the sub-index (after adjusting for the fact that the indicator is part of the index) should be equal or greater than .30. Second, an increase in the alpha coefficient for index reliability should result when the indicator is deleted. The GEI and some of the economic, political and legal subindexes have been used to examine the relationship between gender equality and other state-level phenomenon such as partner violence (Straus 1994), homicide (Baron and Straus 1988) or the extension of legislative advances (Berger, Neuman, and Searles 1991). The 1988's GEI was updated by Di Noia (2002), and its content and methodology and has been used for constructing indexes of gender inequality at the sub-state level (Titterington 2006).

Harvey, Blakely, and Tepperman (1990) constructed an index of gender equality based on the Consumer Price Index for Canada. It is composed of seven variables that reflect women's gains in the economic and educational spheres. Instead of conducting an analysis of internal reliability for identifying the variables to be included in the model, as the GEI, uses factor analysis for this same purpose. The final index is computed by calculating the average of the six variables that met the methodological threshold. Its longitudinal perspective makes it appropriate for assessing gender equality changes over time.

The United Nations Development Program (UNDP) developed in 1995 the Gender-related Development Index (GDI) and the Gender Empowerment Measure (GEM) with the objective of examining the relationship between gender inequality and economic growth (UNDP 1995). The GDI assesses the relative well-being of women in a particular society using three variables: adjusted income, education and health. The GEM assesses women's empowerment measured as women's share of public-valued positions: professional and managerial occupations, representation in national parliaments, participation in the labor force and share of national income. Both indexes

consist of summed averages of the indicators. However, these indexes are not perfect since they “can capture only what is measurable and therefore do not cover other important dimensions of gender inequality” (UNDP 1995:72).

Dijkstra (2002) summarizes the criticisms to the GDI and GEM and proposes an alternative index, the Standardized Index of Gender Inequality (SIGE). This is an unweighted relative measure of gender inequality composed by five variables measuring gender inequality in the educational, health, economic and political spheres, some of which were previously used for the GDI and GEM. After the standardization of the variables, the SIGE is computed by calculating their arithmetical mean. Similarly, Austin and Kim (2000) also calculated an index by calculating the arithmetic mean of four variables measuring inequality in the educational, economic and political spheres.

2.2.- NEED AND METHODOLOGY BEHIND THE GEIMS

Mexico is among the most unequal countries in Latin America with important cross-state and regional differences in terms of education, poverty, development, distribution of basic services, and health (Fuentes and Montes 2004). These disparities call upon the development of a Gender Equality Index in Mexican States (GEIMS) in order to assess the level of gender equality across states. Straus’ (1994:10) justification for using states as units of analysis in the U.S. can be applied to Mexico since “each state has distinct characteristics based on its history, environment and resources, level of economic development, racial and ethnic composition, and numerous other factors”. These might be expected to be associated with differential opportunities for women. In federal political systems such as that of Mexico, the states are often the initiators of legislation and public policies, and there is usually more information available at the state level than at any other level.

Centered in Mexico, the GEIMS overcomes some of the problems associated with working with data provided by different governments and different definitions (Dijkstra 2002). Nevertheless, one of the main problems in elaborating this type of indexes is the problematic relationship between what needs to be measured theoretically and the available statistics. The GEIMS is inspired in most of the earlier cited works and it is adapted to the reality of a developing country such as Mexico. The GEIMS combines several dimensions that assess the societal level of gender equality related to economic resources, political and public power, educational attainment and legal rights. Previous indexes incorporated other dimensions of gender inequality such as health, well-being and family systems. Variables capturing these realms of gender inequality are included within the four previously identified spheres. The GEIMS is expressed as a percentage. A score of 100 represents perfect equality between men and women. Scores tending toward the zero end of the scale reflect greater inequality favoring men. As I will explain, the score can range above 100 indicating levels of inequality favoring women. This index compares the gender gap in each state and does not take the relative position of women across states into account in the different components of the construct. It is therefore, a highly focused measure of the extent of inequality that does not tap absolute levels of privilege of either men or women.

Thirty-six indicators were selected to evaluate the extent to which, compared to men, women have access to economic resources, education, positions of political power and decision making, and have their rights protected by state laws. In the case of the economic, educational and political dimensions, the level of equality in a given state was calculated as a ratio of the percent of gender attainment score of women to the percent of men's attainment in socially valuable positions in each state. Gender attainment refers "to the absolute degree to which members of a particular gender have achieved socially

values statuses such as education or educational prestige” (Di Noia 2002:35), and it is expressed as a ratio. In the case of legal equality, instead of a continuous score, each variable indicates the presence or absence of legislation granting legal rights to women: either protecting previously existing but traditionally ignored rights (i.e. harassment), or statuses that grant new rights (i.e. criminalization of rape within the marriage).

I offer two justifications for expressing the variables as a ratio of the percentage of a valuable position occupied for women, relative to the percentage of this same position occupied for men. Previous indexes such as that of Sugarman and Straus (1988) combine ratios of gender attainment and ratios of percentages. For example, they combine they calculate the ratio of gender ratios in employment $[(\text{females employed} / \text{females in the labor force}) / (\text{males employed} / \text{males in the labor force})]$ with the ratio of percentages in state legislatures $[(\text{female state representatives} / \text{male state representatives})]$. Although it is possible to compute a female labor force participation rate since information of the total number of women and those who are in the labor force is available. On the other hand, it is impossible to compute a legislative participation rate since there is no information on the population at risk of running for office. In this case the only information relates to the percentage of legislators who are women. Therefore, for uniformity purposes, the GEIMS is a ratio of percentages.

There is a second reason behind expressing each variable as a ratio of percentages: the goal of the index is to measure the gender gap in different spheres of social life, without taking into consideration the relative position of women across states in the different components of the construct, as it would be if the ratio would be the ratio of ratios (female attainments relative to all females, compared to male’s attainments relative to all males).

The ratio of percentages is a linear transformation of the percentage that represents women's share in each dimension. For conceptual reasons I choose to do this transformation that results in values that range from zero to infinity, with 100 representing equality between men and women (50% / 50%). In other words, women are 100% equivalent to men or 100% equal with men. Although both, each of the variables included in the index and the final index might mathematically reach values higher than 100%, is theoretically and practically irrelevant since women are underrepresented in almost all valuable social dimensions. If instead of a ratio the GEIMS would have been expressed as a percentage, equality would be represented by 50%, being intuitively more difficult to understand.

The following examples might help to illustrate the process behind the construction of the GEIMS. For example, the third economic indicator is the percent of women employed as civil servants, managers and administrators relative to percent of men in these same positions (see **Table 2.1**). This ratio is then multiplied by 100. In the case of Aguascalientes, according to the National Employment Survey (Inegi and Secretaría de Trabajo y Previsión Social 2004), 31.36% of all civil servant, managers and administrators were women. Men occupied 68.64% of the positions. The attainment score of labor force participation in Aguascalientes is 45.68 $[(31.36 / 68.64) * 100]$. This figure indicates that women's share in these prestigious occupations is 46% that of men. Similarly, women's attainment as state representatives (PO_4) in Chiapas is 11.1%. The ratio was calculated by dividing the percentage of seats occupied by women at the Chiapas' state legislature (10%) by that of men (90%).

The construction of the GEIMS proceeded in two stages. The first consisted of the calculation of each of the four subindexes (economic, educational, political and legal), and the second the combination of the four subindexes into a single overall

measure. Two criteria were established for a variable to be included in a specific dimension. First, after the standardization of the variables, the correlation between the indicator and the sub-index (after adjusting for the fact that the indicator is part of the index) should be equal or greater than .30 (Sugarman and Straus 1988). The second requirement, paired to the first one, is that an increase in the alpha coefficient for index reliability should result from the deletion of the indicator from the index (Nunnally 1978). If an indicator had a correlation smaller than .30 but its removal from the index did not increase the alpha coefficient for reliability, the indicator was not excluded.

The final coefficient for each sphere of gender inequality is a combination of the already identified measures. As in previous indexes, both, each of the subindexes and the final GEIMS measure, is calculated by computing the arithmetic average (i.e. Austin and Kim 2000; Harvey, Blakely, and Tepperman 1990; Sugarman and Straus 1988; Yllo 1984). In the early stages of this index, assuming that there was no theoretical reason why each variable should have an equal weight in the calculation of each dimension of gender equality (see Dijkstra 2002), and following the methodology proposed by Casique (2004), I performed an unrotated factor analysis of the variables, and applied weights to each of the variables depending on their adscription to each factor and the proportion of the variance explained by each factor (results not shown). The correlation between each of the subindexes with and without applying factor analysis was in all cases larger than .98. The same was true for the final measure of gender inequality. Therefore, for simplicity reasons each of the subindexes is the average of the variables included in that particular dimension. Similarly, the GEIMS is the average of the four dimensions.

2.2.a- The Economic Equality Dimension (GEIMS_EC)

As noted by Simone de Beauvoir it has been through gainful employment that woman has traversed most of the distance that separated her from the male (Beauvoir de 1952). Situational factors such as caregiving and care rearing, and resource factors such as the lower educational attainment have traditionally relegated women to the household sphere and prevented them from fully participating in the formal economy (Psacharopoulos and Tzannatos 1993). Historically, for women, the most “important – and the most achievable– form of power has been the economic”, which has contributed to their overall status in society (Blumberg 1984), and “may [have] set in motion the other mutually reinforcing political, economic, cultural, and social changes that reduce inequalities (Cotter, Hermsen, and Vanneman 2001).

The assessment of gender equality in the economic sphere employs eight indicators that have been theoretically associated in the literature of gender stratification with gender inequality. **Table 2.1** sorts the states in rank order according to each of the indicators. There are substantial state-to-state differences in almost all of the indicators. The first variable, *Participation in the Labor Force* (EC_1), reveals the underrepresentation of women in the labor force. The gender gap ranges from 63% in Chiapas (100-36.6) to 34% in the Federal District, the most egalitarian state. The values and the ranking of this indicator are very similar to that of *Employed women* (EC_2) that measures the percentage of those in the labor force actually employed. In average, for each 100 occupied men, there are 54 women.

The next two variables measure women’s access to traditionally male-dominated occupations: *Civil Servants, Managers and Administrators* (EC_3), and *Professional and Technicians* (EC_4). In Mexico, women’s incorporation to the labor market has been

Table 2.1: States Ranked in Order of Economic Gender Equality Indicators

Labor force			Employed		Civil servants, managers and administrators		Professional and technical occupations		Business owners		Average hour-wage		Health benefits		Above poverty level households	
Rank	State	EC_1	State	EC_2	State	EC_3	State	EC_4	State	EC_5	State	EC_6	State	EC_7	State	EC_8
1	DF	65.7	DF	66.6	MOR	49.7	ZAC	82.0	OAX	25.8	CHIS	118.0	DF	74.6	DF	12.5
2	MOR	63.7	MOR	63.5	NAY	48.6	DUR	78.6	SLP	25.1	OAX	111.4	GRO	68.9	QROO	10.6
3	PUE	63.5	PUE	63.2	DF	47.0	NAY	78.0	QROO	21.8	GRO	106.1	MOR	67.8	GRO	10.5
4	QRO	62.1	QRO	62.0	COL	47.0	SLP	77.1	BC	21.4	TAB	104.6	AGS	62.2	OAX	10.0
5	HGO	62.0	JAL	61.8	ZAC	46.3	MOR	75.8	MEX	21.3	YUC	101.2	CHI	61.9	VER	8.3
6	JAL	61.5	HGO	61.3	SLP	46.2	AGS	75.7	COAH	20.7	QROO	100.9	BC	61.6	MOR	8.2
7	SON	61.4	COL	61.1	AGS	45.7	HGO	75.4	NAY	20.2	SLP	100.6	QRO	61.5	BCS	8.0
8	COL	61.3	SON	60.8	TLAX	45.5	TLAX	71.3	COL	20.1	CAMP	100.5	JAL	60.1	NAY	7.5
9	AGS	58.5	AGS	59.0	MICH	45.3	BCS	69.6	QRO	20.1	AGS	100.5	PUE	59.4	PUE	7.5
10	OAX	58.3	OAX	58.3	HGO	44.9	COL	69.5	SIN	20.0	TLAX	99.4	HGO	59.0	BC	7.5
11	GTO	57.9	GTO	57.9	JAL	44.7	SIN	68.0	YUC	19.2	ZAC	98.2	TAMP	58.3	HGO	7.2
12	SIN	57.7	SIN	57.4	VER	44.4	JAL	67.6	VER	18.9	VER	98.1	COL	57.6	CHIS	7.1
13	MICH	56.5	MICH	56.8	BC	44.4	MICH	67.4	BCS	18.9	DUR	97.8	OAX	57.5	CHI	7.0
14	YUC	55.6	YUC	55.2	GRO	44.4	OAX	67.2	SON	18.4	BCS	97.4	SON	57.4	YUC	6.8
15	NAY	54.0	GRO	53.6	GTO	43.8	COAH	66.5	MOR	17.6	NAY	96.3	NAY	56.9	JAL	6.7
16	QROO	53.7	NAY	53.4	CHI	43.2	GTO	66.4	TAMP	17.0	PUE	95.8	SLP	56.7	QRO	6.5
17	MEX	53.7	QROO	53.3	DUR	43.1	QRO	65.1	CAMP	16.9	MEX	94.8	TLAX	56.7	MEX	6.4

	Labor force	Employed	Civil servants, managers and administrators	Professional and technical occupations	Business owners	Average hour- wage	Health benefits	Above poverty level households								
18	GRO	53.5	TAMP	52.7	PUE	42.8	DF	64.9	GRO	16.7	DF	93.7	MICH	56.2	COL	6.4
19	TAMP	53.2	MEX	52.6	QROO	42.6	PUE	64.3	DF	16.7	COAH	91.0	YUC	56.2	ZAC	6.3
20	NL	52.5	NL	52.3	SON	42.5	VER	63.1	HGO	15.4	HGO	90.7	GTO	55.9	DUR	6.3
21	CAMP	52.5	SLP	51.7	BCS	42.4	SON	63.1	JAL	15.0	MICH	88.6	ZAC	54.5	TLAX	6.2
22	SLP	51.8	CAMP	51.7	SIN	42.1	GRO	60.7	AGS	14.5	TAMP	87.4	BCS	54.3	MICH	6.2
23	TLAX	51.0	TLAX	50.0	QRO	41.6	TAMP	59.8	GTO	14.2	SIN	87.1	MEX	54.2	TAMP	6.1
24	VER	49.9	VER	49.7	TAMP	41.5	MEX	59.3	NL	13.5	CHI	85.8	SIN	54.0	SON	6.1
25	BC	49.9	BC	49.7	COAH	41.1	BC	58.3	TLAX	12.9	NL	85.3	DUR	53.8	TAB	6.0
26	BCS	49.7	BCS	49.6	OAX	41.0	NL	58.3	PUE	12.8	QRO	84.9	CAMP	52.6	SIN	5.9
27	COAH	48.4	COAH	47.7	MEX	38.1	CAMP	56.3	CHI	12.7	MOR	83.0	VER	52.5	SLP	5.8
28	DUR	45.3	ZAC	44.6	YUC	38.0	YUC	55.4	DUR	12.7	SON	82.0	CHIS	50.2	CAMP	5.8
29	ZAC	45.0	DUR	44.4	CAMP	37.9	CHI	54.5	CHIS	11.8	COL	81.3	COAH	49.6	AGS	5.6
30	CHI	43.8	CHI	43.7	TAB	37.6	TAB	52.3	TAB	11.5	GTO	81.0	QROO	49.5	GTO	5.3
31	TAB	42.2	TAB	42.1	NL	36.6	CHIS	47.8	MICH	10.1	BC	79.4	TAB	49.1	COAH	4.9
32	CHIS	36.6	CHIS	36.2	CHIS	32.9	QROO	44.0	ZAC	9.8	JAL	78.4	NL	49.1	NL	4.4
	Mean	54.1		53.9		42.9		65.1		17.0		93.8		57.2		7.1
	STD	6.9		7.1		3.7		9.1		4.1		9.6		5.8		1.8

Sources: EC_1: Percent of 12 years and older females who are in the labor force (regardless if they are employed or not) relative to the percent of males (ENE 2004); EC_2: Percent of 12 years and older females in the labor force who are employed relative to the percent of males (ENE 2004); EC_3: Percent of women employed as public employees and managers (includes supervisors and administrative managers) relative to the percent of males (ENE 2004); EC_4: Percent of women employed in professional and technical occupations relative to the percent of men in professional and technical occupations (ENE 2004). EC_5: Percentage of females who own a business relative to the percentage of males who own a business (ENE 2004); EC_6: Female's (twelve years and older) average wage per hour worked relative to men's average wage per hour (Inegi. 2000. XII Censo de Población y Vivienda Inegi. 2000); EC_7: Percentage of women who receive health benefits (in public or private institutions) as a result of their employment relative to the percentage of males receiving health benefits (Inegi. 2000. XII Censo de Población y Vivienda Inegi. 2000); EC_8: Percentage of female headed households in which the head of the household earns more than 10 minimum salaries a month relative to the percent of male headed households (Inegi. 2000. XII Censo de Población y Vivienda Inegi. 2000)

progressing rapidly since the seventies (Brown, Pagán, and Rodríguez-Oreggia 1999; Pedrero Nieto 2003), yet tends to be concentrated in certain occupations and areas of activity (Rendón-Gan 2003). Women's share of executive and public service positions has increased during the last decades but remains low (Zabludovsky 1997). Table 2.1 shows that women's representation as public employees and managers compared to that of men ranges from 50% in Morelos to 33% in Chiapas, with an average gender gap across states of 67%. Women are also underrepresented in professional and technical occupations. Their share, though, is higher than in the previous category: for each 100 males, there are 65 women.

The fifth indicator measures *Ownership of Businesses* (EC_5), and reveals the largest gender gap in the economic sphere. On average, for each 100 productive establishments owned by males, there are only 17 owned by women. The size of the standard deviation shows the homogeneity across states. Oaxaca and San Luis Potosí are the states with the smallest gap, around 78%. At the other end, we find Michoacán and Zacatecas, where women have barely attained 10% of men's positions.

The next two variables are related to the employment conditions. First, entitlement of receiving *Health Benefits* (EC_6) either in private or public institutions among those employed. In the Federal District for each 100 employed men with health benefits, there are 75 women. In Chiapas, Coahuila, Quintana Roo, Tabasco and Nuevo León, the ratio is less than two to one. The second variable related to employment conditions is *Average Wage per Hour* (EC_7). Since 1987 the gender earnings ratio has decreased (Brown, Pagán, and Rodríguez-Oreggia 1999), but still, in average, women's hour earnings are 94% of that of men. This is the economic measure in which women have reached higher levels of gender equality as revealed by the mean. Nevertheless, in the southern states of Chiapas and Oaxaca women's earnings are more than 10% higher

than those of men. A plausible explanation might be related to structural conditions and to the influence of the farming sector. Farming activities, in which males are overrepresented, are very low paid. A similar phenomenon occurs in agriculture, the average salary for females tends to be higher than that of males, because women's work tends to be concentrated in certain crops and regions in which the salary tends to be higher (Pedrero Nieto 2003; Barron 1997, cited in Rendón 2003).

The last variable, (EC_8), measures gender inequality in households headed by males and females that are above the poverty line. The percentage of female headed households in Mexico, as in the rest of the world, has increased over time. However, the gender gap in terms of the head of the household income, however, has decreased (Asgary and Pagán 2004). Cortes (1997) found that female head of household is not necessarily associated with poverty. There is no data about the percentage of male and female headed households above the poverty level. As a proxy, EC_8 represents the gender ratio of the households in which the head earns more than 10 minimum salaries a month (as of 2000, an average of 352 pesos; approximately 36 dollars). In the Federal District, 12.5% of the households in which the head earns more than 10 minimum salaries are headed by women. In contrast, in the northern states of Coahuila and Nuevo León, this percentage is below 5%.

In sum, as revealed by these eight economic indicators, women are far from having reached equality with men. We observe large variations in the sizes of the gender gaps. Women and men's average hour wages are almost leveled; which sharply contrasts with the important differences regarding businesses ownership. Some states such as the Federal District and Morelos tend to rank mid or high in most of these indicators. In contrast, states such as Chiapas or Tabasco tend to rank mid or rather low in these variables; denoting, thus, the gender inequality in the economic sphere.

As we have seen, each indicator measures an array of aspects of gender equality in the economic realm. The first step in the construction of the composite measure of the economic dimension of the index (GEIMS_EC) is to perform an internal reliability analysis. This is presented in **Table 2.2**. The first part presents the correlations among the initial pool of economic variables. The second part shows that seven of the eight economic variables have a positive correlation with the rest of the variables (Cronbach Alpha = .67). The levels of gender economic (in)equality seem not to be associated with the gap in average hour wages (EC_6). The last two columns only show the indicators that met the criteria of having a correlation between the indicator and the sub-index equal or greater than .30, and that the deletion of that variable should result in an increase in the alpha coefficient for index reliability. The removal of EC_6 results in an increase in the index's reliability (Cronbach Alpha .79). The economic component of the GEIMS is the average of these seven measures. The State coefficients of economic gender equality are presented ranked in Table 2.8.

2.2.b- The Educational Equality Dimension (GEIMS_ED)

The educational dimension is the second sphere where the structural inequality between men and women might be observed. Women's access to education is associated with higher rates of participation in the labor market, better employment conditions and with higher access to decision making positions (Darcy 1987; Gaddie and Bullock 1995; Pedrero Nieto 2003). Female's access to higher levels of education has increased gradually in Mexico since the mid seventies (Cuétara 2001; Fuentes and Montes 2004; Rendón 2003). There is no gender difference in terms of educational attainment among those under 25 years (Parker and Pederzini 2000). The gap, nevertheless, persists among the older generations, perhaps due to the idea that education, especially college education

Table 2.2: Reliability Analysis of the Economic component of GEIMS

Economic Indicators		Correlation							All Indicators (Standardized)		Selected Variables (Standardized)	
		EC_1	EC_2	EC_3	EC_4	EC_5	EC_6	EC_7	r	Alpha if item is deleted	r	Alpha if item is deleted
EC_1	Labor force	--							.63	.58	.73	.71
EC_2	Employed	.99***	--						.64	.58	.74	.71
EC_3	Civil servants, managers and administrators	.46**	.47**	--					.58	.59	.65	.73
EC_4	Professional and technicians	.29	.28	.69***	--				.28	.66	.32	.79
EC_5	Business owners	.28	.27	.09	-.02	--			.22	.67	.21	.81
EC_6	Average hour wage	-.47**	-.47**	-.38**	-.18	-.01	--		-.31	.79	--	--
EC_7	Health benefits	.56***	.58***	.58***	.26	.04	-.24	--	.62	.58	.66	.73
EC_8	Above poverty level households	.24	.25	.26	-.17	.26	.31*	.54**	.43	.63	.33	.79
									Alpha Coefficient	.67		.79

*** p< .001; ** p< .05; * p< .01

is more important for males than for females (author's calculation from World Values Survey 2000).

I selected six educational indicators that intend to measure the gender gap in the educational arena. The average number of years of schooling has been traditionally used for measuring the educational gap between men and women. Behrman and Knowles (1999), though, argue for the need of using a diverse set of educational indicators. Therefore, several measures of educational gender inequality were included: literacy (ED_1), educational attainment measured as the average years of education (ED_2), women's share of college (ED_3), graduate education (ED_4), and women's share of traditionally male-dominated higher education areas such as engineering, agricultural and natural sciences (ED_5). The last indicator measures women's share of professional research positions (ED_6) as members of the SNI (Sistema Nacional de Investigadores, National System of Researchers).

Table 2.3 sorts the states in rank order according to each of the educational indicators. In most of the states women are underrepresented in the educational realm. In terms of the *average years of education* (ED_1), only in the northern states of Chihuahua, Durango, Sinaloa and Sonora, as well as in Nayarit, women have reached parity with men. In contrast, Chiapas and Oaxaca are the states with largest gender gaps. In the case of *literacy* (ED_2) the gender gap is small, although existent. For each 100 literate men there are almost 98 women. We find important differences across states, being again the gap greater in the southern states of Chiapas and Oaxaca. The gender gap increases in the case of *college* (ED_3) and *graduate education* (ED_4). In average, for each 100 men with college education there are 78 women; this figure decreases to 54 in the case of graduate education. Notorious state-to-state differences emerge; while the gender gap in among those with college education is 7.5% in Nayarit, in Chiapas is of

Table 2.3: States Ranked in order of Educational Gender Equality Indicators

Average years of Education		Literates		College		Graduate		Engineering, Agricultural and Natural Sciences		Researchers		
Rank	State	ED_1	State	ED_2	State	ED_3	State	ED_4	State	ED_5	State	ED_6
1	NAY	101.4	SIN	101.1	NAY	92.5	BC	71.4	PUE	38.0	JAL	54.8
2	CHI	100.0	NAY	100.6	TLAX	86.1	NAY	65.2	DF	37.6	DF	54.6
3	DUR	100.0	SON	100.5	CHI	83.8	TAMP	64.2	MOR	37.1	QROO	52.2
4	SIN	100.0	COL	100.2	SLP	83.5	VER	59.3	SLP	36.3	MOR	50.0
5	SON	100.0	DUR	100.2	TAMP	83.5	QROO	59.3	TAMP	35.5	SON	47.6
6	ZAC	98.5	ZAC	100.1	SIN	83.2	TLAX	58.4	TLAX	34.8	CAMP	45.5
7	BCS	97.6	CHI	99.8	BC	83.0	PUE	58.1	HGO	34.4	HGO	45.5
8	BC	97.6	COAH	99.8	VER	82.8	DF	57.8	NL	34.2	CHIS	43.3
9	COL	97.4	JAL	99.6	GRO	82.1	CHI	56.0	BC	34.1	VER	42.9
10	SLP	97.1	BCS	99.5	COAH	81.6	JAL	55.9	AGS	33.6	MEX	40.7
11	MICH	96.8	AGS	99.4	SON	80.5	MOR	55.9	QRO	33.4	BCS	39.6
12	COAH	96.5	BC	99.4	PUE	80.2	MEX	55.8	GRO	32.5	COL	38.8
13	TAMP	96.3	MICH	99.4	MOR	79.1	DUR	54.7	CHI	32.5	TLAX	38.5
14	MOR	96.2	NL	99.3	HGO	79.0	GRO	54.6	DUR	32.3	ZAC	36.7
15	JAL	96.1	TAMP	99.1	DUR	76.9	HGO	54.3	MEX	32.0	NAY	36.4
16	AGS	95.1	GTO	98.3	ZAC	76.7	SIN	54.0	VER	31.8	NL	35.6
17	NL	94.5	SLP	98.1	QROO	76.1	NL	53.4	SON	31.5	PUE	34.5
18	GTO	93.9	DF	97.9	JAL	76.0	QRO	52.4	GTO	31.1	DUR	34.5
19	TLAX	93.7	MOR	97.5	AGS	76.0	SLP	51.9	JAL	30.9	QRO	34.5
20	HGO	92.8	QROO	97.4	NL	75.5	COAH	51.8	COAH	30.9	CHI	34.2
21	VER	92.5	YUC	96.7	COL	75.5	BCS	51.7	BCS	30.5	YUC	34.0
22	DF	92.0	CAMP	96.7	YUC	75.0	GTO	51.2	OAX	28.6	OAX	32.3
23	CAMP	91.8	QRO	96.6	GTO	74.6	CAMP	50.4	QROO	28.5	TAB	28.9
24	MEX	91.7	TLAX	96.5	CAMP	74.6	OAX	50.4	YUC	28.3	MICH	27.8
25	QROO	91.4	TAB	96.3	QRO	74.5	MICH	50.1	SIN	27.8	SLP	25.2
26	QRO	91.1	MEX	96.3	BCS	74.3	YUC	49.6	MICH	27.5	BC	23.3
27	TAB	90.7	VER	94.9	OAX	73.6	AGS	47.6	ZAC	27.5	TAMP	22.6
28	GRO	90.6	HGO	94.7	MEX	72.6	SON	47.2	NAY	27.1	GTO	20.0
29	YUC	90.3	PUE	93.8	MICH	72.6	TAB	47.0	CAMP	26.4	SIN	20.0
30	PUE	90.1	GRO	93.1	DF	72.2	ZAC	47.0	COL	26.2	AGS	15.6
31	OAX	85.2	OAX	89.8	TAB	71.4	CHIS	42.6	TAB	25.3	COAH	14.3
32	CHIS	83.1	CHIS	88.7	CHIS	64.8	COL	41.3	CHIS	25.2	GRO	10.0
	Mean	94.8		97.8		78.4		54.2		31.5		35.6
	STD	4.3		3.0		5.4		6.3		3.7		11.7

Notes: ED_1: Average years of schooling for females 15 years and older relative to the average years of schooling for males 15 years and older. ED_2: Percent of the literate population 15 years and older who are female relative to the percent of males. ED_3: Percent of the population 15 years and older with college education who are females relative to the percent of males. ED_4: Percent of population 15 years and older with graduate education (M.A. or Ph.D.) who are females relative to the percent of males. ED_5: Percent of the population 15 years and older females with higher education in the areas of agricultural sciences, engineering and natural sciences relative to the percent of males with education in these areas. ED_6: Percent of SNI members (National System of Researchers, Sistema Nacional de Investigadores) who are female relative to the percent of SNI's members who are males.

Sources: XII Censo General de Población y Vivienda. Inegi 2000 (from ED_1 through ED_5). ED_6: CONACYT 2005.

35.2%. Similarly, these gender differences are also found among those with graduate education. A closer look into some educational areas traditionally reserved to men, such as the agricultural, engineering and natural sciences, reveals that females are largely underrepresented in these areas. In average, for each 100 men there are 31 women. The states are not homogeneous as revealed by the size of the standard deviation. Puebla is the state where women have a higher share (38%) followed by the Federal District and Morelos. On the other end, in Tabasco and Chiapas the gender gap is 75%.

In addition to women's traditional exclusion from higher education (Cuétara 2001), research and academia have been perceived as traditionally elitist, male and patriarchal in its workplace culture, structure and values (Caplan 1994; Sutherland 1994, cited in Poole, Bornholt, and Summers 1997), creating a situation in which teaching and research positions were virtually barred to women. The sixth column in Table 2.3 arrays states according to women's attainment as researchers. EC_6 assesses women's share of research positions at the prestigious *Sistema Nacional de Investigadores* (SNI, National System of Researchers), which includes SNI's candidates as well as accredited researchers. Although women's access to research positions has increased, the gender gap in this dimension remains the largest within the educational dimension. On average, for each 100 male members of the SNI, there are only thirty-five females. Differences across states emerge: Guerrero is the state where women face the largest gender gap as researchers (90%) while in Jalisco and the Federal District there are 54 women for each 100 males.

In sum, women are far from level with men in the educational realm. Although women are closer to men in terms of average years of study and literacy, they still are underrepresented at the higher levels of the educational system, especially in traditionally male-dominated specialties, or as professional researchers. The southern states with a

largest percentage of indigenous population, Oaxaca, Chiapas and Guerrero tend to rank low in most of the measures of educational attainment, revealing that gender equality in education is far from being achieved. In contrast, states such as Chihuahua, the Federal District and Nayarit tend to rank high in gender equality in most indicators of this dimension.

For the construction of a composite measure of educational equality, it was conducted an internal reliability analysis. This is presented in **Table 2.4**. From the six original educational variables, only five are retained in the final GEIMS_ED. The variable quantifying the gender gap in research positions (ED_6) is not associated with the rest of variables, and its exclusion from the index results in an increase in the internal reliability coefficient (Cronbach Alpha = .76). Potential explanations might be related to the geographical mobility of the researchers or to the development of research centers result of the policies of the Science and Technology National Council (CONACYT: Consejo Nacional de Ciencia y Tecnologia) and government decentralization policies (Vessuri 1997). The state coefficients of educational gender equality and its ranking are presented in Table 2.8.

2.2.c- The Political Equality Dimension (GEIMS_PO)

Women's share of decision making positions is one of the areas in which women are more far from reaching parity with men (Inter-Parliamentary Union 2006). At the macro level, the unequal access of women to leadership positions is associated with the low status of women in other spheres such as the economic and the educational (Moore and Shackman 1996; Oakes and Almquist 1993; Reynolds 1999). At the individual-level, lower resources such as experience, education, time or money reduce women's ability to

Table 2.4: Reliability Analysis of the Educational Equality Sub-index

Educational Indicators		Correlation						All Indicators (Standarized)		Selected Variables (Standarized)	
		ED_1	ED_2	ED_3	ED_4	ED_5	ED_6	r	Alpha if item is deleted	r	Alpha if item is deleted
ED_1	Average years of Education	--						.59	.50	.65	.67
ED_2	Literacy	.91***	--					.47	.55	.51	.72
ED_3	College	.59***	.38**	--				.56	.51	.68	.66
ED_4	Graduate	.24	.16	.62***	--			.51	.53	.51	.72
ED_5	Engineering, agricultural and natural sciences	.10	.04	.32*	.48**	--		.30	.61	.30	.79
ED_7	Researchers	-.12	-.09	-.26	-.001	-.003	--	-.15	.76	--	--
								Alpha Coefficient	.63		.76

*** p<.001; ** p<.05; * p<.01

reach positions of political power and decision making (Gaddie and Bullock 1995; Manza and Brooks 1998). The consequence of women's better representation in the political sphere is the greater amount of public policies and legislation addressing women's issues which might reduce gender inequality in other spheres (Jones 1997; Rodríguez 2003).

For assessing the attainment of women in the political sphere, I collected eight indicators that measure women's share of decision making positions in different levels of government from the three branches of the State: legislative, executive and judicial, within each state. As the representation of women in certain public offices might be dependent with the political climate or the nature of the election (Rodríguez 2003), the use of several measures of gender gap in different branches and levels of government reduces the likelihood of biased measurements due to the existing political climate when the data was collected. Moreover, the use of multiple variables overcomes the constraint of some previous gender equality indexes that only included parliamentary representation (see Dijkstra 2002).

Table 2.5 sorts the states in rank order according to each political indicator. Most of these measures were compiled by the author using several sources. This was a complex task given the heterogeneity of the political institutions across states. The specific political design of some states made necessary the imputation of the inexistent data. This is the case of the Federal District, where there are not municipalities, or the existence of indigenous governing boards under the system of *Usos y Costumbres* in Oaxaca (see Dalton 2003). In these two cases the information regarding women's gender gap as *Trustees* (síndicos) or *City councilors* (regidores) was missing. I dealt with the *missing* data (implausible data) by imputing the mean (see Groves et al. 2004). Instead using the variable's mean as imputation method, the imputed value was the mean of all remaining available political variables for that specific case.

Table 2.5: States Ranked in order of Political Gender Equality Indicators

Majors		City Councilors		Trustees		State Representatives		Federal Single District Representatives		Magistrates		State Secretaries		Federal Civil Servants		
<u>Rank</u>	<u>State</u>	<u>PO_1</u>	<u>State</u>	<u>PO_2</u>	<u>State</u>	<u>PO_3</u>	<u>State</u>	<u>PO_4</u>	<u>State</u>	<u>PO_5</u>	<u>State</u>	<u>PO_6</u>	<u>State</u>	<u>PO_7</u>	<u>State</u>	<u>PO_8</u>
1	DF(a)	45.5	CAMP	110.5	COL	66.7	QROO	53.4	BCS	100.0	CAMP	100.0	DF	140.0	CHIS	75.0
2	CAMP	22.2	TAMP	92.0	YUC ^(c)	66.7	DF	46.7	QROO	100.0	YUC	100.0	COAH	50.0	CHI	75.0
3	TLAX	9.1	ZAC	76.2	DF ^(a)	64.8	CAMP	45.8	YUC	66.7	DF	84.8	YUC	37.5	NAY	75.0
4	MEX	8.8	CHI	75.7	SLP	61.1	BCS	40.1	TAB	50.0	AGS	75.0	CHIS	33.3	SLP	75.0
5	VER	6.6	COAH	66.3	OAX ^(b)	25.2	NL	35.5	TLAX	50.0	QRO	75.0	MICH	33.3	DF ^(d)	64.8
6	NL	6.3	SON	65.5	JAL	22.8	TAB	30.7	GRO	42.9	GTO	66.7	OAX	33.3	BCS	40.0
7	QRO	5.9	DF ^(a)	64.8	AGS	22.2	PUE	28.2	SON	40.0	QROO	60.0	MEX	30.8	CAMP	40.0
8	SIN	5.9	NAY	56.7	TAB	21.4	YUC	25.0	OAX	37.5	CHIS	50.0	COL	28.6	COAH	40.0
9	SLP	5.5	SIN	53.3	PUE	20.6	COAH	25.0	PUE	36.4	SLP	50.0	DUR	25.0	MICH	40.0
10	NAY	5.3	SLP	52.6	DUR	18.2	GRO	24.4	MOR	33.3	NL	47.1	QROO	25.0	MOR	40.0
11	JAL	5.1	YUC	50.1	NAY	17.6	JAL	24.1	DF	25.0	MOR	44.4	VER	25.0	NL	40.0
12	HGO	5.0	NL	49.7	QROO	14.3	GTO	24.1	DUR	25.0	MEX	42.9	NL	20.0	TAMP	40.0
13	TAMP	4.9	AGS	49.2	MOR	13.8	SLP	22.7	ZAC	25.0	COAH	40.0	BCS	16.7	TLAX	40.0
14	CHI	4.7	TAB	47.1	MEX	13.6	HGO	20.8	MEX	24.1	TAB	38.5	GRO	16.7	AGS	16.7
15	YUC	3.9	COL	45.3	QRO	12.5	OAX	20.0	COAH	16.7	COL	30.0	NAY	16.7	BC	16.7
16	ZAC	3.6	PUE	44.6	SON	12.5	NAY	20.0	HGO	16.7	HGO	30.0	AGS	14.3	COL	16.7
17	CHIS	3.5	GTO	43.2	HGO	12.0	COL	19.0	SLP	16.7	ZAC	30.0	MOR	14.3	DUR	16.7

Table 2.5, Continued

Majors		City Councilors		Trustees		State Representatives		Federal Single District Representatives		Magistrates		State Secretaries		Federal Civil Servants		
Rank	State	PO_1	State	PO_2	State	PO_3	State	PO_4	State	PO_5	State	PO_6	State	PO_7	State	PO_8
18	MICH	2.7	JAL	43.0	COAH	11.8	BC	19.0	SIN	14.3	OAX	27.8	ZAC	14.3	GTO	16.7
19	GRO	2.7	MOR	42.1	ZAC	11.5	VER	18.5	CHI	12.5	GRO	26.7	TAB	11.1	GRO	16.7
20	PUE	1.9	QRO	41.5	CAMP	10.0	SIN	17.6	NL	10.0	PUE	26.7	TAMP	11.1	HGO	16.7
21	SON	1.4	VER	41.1	VER	9.8	MICH	17.6	CHIS	9.1	BCS	25.0	HGO	10.0	JAL	16.7
22	OAX	1.1	BC	38.2	NL	8.5	MEX	17.2	VER	4.5	CHI	25.0	QRO	10.0	MEX	16.7
23	AGS	0	MICH	36.7	CHI	8.1	ZAC	15.3	AGS	0	TLAX	25.0	CAMP	9.1	OAX	16.7
24	BC	0	MEX	32.4	MICH	7.6	SON	14.8	BC	0	SIN	22.2	CHI	8.3	PUE	16.7
25	BCS	0	HGO	31.2	CHIS	7.2	TLAX	14.3	CAMP	0	DUR	20.0	JAL	7.7	SON	16.7
26	COAH	0	BCS	30.0	TLAX	7.1	QRO	13.6	COL	0	MICH	20.0	SLP	7.1	TAB	16.7
27	COL	0	GRO	29.7	SIN	5.9	DUR	13.6	GTO	0	BC	18.2	BC	0	QRO	0
28	DUR	0	QROO	29.2	GRO	5.3	AGS	12.4	JAL	0	NAY	16.7	GTO	0	QROO	0
29	GTO	0	TLAX	25.8	TAMP	4.9	MOR	11.1	MICH	0	VER	15.8	PUE	0	SIN	0
30	MOR	0	OAX ^(b)	25.2	GTO	4.5	CHIS	11.1	NAY	0	SON	12.5	SIN	0	VER	0
31	QROO	0	DUR	23.9	BC	0	TAMP	10.4	QRO	0	TAMP	11.1	SON	0	YUC	0
32	TAB	0	CHIS	20.4	BCS	0	CHI	10.0	TAMP	0	JAL	7.4	TLAX	0	ZAC	0
	<i>Mean</i>	5		47.9		18.4		22.6		23.6		39.9		22.6		28.2
	<i>STD</i>	8.5		20.3		18.9		11.1		27.1		25.2		26.1		23.9

Table 2.5, Continued

Sources: PO_1: Percent of majors who are women relative to the percent of majors who are males (Sistema Nacional de Información Municipal 2005). PO_2: Percent of city councilors who are women relative to the percent of city councilors who are males (Sistema Nacional de Información Municipal 2005). PO_3: Percent of city trustees (sindicos) who are women relative to the percent of city aldermen who are males (Sistema Nacional de Información Municipal 2005). PO_4: Percent of State representatives who are women relative to the percent of State representatives who are male (Author's calculation 2005). PO_5: Percent of Federal representatives elected in single district who are women relative to the percent of Federal representatives elected in single district who are male (Congreso Federal Mexicano 2005). PO_6: Percent of Magistrados who are women relative to the percent of Magistrados who are male (Author's calculation). PO_7: Percent State Secretaries and Procuradores de Justicia who are women relative to the percent of State Secretaries or Procuradores de Justicia who are male (Author's calculation based on information retrieved from the webpage of each State's executive power and Secretaria de Gobernación's *Directorio Electrónico de Funcionarios Estatales*, 2005). PO_8: Percent of Federal Government Representatives in the States who are female relative to the percent of Federal Government Representatives in the States who are male Sistema Nacional de Información Municipal 2005).

Notes: (a) The Federal District does not have municipalities. The coefficient for the variable *Majors* corresponds to the *jefes delegacionales* (delegation chiefs). The coefficient for the variables *Aldermen* and *Aldermen* was imputed as the mean of the remaining political variables for this State. (b) Oaxaca some indigenous communities follow the *usos y costumbres* in the election of their community and/or municipal leaders. Data was unavailable from the National System of Municipal Information (SNIM), the ratio was imputed by calculating the mean of the remaining political variables for this State. (c) Data unavailable from the National System of Municipal Information (SNIM), the coefficient was imputed by calculating the average of the remaining political variables for this State. (d) Given the federal nature of Mexico, where the federal government is located at the Federal District, the Federal District lacks of government representatives. The ratio was imputed by calculating the average of the remaining political variables for this *State*.

The indicators of political gender equality reveal higher levels of heterogeneity across states, and larger gender gaps compared to those of the economic and educational spheres, as shown by the size of the standard deviations. The first political variable, measures women's share of *Majors* (PO_1); on average, for each one hundred municipalities governed by males there are only five governed by a female. Women's share of the local executive power is concentrated in two thirds of the states. In ten states women are not represented at all as majors. *City Councilors* (PO_2) measures the gender gap in the municipal legislative bodies (Rodríguez 1997). Women are better represented as city councilors than as majors, perhaps because it is a position of restricted authority and power (Massolo 1998). On average, for each one hundred male city councilors there are 48 women. Important cross-state differences emerge between the overrepresentation of women in Campeche and Guerrero, Tlaxcala, Durango, Chiapas and Quintana Roo, where the gender gap is greater than 70%.

As in other countries, in Mexico, the gender gap in political representation tends to increase as the prestige and the power of the office increases (Gadsden Carrasco 2003). The gender inequality is larger among *Trustees* (PO_3), a political figure with public visibility that has financial and legal responsibilities (Massolo 1998). In this municipal powerful political position, on average, women occupy 18% of the trustee positions occupied by men. In Colima and San Luis Potosí women are better represented than in the two Californias, where no women is in such position –perhaps due to the small number of municipalities.

The gender gap does not improve at the state and federal legislatures. The level of gender equality, though, is greater than in the executive local branch (majors and trustees). On average women have around 23% of male's representation as *State Representatives* (PO_4) and as single-district *Federal Representatives* (POL_5). The

Mexican Congress has 500 seats: 300 single district (based on population) and 200 proportional seats divided in five circumscriptions of forty seats each (see Molinar-Horcasitas 1991). Given that only single district seats can be traced to a particular state, this measure excludes women's representation in proportional seats. Quintana Roo is the only state where women have a higher share of state-level legislative seats and women have reached parity at single district's representation at the federal level. In about one third of the states no woman was elected in a single-district seat. There is not clear association between women's representation at state and federal legislatures. Some states that rank either high or low in both measures (i.e. Quintana Roo, Baja California Sur, Tamaulipas and Chiapas). Campeche, in contrast, ranks third in women's share of seats at the state legislature, but are absent at the federal level.

Women's representation at the judiciary branch is measured by women's representation as *Magistrates* (PO_6) at the state's Supreme Court. The average attainment of women across states is 40%. Women have only reached equality in this dimension in Campeche and Yucatán, followed by the Federal District (85%) and Aguascalientes and Querétaro with 75%. The two final variables measure women's share of political power at the State executive level. PO_7 measures women's share of *State Secretaries*. On average, women have attained 23% of the positions occupied by men. Again, important differences across states emerge. While women are overrepresented in the Federal District, they lack representation in Tlaxcala, Puebla, Guanajuato, Baja California, Sinaloa and Sonora. The last variable measures the gender gap among *Civil Servants* working as a liaison or commissioners between the federal and the state governments (PO_8) as representatives of Banobras, Sagarpa, Sedesol, DIF, National Commission of Human Rights, and commissioner of the State in front of the Federal Government. On average for each 100 males in these positions there are 28 women. In

six states no women occupy any of these positions. In a nutshell, women are further from achieving parity with men in the political dimension than in the educational and economic spheres.

For constructing a composite measure of political equality, first I performed an internal reliability analysis with the initial pool of political variables. The correlations and the reliability analysis are presented in **Table 2.6**. Table 2.6 reveals that all variables but women's representation as *Federal Single District Representatives* (PO_5) have positive correlation with the index and its removal would not result in an improvement in the alpha reliability coefficient, which is .70. The elimination of the variable measuring Single District Representatives increased the intra-index internal reliability; resulting thus in a Cronbach Alpha of .75. The reasons for their elimination are related to the fact that the proportion of women elected in single district seats at the federal legislature is sensitive to the number of districts, which vary across states. As the number of seats/districts increases, both as single district and proportional seats, it becomes an opportunity for many candidates (including women) to be nominated and elected (Beckwith 1992).

2.2.d- Legal Equality Dimension (GEIMS_LEGAL)

The legal status of women in a certain society is the fourth sphere in which structural gender equality is measured. It is in the law where the differentiation between men and women is crudest (United Nations Development Program 1995). Mexico signed the Convention on Elimination of All Forms of Discrimination Against Women (CEDAW) in 1999 and ratified it in 2002. Mexican legislation, however, still does not guarantee the equality between men and women (Torres-Falcón 2004). In the last years,

Table 2.6: Reliability Analysis of the Political Component of GEIMS

Political		Correlation								All Indicators (Standardized)		Selected Variables (Standardized)	
		PO_1	PO_2	PO_3	PO_4	PO_5	PO_6	PO_7	PO_8	r	Alpha if item is deleted	r	Alpha if item is deleted
PO_1	Majors	--								.67	.60	.70	.65
PO_2	City Councilors	.42*	--							.21	.70	.35	.75
PO_3	Trustees	.39**	.10	--						.45	.65	.48	.72
PO_4	State Representatives	.43*	.14	.20	--					.52	.64	.47	.73
PO_5	Federal Single District Repr.	-.13	-.32†	.05	.47*	--				.01	.75	--	--
PO_6	Magistrates	.43*	.26	.40*	.41*	.07	--			.49	.65		.71
PO_7	State Secretaries	.66***	.07	.51*	.38*	.08	.31†	--		.61	.62		.68
PO_8	Federal Civil Servants	.36*	.23	.13	.01	-.19	.05	.36*	--	.23	.70	.60	.75
										Alpha Coefficient		.70	.75

*** p<.001; ** p<.05; * p<.01

the legislation has gradually changed from the situation described by Guillé-Tamayo (2002) in which until 1997 it was mandatory for women in Aguascalientes to request written permission from their husband if they wanted to be employed, or by Hernández-Castillo (2004) in which until 1998 women's employment in Chiapas was conditioned to the husband's permission based on non-interference of household responsibilities. The move toward a greater equality in the law, however, has not occurred in all states. The approval of legislation that protects women's rights and eliminates gender discrimination is associated with higher numbers of women elected to a legislative body and with women's economic and educational advance (Oakes and Almquist 1993; Reynolds 1999). For women, higher rates of labor force participation and education are associated with higher levels of political participation and involvement in public affairs (Togebly 1994).

I collected fourteen indicators that measure the presence or absence of legislation granting rights, promoting gender equality, or protecting already established rights for constructing a measure of women's legal status until 2005. These are presented in **Table 2.7**. The first variable measures whether or not the state grants women control over their reproductive rights, *Abortion* (LE_1). Interrupting a pregnancy in case of risk of death for the mother; imprudence or negligence and genetic malformations of the fetus was still considered a crime in 21 States. Fifteen states lack of specific legislation condemning *Sexual Harassment* (LE_2). Similarly, 14 states do not have laws or statutes that at least formally guarantee gender balance in *Political Representation* (LE_3). In twelve states its Constitution or political laws include an explicit mention to gender quotas or other affirmative actions. In Coahuila, Chiapas, Querétaro, San Luis Potosí, Tabasco and Zacatecas, the protection of this right is weaker since the mandate for gender equality is

Table 2.7: States that Approved Legislation Protecting Women’s Rights or Granting Already Existing Rights

Legislation	States that Approved:
Abortion (LE_1)	BCS, COAH, COL, DF, MEX, MOR, OAX, PUE, QROO, VER, YUC.
Sexual harassment (LE_2)	BC, COL, CHIS, CHI, DF, GRO, HGO, JAL, MEX, MOR, NL, QRO, SIN, SON, TAB, YUC, ZAC.
Political representation (LE_3)	CAMP, COAH ^a , COL, CHIS ^a , CHI, DF, DUR, GRO, MEX, MICH, OAX, PUE, QRO ^a , SLP, SIN ^a , SON, TAB ^a , ZAC ^a .
NO: Stealing livestock more punishment than offenses against women (LE_4)	COAH, COL, DF, GRO, HGO, JAL, NAY, NL, SIN, SON, TLAX, YUC, ZAC
Violence (LE_5)	BC, BCS, CAMP, COAH, COL, CHIS, DF, DUR, GTO, GRO, JAL, MEX, MICH, MOR, NAY, OAX, PUE, QRO, QROO, SLP, SIN, SON, TAB, TAMP, TLAX, VER, YUC, ZAC.
Family violence as a felony (LE_6)	AGS, BC, COAH, CHIS, CHI, DF, DUR, GTO, GRO, HGO, JAL, MEX, MICH, MOR, NAY, NL, OAX, PUE, SLP, SIN, SON, TAB, TAMP, VER, YUC, ZAC
Rape within marriage (LE_7)	BCS, COAH, CHI, DF, DUR, GTO, HGO, OAX, QRO, SLP, TAMP, YUC, VER
Family violence as cause for divorce (LE_8)	AGS, BC, BCS, COAH, COL, CHI, DF, DUR, MEX, MICH, MOR, NL, OAX, PUE, QROO, SLP, SIN, SON, TAMP, TLAX, VER.
Abuser’s household abandonment (LE_9)	DF, HGO, MEX, OAX, PUE, QROO, SON, TAMP.
Public funded shelters (LE_10)	BC, DF, GTO, MOR, OAX, QRO, SIN, TAB.

Table 2.7, continued

NO age difference for marriage (LE_11)	DF, GRO, HGO, JAL, PUE
NO Time for re-marrying (LE_12)	CAMP, DF, GRO, HGO, MEX, OAX
Domestic work (LE_13)	DF, GTO, HGO, OAX, PUE, SLP, SON, TAB, ZAC
Allowance in common-consent divorce (LE_14)	DF, CHIS, GHI, GRO, OAX, PUE, QRO,

Sources: LE_1: Abortion is not considered a felony in the penal code at least in these three cases: risk of death for the mother; imprudence or negligence and genetic malformations of the fetus (GIRE. 2005). In all states abortion is not considered a felony in case of rape. Besides this and the three previously mentioned, in some states abortion is not criminalized in case of serious health consequences for the mother to be, find non-consented artificial insemination and economic reasons (when the woman has at least three children). LE_2: Existence of Sexual Harassment legislation enacted by the State (Inmujeres. 2004). LE_3: Existence of gender quotas or affirmative actions that guarantee a minimum political representation to women in the States' Political Constitution or Electoral Laws (Pérez Duarte 2002). LE_4: Statutes that provide a harder punishment for stealing livestock than any of the following: abusing a minor, raping or harassing a woman (Pérez Duarte 2002). LE_5: Specific law for the prevention and assistance of the family violence (Data provided by Inmujeres 2005). LE_6: Abuse of a family member is defined as a criminal offense in the Penal Code (Data provided by Inmujeres 2005). LE_7: Rape within the marriage is considered a felony in the Penal Code (Data provided by Inmujeres 2005). LE_8: Violence against the partner is considered as cause for divorce in the Civil Code (Data provided by Inmujeres 2005). LE_9: Statutes that grant judges the authority of throwing out from the family household the abuser in cases of family violence (Pérez Duarte 2002). LE_10: Existence of public funded shelters for victims of partner violence (Data provided by Inmujeres 2005). LE_11: Statutes that allow that women could get married at a younger age than men. (Pérez Duarte 2002). LE_12: Legislation (Civil Code) that mandate women to wait a certain number of days (from 180 to 300) before re-marrying after a divorce, while men are exempt from this wait (Pérez Duarte 2002). LE_13: Statutes that recognize the value of domestic work performed by women in the household economy (Pérez Duarte 2002). LE_14: Statutes that grant an allowance to women in case of common-consent divorce (Pérez Duarte 2002).

interpreted broadly in light of other legal provisions. Crimes and offenses against women such as abusing a minor, raping or harassing a woman still receive lesser punishment than *Stealing Livestock* (LE_4) in the majority of states. This crime typified in the criminal code and called *abigeato* (cattle theft), receives lesser punishment than crimes and offenses against women in twelve states.

The second group of measures determines the presence of legal premises that grant protection to victims of family violence. Both, men and women might experience

of partner violence, but women are at a higher risk. The existence of laws granting protection to victims of family violence contributes to the protection of women's rights. The fifth legal variable assesses whether or not the state has passed specific *Family Violence* legislation (LE_5). As of May 2005; only Aguascalientes, Chihuahua, Hidalgo and Nuevo León had not approved this type of legislation. Whether or not *Violence* against a family member is considered a *Felony* is assessed in (LE_6); only 26 states prosecute it as such. It should be noted that the four states lacking *Intrafamily Violence* legislation categorize domestic violence as a crime. In contrast, in six states in spite of having approved specific legislation against violence, violence against a family member is not considered a felony (Baja California Sur, Campeche, Colima, Querétaro, Quintana Roo and Tlaxcala). The next variable assesses the legal existence of *Rape within the Marriage* (LE_7). It was not until November 2005 that the Supreme Court ruled recognizing rape within marriage. Less than half of the states, nevertheless, condemn rape within the marriage. The previous figure is not surprising given the fact that in eleven states the proven existence of domestic violence is not yet a causal of *Divorce* (LE_8).

Whether or not the court can mandate the *Abuser* to *Abandon the Household* (LE_9) is a prerogative that only judges in eight states have: Federal District, Hidalgo, Mexico, Oaxaca, Puebla, Quintana Roo, Sonora and Tamaulipas. Only eight states have *Public funded Shelters* (LE_10) for victims of domestic violence: Baja California, Federal District, Guanajuato, Morelos, Oaxaca, Querétaro, Sinaloa and Tabasco. According to the data provided by the Inmujeres, there are only 32 shelters in Mexico, both directed by the government (11) and NGOs (21). In nine states, women have no

place to go: Baja California Sur, Campeche, Colima, Guerrero, Jalisco, Mexico, Nayarit, Tamaulipas and Veracruz.³

The third group of legal indicators refers to the institution of marriage. The inequality between males and females is more evident in this sphere. Only in the central states of Guerrero, Hidalgo, the Federal District, Jalisco and Puebla the *Minimum Age for Marriage* (LE_11) is the same for men and women. Women's differential position in the law is also reflected in the fact that only in six states women do not have to wait for a period that ranges between 180 and 300 days before *Re-Marrying* after a divorce (LE_12), while men do not have to wait. The importance of *Domestic Work* (LE_13) is only recognized in nine states, and even in fewer states women have right to an *Allowance* in cases of *Common-Consent Divorce* (LE_14), among which the northern states are virtually unrepresented.

In summary, legal equality between men and women is far from being reached. Most states fail in protecting women's rights and the law treats differently men and women. The exception is the Federal District where there is complete equality between men and women in these measures of legal equality. In contrast, Table 2.8 reveals that Aguascalientes is the state where fewer laws that protect or grant rights to women have been passed. The existence of laws and statutes, however, does not guarantee their enactment as revealed by Torres-Falcón (2004) in the case of domestic violence legislation.

³ In Mexico there are two types of institutions that offer protection to women: *albergues* that offer short-term housing to women (from 48 hours to one week) while these women find a place where to go. In many cases as in Zapopan (Jalisco) abused women share the space with people in other circumstances: victims of natural disasters or unprivileged people waiting for receiving assistance in a hospital. *Shelters* offer a more comprehensive assistance, since women can stay longer, from a minimum of three months to a maximum of six months (depending on the shelter's policies). In shelters women receive among others legal and psychological assistance, health promotion training, and workshops for their next incorporation to the labor market.

The legal equality dimension of the GEIMS was calculated in two ways since the variables were dichotomous rather than continuous as in the previous three dimensions. First, it was computed by adding the number of laws and statutes protecting women's rights and granting rights to women, and dividing this number by fourteen (the total number of indicators of legal equality). Second, following the same methodology used in the construction of the three previous sub-indexes: perform a Kuder-Richardson analysis of internal reliability (used for dichotomous variables; analyses not shown). The results of the two subindexes are highly correlated ($.96, p < .0001$). For simplicity, I opted for the first method of calculation. Therefore, a state that passed all the fourteen laws and statutes has a score of 100 $[(14 / 14) * 100]$, reflecting thus the inexistence of gender gap. Similarly, a state that only has approved five of these measures has a score of 36.7 $[(5 / 14) * 100]$ indicating that women have reached 37 percent of the equality with men in the legal sphere. The coefficients for each state and its ranking are presented in **Table 2.8**.

2.3.- GENDER EQUALITY INDEX IN MEXICAN STATES (GEIMS)

The value and rank for each of the spheres of the index is presented in **Table 2.8**. We can observe that some states rank very high in at least three of the four dimensions: Federal District, Nayarit, Sonora, and Chihuahua. In contrast, we find the opposite pattern in the case of Chiapas, Tlaxcala, Nuevo León and Aguascalientes, ranking rather low in most of these spheres. The dimension where women have reached higher parity with men is in the educational. The gap nevertheless is 35.2%, meaning that women have achieved 64.8% of parity with men. The largest gender gap is in the political realm; where women's attainment is only 26% of that of men. Women's attainment in the economic and legal spheres is similar, 57% and 58%; meaning that women are slightly over half way of reaching parity with men in these realms. As revealed by the size of the

Table 2.8: Components of the GEIMS ranked by Gender Gap in Each Component

Rank	State	GEIMS_EC	State	GEIMS_ED	State	GEIMS_PO	State	GEIMS_LE
1	DF	49.7	NAY	72.0	DF	75.9	DF	100.0
2	MOR	49.5	BC	70.4	CAMP	48.2	OAX	78.6
3	HGO	46.5	TAMP	68.7	YUC	40.5	PUE	64.3
4	COL	46.1	CHI	68.0	SLP	39.1	GRO	57.1
5	AGS	45.9	SIN	67.7	NAY	34.5	HGO	57.1
6	QRO	45.6	TLAX	67.0	COAH	33.3	MEX	57.1
7	NAY	45.5	DUR	66.4	CHI	32.3	SON	57.1
8	OAX	45.5	SLP	66.2	NL	29.6	COAH	46.4
9	JAL	45.3	COAH	66.0	COL	29.5	SIN	46.4
10	SLP	44.9	VER	66.0	CHIS	28.7	CHI	42.9
11	PUE	44.8	MOR	65.8	QROO	27.8	COL	42.9
12	SON	44.2	SON	65.7	AGS	27.1	MOR	42.9
13	GRO	44.1	JAL	65.6	TAMP	24.9	SLP	42.9
14	SIN	43.6	QROO	64.9	MOR	23.7	YUC	42.9
15	GTO	43.1	BCS	64.7	TAB	23.6	QRO	39.3
16	MICH	42.7	NL	64.6	MEX	23.2	TAB	39.3
17	TLAX	41.9	PUE	64.5	QRO	22.6	ZAC	39.3
18	BC	41.8	ZAC	64.5	MICH	22.6	BC	35.7
19	BCS	41.8	HGO	64.2	OAX	22.3	DUR	35.7
20	TAMP	41.2	GRO	64.1	GTO	22.2	GTO	35.7
21	ZAC	41.2	DF	64.1	BCS	21.7	JAL	35.7
22	VER	41.0	MICH	63.8	ZAC	21.6	TAMP	35.7
23	YUC	40.9	GTO	63.7	PUE	19.8	VER	35.7
24	MEX	40.8	AGS	63.7	GRO	18.6	CHIS	32.1
25	DUR	40.6	MEX	63.3	JAL	18.1	MICH	28.6
26	COAH	39.4	QRO	63.0	HGO	17.9	NL	28.6
27	QROO	39.4	COL	62.9	SON	17.6	QROO	28.6
28	CAMP	39.1	CAMP	62.7	TLAX	17.3	BCS	28.6
29	CHI	38.1	YUC	62.4	DUR	16.8	CAMP	21.4
30	NL	38.1	TAB	61.1	VER	16.7	NAY	21.4
31	TAB	34.4	OAX	59.9	SIN	15.0	TLAX	21.4
32	CHIS	31.8	CHIS	55.9	BC	13.2	AGS	14.3
Mean		42.45		64.80		26.4		41.74
STD		3.85		2.97		12.0		17.29

standard deviation coefficients, the states are somehow homogeneous in terms of economic and educational equality but heterogeneous in the political and legal dimensions.

In order to construct a composite measure of the four spheres, first, I performed a correlation analysis of the four components of the index. This is presented in **Table 2.9**. The economic, educational, political and legal spheres are not always correlated among themselves. There are three exceptions, first, women's attainment in the economic realm is positively associated with the existence of legislation that protects women's rights (.40; $p < .05$). This positive and significant association has been reported earlier by Welch and Gottheil (1978) who found a positive relationship between the reduction in the gender gap in certain economic variables and the equal treatment of females in legislation. Caiazza (2004) nevertheless found no association between women's labor force participation relative to men's and approval of women's friendly legislation. There is also a weak correlation between gender equality in the economic and educational spheres. This means that as the gender gap in educational attainment increases there's a tendency of finding a bigger gender gap in the economic arena. The size of the correlation and the coefficient, though, are small. Similarly, there is a small significant correlation between the reduction of the gender gap in the political sphere with the approval of legislation tending to protect women's and minorities rights. This relationship is similar to that reported in previous research studies (Caiazza 2004; Murphy 1997).

The fact that there is no relationship between the other dimensions of gender inequality is surprising given that one would expect that women's higher attainment in the educational and economic sphere would be related to a decreasing gender gap in the political sphere (Moore and Shackman 1996; Norris and Franklin 1997; Oakes and Almquist 1993), but seems not to be true in the case of Mexican states. This might be

partially explained by Norris and Inglehart’s (2001:130) argument: “while improvements in women’s education and professional status serve as *facilitating* conditions for women’s empowerment, structural changes by themselves may be insufficient for women to achieve greater success in winning elected office. ”

Table 2.9: Reliability Analyses of the Four Dimensions of Gender Equality

Dimensions of Equality	Correlations			
	GEIMS_EC	GEIMS_ED	GEIMS_PO	GEIMS_LEGAL
Economic	---			
Educational	.29*	---		
Political	.08	-.07	---	
Legal	.40**	-.20	0.26	---

*** p<.001; ** p<.05; * p<.01

The final GEIMS index is calculated by computing the average coefficient of gender inequality for each of the four dimensions previously presented in Table 2.8. The results for the composite Gender Equality Index in Mexican States (GEIMS) are presented in Table 2.10.

The interpretation of the GEIMS final coefficients follows the same rationale than the interpretation of each of the sub-indexes: coefficients closer to the score of 100 indicate more equality between men and women, while those approaching 0 denote higher inequality between genders. Women in Mexico are not even half a way in reaching equality with men. In average, women have achieved 44% of men’s positions in Mexican States. Although the Federal District is the state in which women have reached

Table 2.10: States Ranked by Gender Inequality

Rank	State	GEIMS
1	DF	72.4
2	OAX	51.6
3	PUE	48.3
4	SLP	48.3
5	YUC	46.7
6	HGO	46.4
7	COAH	46.4
8	SON	46.2
9	MEX	46.1
10	GRO	46.0
11	MOR	45.4
12	COL	45.3
13	CHI	45.3
14	NAY	43.4
15	SIN	43.2
16	CAMP	42.9
17	TAMP	42.6
18	QRO	42.6
19	ZAC	41.6
20	JAL	41.2
21	GTO	41.2
22	BC	40.3
23	NL	40.2
24	QROO	40.1
25	DUR	39.9
26	VER	39.8
27	TAB	39.6
28	MICH	39.4
29	BCS	39.2
30	AGS	37.7
31	CHIS	37.1
32	TLAX	36.9

the highest level of gender equality, 72.4%, it is an outlier compared to the other states if we consider the distance between the states ranked in first and second place (statistical tests not shown). The second most egalitarian state is Oaxaca, where the gender gap is 48.4, followed by Puebla, San Luis Potosí where women have reached a level of equality

of 48.3. At the other end, we find Chiapas and Tlaxcala, where women have reached a level of gender equality of 37.1 and 36.9.

Once the Federal District is excluded, Mexican regions are quite homogeneous in terms of gender equality. The difference between Yucatán and Chiapas is only of 14.7 %, revealing that in Oaxaca, the second state with greater gender equality, women have only attained 14.7 more equality with men than in the state where the gender gap is greater, Tlaxcala. This situation sharply contrasts with the U.S., where states are not so homogeneous in terms of structural gender equality, and the difference between the most and the least gender egalitarian states in the U.S. is 39.5% (Di Noia 2002), a larger difference than that reported by Sugarman and Straus more than a decade earlier (1988). Some of the poorest states such as Yucatán, Puebla, Oaxaca, or San Luis Potosí rank among the most egalitarian. It should be remembered, though, that this index does not account for the levels of inequality across states, only measures the gender gap within each state.

2.4- REGIONS AND GENDER EQUALITY

Whether or not there are regional patterns in gender equality posits an interesting question. Several regional classifications have been made of Mexico on the basis of different factors: geographical, political, sociodemographic, cultural and historical (see review by Liverman and Cravey 1992). The first part of **Table 2.11** examines the possible existence of regional differences in gender equality in Mexico. Bassols Batalla (1967, 1979 cited in Liverman and Cravey 1992) classifies Mexico into eight large geoeconomic regions “based on a large number of criteria: physical, demographic, economic and political; and he underscores the role of historical processes and political

economy in the development of regions” (45-46). As mentioned earlier the Federal District is excluded from the analysis.

Table 2.11: Regional Differences in Gender Equality

		GEIMS	ECONOMIC**	EDUCATIONAL**	POLITICAL	LEGAL
Geo-economic regions	Northwest	42.43	43.38	68.10	20.38	37.86
	North	42.95	39.17	66.25	27.99	38.39
	Northeast	41.24	41.11	67.33	20.80	35.71
	Center-North	42.56	44.00	64.80	29.27	32.14
	West	41.77	44.29	64.01	23.08	35.71
	Center	44.31	44.83	66.64	20.77	47.02
	Southeast	43.42	39.30	61.58	29.86	42.86

Notes: Northwest: Baja California Norte, Baja California Sur, Nayarit, Sinaloa, Sonora. North: Coahuila, Chihuahua, Durango, Nuevo León. Northeast: Tamaulipas, Veracruz. Center-North: Aguascalientes, San Luis Potosí, Zacatecas. West (Occidente): Colima, Guanajuato, Jalisco, Michoacán. Center: Hidalgo, Morelos, Puebla, Querétaro, Tlaxcala, Estado de México. Southeast: Campeche, Chiapas, Guerrero, Oaxaca, Quintana Roo, Tabasco, Yucatán.

** p<.05; *** p<.001

The ANOVA analyses reveal no significant differences in the overall measure of gender equality across regions. When each of the spheres of the index is examined, we find significant differences in the educational and economic realms. In the center, west and center-north, women have achieved greater parity with men in the economic realm than in other regions of Mexico. In terms of educational gender equality, though, it is the southeast where women face a significant disadvantage compared to other regions. The regions, as were defined by Bassols Batalla, nevertheless, are homogeneous in terms of political and legal equality.

2.5- GENDER EQUALITY IN MEXICO

The GEIMS is the first attempt to create a composite measure of gender equality in Mexico. As a state-level gender equality measure, it quantifies the departure from parity in the representation of women and men in four key dimensions of social life: economic, educational, political and legal. The GEIMS compares men and women within each state, but does not take into consideration the relative position of women across states. This index is inspired in the GEI (Sugarman and Straus 1988), and it has been transformed and adapted to the reality of a developing country such as Mexico.

Mexican women are far from reaching gender equality in the social structure with men. Women have attained an overall level of equality of 44%. Women fare worse compared to men in the political arena. Females have barely reached 26% of equality with men in the political sphere. The gender gap in the economic and legal spheres is similar, around 42%. The law still treats differently men and women in Mexico and in many states women's rights are virtually inexistent from the legal point of view. Similarly, women have hardly attained half of the positions conquered by men in the economic realm. The area in which both genders are more at level is in the educational; nevertheless a gap of 35% percent still separates males and females.

Mexican states are quite homogenous in terms of structural equality. As opposed to the situation in the U.S. (Di Noia 2002; Sugarman and Straus 1988) there are not regional differences in Mexico. There are states that tend to rank high in terms of structural gender equality, whereas others tend to rank low, nevertheless the differences among them tend to be rather small if the Federal District is excluded. The Federal District constitutes without doubt the state in which women are more leveled with men. Several studies might help to explicate this phenomenon. On the one hand, the Federal

District is by far the most developed state in terms of GDP per capita (Muñiz Martelon et al. 2004), and its relative high levels of structural gender equality could be potentially explained by the modernization perspective that claims that high levels of industrialization lead to decreasing gender inequality (see Moore and Shackman 1996).

On the other, the greater gender equality in the political and legal spheres might be related to the fact that the left has dominated the Federal District legislature and the government for several periods and the culture of the center, around Mexico City, has always been more diverse and more leftist (Camp 1999; Lujambio 2000). There is considerable research that concludes that the egalitarian ideologies of left-wing parties are more likely to favor women's election to high political office (Norris and Lovenduski 1995; Rule 1994). Moreover, the higher share of women in political representation positions has been associated with 'women making policy for women' (Jones 1997; Rodríguez 2003). At least in the case of violence against women legislation, the Federal District is seen as a referent in many states.

One of the main problems in elaborating this type of indexes is the problematic relationship between what needs to be measured theoretically and what the available resources are (statistics) for the construction of the measures. The collection of gender indicators for the construction of the GEIMS was challenging because of the difficulty of locating information, or because of the inexistence of some measures disaggregated by gender (i.e. amount and number of loans given to small businesses by gender, the percent of households with incomes above the poverty level). Despite the efforts of the INMUJERES (*Instituto de las Mujeres*, Federal Women's Institute) promoting the collection of statistics from a gender perspective, many measures that could be potentially included in the GEIMS were inexistent. Among many others, this is the case of women's share of faculty positions, which the IFAI (*Instituto Federal de Acceso a la*

Información, Federal Institute for Information Access) denied the access on the grounds of confidential information. Another interesting fact is that gender political statistics at the state and local level only exist for the two most recent periods, while are inexistent for previous periods (personal communication of the Secretaría de Gobernación through the IFAI).

As more data becomes available this measure of gender equality can be revised and updated. For example, some variables from the political dimension such as number of elected state or federal representatives, and members of the cabinet tend to fluctuate from one year to another, depending on the political dynamics (see Rodríguez 2003), therefore, more robust measures can be created when further information would be available. I attempted, nevertheless, to overcome this problem by including women's representation in several levels of government (Dijkstra 2002:306).

Either this index or any of its subscales can be adapted for assessing the level of structural gender equality in other countries and regions. Future research might benefit of this methodological proposal since this index have the potential of being used to study the regional distribution of other social phenomenon related to gender in Mexico when it is believed that these could be influenced by an overall cultural environment (i.e. fertility, violent homicides, distribution of partner violence, public health issues such as AIDS or use of contraceptives, etc). The GEIMS might also be used in multi-level analyses in order to assess what is the influence of supra-individual characteristics over a certain phenomenon after controlling for individual-level characteristics. The homogeneity and size of the coefficients for each of the dimensions of gender equality reveal that almost all Mexican states, but the Federal District, are still in the early stages of their move toward gender equality. Future research will be able to assess whether or not states are

advancing in terms of gender equality, and if this advance is occurring at the same rate across states.

CHAPTER 3: BUILDING THE BRIDGE: WHAT ABOUT THE CONTEXT? INDIVIDUAL AND STRUCTURAL EXPLANATIONS OF PARTNER VIOLENCE IN MEXICO

Social phenomena rarely display an ecological homogeneity throughout a territory or a country. For various complex and interactive reasons, crime, single motherhood, divorce, unemployment, and other manifestations of overdetermined social processes define specific ecological areas in which their rates are high or low depending on other factors such as ethnic composition, legal structures, social history, local labor markets and much more. Partner violence is no exception (Brownridge 2002; Nisbett 1993; Yllo and Straus 1990). As in other countries, the prevalence of violence is not homogeneous throughout Mexico. Data from the ENDIREH, *Encuesta sobre la Dinámica en las Relaciones en los Hogares*, (Inegi and Inmujeres 2003) reveals a pattern of heterogeneous distribution of partner violence in Mexico: the states of Michoacán and Hidalgo have the highest rates of physical violence, around 10% while the northern state of Nuevo León the lowest (5%). Other types of violence, sexual, emotional and economic, vary as well by state. For example, Chiapas has the lowest prevalence of emotional violence (21%) and economic violence (16%) while Sonora the highest (41% and 32%). The reasons behind these differences and whether this variation is related to individual or structural factors pose a critical research question.

The phenomenon of partner violence has been addressed from two opposing perspectives that differ in their foci: individualistic explanations and structural explanations. Most studies focus on individualistic or micro explanations and take the individual and the relationship as unit of analysis, perhaps because family violence is considered a private matter (Dobash and Dobash 1979) that occurs behind closed doors (Gelles 2000; Straus, Gelles, and Steinmetz 1980). Because of the dominance of such

individualistic approaches, the influence of socio-structural factors on domestic violence has not received the same attention in published research. Perhaps the only exceptions are feminist explanations of violence against wives (Yllo 1984). By focusing on different levels of analysis these two perspectives have produced a split in the methodology used to approach the topic. In many ways these methodologies are in fundamental conflict (Straus 1990b). Feminists have criticized quantitative research for being patriarchal and not addressing the root structural causes of partner violence (Dobash and Dobash 1988). Qualitative research has often been seen as a feminist counterpoint, although some radical feminist approached studies have used quantitative methodologies (Mooney 2000; Yllo 1988).

The divorce between feminism and family violence approaches has been fostered by most feminists' reluctance of acknowledging that factors other than patriarchy might influence the phenomenon of abuse against women (Heise 1998). However, some feminists believe the structural patriarchal explanation of partner violence coexists with other individual or social explanations, and that the concept of patriarchy takes into consideration the global context in which individuals and their actions are embedded (see Bograd 1988; Yllo 1988). Dutton (1994), on the other hand, in its controversial article about patriarchy and violence against women argues that research using the concept of patriarchy falls in the ecological fallacy since he believes that the phenomenon of violence against women is better explained by psychological factors than for the level of patriarchy.

Since the publication of Heise's (1998) proposal of adopting an ecological framework for conceptualizing the etiology of gender-based violence almost ten years ago, there have been few attempts to integrate under the same model these two different levels of analysis. In Heise's (1998:263-264) words, "an ecological approach to abuse

conceptualizes violence as a multifaceted phenomenon grounded in an interplay among personal, situational, and sociocultural factors”. The family violence approach has mainly focused its attention into the individual, the family and the relationship, while the feminist approach considers that the reasons behind violence against women are found in the patriarchal societal structure. By using a recent Mexican survey conducted in 2003 (ENDIREH 2003), this chapter builds a bridge between the micro and macro. Both approaches are put together in an ecological model that on the one hand explores if structural gender inequality might influence the heterogeneous distribution of partner violence in Mexico. On the other, in a purely sociological study, it examines the influence of structural factors, specially the level of gender equality, in the prevalence of diverse types of violence against women in Mexico (physical, sexual, economic and emotional). This analysis, therefore, becomes an empirical test of the liberal feminist postulates.

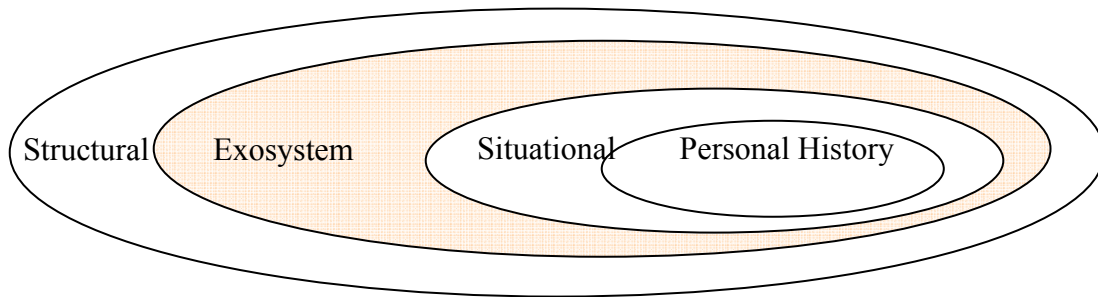
The first part of this chapter reviews previous research about partner violence in Mexico. The second section summarizes macro studies that examined the relationship between patriarchy and partner violence. In the third part, the research questions are stated and the multi-level analytical model and strategy are presented. The fourth section contains the data and variables used in this study. In the fifth, the results section, I present the main findings. Finally, the last part of this chapter includes the general findings and limitations, and the implications for future analyses of partner violence are also discussed.

3.1- MICRO-STRUCTURAL, FEMINIST, SITUATIONAL, AND INDIVIDUAL CORRELATES OF VIOLENCE IN MEXICO

A number of theoretical approaches have been used to explain the phenomenon of partner violence. Using Heise’s (1998) grouping of the factors influencing the

phenomenon of partner violence (individual, situational of microsystem, exosystem and, structural or macrosystem), the correlates of partner violence against women in Mexico are reviewed next (Heise's theoretical model is presented in **Figure 3.1**).

Figure 3.1: Factors Associated with the Experience of Partner Violence



Note: Based on Heise's (1998) model

Individual factors are those features of an individual developmental experience or personality that shape the individual response to his/her environment. From the social learning perspective, existing research supports the hypothesis that aggression and violence are learned behaviors. In other words, those who experienced violence during childhood or witnessed it among members of their families are at a higher risk of experiencing partner violence (Alberti Manzanares 2004; Castro 2004; Castro, Peek-Asa, García, Ruiz, and Kraus 2003; Díaz-Olavarrieta, Ellertson, Paz, Ponce de León, and Alarcón-Segovia 2002; Natera Rey, Juárez García, and Tiburcio Sainz 2004; Nisbett 1993; Pozo del, Castro, and Ríquer 2004; Rivera-Rivera et al. 2004; Rivera, Allen, Chávez, and Ávila 2006). Similarly, sociodemographic characteristics such as younger age and lower levels of education are associated with higher risk of partner violence

(Castro, Peek-Asa, and Ruiz 2003; Díaz-Olavarrieta et al. 2002; Natera Rey, Juárez García, and Tiburcio Sainz 2004; Oropesa 1997; Pozo del, Castro, and Ríquer 2004).

Exosystem factors are defined as formal and informal social structures that impinge on the immediate settings in which a person is found and influence or delimit his/her range of action. The micro-structural perspective locates the causes of violence in the elevated levels of stress and the lack of available resources to deal with it, as well as the general deprivation and frustration that accompany poverty and social marginality (Gelles and Straus 1979). Unemployment, socioeconomic status, the number of residents in the household, and residing in an urban or rural setting are factors that have been associated to violence against women. The findings about Mexican women employment status are inconsistent, ranging from no effect (Oropesa 1997), to finding that employment enhances women risk of abuse (Alvarado-Zaldívar, Salvador-Moysén, Estrada-Martínez, and Terrones-González 1998; Pozo del, Castro, and Ríquer 2004), or that it reduces the probability (Castro et al. 2003). Recent and more sophisticated research, however, has revealed that after controlling by the level of control exercised by the male partner, women's employment reduce their risk of victimization (Villarreal 2007).

Poor Mexican women report higher levels of partner violence (Castro, Peek-Asa, and Ruiz 2003; Natera Rey, Juárez García, and Tiburcio Sainz 2004), although recent studies question these findings (Pozo del, Castro, and Ríquer 2004). Similarly, there is no agreement either about the influence of residing in an urban or rural setting (Oropesa 1997; Pozo del, Castro, and Ríquer 2004; Villarreal 2007). In contrast, family structure seems not to be related to the experience of partner physical violence (Oropesa 1997; Villarreal 2007). As opposed to what largely occurs in the U.S. (Riger and Krieglstein 2000; Tolman and Raphael 2000), partner abuse is not more common among poor

women who receive public assistance in Mexico through the program Oportunidades (see edited book by Lopez and Sallès 20047).

Situational or microsystem factors refer to those interactions in which a person directly engages with others as well as to the subjective meanings assigned to those interactions. Heise conceptualizes the microsystem as the immediate context of the abuse. Situational relationship characteristics associated with the distribution of power within the household, gender ideology and expectations, reflect the gender inequality in intimate relationships and have been associated with partner violence. These situational dynamics are often confounded with the patriarchal system (see Dutton 1994). Nevertheless, patriarchy is a system of gender inequality in which women are placed in a subordinated position, not traits that can be attributed to individual-level factors. The patriarchal system affects individual's behaviors and ideology, and therefore situational relationship characteristics, but it must be conceptualized as something different than microsystemic factors.

In Mexico several studies examine the influence of situational factors in the phenomenon of partner violence. They found a positive relationship between decision making and physical, sexual, economic and psychological partner violence (Casique 2004; Pozo del, Castro, and Ríquer 2004). Similarly, Oropesa (1997) found that the more often women have the last word in decision-making the higher they report to suffer intimate partner physical violence. In contrast, coercive control of women by men over women's daily activities increases the risk of physical abuse (Villarreal 2007).

Evidence from the U.S. reveals that women whose partners hold traditional beliefs and attitudes that support patriarchy, women's subordination and gender inequality are more likely to be victims of partner abuse (Smith 1990). Others, however, found weak evidence (Sugarman and Frankel 1996). Women's attitudes have been also

associated with domestic violence since women with non-traditional gender roles attitudes have an increased risk of experiencing physical partner violence (Firestone, Harris, and Vega 2003). The interactionist approach of gender (see Anderson 2005), contends that situations in which women hold non-traditional gender roles ideologies and tend to participate more in the decision making, man's masculinities are challenged. As consequence, men might feel threatened because of women's gains of independence or their potential gains of independence, and more participation in decision making might result in an increase of violence, as it is the case of women heads of household (de Oliveira and García 1992).

The literature is inconsistent, though, regarding the relationship between marital status and violence. Some studies have found that cohabitation increases the risk of violence (Oropesa 1997; Villarreal 2007) perhaps because cohabiting relationships are perceived as more unstable than married couples and receive less support from other people (see Smock 2000). In contrast, other studies have concluded that abuse is higher among married women (Díaz-Olavarrieta et al. 2002) and separated or divorced women (Natera Rey, Juárez García, and Tiburcio Sainz 2004).

Finally, structural or macrosystem factors are the broad set of cultural values and beliefs that permeate and interact with the other three levels. These factors operate through their influence on factors and structures lower down in the system. The feminist perspective has placed the origins of partner violence in the patriarchal structure that generates a structured hierarchical relation between men and women in which men are dominant and women subordinated.

Liberal feminists are also called equal rights or reform feminists and they believe that that the structural inequality between men and women generates a culture in which violence against women is tolerated (Dobash and Dobash 1979; Fox 1988). Liberal

feminists usually work toward achieving civil and political equality, or political reforms that will improve women's status in society in the context of the existing social order. The rationale behind is that as the status of female as a group becomes more similar to that of men in a certain society, women's situation of subordination and domination will change (Dobash and Dobash 1992). They believe that increasing the level of gender equality in the society, this will generate a reduction in the levels of partner violence. In the context of this research, it is expected to influence as well the other three levels described above and illustrated in **Figure 3.1**.

In Mexico, the analysis of the relationship between patriarchy and partner violence is recent (see Frias 2008). Castro and Riquer (2003; 2004) argue that previous studies that claim unveiling the link between patriarchy and domestic violence in Mexico fall into a methodological fallacy because the concept of patriarchy is reduced to individual factors, therefore, ignoring the influence of the social dynamics and structures in which individuals are embedded. Frias (2008) examined the bivariate relationship between the structural level of gender inequality or the structural component of patriarchy and state-level rates of partner violence in Mexico. She found inconclusive results and called for multi-level more sophisticated analyses.

3.2-PATRIARCHY / GENDER EQUALITY BEYOND THE THEORY

Although there is certain agreement that patriarchy is one of the causes of violence against women, few empirical quantitative studies have examined how patriarchy affects regional rates of partner violence. Most of the published research that analyzes at the macro level the relationship between gender equality and violence and it is mainly centered in the U.S. and Western European countries. However, the individual level and the structural level have not been put together in the same analytical model.

Kersti Yllo (1980; 1984) analyzed how the relationship between the marital balance of power (individual level measured as who had the last word in decision making) and domestic violence was affected by the level of gender inequality in different U.S. states. She found that the gender-equality balance in a society affects the association between the marital balance of power and violence.

Yllo and Straus (1984; 1990) analyzed the effect of patriarchal structures and patriarchal ideology on domestic violence in 36 States of the U.S and found a non-linear relationship. One would expect a decrease in rates of physical abuse as the level of equality between men and women increases. However, the rates of physical aggression were higher in states with both, high and low levels of gender equality, than they were in states with intermediate levels of equality between men and women. These results challenge the liberal feminist theory that hypothesizes that as the level of gender equality in the social structure increases, the rate of violence decreases. Their explanation for the high levels of violence in state with more gender equality is related to males' attempts of recovering their power by using violence (Yllo 1984; Yllo 1988; Yllo and Straus 1984). This is known as backlash theory, which postulates that as women gain power in the political, educational, economic and legal spheres, violence against women might increase as a result of men's attempts to control women and their achievements.

Straus (1994) conducted a similar analysis of the effect of patriarchy over wife abuse in which he controlled by economic inequality, social isolation and fragmentation of the states. He found strong evidence that the higher the status of women in the U.S. the lower the probability of the state having a high rate of wife abuse (Straus 1994). He also found that social disorganization was related to higher rates of wife abuse, while economic inequality was not. The problem with Straus and Yllo's research is that they do not use state-level representative samples to analyze the heterogeneous distribution of

violence in the U.S. or conduct multi-level analyses. Instead, they use the 1976 and the 1985 Family Violence National Survey (details in Gelles 2000), and their analyses fall into serious methodological assumptions since they use a national representative survey to make inferences at the state level.

In addition to violence against women perpetrated by a romantic partner, the level of structural gender equality, measured in different ways, has been also associated with rates of female homicides (DeWees and Parker 2003; Titterington 2006; Vieraitis and Williams 2002), rape and sexual violence both in the U.S. (for details see Martin, Vieraitis, and Britto 2006; Vieraitis and Williams 2002) and in international comparative studies (Austin and Kim 2000; Yodanis 2004). The findings about the relationship between the level of structural equality and violence are contradictory since some studies find that an increase in gender equality is associated with lower levels of violence, while others reach the opposite conclusion (see Martin, Vieraitis, and Britto 2006).

Regarding the influence of other structural variables, macro-level research examining the reasons behind the heterogeneous distribution of violence against women (either perpetrated by a romantic partner or strangers) or crime has found that population density is negatively associated with rape (Martin, Vieraitis, and Britto 2006). Other studies have found no significant relationship (Brewer and Smith 1995; Vieraitis and Williams 2002). Cross-sectional examinations (city, country or state-level) of the relationship between gender equality and sexual violence against women, have found no relationship between GDP and the rates of sexual violence, after controlling by several measures of gender equality (Austin and Kim 2000; Yodanis 2004).

3.3.- RESEARCH QUESTION AND THEORETICAL MODEL: TOWARD AN INTEGRATION OF MULTIPLE LEVELS OF ANALYSIS

The phenomenon of violence against women perpetrated by a romantic partner has been conducted in separated layers: the individual and the relationship on the one hand, and macro-structural analyses of the context surrounding the individuals on the other. This research integrates these two multiple levels of analysis and, in what constitutes an empirical test of the feminist perspective. The core assumption of this chapter is that the structural inequality between men and women in different spheres of society (economic, educational, political and legal) generates a patriarchal climate or a gender inequality atmosphere that has the potential of influencing individual's experiences of partner violence. More specifically, I examine the two following questions in this chapter:

Q1: Does the level of partner violence vary among states with different level of structural gender equality.

Hypothesis 1 (liberal feminist hypothesis): In states where the level of structural gender equality is high the prevalence of the different forms of partner violence will be lower than in states where the level of gender equality is lower.

Q2: Do individual-level characteristics of women experiencing partner violence vary among states with different levels of structural gender equality?

Hypothesis 2 (the interaction hypothesis): The effect of the individual-level variables associated with experiencing partner violence (women's share of decisions; women not holding traditional gender roles; employment, education –areas that might alter the traditional gender

balance in relationships) is mediated by the level of structural gender equality.

The question of whether state characteristics, and specially the level of gender equality, are related to women's likelihood of experiencing partner violence calls for a multilevel analytical strategy. Multi-level models take into consideration that individuals are nested in larger unit clusters, in this case, states. Straus' (1994:10) justification for using states as units of analysis in the U.S. can be applied to Mexico since "each state has distinct characteristics based on its history, environment and resources, level of economic development, racial and ethnic composition, and numerous other factors". These might be expected to be associated with differential opportunities for women. Hierarchical generalized linear models (HGLMs) offer a good modeling framework analyzing multilevel data with a non-linear structure as it is the case of binary outcomes (Raudenbush and Bryk 2002).

3.4- DATA AND VARIABLES

3.4.a- Level-1 Data

The data used for level-1 are drawn from the National Survey on Household Relationship Dynamics (*Encuesta Nacional sobre la Dinámica de las Relaciones en los Hogares*, ENDIREH), conducted in 2003 by the Mexican National Institute of Statistics, Geography and Informatics (INEGI: Instituto Nacional de Estadística, Geografía e Informática) as a request of the INMUJERES. The ENDIREH is a national representative sample of women of 15 years and older who at the moment of the interview were either married or cohabiting with a male partner. It is also representative

of eleven states that partially financed their own state-level representative samples: Baja California, Coahuila, Chiapas, Chihuahua, Hidalgo, Michoacán, Nuevo León, Quintana Roo, Sonora, Yucatán and Zacatecas. The ENDIREH collected extensive information about different forms of partner violence, decision sharing and gender roles in Mexican households from October 20 to November 14, 2003 (see INEGI and INMUJERES 2004 for more details about the sample and survey methodology), and serves as the source of information for estimates of rates of violence and level-1 independent variables. I focus on the experiences of different types of partner violence during the year preceding the interview. There are around 32,000 valid cases in the analyses after the missing data-cases were removed (31,901 in the case of physical violence; 31,575 in the case of sexual violence, and 31,994 for economic and emotional violence). The analyses apply sample weights to ensure national representativeness of the results.

3.4.b- Dependent Variables

Violence is any act carried out with the intention or perceived intention of physically hurting another person (Gelles and Straus 1979), this includes different forms of violence: emotional or psychological, physical, sexual and economic. The variables measuring physical and sexual violence are based on a variation of the Conflict Tactics Scale (CTS, see Straus 1990a), one of the most widely used instruments in the analysis of partner violence both in the U.S. and in comparative research (Yodanis, Hill, and Straus 1997) and measures if the respondent experienced violence during the twelve months prior the interview. The CTS and its revision, CTS2 (Straus, Hamby, Boney-McCoy, and Sugarman 1996) have been adapted for use in Mexico (Castro et al. 2003; Castro, Peek-Asa, and Ruiz 2003; Peek-Asa, García, McArthur, and Castro 2002). Castro and colleagues developed measures of patrimonial or economic violence and emotional abuse

that have been used in previous studies (see Castro, Garcia, Ruiz, and Peek-Asa 2005; Castro, Ríquer, and Medina 2004). A woman will be consider a victim of physical, sexual, economic or emotional abuse if her partner has perpetrated at least one of the following acts within each category of violence in the last twelve months. The following acts constitute:

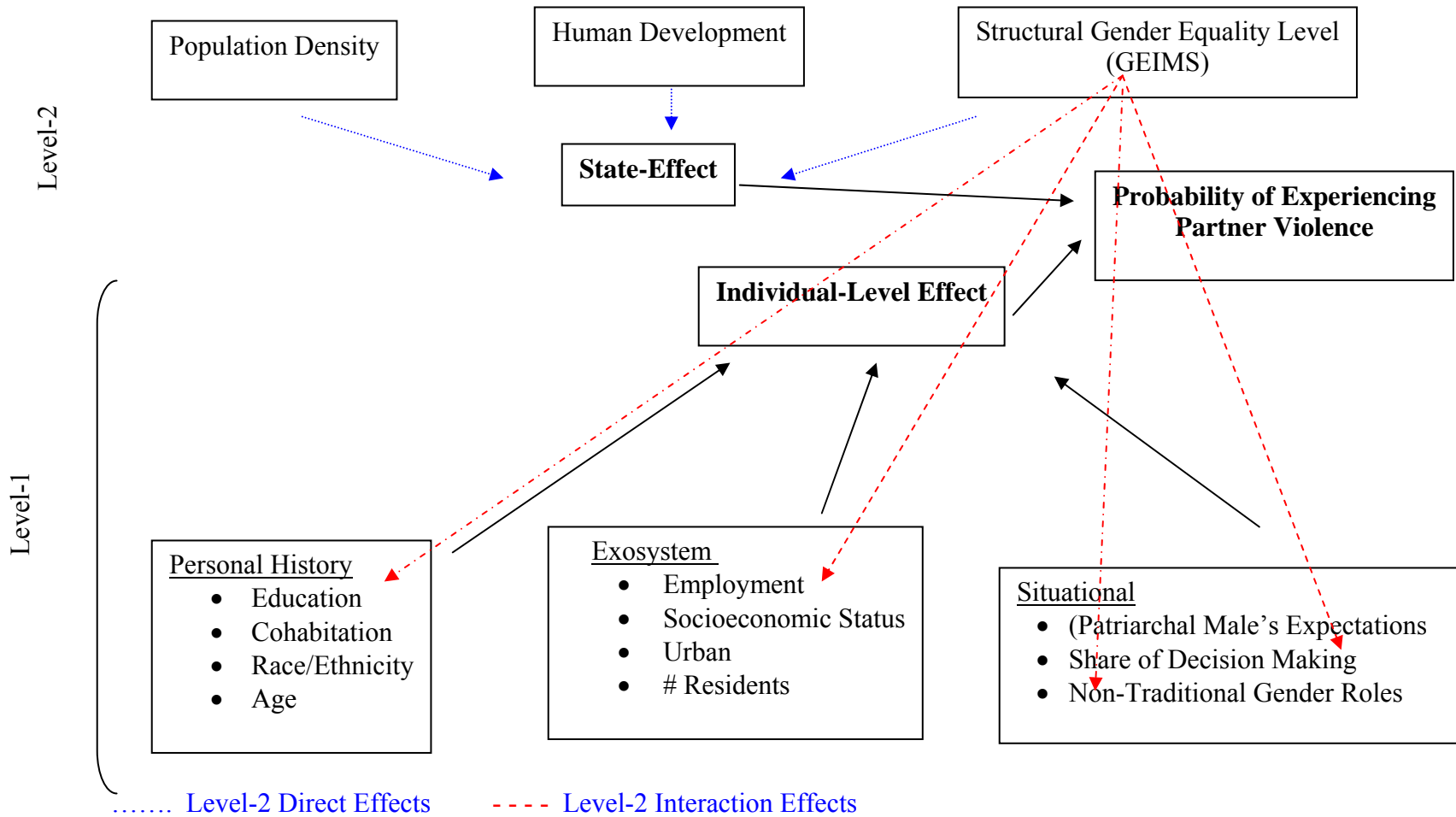
- Physical abuse: (1) being pushed or having one's hair pulled out; (2) being tied up; (3) being kicked; (4) having something thrown at one; (5) being slapped, punched, beaten with hands, fists, or other object; (6) being choked; (7) having been cut with a knife; and (8) being shot at with a fire arm.
- Sexual abuse: (1) being forced to have sex against her wishes; (2) being forced to have any sexual activity against her will; (3) being forced to have sex under threat of physical violence.
- Economic abuse: [the partner (...)] (1) has complaint about how you spend the money; (2) has been reluctant to give you money even he has (stingy, miser); 3) has threatened you with not giving you money for daily expenses; 4) has subtracted or taken money from you; 5) has forbidden you to work or study.
- Psychological or emotional abuse: (1) being shamed, scorned, or having one's appearance insulted or compared negatively to other women, (2) having property or household items destroyed, thrown away or hidden, (3) being held prisoner, forbidden to leave the house, or forbidden to receive visits, (4) one's partner refuses to help with child care and domestic tasks even when he has the time; (5) being accused of having an affair, (6) being made to feel afraid of

him, (7) having family, friends and children turned against her, and (8) being given the silent treatment, having opinions or needs ignored or having affection withheld. Furthermore, if the perpetrator threatens her to (9) leave her, take her children away, or kick her out of household, (10) hit her with a switchblade, knife, gun or rifle, (11) kill her, himself, or the children. Something to note is that emotional abuse includes threats and actions and most of the items outlined above are used by Tolman (1989), for the construction of a measure of psychological maltreatment.

3.4.c- Individual Level-1 Independent Variables: Exosystem, Personal History

I identify four individual and relation-level sets of characteristics related to the experiences of partner violence: socio-economic and demographic, violence background, household characteristics (see **Figure 3.2** for details about the variables that previous studies have shown to be associated with the different types of partner violence). Among the personal history factors, the woman's *age* and *years of education* are continuous variables, both measured in years. *Employment* is coded 1 if the respondent worked for pay during the week preceding the interview and 0 otherwise. *Abuse background* measures if the respondent experienced physical violence perpetrated by a family

Figure 3.2- Multi-Level Theoretical Model of Partner Violence



member during childhood or adolescence. It is coded 1 if any abuse was reported and 0 otherwise. Cohabitation assesses whether or not a woman is *cohabiting*, coded 1 if the respondent is currently cohabiting and 0 if she is married.

The racial/ethnic diversity in the couple is measured by the *couple's racial/ethnic composition*. This variable has four categories: non-indigenous couple; indigenous couple, man indigenous and woman non-indigenous, and man non-indigenous and woman indigenous. This variable assesses whether or not an indigenous language is spoken by any of the members of the couple. By measuring those who speak an indigenous language we are creating a proxy that allows us to identify, at least, the less acculturated indigenous individuals. Indigenous extensive migrations out of the communities of origin, the stigmatization of indigenous peoples, their consideration as second-level citizens and the rejection of indigenous languages has worsened the identification of indigenous people by the language spoken (Janssen and Martínez Casas 2006).

Among the exosystem factors, the measure of *socio-economic status* follows the classification scheme used developed by Echarri (see Castro, Riquer, and Medina 2004). This classification scheme is based on three household characteristics. The first is average years of education of the members of the household. This measure includes both those who have completed their education and those still in the educational system by imputing the expected number of years of schooling according to their age and gender for those who are still in school. The second household characteristic refers to the occupational status of the household member with the highest potential income based on the average for that occupation. The third household characteristic consists of household basic amenities such as water and electricity, the structural characteristics of the home, the number of people per room, and the availability of a kitchen. Based on these three

characteristics, Echarrri's classification assigns each household to one of four economic strata: very low (32.37% of the sample), low (37.38%), middle (16.90%), and high (13.36%). *Urban* is a dichotomous variable that assesses whether the woman lives in an urban setting, more than 2,500 inhabitants (coded 1), or in a rural area (coded 0). The *number of residents in the household* is a continuous variable that measures the number of people sharing the household with the interviewee.

Situational characteristics of the woman are the interactions in which a woman directly engages with others as well as to the subjective meanings assigned to those interactions. Three variables take into consideration the immediate context of the woman's relationship. *Index of men's expectations toward the woman* measures twelve situations by which the man feels upset because the woman transgresses traditional gender roles in different spheres (Cronbach Alpha .69). In the productive sphere, the respondent is asked if her husband/couple gets upset because 1) she works; 2) she earns more than he does. In the household, sexual and reproductive spheres, if: 3) she uses contraceptives; 4) she does not get pregnant; 5) she does not want to have sex, 6) he does not like how she raises children, 7) he believes she is not a good mother or wife, 8) she reminds him of his family duties. And other areas, including the public sphere if, 9) she is jealous, 10) she does not obey him; 11) he does not like the way she dresses; 12) she visits (or is visited by) family or friends. The index ranges from 0 (the male does not expect the woman to follow traditional gender roles) to 12 (the male expects the woman to fulfill the traditional gender roles, and its transgression results in men's anger).

The second variable measures *Woman's participation in household, children and reproductive decisions*: 1) female's employment; 2) how money is spent or saved; 3) what type of food is bought; 4) regarding permission from parents for their children to go out; 5) how to raise or educate children; 6) whether or not they will go for a walk and

where; 7) what to do when children are sick; 8) buy furniture, electrical appliances or car; 9) moving to another house, apartment or city; 10) when to have sex; 11) family planning; 12) use of contraceptives; 13) who uses contraceptives. This variable was computed as a percentage of the decision making the woman participates in.

The last variable measures whether or not the *Woman holds non-traditional gender roles*. This is a dichotomous variable based on women's agreement or disagreement with four statements about gender roles: 1) "a good wife must obey his husband in all that he orders"; 2) "it is a woman's obligation to have sex even if she does not want", 3) when men's income is enough for the household expenses, women are free to decide whether or not to work; 4) a woman can choose her friends even if her partner does not like them. A respondent who disagreed with the first two statements and agreed with the other two was coded as 1, which means that she does not hold traditional gender attitudes and 0 otherwise (see **Table 3.1** for more details about the variables and descriptive statistics).

3.4.e- Level-2 Data and Variables

The selection of level-2 variables was complex because multi-level analyses become weak if many variables are included in level-2. The informal rule of thumb is to include one level-2 variable for each 10 level-2 cases. Given that I have 32 states, I included 3 level-2 variables. The key variable is the level of structural gender equality, and two control variables selected on the bases of their theoretical and empirical links to previous research on violence: the level of human development and population density.

Table 3.1: Descriptive Statistics: Means and Row Percentages by Type of Intimate Violence

	Physical			Sexual			Economic			Emotional		
	No	Yes	Column %	No	Yes	Column %	No	Yes	Column %	No	Yes	Column %
Personal History												
Cohabitation			***			***			***			***
No	92.11	7.89	80.96	92.68	7.32	80.98	72.65	27.35	81.01	64.85	35.15	81.01
Yes	85.53	14.47	19.04	89.65	10.35	19.02	62.97	37.03	18.99	57.53	42.47	18.99
Age ^a			***			**			***			***
	40.09	35.32		39.63	38.86		40.55	37.47		40.45	38.26	
	(13.31)	(11.90)		(13.32)	(11.83)		(13.58)	(12.11)		(13.49)	(12.72)	
Years of education ^a			***			***			***			**
	7.30	6.84		7.34	6.55		7.35	7.05		7.22	7.33	
	(4.82)	(4.50)		(4.79)	(4.83)		(4.87)	(4.59)		(4.82)	(4.74)	
Race/Ethnicity			***			***			***			***
Both indigenous	90.43	9.57	5.98	91.31	8.69	6.00	75.81	24.19	6.00	72.14	27.86	6.00
Woman indigenous	92.33	7.67	1.36	92.59	7.41	1.33	59.23	40.77	1.36	58.26	41.74	1.36
Man indigenous	81.07	18.93	1.71	86.82	13.18	1.70	61.60	38.40	1.71	53.55	46.45	1.71
Non-indigenous couple	91.04	8.96	90.94	92.24	7.76	90.97	70.83	29.17	90.93	63.15	36.85	90.93
Background of family violence			***			***			***			***
No	93.88	6.12	59.69	94.76	5.24	59.75	76.80	23.20	59.62	70.40	29.60	59.62
Yes	86.38	13.62	40.31	88.16	11.84	40.25	61.98	38.02	40.38	53.23	46.77	40.38

	Physical			Sexual			Economic			Emotional			
Exosystem													
Socio-economic status			***			***			***			***	
Very low	89.25	10.75	32.42	90.90	9.10	32.32	70.51	29.49	32.37	64.92	35.08	32.37	
Low	89.89	10.11	37.35	91.66	8.34	37.34	66.05	33.95	37.98	60.31	39.69	37.38	
Medium	93.07	6.93	16.95	93.61	6.39	16.94	74.58	25.42	16.90	63.92	36.08	16.90	
High	94.65	5.35	13.28	94.31	5.69	13.39	80.11	19.89	13.36	68.17	31.83	13.36	
Urban			n.s.			***			***			***	
No	90.59	9.41	21.36	90.99	9.01	21.27	76.06	23.94	21.35	66.88	33.12	21.35	
Yes	90.93	9.07	78.64	92.40	7.60	78.73	69.39	30.61	78.65	62.54	37.46	78.65	
Employed			***			***		n.s.				***	
No	91.46	8.54	65.12	92.86	7.14	65.08	70.90	29.10	65.18	65.19	34.81	65.18	
Yes	89.73	10.27	34.88	90.69	9.31	34.92	70.64	29.36	34.82	60.24	39.76	34.82	
Number of residents ^a			***			***		***	***			***	
	4.77	5.01		4.76	5.18		4.72	4.99		4.73	4.92		
	(1.98)	(2.14)		(1.98)	(2.17)		(1.95)	(2.09)		(1.95)	(2.08)		
Situational													
Male patriarchal attitudes ^a	0.84	3.02	***	0.86	3.16	***	0.60	2.12	***	0.47	2.04	***	
	(1.33)	(2.34)		(1.35)	(2.31)		(1.04)	(2.10)		(.87)	(2.02)		
Share of decision making ^a	82.61	73.31	***	82.78	70.12	***	83.63	77.13	***	83.78	78.18	***	
	(21.93)	(25.66)		(21.89)	(25.23)		(21.87)	(23.20)		(21.60)	(23.53)		
Woman non-traditional gender roles and attitudes			**			***			***			***	
No	91.50	8.50	*	68.07	92.64	7.36	37.84	72.14	27.86	68.06	66.64	33.36	68.06
Yes	89.47	10.53		31.93	90.97	9.03	32.16	67.98	32.02	31.94	56.69	43.31	31.94
TOTAL %	90.85	9.15	N = 31,961	92.10	7.90	N = 31,776	70.81	29.19	N = 32,095	63.46	36.54	N = 32,095	

Note: Rows percentage to 100%. Statistical test of group differences: Chi-square for categorical variables and T-test for continuous variables (age, education, number of residents, male patriarchal attitudes and share of decision making).

^a M, SD in parentheses. *** $p < .0001$; ** $p < .05$; * $p < .10$

Structural level of structural gender equality is measured by the Gender Equality Index in Mexican States (GEIMS: Frias 2008), which was presented and developed in Chapter 2. As a control variable, the UN's *Human Development Index* (HDI) measures the average achievements in each state in three basic dimensions of human development: a long and healthy life, education and a decent standard of living as of 2003 (PNUD 2006). It uses three measures: life expectancy, GDP and a composite index of education that accounts both for adult literacy and school enrolment. As the GEIMS does not account for the relative inequality across states, the introduction of the HDI is of special relevance. I checked for multicollinearity at level-2 between HDI and GEIMS. These two variables are not correlated ($\sigma=.29$, $p = .114$). Population density is the second control. Because of the highly skewed distribution shown in preliminary analysis, I computed the natural log function of the population density for each square-kilometer in the state as recorded by the 2000 Census (Inegi 2003).

3.5- THEORETICAL MODEL AND ANALYTICAL STRATEGY

The first step of the analysis is to estimate the unconditional or restricted model in order to test if there are differences across level-2 units (states). Then, four unrestricted models are estimated for each type of violence (physical, sexual, economic and emotional) using the same set of individual and state-level variables for analyzing women's likelihood of experiencing each type of partner violence.

The first model includes personal history and exosystem factors. The second incorporates situational factors since these have been often neglected in research about violence against women by their intimate partners. The third model includes level-2 variables and models the level 2 intercept by using three variables. As it can be observed in Figure 3.2, these are direct contextual (level-2) effects, and will serve to test the first

research question (Q1: Does the level of partner violence vary among states with different level of structural gender equality?). Finally, the fourth model includes the cross-level interactions of GEIMS over individual-level variables. It models the slopes of individual-level factors that might change the traditional gender balance in intimate relationships. This fourth model tests the second research question (Q2: Do individual-level characteristics of women experiencing partner violence vary among states with different levels of structural gender equality?).

For the estimation of the models it is used the statistical program HLM6 (Raudenbush, Bryk, Cheong, Congdon, and du Toit 2004). Because I want to explain the probability of experiencing each type of partner violence, and the dependent variable is dichotomous, I use a hierarchical logistic regression model. For interpretation purposes all independent level-1 variables but the dichotomous are centered on their grand mean but all level-2 variables are left in their original metric.

3.6- RESULTS

3.6.a- Does the level(s) of partner violence vary across states?: The Unconditional Model

In order to determine whether or not there is variation between states in the prevalence of violence, and what the size of this variation is, I first estimate a model without predictors at either level (restricted model). Given the binary nature of the dependent variable that follows a Bernoulli sampling model, the level 1 model corresponding to the individual is:

$$H_{ij} = \beta_{0j}$$

and the level-2 model, state level, is:

$$\beta_{0j} = \gamma_{00} + u_{0j}, \quad u_{0j} \sim N(0, \tau_{00})$$

where

- γ_{00} is the average log-odds of violence (physical, sexual, psychological and economic) across Mexican states,
 τ_{00} is the variance between states in state-average log-odds of violence.

Table 3.2 shows the results of the null model for the four types of violence. In the case of physical violence, the results of the null model show that $\gamma_{00} = -2.254$ (se = 0.098), and a variance of .11. Therefore, for a state with the *typical* physical violence rate, that is, for a state with a random effect u_{0j} , the expected log-odds of violence is -2.254 , corresponding to an odds of $\exp(-2.254) = .1048$. In other words the typical state in Mexico has average log odds of physical violence of .092.

Table 3.2: Unrestricted Model: Cross-State Differences on Different Types of Partner Violence

	Physical	Sexual	Economic	Emotional
Fixed Effects				
γ_{00}	-2.254***	-2.4015***	-0.8279***	-.4961***
τ_{00}	.0984	.0526	.084612	.794
State average odds of violence	.1048	.090577	.4369	.6088
Probability	.095	.0827	.3040	.3784
C.I.	(.086 , .0128)	(.081 , .101)	(.369 , .519)	(.518 , .716)
Random Effects				
<i>STD</i>	.33247	.22474	.26595***	.29671
Variance component	.11053***	.05051***	.07073	.088***
<i>df</i>	31	31	31	31

*** $p < .0001$; ** $p < .05$; * $p < .10$

This corresponds to a probability of $1 / [1 + \exp(2.210)] = .095$. Which means that 95% of the states lie between (.086, .013) with respect of the probability of physical violence. Similarly, 95% of the states lie between .081 and .101 with respect of the

probability of sexual violence; .369 and .519 for economic abuse and; from .518 to .716 for psychological abuse. These results are drawn from the unit-specific model that contains the random effect⁴ from the level-2 model, and thus is a prediction of a state typical of the independent variables in the model.

3.6.b- Individual-Level Factors Associated with Physical Partner violence

After showing that there are differences across states, I start the analysis in Model(s) A by estimating the effect of personal history and exosystem factors on partner violence. Then, situational factors are included in Model(s) B. As HLM takes into consideration the nested structure of the data and as the null model has demonstrated that the probability of partner violence varies across states, the level-2 intercept is modeled as random. **Table 3.3** presents the robust unit-specific model odds-ratio results of the logistic regression analysis of individual-level variables predicting the risk of different types of partner violence taking into consideration the nested structure of the data.

The results of the models in which situational factors are not included (Model 1A, 2A, 3A and 4A) show that for the average woman, cohabitation and having experienced family violence during adolescence or childhood invariably increase the odds of experiencing any type of violence. For example, women who are cohabiting have a 46% higher risk of experiencing physical violence, the risk is 32% higher for sexual violence, 27% higher for economic abuse, and 19% higher for emotional violence. Similarly,

⁴ *Random effects* are effects that are a subset of the total possible levels of a variable where the researcher is interested in generalizing to levels not observed. In contrast, *fixed effects* are defined as being the only levels of a variable in which a researcher is interested in studying.

Table 3.3: HLM Logistic Regression Analysis for Individual-Level Variables Predicting the Risk of Different Types of Partner Violence Taking into Consideration the Nested Structure of the Data

	Physical		Sexual		Economic		Emotional	
	Model 1A	Model 1B	Model 2A	Model 2B	Model 3A	Model 3B	Model 4A	Model 4B
FIXED EFFECTS								
Intercept (Average effect across individuals)	.04***	.04***	.07**	.05***	.39***	.37***	.57***	.58***
Individual Level Variables (Level-1)								
Personal History								
Cohabitation (Married)	1.46**	1.41**	1.32**	1.28**	1.27***	1.17**	1.19**	1.06
Age	.97***	.97***	.99	1.00	.98***	.99**	.99***	.99*
Years of education	.97**	.97*	.98	.98	.98**	.99*	.99	.99
Racial/Ethnic couple's composition (non-indigenous)								
Both indigenous	1.05	1.16	.99	1.07	.89	.97	.80*	.90
Woman indigenous	.61	.44	.77	.55	1.39**	1.45	1.08	1.10
Man indigenous	2.09**	1.99**	1.52	1.35	1.41*	1.25	1.49	1.34
Previous family abuse background (no)	2.19***	1.57***	2.23***	1.54***	1.89***	1.43***	1.99***	1.49***
Exosystem								
Socioeconomic status (high)								
Very low	1.46**	1.09	1.17	.85	1.46**	1.22	1.13	.90
Low	1.28	1.06	1.09	.87	1.50***	1.36*	1.17**	1.03
Medium	1.68	1.11	1.00	.92	1.22**	1.20**	1.17*	1.14
Employed	1.33**	1.07	1.47***	1.21	.98	.83**	1.15**	.99
Number of residents								
Urban	1.14*	1.06	.95	.89	1.62***	1.71***	1.15*	1.10

	Physical		Sexual		Economic		Emotional	
	Model 1A	Model 1B	Model 2A	Model 2B	Model 3A	Model 3B	Model 4A	Model 4B
Situational								
Patriarchal attitudes	---	1.73***	---	1.75***	---	1.83***	---	2.23***
Share of decisions	---	.99***	---	.98***	---	.99***	---	.99***
Woman's non-traditional gender roles	---	1.31**	---	1.52**	---	1.13	---	1.41***
RANDOM EFFECTS								
Level-2 Variance	.077***	.13951***	.037***	.023***	.051***	.052***	.0767***	.079***
<i>N</i>	31901		31575		31994		31994	

Note: Rows percentage to 100%. Statistical test of group differences: Chi-square for categorical variables and T-test for continuous variables (age, education, number of residents, male patriarchal attitudes and share of decision making). ^a *M, SD* in parentheses. *** $p < .0001$; ** $p < .05$; * $p < .10$

having been a victim of family violence raises the odds of physical violence by 119%, of sexual violence by 123%, of economic violence by 89% and, of psychological abuse by 99%.

The effect of other personal history and exosystem factors varies depending on the violence type. Younger, employed, lower educated and urban women are at a higher risk of experiencing physical violence than older, unemployed, rural and more educated women. When the woman's partner speaks an indigenous language and she does not, she has 109% higher risk of experiencing physical violence than non-indigenous couples. Similarly, and after controlling by indigenous ethnicity, women from the lowest socioeconomic category have 46% higher odds of experiencing physical violence than women from other socioeconomic strata. For sexual violence, both employment and the number of residents in the household increase the odds of sexual abuse.

The odds of experiencing economic violence are associated with lower levels of education, more residents in the domestic unit and living in an urban setting. There is also a tendency of reporting higher levels of economic abuse as the socioeconomic status decreases. Interestingly, is among cross-ethnic couples where women have a higher probability of economic violence: an indigenous woman coupled with a non-indigenous man has 39% higher odds of experiencing economic violence than non-indigenous couples ($p < .005$). Similarly, when the man is indigenous and the woman is not, the odds increase by 41% ($p < .10$). For psychological violence, higher levels of education, being in the middle socioeconomic status and living in an urban setting is associated with higher probabilities of experiencing emotional abuse. In contrast, Model 4.A reveals that indigenous couples have 20% lower odds of experiencing psychological violence than non-indigenous couples. Cross-ethnic couples are not statistically significant different than non-indigenous couples. After controlling for situational characteristics, however,

the racial/ethnic composition of the couple is not a significant predictor of economic control or emotional violence (Model 3B and Model 4B).

The next set of models, include situational factors associated with relationship characteristics and gender roles. The analyses reveal that this set of variables have a strong predictability power. For the average woman, having a partner with very patriarchal attitudes, is associated with an increase of all types of violence, but especially with psychological violence. In contrast, the more the woman participates in the couple's or household decision making the lower the likelihood of experiencing physical, sexual and economic violence. Woman's having non-traditional gender roles is associated with a higher risk for physical violence (31%), emotional abuse (41%), and especially for sexual violence (52%). But it is not related with economic control. By adding these situational variables some of the personal history and exosystem factors lost their significance. I will discuss this in the next section, but this suggests that some of the explanatory power traditionally attributed to individual factors might have masked the influence of situational characteristics.

3.6.c- State-Level Factors Associated with Physical Partner Violence

Multi-level models allow testing how level-1 and level-2 variables are associated with a certain phenomenon. In order to test the second hypothesis –the level of gender equality affects the individual's risk of experiencing partner violence-, I proceed to model an intercept-as-outcome model. I am testing for the direct effects which are represented by a continuous blue line in Figure 3.2. The goal in the first column of each type of violence is to model the intercept at the level-2 (variation across states), which, indeed contribute to explain the level 1 intercept (β_0). In other words, the differences in intercepts represent mean differences in the odds ratio of violence across states that can

be predicted from independent level-2 variables. Therefore, the first model(s) for each type of violence (Models A) in Table 3.3 assume that the average level of violence across states is a function of the level of structural gender equality (measured by GEIMS), the population density and the level of human development (measured by HDI). The model is defined as follows:

Level 1 Model:

$$\text{Prob (Violence}_{\text{physical}} = 1 \mid \beta) = \varphi$$

$$\text{Prob (Violence}_{\text{sexual}} = 1 \mid \beta) = \varphi$$

$$\text{Prob (Violence}_{\text{emotional}} = 1 \mid \beta) = \varphi$$

$$\text{Prob (Violence}_{\text{economic}} = 1 \mid \beta) = \varphi$$

$$\text{Log} [\varphi / (1-\varphi)] = \eta$$

$$\begin{aligned} H = & \beta_0 + \beta_1 (\text{Race/ethnicity}) + \beta_2 (\text{Employed}) + \beta_3 (\text{Years of education}) + \\ & \beta_4 (\text{SES}) + \beta_5 (\text{Abuse background}) + \beta_6 (\text{Number of residents}) + \beta_7 (\text{Urban}) + \\ & \beta_8 (\text{Cohabitation}) + \beta_9 (\text{Patriarchal attitudes}) + \beta_{10} (\text{Share of decisions}) + \\ & \beta_{11} (\text{Women's traditional gender roles}) \end{aligned}$$

Level 2 Model:

$$\beta_0 = \gamma_{00} + \gamma_{01}(\text{GEIMS}) + \gamma_{02} (\text{HDI}) + \gamma_{03} (\text{Log- population density}) + u_0$$

$$\beta_1 = \gamma_{10} \quad \beta_2 = \gamma_{20} \quad \beta_3 = \gamma_{30} \quad \beta_4 = \gamma_{40} \quad \beta_5 = \gamma_{50}$$

$$\beta_6 = \gamma_{60} \quad \beta_7 = \gamma_{70} \quad \beta_8 = \gamma_{80} \quad \beta_9 = \gamma_{90} \quad \beta_{10} = \gamma_{100}$$

$$\beta_{11} = \gamma_{110}$$

For interpretation purposes all variables were centered around the grand mean, which allows the intercept (β_0) to be interpreted as the average risk of violence for each state, after controlling for the characteristics of the individuals (Raudenbush and Bryk 2002). The level-2 predictors, however, are in its original metric. Table 3.4 shows the hierarchical logistic regression analysis for variables predicting the risk of different types of partner violence. The results from Table 3.4 indicate that the state-level variables associated with the risk of experiencing partner violence vary depending on each type of violence: physical, sexual, psychological and economic. The level of gender equality is related with the odds of experiencing physical and economic violence. An increase in GEIMS by one unit results in a decrease in the mean probability of abuse for the average woman (typical woman) in that state. The size of the coefficient reveals, though, that the effect of gender equality is higher for physical violence than it is for economic violence. Similarly, population density is positively associated with higher risk of physical, economic and psychological violence, but it is unrelated to sexual violence. In the case of sexual violence, the state's score in the Human Development Index is negatively associated with the level of abuse for the average woman in any given state.

These results provide partial support to the first hypothesis, the liberal feminist hypothesis, which would consider that in states where the level of structural gender equality is high the prevalence of the different forms of partner violence will be lower than in states where the level of gender equality is lower. Therefore, being the level of structural gender equality a plausible explanation behind the heterogeneous distribution of some forms of partner violence in Mexico. While the level of gender equality is negatively associated with the average level of physical and economic abuse, it is unrelated to the average probability of sexual and psychological violence. As it can be

Table 3.4: Hierarchical Logistic Regression Analysis for Variables Predicting the Risk of Different Types of Partner Violence

	Physical		Sexual		Economic		Emotional	
	Model 1C	Model 1D	Model 2C	Model 2D	Model 3C	Model 3D	Model 4C	Model 4D
FIXED EFFECTS								
Intercept (average effect across individuals)	.26	.20	.23	.20	.23	.29	.74	.47
<i>Individual level variables (level-1)</i>								
Personal History								
Cohabitation (married)	1.42**	1.43**	1.28**	1.29**	1.18**	1.18**	1.06	1.06
Age	.97***	.97***	1.00	1.00	.98***	.98***	.99*	.99*
Years of education	.98*	0.99	.98	.96	0.99	.99	1.00	1.10
Racial/Ethnic couple's composition (non-indigenous)								
Both indigenous	1.18	1.19	1.05	1.05	.98	.99	.90	.91
Woman indigenous	.44	0.43	.54	.54	1.46	1.39	1.10	1.06
Man Indigenous	2.03**	1.99	1.32	1.32	1.26*	1.23	1.35	1.33
Previous family abuse background	1.58***	1.59***	1.54***	1.54***	1.43***	1.44***	1.49***	1.49***
Exosystem								
Socioeconomic status (high)								
Very low	1.10	1.09	.84	.84	.98	1.219	.88	.90
Low	1.06	1.05	.87	.87	1.36*	1.36*	1.02	1.18
Medium	1.12	1.11	.92	.92	1.20**	1.19**	1.14	1.13
Employed	1.07	0.55	1.21	1.07	.82**	1.11	.99	1.61**
Number of residents								
Urban	1.07	1.06	.90	.89	1.72***	1.66***	1.10	1.07
Situational								
Patriarchal attitudes	1.76***	1.76***	1.75***	1.75***	1.84***	1.84***	2.23***	2.23***
Share of decisions	.98***	0.99	.98***	1.00	.99***	.99	.99***	.99*
Woman's non-traditional gender roles	1.32***	2.86**	1.54***	2.13**	1.13	3.91***	1.43***	3.10***

	Physical		Sexual		Economic		Emotional	
	Model 1C	Model 1D	Model 2C	Model 2D	Model 3C	Model 3D	Model 4C	Model 4D
State-level variables (level-2)								
GEIMS	.97**	.97**	1.01	1.01	.98**	.99	.99	1.01
IHD	.98	.98	.98**	.98*	1.00	1.00	1.00	1.00
Log population density	1.50**	1.51**	.89	.90	1.36**	1.37	1.29**	1.30**
Cross level interactions of GEIMS								
Years of education	---	.99	---	1.01	---	.99	---	.99
Employed	---	1.01	---	1.00	---	.99	---	.99***
Share of decisions	---	.99*	---	.99**	---	.99	---	.99
Woman's non-traditional gender roles	---	.98**	---	.99	---	.97***	---	.98***
RANDOM EFFECTS								
Level-2 variance	.070***	.070***	.022***	.0208***	.0378***	.03306***	.0706***	.0658***
PRE (restricted model - unrestricted model)	.367	.367	0.557	0.589	0.466	0.534	0.197	0.253
<i>N</i>	31901	31575	31994	31994				

Note: Rows percentage to 100%. Statistical test of group differences: Chi-square for categorical variables and T-test for continuous variables (age, education, number of residents, male patriarchal attitudes and share of decision making).

^a *M, SD* in parentheses. *** $p < .0001$; ** $p < .05$; * $p < .10$.

(a) Level-2 variance, is the amount of variance between level-2 units that it is accounted for the predictors in the model.

PRE = Variance unrestricted model – Variance restricted model) / Variance unrestricted model

observed in Model(s) C, the coefficients and level of significance of level-1 predictors are the same as in those in Table 3.3 since Model(s) C attempt to explain the level-1 intercept (average effect across individuals).

The test of the second hypothesis –the effect of the individual-level variables, that might alter the traditional gender balance in the relationships, associated with experiencing partner violence is mediated by the level of structural gender equality–requires modeling cross-level interactions. The cross-level interactions included for each type of violence, which indeed are modeling the slopes of the variables of interest at the level-2, examine if the consequences of women’s transgression of traditional gender expectations vary depending on the level of structural gender equality.

I identified four individual level variables for which previous research has found inconclusive effects: a) women’s share of decisions; b) women not holding traditional gender roles; c) employment, and; d) education. These variables assess women’s departure from their ascribed social and family positions, and this research hypothesizes that the effect of this variables is mediated by the level of structural gender equality. The following example might help to illustrate the rationale behind the selection of these specific variables. A woman that holds non-traditional gender roles attitudes (thinks that a good wife must obey his husband in all that he orders, must have sex even if she does not want to, a woman can decide whether to work or not, and a woman can choose her friends even if her partner does not like them) might be more prone to suffer violence in a context of low gender equality than in a context of higher equality.

As of the specifications of the model, the level-1 model is the same as in Table 3.2. The level-2 model describes how differences in explanatory variables at level 2 relate to differences in the level-1 processes in each level-1 unit. The level-2 model is defined as follows.

$$\beta_0 = \gamma_{00} + \gamma_{01} (\text{GEIMS}) + \gamma_{02} (\text{HDI}) + \gamma_{03} (\text{Log- population density}) + u_0$$

$$\begin{array}{llll} \beta_1 = \gamma_{10} & \beta_2 = \gamma_{20} + \gamma_{21} (\text{GEIMS}) & \beta_3 = \gamma_{30} + \gamma_{31} (\text{GEIMS}) & \beta_4 = \gamma_{40} \\ \beta_5 = \gamma_{50} & \beta_6 = \gamma_{60} & \beta_7 = \gamma_{70} & \beta_8 = \gamma_{80} \\ \beta_9 = \gamma_{90} & \beta_{10} = \gamma_{10\ 0} + \gamma_{10\ 1} (\text{GEIMS}) & \beta_{11} = \gamma_{11\ 0} + \gamma_{11\ 1} (\text{GEIMS}) & \end{array}$$

The results of these models are presented in the second column for each type of violence. I discuss the results for each level and their implications for each type of violence.

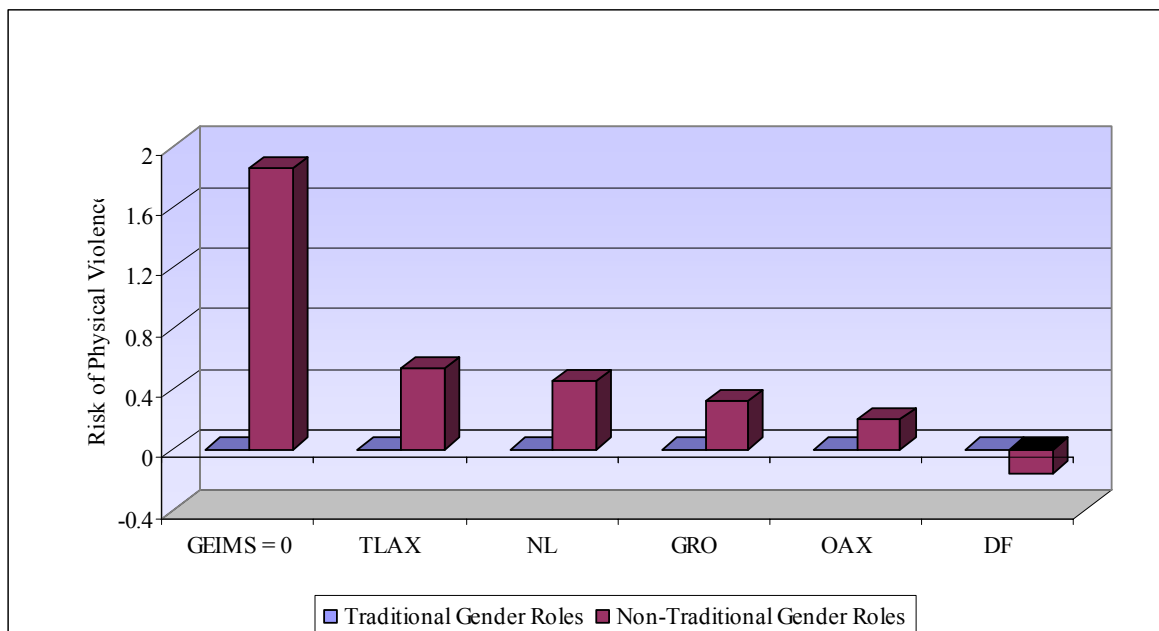
3.6.d- Individual and Structural Effects: Physical Violence

The probability of being a victim of physical partner violence is a combination of individual, situational and contextual factors. Contextually, the average level of violence is a function of the level of gender equality and the population density. As in the previous models, for the average woman, an increase in the level of gender equality (GEIMS) is associated with a lower probability of suffering physical violence. In contrast, as the population density increases, the odds of physical violence increase as well. At level-1, younger, cohabitating women and those who have experienced physical family violence as a child or adolescent have higher odds of experiencing physical abuse than older, married women and those who grew up without suffering physical violence. Relationship situational factors are associated with the likelihood of experiencing physical violence. When the woman's partner has patriarchal attitudes the risk of physical violence increases. Similarly, a woman with non-traditional gender roles has 186% higher odds of experiencing physical violence by her romantic partner than a woman that does hold traditional gender roles and attitudes. However, the consequences of having non-traditional gender roles vary across states depending on the level of structural gender equality. As revealed by the coefficient that models the slope of

woman's non-traditional gender roles as a function of GEIMS, an increase in GEIMS is associated with a reduction in the odds of violence.

The following example, represented graphically in **Figure 3.3** will help to understand this relationship. I selected five states that differ in their levels of structural gender equality for illustrating the effect of the structural level of gender equality (GEIMS) on women's traditional gender roles and attitudes. In the case of Tlaxcala, the state in which the gender gap is bigger, a woman that holds non-traditional gender roles had 54% higher odds of experiencing physical violence than a woman that embraces traditional gender roles [$\exp(1.051 - 1.017 * \text{TLAX's GEIMS}) = 1.051 - .6209$]. In the case of Nuevo León, with a GEIMS of 40.2, a woman with non-traditional gender roles has 45% higher odds of experiencing physical violence than a woman with traditional gender roles.

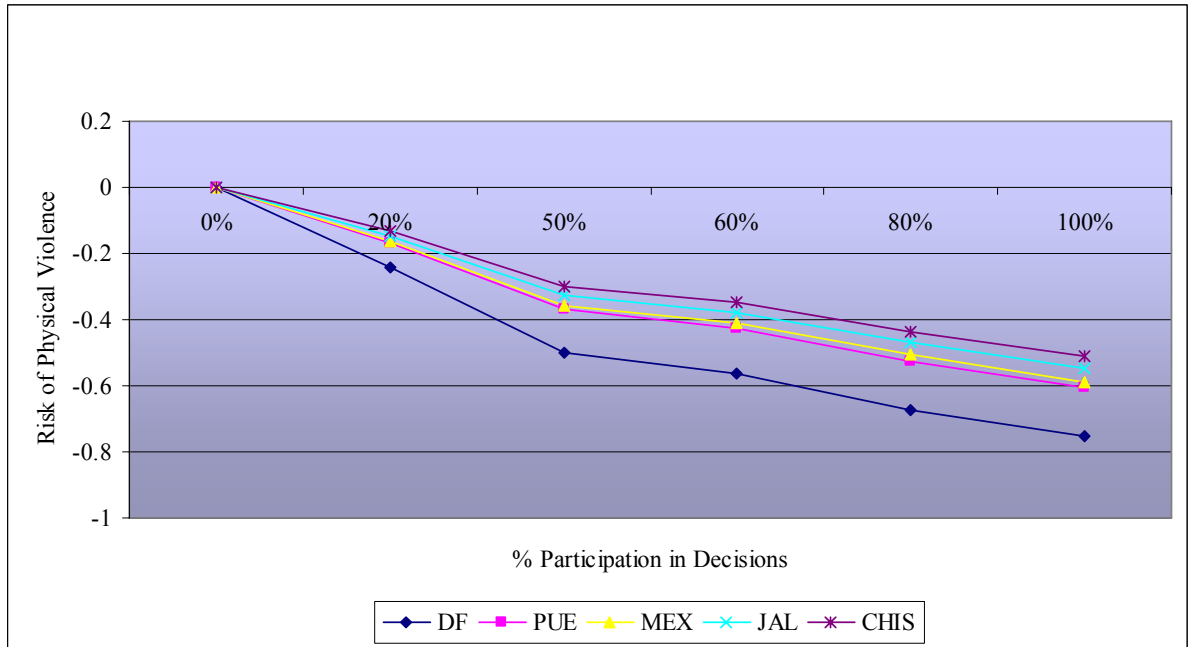
Figure 3.3: Cross-Level Effect of Traditional Gender Roles and GEIMS



Similarly, in Guerrero the odds of physical violence increase by 31% and by 20% in Oaxaca. In the Federal District, the state where women have reached the highest level of gender equality, embracing non-traditional gender roles is associated with lower odds of experiencing partner violence. Figure 3.3 clearly demonstrates how the context affects the individual. Moreover, this example suggests that the radical feminist backlash hypothesis is dependent on the general level of structural equality since the negative effect of having non-traditional gender roles weakens as the level of equality increases, up to the point in which the tendency is reverted.

The relationship between women's share of household or couple decisions and physical violence is also influenced by the general context of gender equality. In general, as a woman increases her participation in the decision making processes the probability of experiencing partner abuse decreases. However, the effect varies depending on the level of gender equality of the state where the woman lives [$\exp(-.000192 * GEIMS)$]. For example, a woman from Chiapas that participates in 20% of the decision making has 13% lower odds of experiencing violence than a woman whose couple monopolizes all the decision making [$\exp(-.000192 * 10 * 37.1)$]. The protective effect of participating in decisions, however, is higher for a woman from Puebla: if she participates in 20% of the decisions her odds of suffering physical partner violence decreases by 17% than a woman who does not participate at all. **Figure 3.4** illustrates how women increased participation in the decision making process varies by the state's level of structural gender equality. It can be observed that for a woman in the Federal District that participates in all the decisions, the risk of physical violence is reduced by 75%, while for a woman in Chiapas, the odds of suffering physical abuse are reduced by 51%. Again, these differences are due to the gender equality context, which given even more support to the second hypothesis.

Figure 3.4: Cross-level Effect of Women's Share of Decision Making and GEIMS



As of the random effect, the level-2 variance represents the average cross-state intercept after having introduced level-1 and level-2 predictors. Therefore, the typical state in Mexico has an average probability of physical violence of .070. When this coefficient is compared with that of the restricted model in Table 3.1 (.11053; $p < .000$), there is a (PRE) difference of .367.⁵ This difference must be interpreted as the proportion in the variance at level-2 reduced by including level-1 and level-2 correlates in the model (37%). Between Model 1C and Model 1D in Table 3.4 there is not statistical improvement. Nevertheless, as I mentioned earlier, this analysis is theoretically and not statistically driven.

⁵ PRE (Proportion Reduction Error) = (restricted model variance – unrestricted model variance) / (restricted model variance).

3.6.d- Individual and Structural Effects: Sexual Violence

As in the case of physical violence, the probability of being a victim of sexual violence is a combination of individual, situational and contextual factors. The average state-level of violence is related to the level of human development, but it is not associated with the level of structural equality. For example, women from Chiapas, the state ranking the lowest in the HDI, have 30% higher odds of experiencing sexual partner violence than women from the Federal District, the state ranking the highest: DF: $\exp [(-.021*88.37) - (-.021*71.14)]$.

After controlling for relationship-situational and state-level variables, there are only two individual-level factors related to the probability of experiencing sexual abuse by an intimate partner in Mexico. Cohabiting women have 29% higher odds of being a victim of sexual abuse than married women. Similarly, having experienced family abuse while growing up is associated with 54% higher odds of experiencing sexual violence.

Model 2D shows that the situational factors associated with the likelihood of experiencing physical violence also predict the likelihood of experiencing sexual abuse. As the woman's partner number of patriarchal attitudes increases the risk of sexual violence increases as well. Similarly, a woman with non-traditional gender roles and attitudes has 113% higher odds of experiencing sexual violence than a woman that does hold traditional gender roles attitudes. As in the case of physical violence, the level of gender equality interacts with women's participation in the household or couple's decision making. As the level of gender equality increases, the protective effect against violence of participating in a higher percentage of decision making also increases. The graphic representation of this cross-level effect is the same as in Figure 3.3 because the coefficient of the cross-level interaction of GEIMS and *share of decision making* is the same than in the case of sexual violence (see Table 3.4). The inclusion of level-1 and

level-2 variables in Model 3, the variance decreases by 56%. By modeling the level-2 intercepts the variance decreases an additional 3%: .59% [(.0505, $df=31$, $p < .000$, $\chi^2 = 188.60$) – (.021, $df = 28$, $p < .000$, $\chi^2 = 74.60$)].

3.6.e- Individual and Structural Effects: Economic Abuse

Economic violence is perhaps the type of violence against women less studied in the existing literature. Nevertheless, 29% of the Mexican women reported experiencing it during 2003. As in the case of physical and sexual violence, the risk of experiencing economic abuse is also dependent on multiple factors. The level of gender equality at the contextual level and the population density influence the average level of violence across states. The results in Model 3D show a positive relationship between population density and the odds of economic abuse, and an inverse relationship between the level of structural gender equality and the probability of economic abuse: an increase in the level of gender equality is associated with a decrease in the odds of economic abuse. The effect of GEIMS over economic violence, however, is smaller than the one over physical violence –each unit of increase in GEIMS decreases the odds of physical violence by 3%, and lowers the odds of economic abuse by 1%.

At the individual level, younger, cohabitating, urban and women who suffered violence during adolescence or childhood are at a higher risk of experiencing economic abuse than older, married, rural and non-family abused women. Interestingly, women who are in the middle categories of the socioeconomic status variable have a higher probability of experiencing economic control or violence than those in the extremes. Situational factors are associated with the likelihood of experiencing physical violence. When the woman's partner has patriarchal attitudes the risk of experiencing economic abuse increases. Similarly, a woman with strict traditional gender roles and attitudes has

a lower risk of experiencing economic abuse than those without them. The effect of having non-traditional gender roles, however, is influenced by the level of gender equality as shown in the cross-level interactions of GEIMS in Model 6. Therefore, as in the case of physical violence, the probability of experiencing economic violence for a woman without traditional gender roles is higher in a state with low levels of gender equality, than it would be for a woman living in a state where the level of structural gender equality is higher. By including level-1 and level-2 predictors in the model, Model 6 accounts for 53% of the explained variance at level-2 [(.07073, $df=31$, $p<.000$, $\chi^2 = 680.01$) – (.03296, $df = 28$, $p<.000$, $\chi^2 =282.81$)].

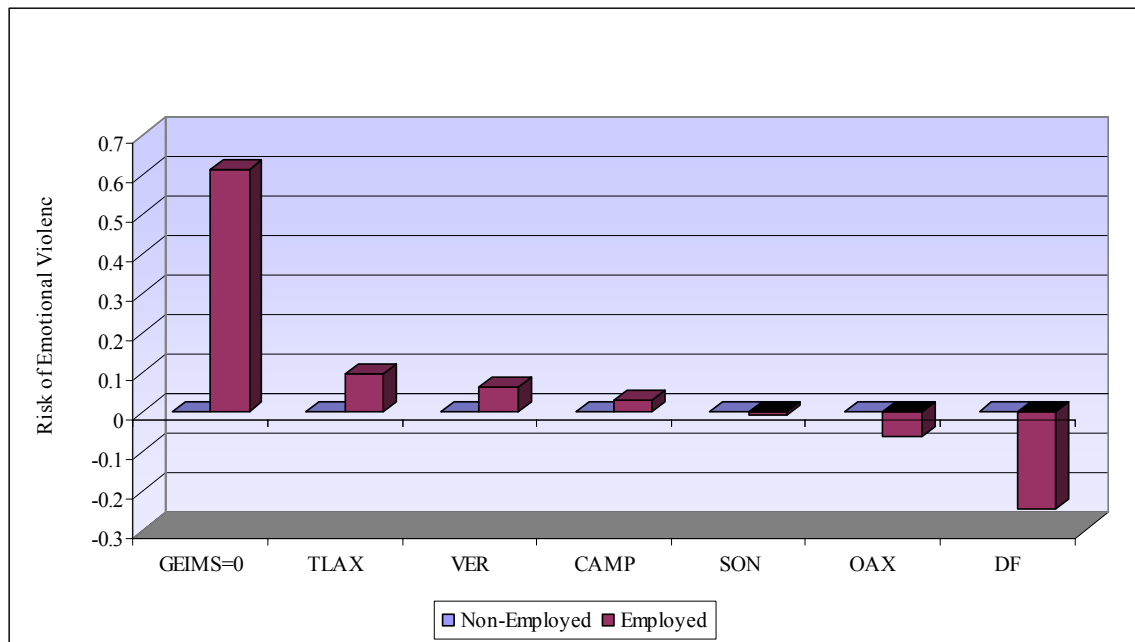
3.6.f- Individual and Structural Effects: Emotional Abuse

Emotional abuse is the most common form of partner violence in Mexico. Around 40% of the women experience it during the year prior the interview. At the contextual level, the probability of experiencing psychological abuse is only positively associated with the population density. At the individual level, younger women and those who experienced family violence while growing up are at a higher risk of experiencing emotional abuse than older women and those who never experienced violence during their childhood or adolescence. To be employed is associated with being at a higher risk of experiencing partner violence. However, as revealed by the cross-level interactions in Model 8, the effect of employment varies across states depending on the level of structural gender equality. As the level of gender equality increases, the odds of experiencing violence for an employed women decrease.

Figure 3.5 exemplifies the complex relationship between employment and violence, and how this relationship is mediated by the context in six states with different levels of gender equality. The second bar shows what the odds of suffering emotional

abuse would be for an employed woman in a state with a theoretical level of equality of 0 (the gender gap between man and woman = 100), are 61% higher than those of an unemployed women.

Figure 3.5: Cross-Level Effect of GEIMS and Employment



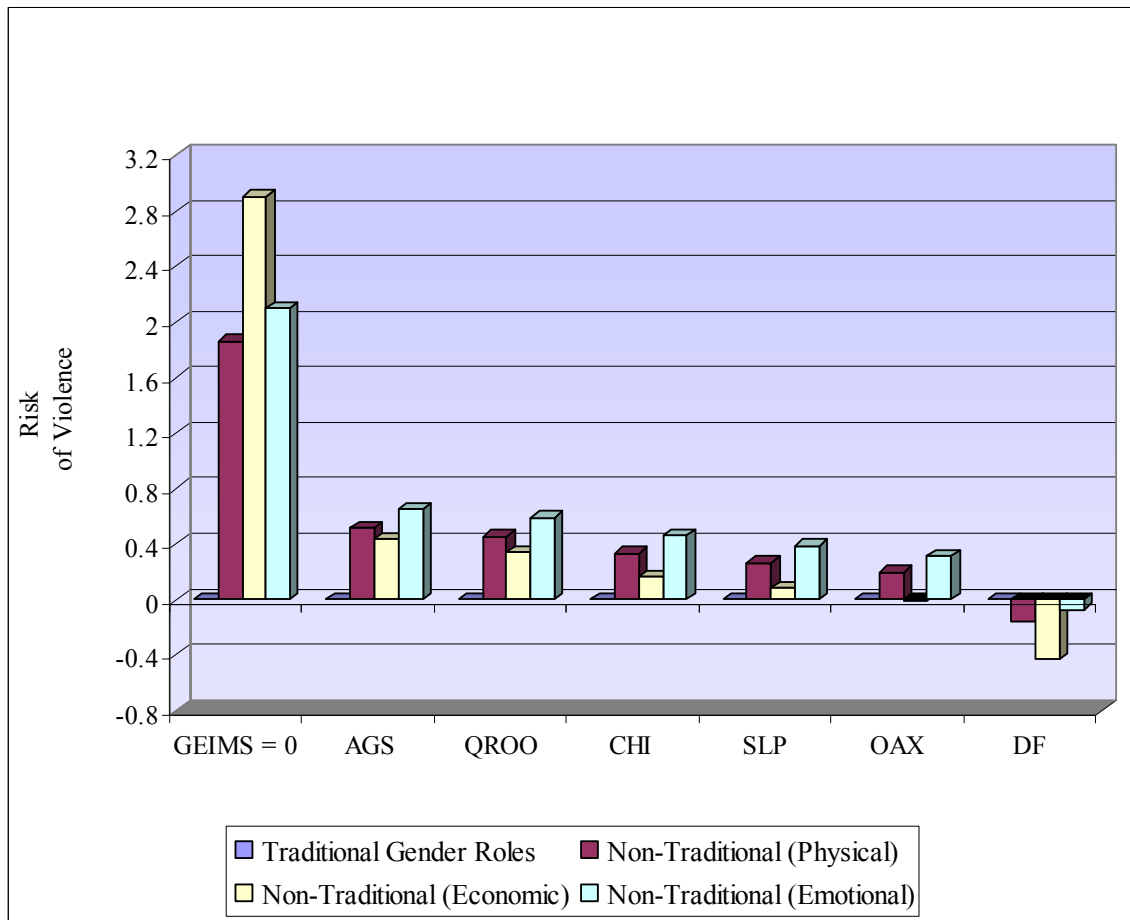
The first bar represents the comparison group (non employed women, or women in non-paid jobs). If we focus our attention in the three first selected states (in ascending GEIMS order), we see how employed women are more likely to experience psychological violence than non-employed women in Tlaxcala, Veracruz and Campeche. However, the odds for an employed woman in Tlaxcala are 9% higher than those of an unemployed woman [$\exp (.048 - .0104 *36.9)$]. In Veracruz, the odds are 6% [$\exp (.048 - .0104 *39.8)$], and 3% in Campeche [$\exp (.048 - .0104 *42.9)$]. In Sonora, where man and woman have reached a level of gender equality of 46.2, employed women have

almost the same probability of experiencing emotional abuse than non-employed women, only 0.7% lower odds [$\exp (.048 - .0104 *46.2)$]. However, as the context of gender equality improves, to have a paid employment is linked with a reduction in the risk of experiencing emotional partner violence. This is the case of Oaxaca, where employed women have 6% lower odds of experiencing psychological violence, or in the Federal District where the odds are 25% lower.

All three relationship situational factors are associated with the likelihood of experiencing emotional violence. As the woman increases her participation in the decision making processes her risk of emotional abuse decreases. In contrast, as the male partner holds more patriarchal attitudes the risk of emotional violence increases. As has been reported for the other types of violence, women with non-traditional gender roles have an increased risk of emotional violence. Again, this relationship is mediated by the level of structural gender equality. **Figure 3.6** illustrates the inverse relationship between traditional gender roles and the odds of experiencing physical, economic and emotional violence increase. However, the odds of violence tend to be lower in states with higher GEIMS.

For example, in Aguascalientes, one of the states with the lowest gender equality (37.7), women holding non-traditional gender roles have 52% higher odds of experiencing physical violence [$\exp (1.051 - .017 *37.7)$], 43% higher risk of economic violence [$\exp (1.051 - .017 *37.7)$], and 66% higher odds of psychological violence [$\exp (1.051 - .017*37.7)$] than women with traditional gender roles. In Quintana Roo, the odds increase by 46% in the case of physical violence, 34% for economic violence, and 59% for emotional violence. Although women with non-traditional gender roles attitudes are always at a higher risk of experiencing violence, in states with higher levels of gender

Figure 3.6: Cross-Level Effect of Gender Roles and GEIMS on Partner Violence



equality the odds tend to decrease. Oaxaca is the state that ranks the second in terms of gender equality, however, although reduced, women that have non-traditional roles have 20% higher risk of physical violence and 31% higher odds of emotional violence. In the case of economic violence, however, there is almost no difference with more traditional women. The Federal District, the most egalitarian state, women without traditional gender roles invariably have a lower risk of physical, emotional and economic violence. This finding, although it supports the backlash theory, it also shows that in a context of

greater gender equality the backlash theory loses its significance. By including level-1 and level-2 predictors in the model, Model 8 accounts for 23% of the explained variance at level-2 [(.088, $df=31$, $p < .000$, $\chi^2 = 884.96$) – (.0066, $df = 28$, $p < .000$, $\chi^2 = 425.38$)].

3.7- DISCUSSION

Partner violence is a common experience for Mexican women as revealed by the results of the 2003 ENDIREH: 9.2% of the women experienced physical violence, 7.9% sexual abuse, 29% economic control or abuse, and 36.5% emotional violence. Given the likely underreporting of such type of behaviors the true prevalence of abuse is probably higher. As in other countries, violence against women perpetrated by a romantic partner clearly represents a major social problem in Mexico, and as this analysis shows, it is a complex phenomenon affected by a multiplicity of factors at the individual, relationship and structural level.

The phenomenon of violence against women perpetrated by her romantic partner needs to be studied from a holistic perspective that includes individual factors (personal history, situational, exosystem) as well as contextual-structural factors. By integrating both types of factors into the same model, this research has shown that the reconciliation of the two traditionally divorced sociological perspectives in analysis of partner violence –family violence (micro) and feminist (macro)– is possible. I carry to an end the long-lasting divorce between these two theoretically perspectives that, perhaps due to differences in their methodological approach, have been conducting partial examinations of the factors associated with the phenomenon of violence against women.

Until recent, quantitative sociological studies often have ignored the context (social structure) in which individuals and social life is embedded. In this chapter I have

taken into consideration how the social structure, and the fact that individuals are nested into social units, affects an individual-level phenomenon: partner violence. In Mexico, the level of structural gender equality explains, how the contexts affects, net of other factors, the experiences of partner violence. On the other, it is a filter through which individual-level correlates of partner violence need to be carefully analyzed. In other words, the general climate of gender equality reigning in a certain society mediates the effect of individual level variables. Future research in other countries using a similar model will allow us to assess the effect of the patriarchal structure over partner violence in a cross-national perspective.

In this chapter, I have overcome the ecological fallacy (structural characteristics cannot predict the actions or behaviors of individuals nested or belonging to that structural context) that most studies of patriarchy fall into (Dutton 1994). Moreover, I took into consideration, individual characteristics and the context, as well as the interaction between them because patriarchy is a social system and cannot be reduced to individual traits. The level of structural gender equality, which is indeed a measure of patriarchy, does affect directly the experiences of partner abuse of Mexican women. This finding contradicts Dutton's (1994) statement that there is not direct relationship between structural patriarchy and wife abuse.

At the individual-level (micro), the phenomenon of violence against women is a multifaceted phenomenon grounded in an interplay of factors (Heise 1998). Previous studies from Mexico have mainly focused on personal history and exosystem factors. Nevertheless, how the interactions in which a woman is engaged and the subjective meanings assigned to those interactions (situational factors) influence partner violence has not been object of the same attention. Situational traits associated with relationship characteristics, however, have a more stable effect over the different types of partner

violence than personal history and exosystem factors. Having experienced physical violence by a family member during childhood or adolescence, and having a partner with patriarchal attitudes that support patriarchy, women subordination and gender inequality are two individual-level features that invariably elevate women's risk of experiencing any of the four types of partner violence. In contrast, women's participation in the household or couple's decision making is negatively associated with the probability of experiencing physical, sexual, economic or emotional violence. This finding is contrary to previous studies about Mexico, perhaps because of the inclusion of other situational factors (Casique 2004; Oropesa 1997; Pozo del, Castro, and Ríquer 2004).

Contrary with what would be expected, violence is higher among women that do not conform to traditional gender roles, which indeed supports previous findings about Mexican migrants and Mexican-Americans in the U.S. (Firestone, Harris, and Vega 2003). In other words, a woman who believes that a woman does not have to obey her husband, that she might say "no" if she does not want to have sex, that a woman is free to decide whether or not to work, and that a woman can choose her friends even if her partner does not like them, is more likely to experience any type of partner violence than one who does have traditional gender roles. These results at the individual level support the backlash theory, which states that violence will increase in men's attempt to compensate when women challenge the traditional balance of power in the household or for women's attempts of independence.

This type of analysis is one of the few in Mexico that takes into consideration the racial and ethnic composition of the couple. It finds that at the individual level, when the male is indigenous and the woman is not, women are at an elevated risk of suffering physical and economic violence. Most previous studies have only used as a control the indigenous-non-indigenous dichotomy, concluding that indigenous women were at a

lower risk of experiencing partner violence than non-indigenous women. The fact that the racial and ethnic composition of the couple is a significant variable predicting some forms of partner violence is of relevance. This calls for more sophisticated analyses, but potential explanations might be related to the status differential and different cultural expectations. Cohabitation increases the risk of all types of partner violence. However, after controlling by situational factors, there is not evidence that married and cohabitating women significantly differ in their probability of emotional abuse. The risk is higher, though, for physical violence (42% higher odds), than it is for sexual (26% higher odds) or economic violence (18% higher odds).

The relationship of other individual-level variables with the experience of partner violence is not consistent for the four types of violence. For physical violence, younger and uneducated women have higher odds of abuse than more educated and older women. Younger, urban, unemployed and undereducated women are at a higher risk of economic violence than older, rural, employed and more educated women. Similarly, women in the middle categories of socioeconomic status are at a higher risk of violence than those better off. The model shows, however, no difference between women in the highest category of socioeconomic status and the lowest, perhaps because the lowest category represents very poor individuals, so economic control or economic violence is more difficult to be exerted when resources are not available. In the cases of sexual violence, all women, regardless of their socioeconomic and demographic status have the same risk of victimization. In the case of psychological abuse, the only variable associated with the risk of abuse is age: older women are less likely to experience emotional abuse than younger women.

By using more sophisticated methodology, and combining the micro-and macro perspective into the same model, this research provides partial support for the liberal

feminist theory. In the context of this paper, the liberal feminist hypothesis would argue that in areas where the level of gender equality is high, the rates of partner violence will be lower than in areas with less gender equality. After controlling for other structural variables, the societal level of gender equality (measured by GEIMS) is negatively associated with state-level average levels physical and economic violence, but it is unrelated to sexual and emotional violence. Perhaps the dynamics of sexual and psychological violence are different, and are less dependent on the level of structural gender equality.

In addition to explain the regional rates of some types of violence, the level of structural gender equality interacts with individual-level and situational characteristics of women; supporting, thus, the second hypothesis. Previous research presents inconclusive effects about individual-level variables such as education, employment, gender roles attitudes or decision making. These variables that affect the traditional distribution of power and gender roles within the couple, as this research shows, must be understood in the broader context of structural gender equality. The level of gender equality mediates the effect of employment, share of decision making and non-traditional gender roles for certain type of partner violence. For example, a woman that holds non-traditional gender roles and attitudes is at a constant elevated risk of experiencing any form of partner violence. However, her odds of violence vary depending on the level of gender equality of the state she lives in: she will have a higher probability of suffering violence if she is in a more patriarchal state than if she lives in a more egalitarian one.

Similarly, employed women have a higher probability of emotional violence than unemployed women. When the context is accounted for, employed women in states with higher levels of gender equality have lower odds of psychological violence than unemployed women. The protective effect of women's higher participation in the

decision making is also moderated by the level of structural gender equality; being the odds of experiencing physical and sexual violence much lower in states with higher gender equality than in states with lower levels, at the same level of participation in decision making. Therefore, this research highlights the importance of taking into consideration the gender equality environment and integrating it in the analyses beyond pure descriptive considerations.

The limitations of the analyses presented in this chapter are associated with the use of secondary data and the under-report associated with the social stigmatization of the phenomenon under study. Perhaps the under-report is higher in this survey than in other family violence surveys because an interviewer administered the totality of the ENDIREH in Mexico. The ENDIREH is representative of married and cohabiting women with a live-in partner; however it ignores same sex-couples and separated and divorced women, which have been shown to be at a higher risk of experiencing physical violence. Future data-collections efforts should include these groups. Another limitation associated with the use of a multi-level methodology is the small number of level-2 predictors that can be included in the model.

In the last decade there has been an increasing tendency to study partner violence taking into consideration the differential status between men and women in the relationship (see Anderson 1997; Kaukinen 2004). The ENDIREH contains information about the woman's couple (reported by the woman). However, there is an elevated percentage of missing data in key variables that would allow conducting this type of analysis such as the man's salary and occupation. The high percentage of the Mexican population in the informal labor market and with unsteady jobs makes even more difficult this type of analysis.

As this chapter shows, understanding the context in which individuals are embedded is a central consideration in partner violence research. Future research about partner violence has to include as well the context cultural and ideological structure. Ignoring the context, might lead to incorrect conclusions, not only in partner violence research, but in other types of social research. Moreover, sociologists ignoring the social structure and explaining social phenomenon only by individual-level variables, are betraying the fundamental assumptions of the discipline.

CHAPTER 4: STATE, WOMEN'S MOVEMENT AND CIVIL SOCIETY IN MEXICO: A THEORETICAL APPROACH

One of the fundamental theses of sociology is that the social structure influences individuals. Throughout this work, I have highlighted the patriarchal nature of the social structure and its relationship to the phenomenon of partner violence. Giddens' (1984) theory of structuration suggests that social structure - traditions, institutions, moral codes, and established ways of doing things- is constituted through human agency, while it serves at the same time to enable individual action. It is through the continuous repetition of the acts of the individuals that the structure is reproduced.⁶ Social structure is not the final determinant of individual action in as much as it, too, can be changed when individuals act differently, either because previous acts are ignored, replaced or reproduced differently.

If we accept that the social structure can enable change and be changed itself by organized action, what role is played, then, by the State? I understand the State as an institution that represents interests constituted elsewhere. The State represents and reproduces the dynamics occurring in society and reflected in the social structure. The State insinuates itself between the society and the social structure. From this intermediate position, the State is potentially able to change how individuals or groups act through the laws it creates and enforces and through the use of force. In this chapter, I adopt a post-structuralist perspective (MacDowell Santos 2005; Waylen 1998) on the State, in which the democratic State is construed under two aspects: as an arena in which social tensions are manifested and negotiated; and as an agent of a sort, endowed with the potential for

⁶ Giddens (1984) defines social structure as the “institutionalized features of society which stretch across time and space, which involve the dual aspects of reflexive human actions and of their continuity over and above the individuals involved in any one instant”.

changing the social structure (and by implication, gender relations) through the use of force.

Social movements are key actors in forcing the State to respond to specific demands, especially if the democratic State is put into a situation such that it fears the loss of public legitimacy. The feminist and women's movement⁷ has been instrumental in demanding that the State takes measures to eradicate patriarchal practices, such as violence against women perpetrated by strangers and intimate partner violence. As Alvarez (1990) argues, there are many changes to women's subordinate status that must be pursued primarily if not exclusively within the confines of the State, and the women's movement has been fundamental in pursuing them.

Thus, certain properties of the State –the hierarchical relationship between the State and society (Dobash and Dobash 1992:101); its representative/representing nature; its virtual power to change the social structure (understood in Giddens terms) through public policies and legislation– make it a privileged site that must be understood if one is seeking to understand the phenomenon of violence against women. Violence against women is not, from this point of view, contingent, but must be seen as symptomatic of the patriarchal nature of the society (Dobash and Dobash 1977; 1979). Also, the empirical analyses of the processes taking place within the State, and how the women's movement and the State interact are of relevance for understanding the nature of the [patriarchal] Mexican social structure.

Defining 'the State' is empirically and theoretically complex. The State might include a variety of hierarchical levels: local, regional, federal and international

⁷ In Mexico, the term *women's movement* refers not only to the feminist movement, but also to all women organizations that share the perspective that gender is an issue of political and social concern Lamas, Marta, Alicia Martínez, María Luisa Tarrés, and Esperanza Tuñón. 1995. "Building Bridges: The Growth of Popular Feminism in Mexico." Pp. 324-347 in *The Challenges of Local Feminisms. Women's Movements in Global Perspective*, edited by A. Basu. Boulder: Westview Press..

organizations. The State has to be understood as something dynamic since the both the realm of the State and the institutions which embody it have changed over time (Connell 1990). The State is “defined and experienced both as a set of institutions standing over and above us *and* as something which permeates our everyday lives and in which we all, wittingly or unwittingly, participate (Charles 2000: 5). The duality of the state consists in the fact that there is both an exterior, hierarchical relationship between the State and individuals and the society while, at the same time, individuals and society exist within the State and constitute it. As we will see throughout this chapter, the role of the State in guaranteeing women’s rights has been the topic of much debate.

The 1990s Latin American political context offered an excellent environment for human rights activism, including women’s rights. Many countries in the region, such as El Salvador or Guatemala, were engaged in democratization after a long period of civil violence, while others were shifting to democracy and pluralism after a period of authoritarian rule (i.e. Chile or Argentina), or pseudo-authoritarian rule in the case of Mexico. Newly elected governments introduced reforms that aimed at fostering representativity, accountability and efficiency. In most Latin American countries experiencing a transition toward democracy, “there was often public and governmental support for civil and political human rights to be seen as a way of deepening the democratic process” (Molyneux and Lazar 2003:31). In the case of Mexico, the State’s legitimacy crisis after seven decades of uninterrupted government by the PRI (Partido Revolucionario Institucional) and lack of pluralism produced an opening favorable to civil society reforms. When the PRI was fully in control, the feminist movement had difficulties articulating specific demands for the advancement of women’s rights as a result of the corporatist culture in Mexican politics which disallowed political movements the necessary autonomy within which to operate. On the other side, the lack

of democracy and political pluralism explain the State's lack of reaction to and interest in feminist demands.

This chapter is structured in five sections. The first two are theoretical in their nature. The first section examines theoretically the State from a feminist perspective. The second piece traces the evolution of the feminist/women's movement in Mexico. The third part covers the relationship between the state and the women's movement in general. The fourth examines how the Mexican women's movement has articulated the fight against violence against women, both within the structure of the State and outside of it. The final section includes the conclusions and a discussion of the role of the State and women's movement in fighting one of the most brutal and explicit expressions of patriarchy: partner violence.

4.1- THE STATE FROM A FEMINIST PERSPECTIVE

The nature of the State is complex and ambivalent. The State has the power to implement policy change and grant rights. These features of the State, however, cannot be understood without taking into consideration the influence of social movements. There are several types of theories of the State. Charles (2000) differentiates between representational and non-representational theories of the State, with the level of representation depending on whether or not the State participates in the construction of political interests, and thus represents itself, or limits its role to the representation of already existing interests. Therefore, representational theories of the State such as Marxism or social-democracy see the State as "representing interests that are constituted elsewhere, usually at the economic level" (Charles 2000:6). In contrast, non-representational theories see the State as an actor in its own right, one that reflects its own political interests, and tend to focus on how the State exercises its political power.

The role of the State in the promotion of women's rights, as well as its relationship with individual and organizational actors is best understood from the perspective of feminist theories of the State. The State can be conceptualized along classical Weberian lines as a set of social institutions that have the monopoly over legitimate coercion and as the organizational source of social cohesion (Walby 1990). The modern Western State has gone through different stages of development. The 18th and 19th centuries saw the emergence of the liberal state (classical liberal, liberal-democratic and *laissez-faire*). The liberal tradition differentiates between the public and private spheres. The public sphere is the domain of the State, while the private sphere is left to the control of individuals, families, business enterprises, social organizations and local communities. The 20th century witnessed the full development of the Welfare State, which found its most complete expression in the nations of northern Europe (Esping-Andersen 1990; Esping-Andersen 1999; Esping-Andersen, Gallie, Hemerijck, and Myles 2002). Since the 1980's a neo-liberal turn, characterized by the policies of Ronald Reagan in the U.S., Olof Palme in Sweden and Margaret Thatcher in Great Britain, sought to reduce the role and prerogatives of the state in social life.

Despite the adoption of neo-liberal policies, many developed nations and nearly all of the nations of Latin America retain the basic characteristics of Welfare States. In what follows I will review different feminist analyses of the relationship between gender and the Welfare State, since there is no dominant cohesive feminist theory of the State (Waylen 1998). Some theories view the State as exclusively repressive and controlling, others believe that the State enables individuals and groups to fulfill their interests and protect their rights. A third group of theories falls between these two. As of the motivations and pressures behind the adoption of legislation and public policies, these

theories do not commit us to a representational or non-representational characterization of the State.

4.1.a- The Repressive and Controlling State

The social control theory sees the State as repressive and controlling and women are viewed as victims of men's control which is mediated and reinforced by the State. From this perspective, then, the State is not a mechanism for promoting social change because the State is a monolithic institution. This structuralist approach sees the policy making content of the State as being representative of already existing interests, while formally it is regarded as an institution or group of institutions with a set of institutionalized rules and procedures that can be used for the representation of the interests and views of opposing social actors.

Socialist feminists added the woman's question to the traditional Marxist class analysis, and sought to determine the origins of women's oppression. They claimed that the male-breadwinner family structure and women's economic dependence on men is supported by the capitalist State. In terms of economic logic, this arrangement is beneficial for the capitalist mode of production since women's work is cheap and flexible. Therefore, as the State supports the capitalist way of production, the State becomes the natural advocate of patriarchy: the State guarantees the structures that enforce women's subordinate role in society and those gender relations, either in the household or in wage labor, that are oppressive to women (McIntosh 1978). From this perspective, the State is seen as the instrument of the ruling class, predominantly male and capitalist, and aims at maintaining both class and gender domination, essentially defined by the extraction of surplus labor value (i.e. Hartmann 1976).

In later formulations of this theoretical approach, patriarchy and capitalism were conceived as two linked systems of domination (Hartmann 1981; Young 1981). However, even those feminists who discard the apparatus of Marxian theory to explain the source of women's domination agree that the State has functioned not only as a repressive and controlling institution vis-à-vis women as a social group, but, even over the course of the change from the nineteenth century liberal State to the twentieth century Welfare State, has shown itself unwilling and unable to represent the interests of subordinated groups, including women.

In the book, *Gender and Governance*, Brush (2003) argues that the State maintains men's social superiority and fosters women's subordination in two different ways: directly through the structures, procedures, ideologies and discourses related to gender (*gender of governance*) and indirectly through the maintenance of a false appearance of gender neutrality (*governance of gender*). Radical feminist analyses, such as those of Catherine MacKinnon (1989), which view the State as an instrument of patriarchal domination, deal mostly with the *gender of governance*. State's actions, or lack thereof, are conceived as a tool for reproducing the patriarchal system because the State is "male in the feminist sense: the law sees and treats women in the way men see and treat women" (MacKinnon 1989:161-162). By *governance of gender*, Brush (2003) labels the actions of State institutions and practices of governance that perpetuate the different and unequal treatment of men and women in spite of the ostensible gender neutrality of State laws and policies, since these laws and policies are rife with gender-laden assumptions. As shown by Weldon (2002), these assumptions result in the State reproducing and promoting gender differentiation. This perspective does not only fail to acknowledge the institutional and political complexity within the State, but also fails to acknowledge the relationship among social movements, society and the State.

4.1.b- The Enabling State: The State as an Instrument for Social Change

Although many feminists are critical of the way in which the State has intervened in women's issues and perceive it as essentially male biased, some have, at some point, supported the intervention of the State (see Gray 1999; Piven 1990). During the 1980s, a number of feminist studies examined women's social movements and their demands on the State and many contemporary feminists are, after all, employed by the State and work within the State bureaucracy. They have realized as part of their personal situation, thus, that the State is often contradictory, which gives them the opportunity to generate feminist public policies (Charles 2000).

Liberal feminists tend to conceptualize the State as enabling. Liberal feminists usually work toward achieving civil and political equality, or political reforms that will improve women's status in society in the context of the existing social order. For them, the State becomes a central instrument for social change. As stated by Dobash and Dobash (1992:110), "state institutions are necessary for formulating legislation and new policies, for containing conflicts and for preventing 'new forms of inequality and tyranny'". Civil society actors (individuals or social movements) might change the political agenda and legal culture of the individuals that compose the State; promoting, thus, social changes and representation of diverse groups' interests and how the State relates to traditionally subordinated groups (MacDowell Santos 2004; Mirchandani 2006).

Those who see the State as an instrument for social change see the State as monolithic, and believe that men and women's interests are ideally the same. Contrary to the social control theory, women are seen as 'beneficiaries' of men's solidarity mediated by the State (see MacDowell Santos 2005). This conceptualization of the State has been criticized for its focus on the analyses of social policies and their effects on gender

relations rather than in understanding how gender interests are constituted and represented at the political level (Charles 2000).

4.1.c- Historical-Structuralist Perspective: The Enabling and Controlling State

The historical structuralist perspective includes aspects of both previous examined perspectives. In this perspective, the State is historically situated, therefore, depending on the historical and political context, the State might act as an instrument for social change (the enabling State) or promote male control over women's lives and foster gender inequality (Gordon 1990; Piven 1990). Alvarez (1990) summarizes this perspective in *Engendering Democracy in Brazil*,

“the State is not monolithically masculine or antifeminist” (p.272). “There are many changes in women's subordinate status that must be pursued primarily, if not exclusively, within the confines of formal (male-dominated and sexist) political institutions” (p. 28) “The Brazilian case suggests that feminists should neither dismiss the State as the ultimate mechanism of male social control nor embrace it as the ultimate vehicle for gender-based social change. Rather, under different political regimes and at distinct historic conjunctures, the State is potentially a mechanism for social change or social control in women's lives” (p. 273).

In a similar analysis of gender inequality Bourque (1989) argues, too, that it is a mistake to see the State as monolithic, and that the sometimes differing ideologies of elite State actors find expression in State policies and actions toward women's issues. State elites “are both potential sources of access as well as critical actors in the creation and maintenance of [gender] hierarchies” (p. 115), and their beliefs, values and attitudes must be taken into account in the explanation of both potential changes and the maintenance of the status quo in women's lives. Yet the unidirectional flow of power, from the state outward, which is promoted by the historical structuralist perspective has been criticized

for ignoring the contentions and interactions between the State and women's movements in the formation of women's interests (MacDowell Santos 2005). However, as we will see next the State cannot ignore social movements demands, especially after those reach a dimension that put in jeopardy the State's legitimacy.

4.1.d- Post-Structuralist Approach

Post-structuralist feminists build upon the historical structuralist approach by grounding the study of gender in the analysis of State and social movement's influence on the state in a specific historical, social and political context. From this perspective the state is far from being a monolithic or unitary actor, "but a differentiated set of institutions, agencies and discourses" that can either promote women's rights or contribute to women's inequality (Waylen 1998:7). The State is regarded as a multi-dimensional construct, although each dimension has been defined by masculine traits. Although different types of State are dominated by particular forms of masculinity, different branches of the same State are more or less masculinized, and especially the higher levels of the State (Connell 1990; Franzway, Court, and Connell 1989). Masculinization is defined both as the gender of the State's personal working in certain areas and the cultural dominant of the State apparatus. For example, coercive sectors of the state are more male dominated and have a more masculinist ideology than branches concerned with areas such as health or education. In addition, peripheral State institutions and activities are less masculinized than the central ones of coercion, decision making and political leadership (Franzway, Court, and Connell 1989).

Like the historical structuralists, the post structuralists believe that the state per se has no inherent position or set of interests relative to gender and that it can either operate to constrain and control female autonomy or to enable it, depending on specific historical

circumstances. As a consequence, post-structuralism conceives the State as both an agent and an arena in which the battles for women's rights take place.

The post-structuralist approach is neutral with regard to the issue of whether the State is essentially representative or non-representative. This perspective takes into consideration not only the influence of external on the State, but also the organization of the State and the way in which institutions within the State and those people filling roles within those institutions shape policy. According to Charles (2000:24) this "shift can be seen as reflecting the resurgence of Weberian sociology in the wake of the declining influence of Marxism, but it has also to do with the shift from structural analyses to those which emphasize social action and individual agency." Therefore, the State acts to construct gender relations and has different impacts on different groups of women (Waylen 1998). In Fraser's (1989) examination of the Welfare State and gender, the State is defined as an "apparatus" that struggles with other actors in the process of gender formation, thus contributing to the determination of the level of gender inequality. The post-structuralist approach is the perspective currently being adopted by most Latin America feminist scholars. They conceptualize the State a 'differentiated set of institutions' and a 'site of struggle' both representing and reconstructing gender relations" (MacDowell Santos 2004). Htun (2003) MacDowell (2005) and Molyneux (2000) have contributed to theorizing this new way of analyzing the State.

Connell (1990) presents a slightly different perspective. Rather than considering that the State is essentially patriarchal, she claims that the State is *historically patriarchal*, and that breaks away from the dominant patriarchy occur in certain contexts in which the State's legitimacy is weaker, and/or the openness of the government is greater.

Is the State patriarchal? Yes, beyond any argument, on the evidence discussed above. It is not ‘essentially patriarchal’ or ‘male’; even if one could speak of the ‘essence’ of a social institution, this would exaggerate the internal coherence of the state. Rather the State is *historically* patriarchal, patriarchal as a matter of concrete social practices. State structures (...) are effectively controlled by men; and they operate with a massive bias toward heterosexual men’s interests.

At the same time the pattern of state patriarchy changes. In terms of the depth of oppression and the historical possibilities of resistance and transformation, a fascist regime is crucially different from a liberal one, and a liberal one from a revolutionary one. The most favorable historical circumstance for progressive sexual politics seems to be the early days of social-revolutionary regimes, but the later bureaucratization of these regimes is devastating. Next best is a liberal State with a reformist government; though reforms introduced under its aegis are vulnerable in periods of reaction.

Connell (1990) argues further that gender struggles inside and outside the State might change both the gender order within the State institutions and the State’s regulation of gender issues. For example it is well documented that the reluctance of police bodies to intervene in cases of domestic violence arises from a unwillingness to intervene in the private sphere, with domestic violence being seen as a private matter. It was not until the issue reached public scandal dimensions due to the occurrence of an special event when the State intervened because its legitimacy was in jeopardy. For example, in the case of Mexico, this occurred when nineteen women were raped by members of the Federal District Attorney’s Office. In Spain, the State enacted legislation about gender violence (*violencia machista*) after a woman was killed by her husband after publicly having requested protection measures to the State in several TV shows.

One of the most important theoretical contributions of Connell’s (1990) is to explain why a *historically* patriarchal and oppressing State might become increasingly enabling for women by adducing the notion of legitimacy. While we may construe the State as a mutable institution in constant change, in order for the State to sustain itself

while reserving to itself the use of force, it must count on its citizens to regard it as legitimate. The State can be both a repressive and an enabling state, but, Connell claims, there is a tie between women's gains, the State's need of legitimacy, and in the way in which demands to the State are presented. For example, when the liberal-democratic State presents itself as allegedly gender neutral, it makes itself vulnerable to demands phrased within the liberal discourse (Connell 1990; Franzway, Court, and Connell 1989). When the demands are framed within the feminist framework, State concessions might serve a double purpose: control the feminist movement and to obtain legitimacy from groups traditionally critical of the State. In sum, the State is contradictory and complex, because its relationship with society is a two way relationship: the State is constructed by gender relations and constructs gender relations. As I have mentioned above, the relationship between the State and the society, nevertheless, is mediated by social movements (Charles 2000). The relationship between social/feminist movements and the State is examined next.

4.2- FROM THE POST-SUFFRAGIST “FEMINIST MOVEMENT” TO “FEMINIST NGO’S”: SPECIALIZATION AND CHANGE IN THE MOVEMENT

In Mexico, there is no material difference between the feminist movement and the women's movement. “In Mexico the term *women's movement* refers not only to the feminist movement but also to all women's organizations that share the perspective that gender is an issue of political and social concern” (Lamas, Martínez, Tarrés, and Tuñón 1995:328). The membership of the Mexican women's movement is composed of four groups: middle-class feminists (both from inside and outside formal political parties), industrial workers and other employees, peasant women, and women from poor urban sectors. In this section I will examine the relationship between the women's movement

and the response of the State to women's demands over the course of the evolution of the feminist movement in Mexico. I will show how this evolution has been shaped by endogenous factors, the socioeconomic and political Mexican context, and the exogenous factor of the international context within which Mexico finds itself. We will begin by looking at the purely endogenous history of the relationship between the women's movement and the Mexican State. Through this section I will provide specific examples about this relationship based on the issue of violence against women.

4.2.a- Women's Movements: Theory and Relationship with the State

As I have mentioned before, the strength of social movements in general, and in this case, the women's movement, play a key role in determining whether or not the State is representative or non-representative in its nature. Cross-national research demonstrates that strong, independently, organized women's movements improve the State's responsiveness to violence against women (Weldon 2002). At the broadest, social movements are a form of "sustained claims-making interaction among power holders, participants, subject population – plus any other parties that involves themselves in the interaction" (Tilly 1999:258), all of which require a social and political segmentation that arose with modern society. Defining what constitutes a women's movement is complex and there are many controversies among scholars, perhaps as a result of the heterogeneity of social movements across regions (Molyneux 1998). Molyneux (1998) argues for using the term *movement* for something that involves more in size and effectivity than small scale organizations, specially if these are few in number and have little impact. However, she contends that a large number of small associations, even with diverse agendas, can in cumulative terms, come to constitute a women's movement. This is the case of Mexico,

where a large number of associations devoted to women's issues have flourished in the last decade.

According to Molyneux's definition, a women's movement does not necessarily require a single organizational expression, spatial location or an exclusively female membership. In some cases, for example, the antifeminist campaign against women suffrage in the U.S., a women's organization can position itself against the women's movement, which should warn us against merging all women's organizations with feminist's movements (see Marshall 1985; 1997). Nor is there a given threshold of size or organized structure that defines women's movements, given the heterogeneity of such across regions (Molyneux 1998).

Cross-national research has concluded that it has been through the work concerning violence against women undertaken by the women's movement, feminist organizations and related organizations, that violence against women has been recognized as a public problem, rather than as a private problem, a matter confined to the domestic space (Weldon 2002). The activities of such organizations have been instrumental in putting the problem into the public agenda. However, though women's movements are necessary, they are not sufficient in themselves to evoke a government response. Public opinion has to support the demands for the State response: "when public support for the cause they [women's organizations] represent swells to such a great extent that policy makers must address their claims or risk losing their political legitimacy" (Walker 1999, cited in Weldon 2002: 67). Given this condition for efficiency, much depends on how the women's movement is positioned –its degree of autonomy, its relationship to political parties or other significant opinion makers (business or the church, for example). Entanglements with political parties can complicate the extent to which the women's

movement can introduce issues exclusively concerning with women, such as violence against women, on the public agenda.

4.2.b- The First Wave of Feminism in Mexico: Militant Feminism

The post-suffragist feminist movement in Mexico has evolved since the 1970s. The first stage of the movement, during the 1970s, was mainly identified with the left and centered in Mexico City. The political opening created during President Echeverría regime (1970-1976) allowed the registration of opposition parties and allowed the emergence of new social movements, including women's movements (Ramos Escandón 1994). This was a middle-class intellectual feminism of militant character, and directed its energies towards denouncing oppression. One of the main characteristics of the feminist movement during this first period is its independence and autonomy from political parties and trade unions. It was not a structured movement nor did it have a defined strategy, but rather, its actions were improvised and spontaneous (Bartra 1999). The feminist movement analyzed patriarchy and conducted activities of consciousness rising. They organized their efforts around three main issues: voluntary maternity, sexual violence against women and freedom of sexual choice.

One year prior the 1975 United Nations World Conference for the International Year of Women, held in Mexico, groups of women engaged in numerous activities in order to promote discussion of women's issues in both the political and social spheres. During the UN conference, a group of women organized a parallel countercongress to that of the UN. The main goal of the boycott was to attract international attention to the problems faced by women in Mexico and the indifference of the Mexican government (Rodríguez 2003). Lamas et al. (1995) argue that the international attention generated by the conference induced women from the ruling party, PRI, to promote changes in

legislation that was discriminatory against women. Some of these reforms included a constitutional reform granting gender equality, land property rights for women, and labor laws prohibiting discrimination against women. The enactment of these reforms was more the result of international pressure rather than a real interest of the PRI dominated Mexican government. Given Mexico's weak judicial system, few of these laws were implemented. After the UN Conference, the women's movement increased its visibility by organizing demonstrations, creating feminist publications, presenting law proposals, making public declarations and organizing assemblies (for more details see Lamas, Martínez, Tarrés, and Tuñón 1995).

During this period the Women's Liberation Movement (*Movimiento de Liberación de la Mujer*, MLM) was created by a group of feminists that have been very active in different fronts of the fight for women's rights in Mexico. The MLM, while not the only group created during the seventies, was perhaps the most significant because it had more cohesion, a greater capacity to adapt to the political landscape, and a cadre of members with lengthy (thirty years or more) experience in diverse spheres (Bartra 1999). By this time, other feminist groups were forming outside Mexico City. Given the centralization of the Mexican political system around the Federal District, this marked a huge step in the diffusion of feminism across the country.

4.2.c- Second Wave: Micro-Institutionalization of the Women's Movement

The second phase of the feminist movement took place during the 1980s and their actions were developed on two fronts: through strategic collaboration with political parties on women's issues, and going to the popular classes to inculcate feminist consciousness, which also entailed understanding and expressing working class defined women's issues. In 1980, the Coalition of Feminist Women (Coalición de Mujeres

Feministas) and the National Front for Women's Rights and Liberation (FNALIDM: *Frente Nacional de Lucha por la Liberación y los Derechos de las Mujeres*)⁸, presented a law proposal for voluntary maternity, which included legalizing abortion, and was sponsored by the Communist Party in the Federal Congress. This proposal, though, was never discussed in the legislature. Given the opposition that the proposal faced, political leaders left aside the issue of abortion and in collaboration with some feminists turned their attention to less controversial issues such as increasing penalties for rape and support actions to fight violence against women.

During the 1980s, Mexico, as other Latin American countries, experienced a process of micro-institutionalization of the movement into NGOs and other civil society organizations (Alvarez 1998b). Political and economic factors, coupled with the fragmentation of the feminist movement and previous failed attempts to create a common feminist front were the crucial pre-conditions for the emergence of women's groups and NGOs during this second period. Politically, the increasing opposition to the single party domination of the government, and the political reforms introduced during the 1980s led to a context in which preserving credibility meant the erosion of the relationship between progressive political organizations and State-interest groups, which in turn opened up a political space for the proliferation of NGOs. This, consequently, created a network of channels to voice women's demands both outside and inside of the party system (Camp 1999).

The economic crisis of the 1980s and the 1985 earthquake contributed to the rise of popular women's movements. With the assistance of feminists who left Mexico City in the 1980s, a myriad of women's groups formed in other parts of the country devoted to solve women's needs, especially those of poor women, and channel women's demands

⁸ The FNALIDM was formed in 1979. It was the first organization to unite feminist groups with labor unions, gay organizations and leftist political parties.

emerged. This phenomenon has been labeled by many scholars as “the rise of popular feminism” (Bartra 1999; Lamas, Martínez, Tarrés, and Tuñón 1995; Rodríguez 2003). As breaking with the party structures and developing constituencies were intrinsic to the rise of popular feminism, so to was the resulting professionalization and specialization of significant sectors of the feminist movement (Alvarez 1998b). Ideologically, “popular feminism took the feminist demands of the 1970s and combined them with the demands of low income women” (Lamas, Martínez, Tarrés, and Tuñón 1995:335). This focus on unprivileged women was the result of the combination of the predominant middle class and intellectual social background of those integrating the feminist movement during the 1970s and their leftist and radical leftist ideological orientations (Marxism, Socialism and Anarchism). This combination generated a “social class guilt” that sought alleviation by working with women from the lowest socioeconomic strata (Bartra 1999).

In line with the new popular emphasis, many feminist embarked upon new, practical forms of political activism, creating support groups and NGOs to provide counseling, assistance and services to the popular sectors (Lamas, Martínez, Tarrés, and Tuñón 1995; Lang 2003; Martínez and Incháustegui 1998; Tarrés 1998). Thus, as the women’s movement went forward, it divided between two factions: those providing services to women and those more centered in ideological issues. Bartra (1999) argues that this split in the movement could be seen in the tensions between these two groups in the IV *Encuentro Feminista Latinoamericano* (IV Latin American Feminist Meeting). Moreover, the change from an ideological feminism centering on denouncing women’s oppression as result of the patriarchal nature of the society to a feminism based on providing services to those oppressed was a fundamental factor in the freeze of new members to the movement. Bartra (1999) argues that feminist movement’s lack of

radicalism and the new role as service providers caused the disenchantment of the new generations.

The women's movement emphasis on service activities among the popular classes resulted in the creation of NGOs. These NGOs tended to be set up for explicitly stated pragmatic goals directed towards different areas of social oppression (Tarrés 1998). Each feminist NGO acted as a link or mediator between women or women's grassroots organizations, and the governmental or non-governmental agencies providing financial support (Martínez and Incháustegui 1998). The very creation of these women's NGOs challenged the image of the Mexican Welfare State, pointing to holes in the social welfare net just as the State was challenged, politically, by other NGOs as perpetuating itself by fraudulent means that undermined democratic norms –especially after the 1988 elections. In this atmosphere, women's NGO's and other groups mobilized to defend their formal interests. NGOs have thus become “the institutionalized space from which women can voice their demands and needs as well as the forum from which they can propose public policies related to the interests of women from a gender perspective” (Tarrés 1998:134).

In an attempt to address the issues raised by the popular feminist movement, traditional feminists created a series of nation-wide women's networks (*redes de coordinación*) as was the case of the Network against Violence toward Women (Red en Contra de la Violencia hacia la Mujer). The main objective of these networks was to promote awareness and coordinating individuals, public and private organizations working for the same causes. The goals of the feminist movement were broaden and the movement adopted a policy oriented position based on action rather than denouncing women's situation throughout Mexico (see Rodríguez 2003). The distinction between female participation, feminism and women's movements was not longer significant

because a variety of women's demands were placed into a larger political agenda (Ramos Escandón 1994). Perhaps that is the reason why some argue that the term women's movement refers both to the feminist movement and all women's organizations that support the idea that gender is an issue of social and political concern (Lamas et al. 1995).

4.2.d- The 1990s: Increasing NGOization and Participation in Formal Politics

During the 1990s the professionalization and NGOization of the women's movement coexisted with their struggle to participate in electoral and formal politics. Both phenomena are associated with the Beijing Conference. Politically, it was in the context of the legitimacy crisis that facing the State, and especially the intensified contesting of the identity of the PRI with the nation, that President Salinas decided to alloy his package of neo-liberal economic reforms with the implementation of expanded social programs such as *Solidaridad*⁹. Lamas et al. (1995) argue that the program, in its role as intermediary came into competition with local social organizations, NGOs, and other political groups. Therefore, beyond its assistance goals, the program constituted also an effort to reassert control over these organizations. These organizations had formed to work on the level of the popular classes in improving the lot of the economically unprivileged, including women. *Solidaridad*, instituting government resources devoted to that cause, may have made some NGOs seem superfluous in their

⁹ The *Programa Nacional de Solidaridad* is part of the stabilization measures carried out during the presidency of Carlos Salinas de Gortari during 1988-1994. The program started in 1989 and was one of the most important mechanisms of political and social reform during Salina's presidency. Coupled with several neoliberal policies, *Solidaridad* targeted those segments of the population living in extreme poverty, who were the population most affected by the implementation of new neoliberal policies. *Solidaridad* allowed implementing the neoliberal policies without destabilizing the poorest. There are some who claim that *Solidaridad* was used to recruit new political leaders for the already-in-crisis PRI (Kaufman and Trejo 1996).

goals. Other groups took advantage of public resources, but had to strategize to keep from being perceived as dependent on or as fronts for the government.

The 1995 Beijing Conference fostered three important changes in Latin American feminism according to Alvarez (1998b). First, the *Beijing process* highlighted the proliferation of spaces and places in which feminist discourses could circulate. Second, it resulted in a diffusion and absorption of feminist discourses and agendas by organizations of civil society, international organizations and the State. Finally, it resulted in the professionalization of important sectors of the feminist movement. In the case of Mexico, the Beijing process exacerbated the already existing tendency to professionalization in the women's movement as feminist scholars and NGO professionals were incorporated in the government's preparatory processes and participated as official delegates in the conference.

The Beijing process influenced the Mexican women's movement both by getting more women involved in women's issues and by the agreements reached. In Mexico, as in other Latin American countries, many of the feminists participating in the official Beijing preparatory process choose to work within formal State institutions such as government bureaucracies or parliaments. As we will see next, this does not necessarily mean that they were co-opted, as Alvarez states, "the notion of absorption –as opposed to co-optation– implies agency" (Alvarez 1998b:305).

Many *femocrats*¹⁰ (*feminist technocrats*) consider that the State and international organizations are crucial arenas for feminist struggle. In addition, the creation of governmental agencies specializing in women's issues opened new spaces for feminist participation in State policy making because of the State's need of experts in women's issues. On the other hand, critics regard feminists who have entered the State as

¹⁰ The term *femocrats*, explains Alvarez (1998: 306) is coined by Australian feminists and refers to "feminists from the movements who have entered the state or the development establishment".

constituting a new gender technocracy that has bartered core foundational feminist principles for political power. Given the political crisis in Mexico in the 90s, if one cooperated with the PRI on any level or at any position it could be seen as taking a stand with an entrenched establishment.

In terms of the agreements reached in 1995, one concrete outcome for Mexican women after Beijing was their formal engagement in networks advocating for increasing women's representation in electoral politics and the adoption of a quota system (Rodríguez 2003). In a context of increasing political competition, and openness of the political system, this stage of the women's movement was characterized by an interest in formal political participation. Feminists turned to ensuring a greater proportion of women got into decision-making positions and the higher ranks of political parties. The goal was to develop connections between the feminist movement and female politicians as a transitional stage towards a building a political majority that would enact structural transformations (Martínez and Incháustegui 1998).

There were problems with this strategy. First, the election of more women to positions of political power is evidently dependent on the electoral context. Moreover, the election of more women to public office has not automatically translated into better legislation and policies protecting women's rights in the past (Martínez and Incháustegui 1998; Rodríguez 2003). In Mexico, the access of more women to the legislative power has not always meant that they have formed a cohesive block for protecting women's rights. The real influence of the women's movement has derived indirectly through networks of personal connections, which can often be instrumental for achieving specific goals, especially in a political system rife with clientelism. Thus, women's alliances within the structure of the State and political parties have largely been formed around gender specific issues, influenced both by the party positions of the participants and by

their personal ideologies (Rodríguez 2003). On the other hand, political parties are aware of the value of obtaining votes, and as a political strategy in the nineties they developed specific campaigns for targeting women. Still, ulterior agendas, especially the struggle for power within the State and the embracement of women's issues, make many women and feminists within political parties suspect that the women's rights agendas issued by the political parties are not to be taken seriously (Lamas, Martínez, Tarrés, and Tuñón 1995). In this situation, the nineties saw the establishment of alliances between veteran Mexican women activists with women from NGOs and women's organizations in order to advance women's agenda.

The NGOization of the women's movement and the increasing interest in formal politics resulted in the formation of small elite of females with a great deal of symbolic capital. Collectively, they chose to promote changes in women's lives through the established political channels. To mention a few of the better known names: Patricia Mercado and Cecilia Loría, prominent NGO leaders and active members of leftist political parties, were on the short list of three as potential candidates to the National Women's Institute presidency in 2001 (*Instituto Nacional de las Mujeres*, INMUJERES); Patricia Olamendi, founding member of the *Grupo Plural Pro-Victimias* became General Director for Attention to Victims in the Federal District, an agency attached to the Attorney General's Office; Patricia Duarte, founding member of COVAC (*Asociación Mexicana Contra la Violencia hacia las Mujeres*, Collective for Struggle against Violence Toward Women) and member of the *Grupo Plural Pro-Victimias*, was a PRD candidate to succeed Patricia Espinosa as the president of the INMUJERES in 2006. Feminists and feminists NGOs have been able to influence public policy through consulting and advising government institutions from time to time (Martínez and

Incháustegui 1998), but this influence has been limited and dependent on the elected official, the party in government and the political climate.

During this last period a new type of feminism was developed, professional feminism, women who work for feminism and live from feminism (*mujeres que trabajan para el feminismo y viven de el*) (Bartra 1999). The emergence of this professional type owes much to an array of new pressures on the Mexican State from the international context of changes related to gender (policy programs promulgated by international aid agencies, for instance) and the corresponding internal development of public policies targeting women. This elite is often regarded as “the feminist voice” by the State and mass-media. This newly created professional elite sharply contrasts with the fate of more ideologically driven feminists, who have gradually been ostracized by media and State power because they are seen as radicals. A young feminist very active in the defense of women’s right of having a life free of violence told me, when I asked her about the situation of the feminist movement

The situation of the *big* feminists [well-known, publicly recognized] brings me sadness. They are worn out; they do not have social nor economic resources. Their fight is and was very aggressive. If they had not been so radical, they would have not been left aside. We need to find the way to incorporate them in the new movements.^{N4.1}

4.3- ABSORPTION, INCORPORATION, AND COOPTATION OF THE WOMEN’S MOVEMENT BY THE MEXICAN STATE

Until the elections of 2000 in which Vicente Fox (PAN) was elected President of Mexico, the PRI was in control of the State during seven decades, the ‘perfect dictatorship’, as Mario Vargas Llosa put it. Political alternation had already occurred at the state and local levels (see Rodríguez and Ward 1995). The Mexican State has commonly been characterized as a corporatist system in which cooptation is a regular

method for defusing contention. Under corporatism, major groups are recognized by the State, have institutionalized access to policy-making and receive financial support from the State. In Mexico, the PRI/State on the federal level and the state governments on the regional monitored and channeled the demands of the most influential groups. The fact that women's groups were not very well organized, and the lack of a real political opposition, conditioned indeed the political options available to women's organizations (Camp 1999; Jaquette 1994).

In modern democracies, government often controls social movements through cooptation or absorption. This can take the form of providing funds to potentially problematic groups, and hiring activist leaders or appointing them to boards. It can also take the form of 'symbolic reassurance': governments set up special hearings, commissions, or agencies to address a particular concern or grievance. Alvarez (1998b) distinguishes between cooptation and absorption on the basis that the later is associated with a push from the agency of the targeted group, whereas cooptation operates from the top down as the process of neutralizing a minority by assimilating them into the established group.

Camp (1999) defines cooptation as the process by which the government successfully incorporates individual person or group into its ranks. In Mexico, as in many other Latin American countries, social peace has long been kept by the cooptation tradition, as those groups or social movements contesting the State are co-opted so as to inhibit them from engaging in oppositional political activities (Borda 1990; Craske 1998b). As Camp (1999:153) argues, "few people can resist the attraction of political power or money, and the government often rewards cooperation with prestigious posts. Some persons accept posts for financial reasons, others because of the possibility of working within rather than outside the system."

Throughout the history of the women's movement and women's NGOs the question of autonomy has proved to be divisive. While some organizations support the participation of their members in the formal structure of the State (*políticas*), others oppose it (*autónomas*) as the first step towards subordination. Members of the women's movements during the 1970s opted for double participation in both party politics and in social movements. At that time, the emergence of social movements was paralleled to the pressure shown by political parties and government officials to incorporate feminist concerns into their programs (Ramos Escandón 1994). The women's movement was aware that all branches of the State were very bureaucratic and that the state had a history of co-opting dissident voices. As a consequence of striving for autonomy, the very emergence of women's movements, especially those groups that refused to have a *collaborative* relation with the State, represented a challenge to a political system in which opposition was channeled through the State structures and the dominant political party (Ramos Escandón 1994).

From the eighties until now, a part of the feminist movement and women's NGOs, mostly the liberal feminists, believe that collaboration with the State is a channel for advancing women's rights. In Mexico, a number of key feminists choose to work within the formal structures of the State (legislators, government officials and women from political parties) to advance women's agenda (Bourque 1989; Lamas 1998). Two examples in the area of violence against women illustrate this. First, the participation of well known feminists in the approval of new legislation concerning victims of sexual crimes and reform to such law in the early 1990s (Lamas 1998). And second, the feminist group *Movimiento Nacional de Mujeres* (National Women's Movement, MNM) during the early 1980s promoted the creation of public agencies specializing in sexual crimes because they believed that it was the State's task to provide attention to victims of

rape. As we will see in the next section, the collaboration with the State of some feminists was sharply criticized by other feminists. It is easy to see why, in the seventies, the feminist movement began with a generally fierce opposition to any cooperation with the State, given the lack of democratization, clientelism and corruption (Lamas et al. 1995; Molyneux and Lazar 2003). However, as the political openness and the process of democratization advanced, and international agencies added their pressures on certain *gender* issues, the situation “made [women’s organizations] working with the State both more possible and more necessary”. In addition, many always subscribed to the idea of double participation arguing that “the [feminist] battle must take place both, outside and within the system”.^{N4.2}

The Mexican State comes into contact with women’s groups and NGOs for its own interest at least in two different ways: to provide an intermediary for the provision of services seen as responsibility of the State; and to give policies concerning women’s issues the patina of legitimacy. The State is also intermittently using NGOs to obtain legitimacy for the approval of public policies or legislation. In Mexico, even when feminist NGOs explicitly deny that they represent the women’s movement, they are too often conveniently viewed as doing so by elected officials and policymakers. They can thereby claim to have ‘consulted civil society’ by virtue of involving a handful of NGOs in a particular policy discussion (Alvarez 1998a). Jacquette (1994) claims that the Mexican State has tried to incorporate women’s groups and NGOs in their activities, very often using them as delivery tool, both of their own programs and of state public policies fostered by the state. She considers, therefore, that “the State is exploiting women’s autonomy by letting women’s self-help voluntarism replace the State obligations” (1994:233). In fact, some NGOs in Mexico seem to be providing public services that formerly were (and still ought to be) the purview of the State. Other researchers would

describe the new role of NGOs as being “agents of welfare provision” on behalf of the state (Craske 1998b). In sum, as Alvarez (1998b) argues, feminists NGOs often became an efficient mechanism for the implementation of public policies from different levels of government.

This new role of NGOs as pseudo-State agencies is generating the creation of a new generation of NGOs that have routinized obtaining resources from the State for the survival of its own members. In those cases NGOs become a sort of business in which the State is their client. Traditional NGOs view these new NGOs with suspicion. They criticize them by saying “they just pretend that are doing something but they are not”, “their goal is not to provide services or help people, their objective is to obtain State resources for the profit of their members”, “women [from the women’s movement and women’s NGOs] realized that having an NGO is a business, therefore in certain states, almost all the women that constitute the women’s movement have their own NGO; they invite their fellows to become members; that’s the way in which they maximize the amount of resources that they receive from the State”.

The explanation that Juan Manuel Contreras, a scholar with expertise in violence against women gave me when I asked him about the role of women’s NGOs and the women’s movement provides a precise account of the complex relationship between them and the State.

The role of the NGOs and the women’s movement was key. They were responsible for giving visibility to the problem of violence against women. NGOs continue being important, but as is the case in politics, there are some people from NGOs that think that the issue [domestic violence] is in fashion, and they want to carry that flag [start working about that issue because there are some resources] because that will allow them to move forward. (...)

But I think that currently the State has more influence over the problem than NGOs. NGOs must continue their fight. However, their role is not as important as it was before because they complain about their lack of resources and the limitations of their actions. Violence against women is already a public problem,

but it is important that NGOs continue putting pressure to the State. (...) At the beginning the NGOs demanded State actions; now the NGOs are used by the State. The State is not acting any more. There is a double dynamic: the State is leaving at the hands of NGOs the responsibilities that it is supposed to assume, and some of these NGOs become NGOs and work in the issue of partner violence because they get [economic] resources.^{N4.3}

Besides the purposive use of feminist and women's NGOs by the State, the Beijing conference opened new State sponsored niches for experts in women's issues. These experts were naturally found both in academia and in feminist NGOs. The creation of governmental agencies specializing in women's issues increased the professionalization of NGOs and feminists. According to Alvarez, the situation in Chile, Brazil, Venezuela and Ecuador was such that women's agencies "were typically understaffed, underfunded, and often far removed from the centers of power within the state, [so] they increasingly delegated or subcontracted data gathering, policy assessment (and increasingly, implementation), and other forms of 'project management' to feminist NGOs" (Alvarez 1998b). In the case of Mexico this need multiplied as different levels of government (state and local) created their own women's agencies.

The INMUJERES: The National Women's Institute (*Instituto Nacional de las Mujeres*)

The creation of the INMUJERES was the result of the strong pressure exerted by various groups of women and the feminist movement to the Mexican executive power (see Rodriguez 2003:134). The INMUJERES is a federal decentralized agency (*organismo autónomo descentralizado*), created on January 12, 2001, and inaugurated by President Vicente Fox on March 8, the International Day of Women. The INMUJERES was created to replace the National Women's Council (*Consejo Nacional de la Mujer*), which had its origins in the Women's National Program (*Programa Nacional de la*

Mujer: PRONAM). The objective of the INMUJERES is the promotion of a new culture based on the equality between genders, and it is mandated to pursue gender equality and fight discrimination. In November 2001, the Institute presented the program PROEQUIDAD (National Program of Equal Opportunities and Non Discrimination Against Women, *Programa Nacional de Igualdad de Oportunidades y no Discriminación contra las Mujeres*). This program was the offspring of a consensus reached by the government, civil society organizations and academic institutions, and establishes the guidelines to be followed by the federal government in gender issues. One of the main objectives of PROEQUIDAD is to prevent, penalize and eradicate violence against women.

One controversy around the decree that created the INMUJERES concerned the election of the president of the institute. The law by which the INMUJERES was created states that the president of Mexico has to select the president of the INMUJERES from a shortlist of three candidates put forward by the INMUJERES board of directors. If they cannot reach a consensus, the shortlist needs to have at least the support of three fifths of the board of directors (Ley del Instituto Nacional de las Mujeres, Art. 17). At the time, President Fox had to choose from one of the three candidates proposed by the groups that promoted the creation of the Institute: Cecilia Loría, Patricia Duarte and Patricia Espinosa. Loria and Duarte are two very well know Mexican feminists. The selection of any of them would be interpreted by the broader women's movement "as a real commitment on Fox's part to the advancement of women's of women's and gender issues" (Rodríguez 2003:314). Patricia Espinosa had been federal deputy and head of the PAN's women's sector, and her nomination as president of the INMUJERES would have pleased the PAN structure. Both Mercado and Loria had declared their support for reproductive freedom and decriminalization of abortion. In contrast Espinosa, loyal to

the PAN principles, was a defender of pro-life options. “Fox was in a bind: on the one hand, he was faced with partisan and conservative pressures [for appointing Espinosa]; on the other, his commitment to women’s advancement was on the line. He appointed Espinosa” (Rodríguez 2003:315). The creation of the INMUJERES is the result of the collaborative effort of the women’s movement, exerting pressure on the Mexican government, but as Fox’s choice reveals, that pressure has definite limits.

4.4- FEMINIST AND WOMEN’S MOVEMENTS FIGHTS FOR GRANTING WOMEN A LIFE FREE OF VIOLENCE: FROM RAPE TO PARTNER VIOLENCE

The women’s movement struggle against violence against women has been pursued on two fronts: through direct NGO facilitated assistance, and within the bureaucratic structures of the State. Ideologically, the feminist discourse against gender violence was originated in small female awareness raising groups. In the first stage, the issue of rape, or sexual violence, defined the struggle against violence against women. The Mexican feminist movement lagged behind in directing attention to domestic violence, which gradually appeared on the feminist agenda due to grassroots movement. However, for a long time domestic violence did not receive the same amount of attention in terms of analysis and specific actions as *rape* (Bedregal, Saucedo, and Ríquer 1994). Violence against women is one of the last issues that brought women’s groups together. Since then, the situation has changed and the women’s movement has lost its momentum. Since then, the Mexican feminist movement is largely fragmented since feminists have not been able to overcome their political, ethnic, class and age differences (Lamas 1998).

The issue of violence against women has been taken up by many different organizations, as we shall see, and has produced many different organizational trajectories over the course of the last four decades, from the very beginning of the

modern women's movement in Mexico. One cannot impose one unilateral narrative over this history – although there are certain historic threshold points, such as the UN meeting in Mexico in 1975, and the Beijing summit of 1995, that changed the landscape in which the work against domestic violence against women took shape. NGOs, feminist organizations, and the government both at the state level and the level of the federal government did not pursue anything like one collaborative agenda. To make sense of this history, one must follow a myriad of different trajectories having different effects and receptions in different localities and regions. Next, I present some examples.

4.4.a- The rise of NGOs that provide services to victims of violence

Since the 1970s, NGOs have been crucial in drawing public attention to the problem of violence against women. (Borjón López-Coterilla 2000). NGOs have played a clearly important role in providing services to victims and conducting research on partner violence. Before the government started providing services to victims of partner violence, NGOs already offered them. Nor do all the newly created NGOs providing services to victims of partner violence embrace a feminist ideology or label themselves as feminist organizations. They are animated by a variety of ideological, religious and humanitarian beliefs. Eli Bartra (1992) argues that NGO-provided services are mostly sporadic, and not of long duration. This statement is in accordance with Juan Manuel Contreras argument regarding the entrepreneurial nature of NGOs, in that some provide services to victims as a revenue making activity.

CAMVAC (*Centro de Apoyo a Mujeres Violadas*, Center to Support Raped Women) was the first NGO with the specific goal of dealing with the issue of violence against women. Created in 1979, it brought together women with experience in psychology, medicine, academia and politics, creating an organization on the US and

European model (Duarte and González 1994). CAMVAC both offered services to the victims of rape and conducted campaigns for raising awareness about rape in society. In 1984, CAM (Women Support Center: *Centro de Apoyo a la Mujer*) was founded in the state of Colima¹¹, while Patricia Duarte in the Federal District founded the Mexican Association of Violence against Women (COVAC: *Asociación Mexicana Contra la Violencia hacia las Mujeres*). These organizations had multiple objectives that ranged from direct assistance to female victims of violence to training, research and promotion of public awareness.

Almost nineteen percent of those NGOs dealing chiefly with ‘women’s issues’ are taken up with the issue of violence against women. As shown in **Table 4.1**, in the states with a higher percentage of NGOs devoted to violence against women range from 37.9 in Chihuahua, 33.3% in the State of Mexico and in Quintana Roo. The Federal District is the state with both the highest number of women’s issues NGOs and NGOs dealing with violence against women. The percentage of these (18.3%), however, is very similar to the national average, 18.7%. According to the data provided by the INMUJERES, there are four states that do not have any NGO working in the area of violence against women: Baja California Sur, Durango, Nayarit and Tabasco.

Initially, sexual violence – rape – was the priority goal for NGOs dealing with violence against women, but domestic violence was soon put on the agenda as attempts to promote sexual and reproductive health and other programs related to citizenship, development, and participation frequently encountered the effects of family violence. APIS (*Acción Popular Integral Social*) or Diarq Foundation, are two examples that

¹¹ The origins of the CAM are found in the Colectivo Feminista Coatlicue de Colima. This feminist group was created in 1980 to deal with the issue of sexual violence, but in the passage of time it also began covering domestic violence. In 1982, the CAM proposed creating women’s shelters. Griselda Alvarez, governor of Colima and the first female elected governor in Mexico, backed the project and disbursed funds to this center from the State Procuraduría.

Table 4.1: Organizations of the Civil Society with Specific Actions toward Women

State	Human Rights	Social Assistance	Violence	Health	Family Promotion	Other	TOTAL	% NGOs Violence
Aguascalientes	1	2	2	1		1	7	28.6
Baja California	1	15	11	7	4	8	46	23.9
Baja California Sur				4		3	7	0.0
Campeche	1		1				2	50.0
Coahuila	3	11	6	4	3	19	46	13.0
Colima		2	3			3	8	37.5
Chiapas		5	2	8		6	21	9.5
Chihuahua	2	4	11	3	2	7	29	37.9
Distrito Federal	16	39	40	43	4	77	219	18.3
Durango	1	1				1	3	0.0
Guanajuato		6	4	6		6	22	18.2
Guerrero		5	1	1		3	10	10.0
Hidalgo			1	1		2	4	25.0
Jalisco		6	2	3	1	12	24	8.3
México	1	2	8	2		11	24	33.3
Michoacán	1	3	3	1		5	13	23.1
Morelos		3	3	2		6	14	21.4
Nayarit		2		2		1	5	0.0
Nuevo León		7	5	7		4	23	21.7
Oaxaca	2	5	3	4		18	32	9.4
Puebla	2	12	5	6	1	15	41	12.2
Querétaro	1	2	2	1	1	9	16	12.5
Quintana Roo	1	1	9	7	1	8	27	33.3
San Luis Potosí		3	4	3	1	7	18	22.2
Sinaloa			2	2			4	50.0
Sonora		1	4	3	1	8	17	23.5

Table 4.1 Continued

State	Human Rights	Social Assistance	Violence	Health	Family Promotion	Other	TOTAL	% NGOs Violence
Tabasco	3	1					4	0.0
Tamaulipas			1	1	1		3	33.3
Tlaxcala	1	1	1	1	1	5	10	10.0
Veracruz	1	5	3	6		12	27	11.1
Yucatán	1	1	3	7		14	26	11.5
Zacatecas	1		2	1		5	9	22.2
TOTAL	40	145	142	137	21	276	761	18.7
% of Total	5.26	19.05	18.66	18.00	2.76	36.27		

Source: Author's classification based on information from INMUJERES (2006), *Directorio Nacional de Organizaciones de la Sociedad Civil con Acciones hacia las Mujeres*. Mexico: INMUJERES.

Notes: Most of the Organizations of the Civil Society had multiple organizational objectives. In those cases in which the organization had multiple objectives, if family violence or violence against women were among them, it was classified as such. Human Rights organizations are those whose goal is to promote the defense and extension of human rights. Under the label *Social Assistance* are classified those organizations that provide direct assistance to unprivileged people. *Violence* organizations provide a variety of services to female victims of violence either perpetrated by strangers, acquaintances or family members. Some of those NGOs provide also community education in the issue of violence against women, and promote actions. *Family Promotion* NGOs are those who have among its objectives the promotion of nuclear family and the women's position within the family. Finally under the label *Other* there are a diverse group of organizations which objectives are related to employment, occupation, education, promotion of the well-being of minorities and indigenous groups, among others. In the event that the description of the organizational goals was not stated in the document, I performed an internet search in order to find them out. In case that no information was available I classified those NGOs as *Other*.

illustrate the extension (APIS) or the change in the organizational goals (Diarq Foundation) to include the issue of violence against women.

APIS is an NGO based in the Federal District that works defending women's rights. Norma Banda Bustamante, coordinator of APIS, told me that APIS' first goal was to promote women and children's health both in rural and urban communities. Members of the organization soon realized that it was hard to get women to attend the meetings, especially the second round of meetings. The (few) women that attended often mentioned that their neighbors and friends missed the second meeting because their partner or husband had not allowed them to go. Other women had visible signs of violence, and mentioned that their partners reacted with violence because of their attendance to the APIS meeting. This input made the organization re-address its goals

and allot more time and resources to preventing violence and helping the victims of violence. In Norma Banda's words

One of the goals of APIS is to promote the participation of women, and we realized that women cannot participate in our activities if they are afraid of what their partner/husband will do to them. ^{N4.4}

Similarly, Diarq Foundation in Mexico City also changed its original goals to provide assistance and shelter to victims of partner violence. Diarq is a company that designs interiors and high-end furniture. It endows a private college, *Centro*, which offers studies in furniture design and interior design. In 1997, Diarq founded a Foundation that assisted people with HIV. Their experience showed them that a high percentage of the people using their services were women who were infected with HIV as a result of sexual abuse by their partner/husband. This situation caused the Foundation to direct its efforts towards helping women who had experienced violence. Financed by several public institutions, such as INDESOL (National Institute for Social Development, *Instituto Nacional de Desarrollo Social*) and INMUJERES, company sponsors and private contributions, they created the third shelter for battered women in Mexico City in November 30, 2004.

Other NGOs, most of which were influenced by the feminist struggle, were created as a result of the concern of their members with the problem of partner violence. However, not all of them would label their organization as *feminist*. This second wave of NGOs was created from scratch with the sole objective of fighting from different fronts against violence perpetrated toward women. These organizations were funded at the beginning with the resources of their founding members and they had a rather limited experience in the issue. A member of the Board of Directors of Casa de Apoyo a la Mujer, an organization that provides shelter to victims of partner violence, psychological

and legal services, as well as community training on the issue of domestic violence in León, Guanajuato, explained the process of creation of Casa de Apoyo as follows:

We are about to commemorate the tenth anniversary of the creation of Casa de Apoyo a la Mujer. After Beijing, we [eight women] got together because we were very concerned about women experiencing violence. At the beginning we did not know how to do things, everything was *home-made*. We even gave our own money to Casa de Apoyo.^{N4.5}

Similarly, Margarita Guillé Tamayo, President of the Network of Domestic Violence Shelters, and founder in 1996 of the first shelter for victims of domestic violence in of Mexico, recounted the process by which *Mujer Contemporanea* (Contemporary Women), an NGO that provides assistance to victims of family violence was created,

When I was still a Communication student, I produced two radio programs [‘Más Femenino’, and ‘Ángulos: Proyección Femenina’]. It was very surprising to hear the experiences of women that suffered violence. They would call to the radio show to tell their story. They were in deep need of somebody listening to them. Some friends from the university and I founded the Magazine *Mujer Contemporanea*. We thought that through words we could change everything; that the problem was in people’s minds. Then, we met with Emilio Viano ¹². In Mexico we had heard very little about the issue of domestic violence. He [Emilio Viano] helped me to realize that abused women needed help, that they needed public institutions to help them overcome their problems.

In 1995 *Mujer Contemporanea* decided to open a shelter for victims of partner violence in Aguascalientes. (...) We started receiving women not knowing exactly what to do; our actions were not backed legally. At that time, the family violence law was inexistent. Nobody questioned the existence of a shelter, but we were sometimes concerned about being accused of kidnapping women.^{n4.6}

¹² Emilio Viano, Ph.D. is a pioneer in the field of victimology, violence against women and victims rights.

4.4.b- Feminist Struggle against Partner Abuse in Collaboration with the State

The National Women's Movement (MNM: *Movimiento Nacional de Mujeres*) was founded in 1972 and became one of the first feminist groups to address the issue of family violence and sponsoring one of the first thorough analysis of the nature of discriminatory legislation in Mexico. After it addressed the issue of abortion, domestic violence became the new priority goal of the MNM. This group defined violence against women as consisting both of sexual abuse and partner violence. After the UN 1975 Conference held in Mexico, the MNM and other feminist groups promoted the creation of a new group, *Coalición de Mujeres Feministas* (Coalition of Feminist Women). This was composed of already existing feminist groups and both abortion and violence against women became the main issues (see Bedregal, Saucedo, and Ríquer 1994).

In 1978, the Coalition of Feminist Women presented a document to the Federal District Attorney General's Office (Procuraduría) which included not only an analysis of the legislation regarding rape, but also proposals to reform the process in cases of rape followed by the Attorney General's Office. This proposal became the baseline for the development of future proposals. This was a threshold point, after which the issue of violence against women became a public problem that concerned public opinion.

In 1984, the proposal was taken up by well-known feminists in collaboration with NGOs providing services to victims of sexual crimes. These groups worked on a project that proposed important legal changes, mostly related to increased penalties. The Mexican Unified Socialist Party (PSUM: Partido Socialista Unificado de Mexico) brought this project to the Congress in 1984, but it received little support. During Carlos Salinas de Gortari's presidency, after many years of feminist alliance building with female representatives, civil society representatives, civil servants, journalists, senators,

and intellectuals, a package of legal reforms concerning sexual violence was finally approved.

As I pointed out earlier, after the 1980s economic crisis the increasing specialization of the feminist movement had resulted in its NGOization and professionalization. At that moment, the experience of the NGOs was key for the development of the first governmental services for women. The government drew on the extensive experience of the NGOs, and a number of them were instrumental in the training the personnel of governmental agencies such as the AEDS or CAVI and members of the judiciary power (Duarte and González 1994).

During the late 1990s, some women from the MNM participated in the project that created public agencies with the objective of providing services for victims of violence. Later, they also participated in the administration of those agencies. The collaboration of feminists with the State generated controversy within the movement. Four of the most well known heads of the MNM (Marta De la Lama, Esperanza Brito and Anilú Elias, and Barbara Yllán) were accused by fellow radical feminists of “collaborationism” [with the State] (Bedregal, Saucedo, and Ríquer 1994; Lamas 1998). Two lines of tension explain this controversy: a dissimilar conceptualization of the nature of the State (repressive/controlling), and different understandings of the role of the feminist and women’s movement (service/ideological).

Traditional feminists who believe that the State was controlling and repressive opposed the collaboration of feminists with the State. For example, in the case of the collaboration of women from the MNM in the creation of agencies for victims of violence, feminists from other groups and some from the MNM harshly criticized those who believed that their cooperation with the State could advance women’s rights. They were accused “*colaboracionismo*” and “*priismo*” (collaborationism and supporters of the

PRI) (Lamas 1994). The following passage by Ximena Bedregal (in Bedregal, Saucedo, and Ríquer 1994:57) illustrates the nature of the conflict:

(...) some of the feminist that developed the [1984 law] proposal collaborated in the first stages of it with PRI congresswomen, thus generating an indirect relationship of collaboration and dialogue which is never discussed within the [Feminist] Movement. In other words, the Movement has developed some sort of indirect and shameful relationship with the official circles through an implicit authorization given to some of their autonomous members, as long and they did it extra-officially.^{N4.7}

This conflict within the feminist movement goes back to the different strands of feminism I discussed in the first section of this chapter. Liberal feminism, with its more accommodating views of the State vs. socialist and radical feminism, with their view of the State as the embodiment of entrenched patriarchal privilege generating repressive class and gender relations. The channels of action present themselves differently to feminist from different approaches. While liberal feminists have tended to become femocrats, radical feminists and Marxist feminists have opted for conducting their work in grassroots organizations and engaging with the State “on its own terrain” (Charles 2000). Molyneux and Lazar’s (2003:42) argument for explaining NGOs reluctance of collaborating with the State might also explain the criticisms of some feminists toward those collaborating with the State: “Past experience of living under harsh dictatorships has affected NGOs personnel views about the desirability of cooperating with the state”.

Other women opposed the collaboration with the State because they believe that assistance to victims of violence should be provided by the State, and not by the feminist movement. Bartra (1992) argues, “I believe, of course, that assistance should be provided by the state, and that feminism work should be a political one: the revolution of every day life. (...) The objective of feminism should be fighting for eradicating rapists, and not to give bandages (Band-Aids) to raped women.” Bartra (1992) nevertheless

argues that the State has never shown a real interest in providing services to battered women, a claim buttressed by the fact that it was not until 1996 that the first private shelter in Mexico opened its doors in the small city of Aguascalientes (Guillé-Tamayo 2002). As of May 2004, the INMUJERES has recorded the existence of 32 shelters for domestic violence in Mexico. While some states have more public funded or non-governmental shelters, others lack any resources for women who are trying to escape the experience violence.

4.5- CONCLUSION

In this chapter I have presented the theoretical elements that frame the qualitative part of my research. By examining the different feminist theories of the State, I have provided a framework that will be used in the next chapters for discussing which circumstances determine whether the State will be enabling or repressive toward women's issues. I have also reviewed the recent evolution of the feminist/women's movement, its NGOization in Mexico, and its relationship with the State.

I have shown how the Mexican State has moved within the binary of the *controlling/enabling* paradigm with regard to women's security and civil rights due to the work of the women's/feminist movement, which indeed in Mexico is the same thing (Lamas et al. 1995). The Mexican feminist movement has influenced the State in different ways: ideologically, through creating public opinion, and through direct collaboration with the State. The international pressure for gender equality and guaranteeing women a live free of violence made the State borrow from the feminist movement in different ways: incorporating feminists in the ranks of the State, using women's organizations as a delivery tool, and using the extensive experience of feminist NGOs for developing public policies.

This chapter has also covered the historical evolution of the feminist movement along ideological and organizational lines. The evolution has been from a purely ideological movement to a mix of ideology/advocacy and service provider. I have shown how the feminist movement is divided between a liberal group, who support the collaboration with the State, and a socialist/radical group, who believe that in maintaining independence vis-a-vis the State; against this division there is another, organizational one between those who consider that feminist should take an ideological stand versus those who directly deliver services to women.

In the next chapter, I will use the theoretical framework reviewed in this chapter to analyze the process through which legislation about partner violence was approved. The approval and enactment of such legislation is an attempt on behalf of the State to introduce changes in the social structure. I will analyze how the women's movements forced the State to take measures to deal with partner violence, and the circumstances under which its pressure was effectively translated into specific public policies and legislation.

CHAPTER 5: FAMILY VIOLENCE LEGISLATION: APPROVAL AND DIFFUSION

The approval of family violence legislation and the design of public policies constitute attempts by the State to promote changes in the social structure. The in-depth examination of both State measures to combat violence against women and the analysis of the context in which these measures are designed, enacted and implemented are of great practical and theoretical relevance. It will allow us to see what set of circumstances force the State to act as well as whether the State's actions have resulted in improved protection of women's rights by closely tracing the path that goes from inscribing measures in the legal code to enforcing them. In other words, how have the context and various actors (all in their diverse fields and power relationships) influenced the State to act from within what we have previously labeled the repressive-enabling cleavage? Taking a post-structuralist approach, this chapter will demonstrate that the State is plural and that there is a myriad of actors participating, in often unforeseeable ways, in the definition and protection of women's rights. The socioeconomic, political and historic context is of central relevance for understanding how women's rights are defined and what type of protection is granted.

Violence against women occurs in many forms and includes a variety of actions and behaviors that range from violence perpetrated by strangers to physical and emotional abuse by acquaintances and family members. Violence perpetrated by strangers has traditionally been criminalized, as in the case of forcible rape. Public opinion has taken far longer to see domestic abuse as a criminal problem. In a first phase of the program to reform laws about violence committed against women, both the feminist movement and federal and state legislatures in Mexico addressed violence

perpetrated by strangers. Once that the issue of rape was already addressed in the law, attention began to turn to domestic violence. In contrast to stranger violence and rape, historically the State has been more reluctant to intervene in what occurs in private and *behind closed doors* (Straus, Gelles, and Steinmetz 1980). Since partner violence has been traditionally considered a private matter, it has proved to be more difficult to frame as a public policy problem, since it is both more widespread and arouses more resistance to its control by the State.

In Mexico, family violence legislation emerged from and is located in three different venues that focus on different aspects of the problem of domestic violence, which are distributed among specific family violence legislation, the civil code, and the criminal code (see **Table 5.1**). Family violence legislation consists of administrative law, meaning that it includes norms that regulate the actions of the executive branch of government in the prevention of violence and the assistance of victims. According to Barbara Yllán and Marta de la Lama (2002), two advocates of the first family violence law in the Federal District, the problem of family violence cannot be solved through the civil and criminal codes. It requires immediate and specific actions that could offer several solution alternatives. For example, the administrative laws create a council responsible for coordinating and fostering anti-family violence prevention and assistance policies; provide guidelines for the psychological attention; assign different responsibilities to public agencies, specifying the type of services each will provide; and foster coordination measures among agencies, and sanctions. One of the most important aspects of the law is that those involved in a family conflict can settle their differences using two administrative processes: conciliation and settlement, or arbitration (*conciliación y amigable composición o arbitraje*).

Table 5.1: Family Violence Regulations in the Law, and Civil and Criminal Codes

	Family Violence Law	Civil Code	Criminal Code
Objective	Creation of institutions and rules for protecting the family circle from abuse or violence. Creates the norms and principles under which the State agencies will conduct their goal of protecting, and assisting victims of family violence, and creation of agencies in charge of dealing with prevention	Establish the norms under which family life has to be developed	Definition of criminal offenses. Determining the maximum and minimum punishments that courts can impose upon offenders when crimes associated with family violence are committed. The sanctions may range from the payment of fines, repairing the damage or prison.
Responsible for Implementing and Sanctioning	Executive Power	Civil Judge	Criminal judge
Initiation of the procedure	Recipient of the violence	Recipient of the Violence	Recipient of the violence / prosecuted ex-officio by Procuraduria
Required for approval	Majority of the State Congress	Majority of the State Congress	Majority of the State Congress

The civil and criminal codes, by contrast, are general rules that define the principles by which family relations should be developed and that determine whether or not the violation of those regulations will result in a sanction. Therefore, the civil and criminal codes should deal with the manifestations of domestic violence and provide avenues for the dissolution of marriage and/or deciding upon the custody of minors. In contrast, the family violence laws provide additional regulations about family violence and establish the responsibility of the executive power and the principles that govern the public agencies with prevention and assistance responsibilities. These three sets of laws

are often collectively known as *La Ley de Violencia Intrafamiliar*, or *The Law Related to Domestic Violence*, perhaps because in many states family violence law was accompanied by amendments to the criminal and civil codes.

Administrative family violence laws contain several elements: 1) definition and conceptualization of the different forms of domestic violence; 2) models of psychological and legal attention for families that experience violence; 3) procedures for reconciliation for those cases in which the violence has not yet risen to the level of an offense; 4) prevention programs that include promotion of public awareness, assistance to victims and development of institutional strategies to control the phenomenon; 5) sanctions; and, 6) the creation of an unified system of public information and education.

Prior to the adoption of new family violence administrative laws, opinion was split concerning the necessity of new laws, with some maintaining that the existing civil and criminal codes could be reformed and updated. The reformist group believed that the law had to remain general, and that the objective of protecting individuals against family violence could be accomplished by including amendments both in the criminal and civil and criminal codes, such as specifying family violence as a justification for divorce, the denial of the custody of children for the aggressor, and the categorization of family violence as a felony. In contrast, others believed that the phenomenon of family violence must be contextualized in the basic gender inequality and patriarchy typical of Mexican society, thus arguing for a detailed law that would separately and specifically regulate the phenomenon of family violence. For the advocates of this approach, specific family violence legislation must go beyond amendments in the civil and criminal code.

This chapter has two theoretical pillars: the feminist theory of the State (reviewed in the previous chapter) and theories of legislative diffusion, which are reviewed in the first section of this chapter. I begin with the observation that several collective and

individual actors took part in the development and enactment of family violence laws. These included international organizations, actors at the federal-level who addressed the issue of violence against women, the Mexican women's movement, and finally, a myriad of actors at the state-level. Actors' positions must be understood in the context in which they operated. Theories of legislative diffusion are useful in understanding the position and roles of the State. This chapter has two goals: 1) to examine the rationale behind the approval of family violence legislation and adoption of public policies on different levels, and 2) to study the process by which the family violence laws were approved based on the actors' positions and the roles they played. In order to understand the positions and role of these actors, and especially that of the State, both theoretical perspectives are required.

Using the post-structuralist approach that I outlined in the previous chapter, I shall analyze state level cases (the Federal District, Jalisco, Guanajuato and Morelos) to show that the State can be labeled as either a controlling or an enabling State, or a mixture of both. In other words, the controlling or enabling tendency of the State determines whether the State takes a progressive or repressive stance regarding the advancement of women's rights. It is also clear that the analysis of the roles of the State and of social movements' influence on the State must be understood in specific historical, social, and political contexts. In this chapter I show that the State is plural and must be considered as a "a differentiated set of institutions, agencies and discourses" (Waylen 1998:7). Post-structuralism conceives the State as both an agent and an arena in which the battles for women's rights take place. Therefore, the State acts to construct gender relations and impacts differently on different groups of women (Waylen 1998). In Mexico, the approval of family violence legislation has followed three different paths: a) collaborative

effort between the State and NGOs/women's movement; b) up-down or reforms driven from above; and, c) bottom-up or reforms driven from below.

Through the examination of these four case studies, I will show in concrete terms how the State functions both as an agent and as an arena in which the battles for granting rights to women take place. The cases divide up generally as follows: in the Federal District, the women's movement and the State collaborated on the law; in Jalisco, civil society groups made the major effort to lobby for family violence legislation; in both Guanajuato and Morelos, a diffusion process promoted from above drove the enactment of family violence legislation. These are two excellent examples of legislative diffusion. The case of Guanajuato is of special interest because it shows how, in the course of five years, the State changed from being an enabling State to a controlling State. Regardless of the path followed for the approval of the legislation, these four cases demonstrate that in those situations in which the State can be labeled as *enabling*, there has been a direct or indirect search for legitimacy either on the part of the legislative and/or executive branch.

In the next section, I provide a theoretical framework to understand how the legislation about family violence was adopted in the states. This will allow us to understand the roles and degree of influence of different international, federal and state-level actors in Mexico as they related in differentiated political fields. The second section focuses on the position of international organizations regarding the issue of violence against women and reviews the conventions and treaties signed by the Mexican government. The third section examines the positions of the Mexican federation, analyzing the actions undertaken to grant rights to women and protect them from violence. In the fourth part, I examine in detail the four state cases. The final part contains the conclusions and shows how the role of the State (controlling/enabling) interacts with both the national and international context. Regardless of the path through which the family

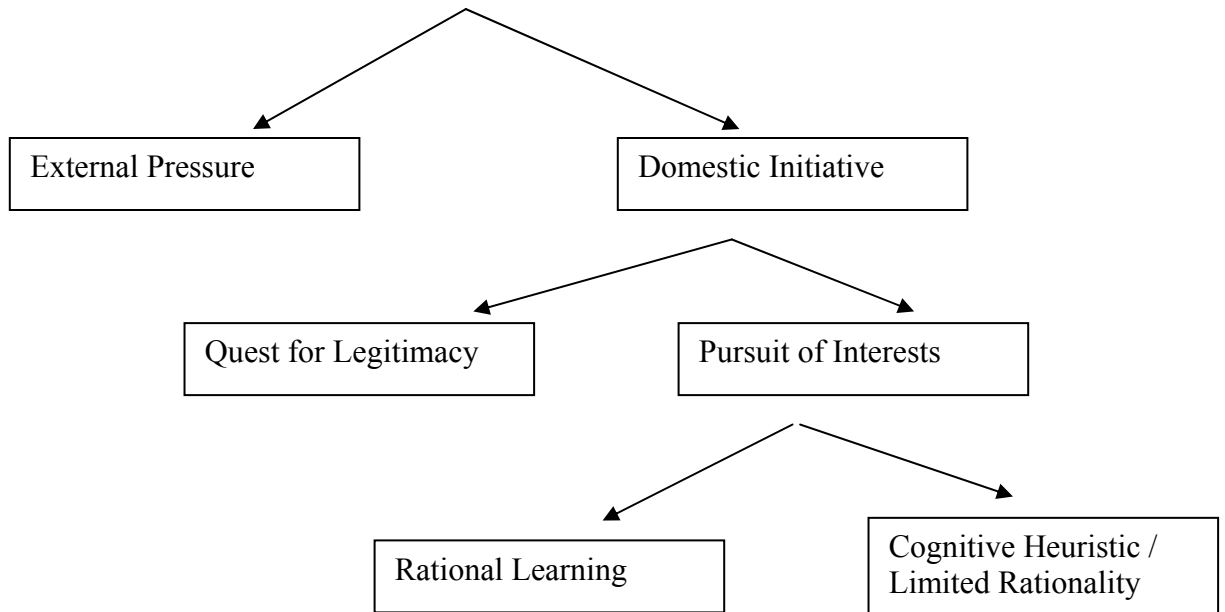
violence legislation was approved, there is a tendency from the different levels of the Mexican State to use the issue of violence against women as a mechanism for increasing its own degree of legitimacy, either at the international or state level.

5-1- PATHS TO THE ADOPTION OF FAMILY VIOLENCE LEGISLATION IN MEXICO

The transnational diffusion of both legislation and public policies is common in the increasingly globalized world system. As one country, or a State or province within a country, enacts a novel legislative reform, the regulatory innovations are often spread and picked up by similar levels of government in other provinces or nations through a process of imitation or patterning. Kurt Weyland (2005b) argues for the geographic pattern of diffusion, since the “innovator’s neighbors and other countries in the region are usually the first to emulate the new model; only after a while do nations in other regions begin to enact the change as well” (p.262). Even here, novelty is not the sole driving factor: Decision-makers wait for an innovation to attain a minimal track record before they consider emulating it. The desire quickly to enhance one’s legitimacy does not carry the day; some assessment of experience is required before policy-makers are willing to incur the political costs and risks involved in enacting significant change (Weyland 2005a). Weyland explains that diffusion entails the adoption of the same policy or legal framework in varied national settings, therefore producing “commonality in diversity” (p.265). Diffusion tends to proceed in waves; initially few States adopt the innovation, as track records around the reforms accumulate; gradually, diffusion increases, until it loses speed because it faces important obstacles or most countries have already emulated the trendsetter.

The theoretical framework developed by Weyland (2005b) in the study of the approval of pension reforms in Latin America is very helpful in understanding the Mexican case. Weyland identifies four causal mechanisms that explain the diffusion of legislation: 1) External pressure; 2) State initiative with the goal of gaining legitimacy; 3) State initiative with the objective of pursuing some interests based on rational learning; and, 4) State initiative with the objective of pursuing some interests based on cognitive heuristics. These causal mechanisms or perspectives, however, are not necessarily exclusive, since sometimes more than one cause is behind the approval or new legislation or public policies. **Figure 5.1** helps to clarify them.

Figure 5.1: Causal Mechanisms Driving Legislative Diffusion



Source: Weyland 2005b

The external pressure perspective argues that the adoption of similar legislation is the result of vertical imposition of general laws as the result of pressure originating in the international sphere, especially through the influence of international organizations. This perspective has been used, for example, to explain the adoption of neo-liberal economic policies, as international financial institutions exert economic coercion (and promise economic rewards) for the adoption of such policies. In many cases the adoption of legislation or public policies is the result of a domestic initiative. Such domestic initiatives often reflect the international pressures felt by some particular constituency and the State's search for legitimacy or some other interest.

In the search for legitimacy, decision makers and policy makers attempt to gain international legitimacy by adopting recent policy innovations in order to demonstrate the State's modernity and compliance with new international norms. Governments may fear "the stigma of backwardness and therefore eagerly adopt policy innovations regardless of functional need" (Weyland 2005b:270). Legislation or policies spread rapidly because their adoption not only favorably influences domestic and international public opinion, but also because their appearance "raise the standard of modernity and appropriate behavior" (Weyland 2005b:270). The difference between the search for legitimacy and the external pressure perspectives lies in the agency of the State since it adopts legislation not as result of coercion but because it is willing to follow international trends. Different types of legislative reform lend themselves to different motivations in this framework: for instance, policy reform that are seriously redistributive, and thus challenge entrenched socio-economic forces, make this "inhospitable territory for purely legitimacy-enhancing emulation." (Weyland 2005b:42)

In the rational learning and cognitive heuristics approaches, decision and policy makers' actions are driven by the pursuit of an interest rather than by the search for

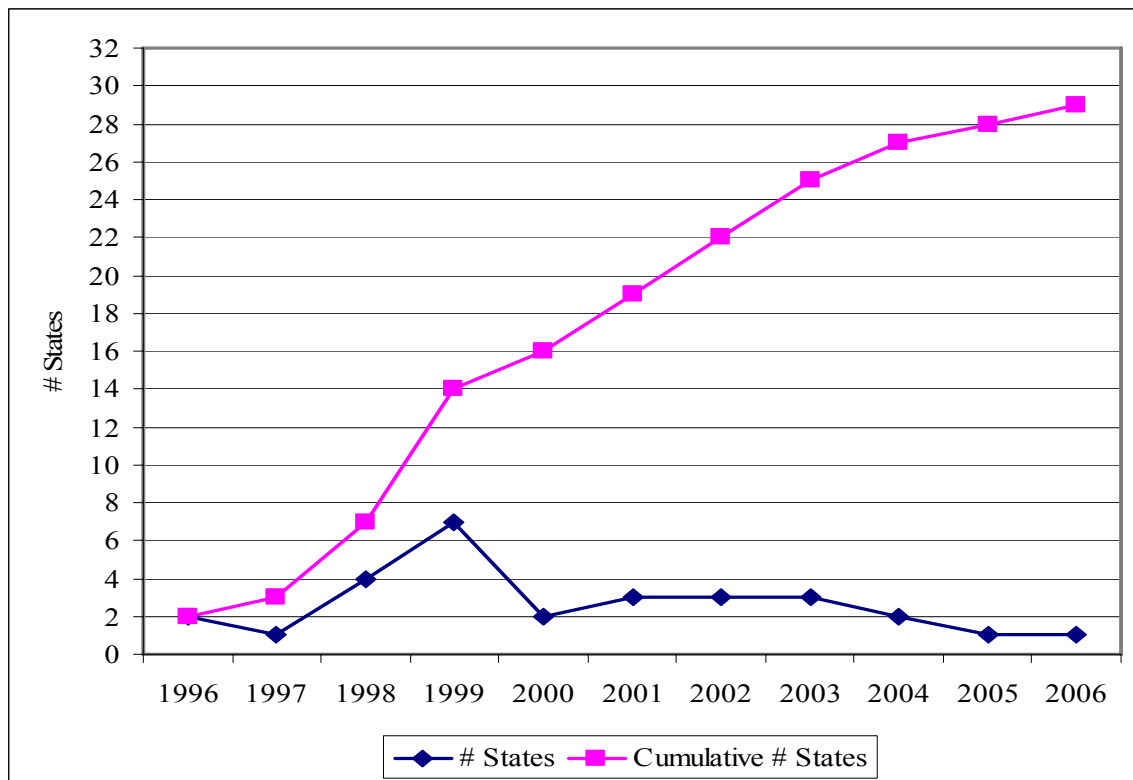
legitimacy. In the rational learning perspective, the appearance of a problem generates a broad search of already existing solutions to the same or similar problem. Potential solutions are analyzed and the policy is adopted if rational cost-benefit analyses demonstrate its superiority. In the limited rational or cognitive heuristics approach, actors' actions are based on pre-existing cues. As consequence, when a legislation or policy from a certain country receives lots of attention, it tends to be “widely adopted on the bases of its apparent promise, not its demonstrated success [by other countries]” (Weyland 2005b:271).

Figure 5.2 shows how the legislation related to family violence has spread widely in Mexico. In the course of ten years, from 1996 to 2006, all but three states (Chihuahua, Aguascalientes and Hidalgo) passed specific laws dealing with family violence. Similarly, most states also reformed their civil and criminal codes. In some states these laws were specifically defined as family violence laws, while in others the law received the name of intra-family violence (*violencia intrafamiliar*). The use of one term, *family violence* or the other, *intrafamily violence* is interchangeable (Yllán Rondero and De La Lama 2002). The first law, approved in the Federal District, changed the name from intra-family violence to family violence. This change had the objective of homogenizing the state and federal legislation; the amendments to the federal criminal and civil codes referred to the phenomenon as “family violence” instead of domestic violence or intra-family violence.

In 2006 Chihuahua enacted a law that guarantees a woman the right to a violence-free life, Law Concerning Women's Right To a Violence Free Life (*Ley Estatal del Derecho de las Mujeres a una Vida Libre de Violencia*). This law was sponsored by representative Victoria Chavira (PAN), chair of the Gender Commission in the State. Domestic and family violence is included as part of the broader term of gender

violence.¹³ Although Aguascalientes has not introduced a family violence law, in November 2004 a law which set up the Institute for Prevention, Assistance, Sanction and Eradication of Family Violence was created and reforms were made to the social assistance code. As part of this initiative family violence is defined, but there is no precise law to deal with it. In Hidalgo, there have been several attempts to develop and pass legislation, but none has yet been approved.

Figure 5.2: Diffusion of Family Violence Legislation in Mexican States



¹³ The Ley Estatal del Derecho de las Mujeres a una Vida Libre de Violencia is the first law in Mexico that carries out the compromises required by the Mexican government upon the signature of the CEDAW. This law embraces all types of violence against women, and not only those occurring in the family, as all other state-level laws in Mexico. The high rates of violence against women in Chihuahua, coupled with the national and international outcry over the feminicides in Chihuahua City and especially in Ciudad Juarez, might explain why Chihuahua enacted a law with such a broad mandate for granting women the right of a violence free life was approved, instead of a more narrowly labeled family violence law.

The lower trend in Figure 5.2 reveals that 1999 was the year in which states adopted legislation against family violence. This peak occurred just before the intense electoral competition of 2000. In the 2000 federal congressional elections and the presidential elections, Vicente Fox defeated the PRI presidential candidate, overthrow PRI's hegemony. Also in 2000, thirteen states held electoral contests to elect governors and/or the members of the legislative chambers.¹⁴ The family violence laws were approved the year before the electoral contests took place, perhaps as a way for political parties and candidates to have stronger platforms for the elections, and perhaps as a way of gaining political legitimacy for the elections.

5.2- INTERNATIONAL CONTEXT AND INTERNATIONAL ORGANIZATIONS

The phenomenon of discrimination and violence against women has always received the attention of international organizations. Mexico, as a member of the United Nations (UN) and the Organization of American States (OAS), has signed and ratified several conventions and international agreements by which the Mexican state has directly or indirectly affirmed guarantees of a life without violence for women. Mexico, like other participant countries at the UN's Decade for Women (1976-1985) conference held in Copenhagen in 1980, also signed a resolution for advancing the study of the causes and consequences of domestic violence in order to provide better assistance to its victims, which provided a vector for activists to promote the issue. In 1979 the UN General Assembly adopted the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW), which can be described as an international bill of rights for

¹⁴ Federal District, Guanajuato and Morelos: governor, state congress and local elections in July 7, 2000; Mexico, San Luis Potosi, Sonora, Campeche, Colima, Querétaro and Nuevo León: State congress and local elections in July 7, 2000; Chiapas: governor elections in August 20, 2000; in Tabasco the governor, legislative and local elections took place in October 15, 2000, and in Jalisco in November 12, 2000.

women. It is composed of a preamble and 30 articles that define what constitutes discrimination against women and sets up an agenda for national action to end such discrimination. The CEDAW entered into force as an international treaty on 3 September 1981.

It was not until July 9, 1984, however, that Mexico signed the CEDAW. By signing the CEDAW, Mexico indicated its commitment to legally and effectively protect women by adopting legislation against gender discrimination. The CEDAW recommends that governments design specific policies for increasing equality between men and women and that they change sociocultural patterns that perpetuate discrimination against women (see <http://www.ohchr.org/english/law/cedaw.htm>).

Formally, the issue of domestic violence was not discussed in the international arena until the 1985 UN Nairobi conference. Groups of women from different countries with experience working with victims of domestic violence presented several resolutions that were intended for inclusion in the UN conference strategic plan. Although the conference ended before these resolutions could be approved, several months later the UN's General Assembly approved a Domestic Violence Resolution (40/36 of November 29, 1985) incorporating the work of the conference participants.

The project of the UN's Declaration on Violence against Women was conceptualized during the World Human Rights Conference in 1993, since the problem of violence against women was underplayed in the CEDAW and the Human Rights Convention. Violence against women was conceptualized as an obstacle for achieving gender equality and eliminating discrimination against women. The Declaration of Violence against Women was adopted in December 1993, primarily to clarify the nature of violence against women, which, it stated, could be perpetrated by the family, the community and the State. Violence was defined as

any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, regardless of whether it occurs in public or in private life (United Nations 1993, art. 1).

The UN Declaration on the Elimination of Violence against Women (United Nations 1993) states that “violence against women is a manifestation of historically unequal power relations between men and women.” It singles out violence as an instrument by which women are forced into a subordinate position compared with men. The CEDAW and the Declaration on Violence against Women carried no enforcement mechanism against signatory countries that were found in non-compliance; rather, it merely indicated their commitment or good will.

With the objective that these commitments should be enacted as specific legislation and public policies, the Organization of American States (OAS) prepared in 1994 the Inter-American Convention on the Prevention, Punishment and Eradication of Violence (*Convención Interamericana para Prevenir, Sancionar y Erradicar la Violencia contra la Mujer*), also known as the “Belém do Pará Convention“. The definition of violence against women and the realms in which it could occur is very similar to that of the UN. In contrast to the UN Declaration of Violence Against Women, this convention was supposedly binding upon signatory States. One of the most important features of the Belém do Pará Convention is that either individuals or institutions might present charges against the States for violations of the Convention before the Inter-American Commission of Human Rights. Mexico became a party to this convention in 1995; but it was not ratified by the Senate until December 1998. As we will see next, the Senate’s ratification occurred after important legislative changes had already taken place as a result of the mobilization of Mexican civil society.

In 1999, the UN General Assembly approved the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women with the support and participation of governmental institutions and civil society organizations, especially women's NGOs. This protocol was included because the international mechanisms for guaranteeing the implementation of the CEDAW had proven to be inadequate, because no means for dealing with particular cases had been outlined, nor did they include the option of compensating victims for noncompliance by the State. The CEDAW Optional Protocol is a legal instrument that complements the CEDAW and creates a procedure for reporting violations to the CEDAW in those States that ratified the convention. The motivations for the signing of the CEDAW seem to have less to do with a real interest in promoting women's rights and more to do with concerns for image and a desire to conform to international standards (Craske 1998a; 1998b).

International treaties and international conventions signed by the Mexican government do not effectively influence public policies or state and federal laws. The testimony of a woman working for an NGO that promotes women's human rights in Guanajuato summarizes the common feeling among members of the civil society movement. Their belief is that Mexican institutions take action in a quest of legitimacy, since there is no real internal interest in changing the status quo. As she said,

When abroad, the Mexican government signs all possible conventions, those existing, and those not even existing. The Mexican government is very skilled in human rights issues, but internally [in Mexico] nothing happens. There is no interest, the government has no intention. One thing is what occurs abroad, in the exterior, but here, treaties and conventions are not honored. Moreover, Mexico's reality is disguised abroad.^{N5.1}

In addition to the conventions and treaties, United Nations promoted the Violence Against Women campaign (VAW), which promoted attitude change and the enactment of

appropriate legislation sanctioning violence against women. This has indeed become one of the most successful rights-based campaigns in recent years (Molyneux and Lazar 2003). According to Molyneux and Lazar, the VAW campaign confronted the long-lasting division between the public and private spheres based on the feminist slogan “the personal is political.” Headed by UNIFEM (United Nations Development Fund for Women), several UN agencies were involved in the Violence Against Women campaign: UNDP (UN Development Program), UNFPA (UN Population Fund), UNICEF (United Nations Children Fund), UNHCR (UN Commission on Human Rights), UNHCHR (UN Office of the High Commissioner on Human Rights), UNAIDS (The Joint United Nations Program on HIV/AIDS), and ECLAC (Economic Commission for Latin America and the Caribbean). The campaign was timed to coincide with the 50th anniversary of the UN Declaration of Human Rights, and was implemented in different countries from 1997 to 1999. The campaign was very broad and included, among other aspects: preparatory work and reports in collaboration with NGOs; media campaigns; sponsorship of training for persons directly and indirectly involved in issues of violence against women; promotion of legal reforms, and other public awareness campaigns (for more details see Molyneux and Lazar 2003).

5.3- THE MEXICAN FEDERAL GOVERNMENT

The Mexican government has officially supported the affirmation of women’s rights by signing international conventions and treaties related to the issue. The simple signature of those treaties, however, did not automatically translate into the passage of legislation protecting women against violence, and especially partner violence, the most common form of violence. During the presidency of Carlos Salinas de Gortari (1988-1994), the Mexican government took several measures for protecting women against

violence. As in the case of other Latin American countries (see Htun 2003), legislative reforms and public policies responded to the confluence of specific historical, national and international circumstances. Moreover, as we will see, the first steps toward protecting women's right to live free of violence was the result of factors other than the willingness to offer protection to women. Therefore, these first governmental actions were perceived as an unintended consequence of prestige-making or legitimacy-seeking policies, although interpreted by some feminists as a victory of the movement.

For many, the 1988 presidential elections marked the beginning of the Mexican political transition. Claims of electoral fraud by the PRD put the hegemonic political party (PRI) and its president, Carlos Salinas de Gortari, in a crisis of legitimacy. In a context of increasing international pressure for democratization, Salinas' government attempted to seek legitimacy among new civil society actors excluded from the long-lasting corporatist system. Feminist groups were among these (Lang 2003). Salinas promised changes for modernizing both the economy and the political structure. These changes, however, were not connected to the democratization of Mexican society (Camp 2003). The *modernizing* wave affecting many Latin American countries by which they would become countries of *the first world*, imposed a set of neoliberal economic policies that weakened the traditional centralized State and were usually accompanied by the adoption of new forms of political participation, the adoption of policies protecting minorities, and granting voice to groups traditionally excluded from the political process. The same dynamic was repeated during Ernesto Zedillo's presidency (1994-2000).

The issue of violence against women has been used by the Mexican federal executive to serve a double purpose. On the one hand, making it a priority would make feminists and women's movements feel represented by the State. On the other, this issue would "make Mexico look like a *modern* and democratic country" (Lang 2003:74).

These two purposes would increase the Mexican government legitimacy level, both nationally and before of the international community. Several examples of this kind of “impression management” (Goffman 1959:17) can be taken from this era. For instance, in December 1988, one of the first reforms of president Salinas’ was to stiffen penalties in rape cases, ignoring an already existing, more ambitious project proposed by both feminists and federal congresswomen in 1984. President Salinas’ initiative was harshly criticized for disregarding previous efforts.

The scandals of nineteen rapes perpetrated by several judicial police officials, bodyguards of the Federal District Assistant Attorney’s (sub-Procurador) Javier Coello Trejo, were followed by a strong protest from feminists, politicians, and a number of civil organizations (González Ascencio 1995). As in many other countries social movements responded with outrage to these facts and made several demands to the government: they demanded legal reforms which would recognize violence against women as a public problem and not as something in the realm of the private sphere, and they demanded government action in recognizing and in promoting public awareness of violence against women, the concrete mechanism for which was governmental action in increasing sensitivity on the part of judges and criminal justice officials (see Weldon 2002).

These circumstances forced President Salinas to a public commitment of reforming and modernizing the institutions of the State, and especially the judiciary system (Lang 2003). The State institution that promoted the first reforms was the Federal District Attorney’s office (Procuraduría de Justicia del Distrito Federal –PFJDF), the institution responsible for the officials accused of sexual abuse.¹⁵ Surprisingly, all institutions created to protect women from sexual and partner violence were incorporated into the Attorney General’s Office: In 1989, the Specialized Agency in Sexual Crimes

¹⁵ The *Procurador* is the equivalent to the Attorney General. The *Procuraduría* would be the offices and agencies dependent on the Attorney General.

(AEDS: *Agencia Especializada en Delitos Sexuales*), in 1990; the Center of Integral Services for Family Violence Victims (CAVI; *Centro de Atención Integral a la Víctima de Violencia Intrafamiliar*); and in 1991 the Center for Support Therapy (CTA: *Centro de Terapia de Apoyo*).

Given the capabilities and forms of expertise characteristic of the Attorney General's Office and the symbolism of subordinating these three agencies to the very office accused of systematically condoning rapes, AEDS, CAVI and CTA, seem to have been compromise responses to public concern by political forces that did not have in mind women's well-being. Police bodies and the judiciary system in Mexico tend to be conservative, corrupt, patriarchal, and hierarchical institutions in which agencies dealing with women's issues were not welcomed. The words of a female lawyer employed at the CAVI at the time of its creation illustrate the lack of interest of the State and specifically, that of the Attorney's General's Office:

I competed with other 200 lawyers to get the job. I was selected, and I accepted the job because the pay was good. They [men at the Federal District Attorney's Office] did not want this agency. We had to write the CAVI manual of procedures. The agency was finally created, they gave us space, but we had to start from scratch... you know... sweeping the floor, clean the windows. We even had to hang information on the walls and go to schools to give information to women (...). They did not want us; we did not have any resources; we did not receive any type of support, and they considered us as *aviadores*.^{NS.2}

The CAVI was created in 1990, six years before the enactment of the first family violence law in Mexico. At the time, the CAVI seemed the result of the government's commitment to the issue of partner violence, and therefore, its creation was regarded as battle won by the women's movements and NGOs. However, the real objective behind the CAVI was to improve public safety and preventing crime, since family violence was regarded as increasing crime. This objective is revealed in its creation agreement:

(...) importance of creating a Center for Intra-Family Violence Assistance for preventing and sanctioning anti-social conducts (...). This Center (...) will provide complete assistance (...) with the objective of fighting and reducing the number of crimes in the Federal District. (...) Family violence (...) promotes anti-social behaviors, hurts the victims both directly and indirectly, generates pain [to the victims] and promotes crime”. (PGJDF, Agreement N. A/026/90, cited in Lang 2003:79).^{N5.3}

This *hidden* goal of the CAVI coupled with the clientelistic Mexican political culture and the embryonic administrative structure further complicated the delivery of services and attention to women victims of violence. In Mexico, when public officials in positions of responsibility are promoted or invited to join another agency, they tend to take all their staff with them. For example, the CAVI had five different directors its first ten years of existence. As Lang (2003) argues, this makes it impossible to develop tacit knowledge or the kind of organization that transmits the expertise learned from experience. She concludes that “in this context, it is obvious that the creation of agencies for providing assistance to victims within the Attorney General’s Office organic structure responded to a [government] populist strategy” (2003:77).^{N5.4} Moreover, the actions initiated by the executive seem to have used the impression that the State was taking the issue of violence against women seriously as an attempt to gain legitimacy, without in fact creating an agency directly interested in stopping violence against women.

5.4- THE APPROVAL OF FEDERAL LEGISLATION CONCERNING FAMILY VIOLENCE

In 1997, President Ernesto Zedillo signed several federal initiatives introducing civil and criminal code reforms about family violence both on the federal level and in the Federal District. The press referred to these reforms as the Family Violence Law (Ley de Violencia Familiar). Until that time there were not specific regulations about family

violence. Excessive cruelty (*sevicia*) was a cause for divorce; however it was difficult to prove. The Grupo Plural Pro-Victimas (Grupo Plural) promoted these reforms. The Grupo Plural was created in January 1990 by a group of women from different spheres of society who came together after the nineteen rapes perpetrated by members of the General Attorney's Office.¹⁶ Upon its creation, its first goal was the enactment of legislative reforms concerning sexual violence perpetrated against women. After these reforms were enacted, Grupo Plural lobbied for changes in family violence legislation.

Led by Grupo Plural, the preparation for these reforms started in 1995. Patricia Duarte, from COVAC, got in touch with several prominent political women from all political parties to build common strategies for the approval of legal reforms. Among those participating were Carolina O'Farril, the leader of the feminist organization of the PRI in the Federal District, Patricia Olamendi and Patricia Garduño from the PAN, Amalia García and Leonor Cárdenas from the PRD, Aída González, Dulce María Sauri from the PRI, Barbara Yllán and Jazmine Olmedo, as well as several well-known feminists such as Marta de la Lama. Despite their ideological differences, they invested their energy in the feminist project and turned it into a legislative proposal. In the words of one of the above-mentioned women,

[this process] was difficult. We were not friends, but at the time there was something that brought us together. At that moment we started working. (...) The family violence law¹⁷ is the result of two intense years of meetings and agreements amongst many people and institutions.^{N5.5}

Civil society groups, members of Grupo Plural as well as congresswomen and female senators from all political parties requested that President Ernesto Zedillo sign the package of legal reforms concerning family violence. Although the official version is

¹⁶ Feminists, civil servants, journalists, intellectuals, representatives and senators, among others, composed the Grupo Plural Pro-Victimas.

¹⁷ This informant referred to the package of legislative changes about family violence as "ley de violencia".

that President Zedillo invited the members of Grupo Plural and the congresswomen to Los Pinos (see Barbieri 2003: Ch. 9), the results of my research show that it was the other way round. Obtaining the president's signature was the political strategy, as revealed by the words of Maria Elena Cruz (PAN)

There was an intense controversy because some [congresswomen] believed that we should not go, and that his signature [President Zedillo] was not needed. Others said [to the opposition of some congresswomen to attending to the president's official reception and requesting his signature] 'we are in a political system in which the president, the executive power, is very strong (...) constitutionally. [Mexico] is a presidential [political] system and (...) if we want these reforms to be approved, we need to obtain a lot of votes'. As the PRI had 239 seats, with the president's signature they thought that would have those 239 votes guaranteed (in Barbieri 2003).^{N5,6}

The pressure that the supporters of the legislative changes put on the executive power to get the president's signature was proportional to the atmosphere of political instability and symbolic meaning of the reforms. The day after scheduling the President's signing in Los Pinos, Emilio Chauffet, the Secretario de Gobernacion, was informed that president Zedillo intended to sign the proposal and submit it to the Congress for its approval. Emilio Chauffet disagreed with this plan because the proposal had been promoted by a non-PRI political party. In a context where opposition parties were jeopardizing the long-lasting PRI hegemony, the PRI wanted to be considered the promoter of the legislation. Dulce María Sauri (PRI) presented an alternative proposal, which slightly differed to that developed and backed by Grupo Plural. Grupo Plural representatives called President Zedillo's personal assistant and let him know that Grupo Plural was opposing the PRI proposal.

On November 5, 1996, one day before the proposed signing in Los Pinos, Patricia Duarte (founder of COVAC), Patricia Olamendi (coordinator of Grupo Plural), Patricia Garduño (PAN) and Carolina O'Farril (Independent and chair of the Gender Commission

in the Congress) were having dinner in a restaurant when the management took a phone to their table, as somebody from the President's office on the other end told them that the President was not going to sign the legislative proposal. This left them perplexed. Patricia Garduño, called their PAN fellows and explained the situation to them; PANISTAS declared their intention of not attending the signing event. The reaction of the PRD and independent congresswoman was quite different. They called President Zedillo's office and let him know that the signing event could not be cancelled because the press would be there, and that women from Grupo Plural and civil society would be there as well. They claimed that not signing would have very serious political consequences for the PRI. Their strategy worked and the family violence legislative proposal for amending the civil and criminal code was signed one day later. PAN's representatives changed their mind, and at the end they attended to the signing event.

After the president's signing, Amalia García (PRD) introduced the proposal in the Congress, which began the second part of the battle for its approval. Female politicians supporting the reforms were labeled by their party fellows as *locas* (crazy). All women, regardless of their political colors complained that their male fellow party members were dismissive of the issue of family violence, considering family violence as something without importance. After its presentation at the Congress, some congressmen were reluctant to vote for this family violence legislation, as one of the most active members of the Grupo Plural and congresswoman explains:

One PANist [congressmen] told me, 'How come I will not be able to slap my daughter when I need to. In contrast, men from the PRI and PRD did not say anything although they thought it. In contrast, men of the PAN were more honest and showed their reluctance to support the proposed reforms.'^{NS.7}

A turning point in the discussion of the reforms about family violence was the criminalization of marital rape. The issue of marital rape generated a split between male and female representatives that cut across parties. Across political parties, many congressmen came out in opposition to the criminalization of marital rape on the grounds of *debito conyugal* (mutual obligation of spouses to participate in sexual intercourse), arguing that this type of legislation would induce married and cohabiting men to get the services of prostitutes (see Barbieri 2003). The reform was approved with the support of 169 votes (89 representatives voted against and 156 representatives did not attend to the voting for several reasons). All congresswomen but one from the PRD backed this reform. While the opposition of PANist congressmen was clear, the opposition of some PRD and PRI members was somewhat unexpected because the PRD sponsored the reform in the Congress, the issue of violence against women was part of the PRD's electoral platform, and President Zedillo supported this set of reforms.

While marital rape was the most relevant reform in the criminal code, the most significant reforms in the civil code were that family violence could be a cause for divorce, and that all family members had the right to a life free of violence. In the newly enacted civil and criminal codes, the defining features of violence were: 1) violence can be physical or emotional; 2) has to occur more than once; 3) might cause harm or not; and 4) the aggressor and the recipient of the violence have to live in the same household. These features capture violence on a broad scale, since emotional as well as physical violence is included. The definition of family violence, however, does not include economic and sexual violence within the family. For family violence to exist, violence has to occur more than once, regardless if it causes harm or not.

5.5- THE APPROVAL OF FAMILY VIOLENCE LAWS AT THE STATE LEVEL

The states in Mexico have the power of legislating social assistance. And state legislators considered family violence to fall into the category of social assistance. The goal behind the creation of a family violence law was to provide a set of rules that promoted prevention and provided public assistance to victims of partner violence. Prevention is conceptualized as a way of eradicating domestic violence. Assistance to victims has the goal of breaking the circle of violence within the family. Therefore, the administrative family violence laws have a dual objective. First, the prevention of crimes within the family structure at the same time that protect the institution of the family; and second, avoiding the resolution of the conflict through a criminal process by promoting the alternative use of administrative institutions and governmental agencies. In that way, justice can be more effectively administered, since counseling is provided free of charge and without the need of hiring a legal counselor (Yllán Rondero and De La Lama 2002).

Most of the amendments to the criminal and civil state codes which include the issue of family violence took place around the same date in which the administrative family violence laws were enacted. However, not all the states have passed such amendments as illustrated in **Table 5.2**. According to the data provided by the INMUJERES, as of June of 2005 all states but eleven (Campeche, Chiapas, Guanajuato, Guerrero, Hidalgo, Jalisco, Nayarit, Querétaro, Tabasco, Yucatán and Zacatecas) modified the civil code to include family violence as a cause for divorce. In the case of the criminal code, all states but Campeche, Colima, Querétaro, Quintana Roo and Tlaxcala consider family violence a felony. In contrast, in less than half of the states is rape within the marriage recognized as such and punished in the criminal code: Baja California Sur, Coahuila, Chihuahua, Federal District, Durango, Guanajuato, Hidalgo,

Table 5.2: States that Approved Family Violence Legislation as of 2006

State	Administrative Law for Assistance, Prevention and Sanction of Family Violence	Civil Code	Criminal Code	
		Family Violence as Cause for Divorce	Family Violence as felony	Rape in marriage
Aguascalientes		X	X	
Baja California	7/4/2003	X	X	
Baja California Sur	3/20/2005	X	X	X
Campeche	6/27/2002			
Coahuila	10/25/2002	X	X	X
Colima	2/14/1998	X		
Chiapas	7/8/1998		X	
Chihuahua		X	X	X
Distrito Federal	7/8/1996	X	X	X
Durango	12/23/1999	X	X	X
Guanajuato	2/4/2000		X	X
Guerrero	4/13/1999		X	
Hidalgo			X	X
Jalisco	12/18/2003		X	
México	31/12/2002	X	X	
Michoacán	2/11/2002	X	X	
Morelos	1/20/1999	X	X	
Nayarit	12/5/2004		X	
Nuevo León	15/2/2006	X	X	
Oaxaca	9/15/2001	X	X	X
Puebla	4/6/2001	X	X	
Querétaro	12/31/1996			X
Quintana Roo	7/15/2000	X		
San Luis Potosí	7/28/1998	X	X	X
Sinaloa	12/7/2001	X	X	
Sonora	3/20/2001	X	X	
Tabasco	4/12/1999		X	
Tamaulipas	6/1/1999	X	X	X
Tlaxcala	5/4/2001	X		
Veracruz	9/8/1998	X	X	X
Yucatán	9/7/1999		X	X
Zacatecas	2/19/2003		X	

Sources: Author's revision of administrative laws. Information about the reforms in the civil and criminal codes from: Inegi. 2006. *Hombres y Mujeres en Mexico 2006*. Aguascalientes: Inegi.

Oaxaca, Querétaro, San Luís Potosí, Tamaulipas, Veracruz and Yucatán. By June 2005, Campeche was the sole state that had not enacted any reform to its criminal or civil codes, although it had enacted the administrative family violence law.

The process of promoting the adoption of legislation has followed three different paths: a) collaborative effort between the State and NGOs/women's movement; b) top-down, or reforms driven from above; and, c) bottom-up, or reforms driven from below. In the next four sub-sections, we will examine the typical cases of the Federal District, Jalisco, Morelos and Guanajuato to show the roles played by extra-State actors, and the relationship between them and the State in the process of promoting legislation. These four cases also show that the formal approval or reform of administrative family violence legislation is dependent, as well, on the fundamental enabling or a controlling stance of the state in question.

5.5.a- Collaborative Promotion of Women's Rights between the State and Women's Movements: The Case of the Federal District

The first family violence law in Mexico was enacted in the Federal District. Some countries in Central America and Latin America had already approved legislation on family violence, either specific laws or reforms in the civil or criminal code: Puerto Rico (1989), Argentina (1994), Bolivia (1995), Chile (1994), Ecuador (1995), Panama (1995), Paraguay, Peru (1993), Uruguay (1995). In 1996, the same year that the family violence law was approved in the Federal District, some other countries also passed reforms: Colombia, Costa Rica, El Salvador, Guatemala, Nicaragua.

The enactment of the Law for Family Violence Prevention and Assistance (LPAVIF: Ley de Prevencion y Asistencia de la Violencia Intrafamiliar) was preceded by several years of hard work and collaboration between the women's movement and

congresswomen. The Commission of Special Attention to Vulnerable Groups (Comisión de Atención Especial a Grupos Vulnerables) at the Federal District Legislative Assembly made a call for the creation of a special institutional forum (*mesa legislativa*) with responsibility for developing legislation on protecting individuals against family violence. This group was created in May 30th 1995, and both governmental and non-governmental groups were invited to participate in this forum. The legislative proposal was presented by the Marta de la Lama (PRI), who at the time, 1996, was vice-president of the Commission of Special Attention to Vulnerable Groups at the Federal District Legislative Assembly, and was written by Bárbara Yllán Rondero, member of the Grupo Plural, the MNM and founder of the Specialized Agency in Sexual Crimes (*Agencias Especializadas en Delitos Sexuales*) in 1989.

The process of drafting the law was lengthy. Both Marta De La Lama and Bárbara Yllán undertook a process of building alliances, lobbying, and reaching agreements. The project originated with women from outside of the Federal District Legislative Assembly and continued with family violence experts and governmental agencies whose support was regarded as necessary for the approval of the initiative. The initiators of the proposal believed that support would become general as the perception of the importance of the law became widespread. As we will see, this turned out not to be the case. The approval of the law required an extended process of overcoming multiple obstacles in the Legislative Assembly and obtaining the required quorum for the approval of the initiative.

In the first stage, Yllán and De La Lama held numerous meetings with women from different political parties and civil society organizations, all of whom were well known for their expertise on women's issues. Many of the women who participated in this project were also participating in the parallel group that promoted the amendments in

the federal civil and criminal codes about violence against women. These women “showed their solidarity, made constructive comments and encouraged us; however, they were not convinced of our success” (Yllán Rondero and De La Lama 2002:viii). In this first stage, their efforts went unnoticed in the Legislative Assembly,

We [Bárbara Yllán and Marta De La Lama] started working, without anybody within the [Legislative] Assembly paying much attention to us, busy as they were with the city’s ‘big issues’, among which, of course, are not, at present or back then, those related to women (Yllán Rondero and De La Lama 2002:viii).^{N5.8}

In the second stage, Yllán and De La Lama sought the support and compromise of experts and governmental agencies. Many of these experts were males, and while some made constructive suggestions, others questioned the need for such legislation, or pursued their own ideological agendas, or were just plain mocking. The participation of Federal District public agencies such as the Human Rights Commission, CAVI, the Coordination of Minors and Disabled (dependent from the Federal District Attorney’s Office), Junta de Asistencia Privada, Secretaria of Education, Health and Social Development, and the Dirección General de Atención Ciudadana were perceived to be key for the presentation of the initiative to the Federal District Legislative Assembly (details in Yllán Rondero and De La Lama 2002).

In the third phase, they sought stronger support from the executive power, as well as from the Committee of Justice and Committee of Government from the Legislative Assembly. The words of Marta De La Lama illustrate the difficulties found at this stage,

Here [in the third phase] we faced big surprises: some of them [people supposed to back the proposal] presented to us a full legislative project that was useless because of its declarative nature. They requested us to support this project, and of course, we refused. A person from another [political] group, key for our goals, when he/she was with us, offered his/her support, but when we were not present he/she would act otherwise. (...) a male ordered a staff member of our group to sabotage the project. In order to get her boss to stop bothering her, we pretended

to have a fight with her, in front of her supervisor, with several staff members, complaining about her attitude.^{N5.9}

On the day that the law was scheduled to be voted on, the other political parties (non-PRI) requested that the vote be postponed since they wanted to introduce amendments to the proposal. De La Lama believes that as other political parties realized the importance of the law, which was to be the first family violence law in to be enacted in Mexico, all such political parties, and especially their female legislators, not only wanted to support the law, but also wanted to be seen as promoters of the legislation before the public.

The law defines violence as any recurrent, intentional and cyclic act of abusive power or neglect with the objective of dominating, subduing, assaulting or controlling physically, verbally, psycho-emotionally or sexually any member of the family, inside or outside of the family residence. The relationships between the perpetrator and the recipient of the violence are defined broadly: kinship by consanguinity, current or past relationship of civil affinity; marriage, cohabitation or common law relationship. It further states that the acts of violence have to cause harm. The law regulates violence within the family, expanding very broadly the understanding of what constitutes family. The law includes a new conceptualization of the term “family” that went unnoticed in the legislative discussions. The concept of the family was inspired in the 1992 Belem do Pará Convention, in which family is defined as a group of people that lives together not necessarily linked by legal family ties. As we will see in the next section, this definition of family has been object of controversy in other states, such as in Jalisco.

The law was the joint effort of female legislators and the women’s movement. Published in July 1996, it was to become law within the next 30 days. However, the *Reglamento*, rules governing the implementation of the law, was not approved until

October 21, 1997; exceeding, thus, the 90 day-limit set in the Mexican constitution. This reflects the lack of political interest by the Federal District Legislative Assembly, as well as indicates that the previous measures taken for protecting women might have responded to circumstances other than genuine interest on specific violence mitigation. Moreover, some researchers argue that the delay in approving the *Reglamento*, was due to the absence of specific public policies about partner violence (Borjón López-Coterilla 2000).

5.5.b- Top-Down Promotion of Women's rights: Promotion of Family Violence Legislation in Morelos and Guanajuato

In the case of Morelos and Guanajuato, the legislation was promoted from above. In these cases the role of the women's movement and NGOs was subsidiary since they become involved in the process at the request of a state representative: in Morelos a member of the Commission of Health, Laura Ocampo (PRI), and in Guanajuato, Maria Lucia Micher Camarena (PRD).

5.5.b.i- The case of Morelos

Led by state representative Patricia Elton (PRI), the first attempt to approve family violence legislation in Morelos occurred in 1997. Patricia Elton was member of the Committee for the Promotion of a Risk-Free Maternity (CPMSR: *Comité Promotor por una Maternidad sin Riesgos*), founded in 1993 with the goal of decreasing the risk of maternal mortality.¹⁸ In that NGO she met members of CIHDAL (Comunicación, Intercambio y Desarrollo Humano para América Latina) such as María Luisa Becerril.¹⁹

¹⁸ The Comité Promotor por una Maternidad sin Riesgos (CPMSR) was composed by 31 members of several public institutions, civil society, international organizations and nine state-governments.

¹⁹ CIHDAL is the first women's center established in Mexico. It was founded in 1969 by Betsie Hollants, a Belgian journalist and pioneering feminist in Mexico who devoted her life to creating spaces and opportunities for women's growth and development.

Founded in 1969, CIDHAL is a feminist NGO that provides educational alternatives and services to empower women and foster active citizen participation. CIDHAL had been working on the issue of violence against women and had developed connections with people from the academia, such as Rosario Valdés. Patricia Elton called members of several NGOs working on gender issues for a meeting in which she presented a family violence law proposal. As recounted by one of my interviewees from an NGO:

Patricia Elton became aware of gender issues due to the influence of the Morelos' feminist movement. (...) One day she showed up with a [family violence] law proposal, and asked for our advice. She [Patricia Elton] liked her proposal. The proposal was almost a copy of the one in the Federal District. But we, women from several NGOs, reviewed and made suggestions about the legislative proposal, in order to adapt the law to the context of the State of Morelos. Some people think that it was Patricia Elton's proposal, but the truth is that we [NGOs] were also behind the law.^{N5.10}

The law was presented to the Congress at the end of the legislative period. While the legislative proposal was still under consideration by congressional commissions, the legislature ended, so no action was taken. In 1997 the legislative elections in Morelos produced a 30 percent of female representation in the Morelos' Congress, since eight women were elected. Among them, Laura Ocampo (PRI), chair of the Health Committee took responsibility for orchestrating the second attempt to pass a family violence law in Morelos. She took as a template the law enacted in the Federal District. She argued that the law that would promote societal awareness about the issue of partner violence, and that it was not to be a repressive or sanctioning law. Laura O'Campo built alliances based on her belief that the approval of the legislation would be easier to gain by making tactical compromises with those involved in the process of passing and applying the law. The process of alliance building and lobbying took place in three fronts: the civil society, the Congress and within the institutions of the executive and judiciary power. This

process, however, was not very complicated since it was a “light and non-ideological law”.

Invited by Laura Ocampo, several NGOs participated in the discussion of the legislative proposal before its presentation to the Congress. Most of them had already participated in the first initiative of Patricia Elton: Comité por una Maternidad sin Riesgo, Convergencia 8 de Marzo, Comité de Seguimiento de Beijing, Mujeres en Lucha por la Democracia, CIDHAL, and the Centro de Apoyo a Trabajadoras Domesticas. Pilar Lomelín and Rosario Valdés, member of the National Institute of Public Health and coordinator of the Program of Action against Domestic Violence, also participated in the discussions. The goal was to obtain the support of experts in the area of family and partner violence both from institutions within the state and from the civil society. In fact, it might seem that the feminist civil society movement in Morelos is broad since several NGOs participated in the process. Nevertheless, the general feeling is that in Morelos the appearance that there are many women involved in women’s NGOs is deceptive, since “there are a handful of women that belong to several NGOs. Indeed, there are only three or four women who are really concerned about advancing women’s causes, but there is not such a thing in Morelos as a woman’s movement”, as a State representative from the 49th Legislature said.^{N5.11}

The nonexistence of a Committee of Gender and Equity in Morelos’ Congress perhaps motivated all female representatives, regardless of their political ideology, to unify. Female representatives at the time in which the law was enacted mentioned that their fellow male representatives from all political parties used to make jokes about them and the law by saying: “Now, I cannot hit my *vieja*”, “You want to make us wash the dishes”, “We won’t support your law.”^{N5.12} Female representatives lobbied with their fellow male representatives in order to seek unanimous support for the new legislation.

Being framed as an “awareness promotion” law, female representatives in Morelos made sure that no ideological position-taking would complicate its passing.

Laura Ocampo also sought the participation of municipalities and public agencies from the executive and judiciary power such as the DIF, Secretaria de Salud, physicians, Secretaria de Gobernacion, Consejería Jurídica del Estado, the State Attorney’s Office, lawyers and judges among others. At five forums, an unprecedented in the history of the Morelos’ Congress, the legislation was presented and discussed. Social and political actors could voice their opinions about the legislative proposal. In sum, these five meetings had the goal of reaching a solid consensus among those that would be somehow involved in the implementation of the law. Strategically the Consejería Jurídica del Estado was lobbied, too, as its support was key to preventing a potential veto of Governor Jorge Morales Barud (PRI).

The process in Morelos went very smooth. Both members of NGOs and female representatives involved in the legislative approval mentioned that there were few internal discussions. Everybody agreed that the law proposal received the support from the society and political actors because it was not a punitive law, nor did it have political connotations that could be appropriated by any political party. Only the lawyer’s bar openly opposed the law. Once the proposal got to the floor of the Congress there was already a consensus for its enactment. “For men, this [family violence law] was just another law”, said Emma Margarita Alemán Olvera. All representatives, except one female representative, supported the law. Laura Ocampo believes that she was not really opposing the law, but that she wanted a stronger law that would include sanctions.

We did an excellent lobbying work at different levels. No men opposed the law in the Congress. Only a female did. She wanted a punitive law. She did not understand that at that moment we needed a consensus law. She opposed it not because she did not believe in the law, or because she was not supporting it; she opposed the law because she believed that the law should go further.^{N5.13}

Most of those involved in the process of approving the family violence law have mixed feelings about it. While they agree that it was important to have a law, they also agree that the lack of sanctions against perpetrators of family violence made it an incomplete law (*una ley mocha*). The general opinion can be summarized by a member of the feminist NGO CIHDAL at that time,

We reached a consensus, we wanted a law, we wanted for the issue of family violence not to be invisible anymore. The law has the goal of raising awareness in the population. The [contents of the] law are not what we wanted, but at least we got a law.^{N5.14}

Clearly for most people in Morelos, the approval of the family violence legislation was the result of a diffusion process originating in the Federal District. The important objective was the approval of some form of family violence legislation. The words of a family judge that participated in the above mentioned forums could not be more enlightening,

The law (Family Violence Assistance and Prevention Law) is the result of a political fashion. It is just a copy of that of the Federal District. Most time laws are approved here because they are approved there. There was not such a thing as a detailed study for analyzing the social characteristics [of Morelos] to see if the law could be applied here. (...) In the state [Morelos] someone [a state representative] hears that there was a violence law somewhere and they wanted it to be approved here, but specific studies were missing.^{N5.15}

5.5.b.ii- The Case of Guanajuato: The 2000 Law and its Reform in 2005

The case of Guanajuato is very similar of that of Morelos. In the two cases there are a lot of commonalities in terms of the process by which the first family violence law was enacted, and the characteristics of the women's movement. Guanajuato is a very

interesting case study both because the process of approval of the first family violence law in 2000 and its subsequent reform were driven by female state representatives. In this case, the impetus for the legislation was also from above. The work prior to the approval of the family violence law was led by María Lucía Micher Camarena (PRD), member of the Gender and Equality Commission with extensive experience in the area of family violence.²⁰ The first family law in Guanajuato was also the result of the promotion, and the procedure is very similar to the one in Morelos. As one state representative said:

A representative, Malu (María Lucía Micher Camarena), brought the initiative and sought the support of some women. She took the law of the Federal District as an example. She followed the same procedure and the same model followed in the Federal District.^{N5.16}

In Guanajuato the legislation was supported by the governor, Vicente Fox. His administration promoted changes favoring and supporting the women's agenda, perhaps with the additional motive of Fox becoming a strong candidate for Mexico's Presidency (Campos Beltrán 2004). The small Guanajuato women's movement as well as women's NGOs also supported the first partner violence law. However, as in the case of Morelos, most people consider that rather than a grassroots feminist movement, there was –and there is– in Guanajuato a handful of women working toward the advancement of women's issues. A state representative, said:

There are women that work for women's rights, but besides Milenio Feminista and Las Libres²¹... no, there is not a women's movement that lumps them

²⁰ Lucía Micher Camarena, had broad experience in the feminist movement. She was the founder of a human rights association, Hermanas Miraval. She was member of Milenio Feminista, and prior becoming a congresswoman in Guanajuato had work for women's human rights, specially reproductive and sexual rights. She was also a member of the representation Committee of Mexico in Beijing.

²¹ Las Libres, I was told in an interview with an insider in the women's movement, was composed at the time by five or six women that get together from time to time. The main issue is that women get involved for a time, and then they leave the organization.

together. Sometimes they get together and promote some actions depending on the legislative work. Their actions are intermittent and there is not a structured movement. They only get together in certain situations.^{N5.17}

A member of the Guanajuato's Commission of Human Rights, very active in several grass-roots organizations believes that in addition to the "reigning conservatism in Guanajuato's society", cultural reasons might explain the absence of an organized feminist movement. She argues:

There is not a women's movement. It is a cultural matter. It is hard for women to work for other women. It is hard when they are called gossipy, lesbian, and that their husband is a *mandilon*. That affects many women, and they do not want to get involved because of the social pressure.^{N5.18}

While the first law was the result of a collaborative effort promoted by María Lucía Micher Camarena, the second law, in 2005, faced opposition from the women's movement. In 2005 the Congress enacted a new family violence law offered by the PAN. Promoted from above, the 2005 law opened up conflicts with the women's organizations and the feminist movement in Guanajuato. As in the case of Morelos, women in the PAN group in the Congress of Guanajuato sought alliances with members of civil society organizations and public institutions. It was not hard for them to get the unanimous support of the executive branch. In contrast, among NGOs and members of the feminist movement, the loyalties were divided. Some NGOs working in the area of family violence, partially created and financed by the government backed the proposal. In the words of a member of the feminist movement,

The women's movement in Guanajuato has its origin in the feminism. The PAN promoted the creation of women's groups with the goal of fighting family violence. But they do it from a governmental and social assistance perspective, not from a feminist perspective. There are also some women's NGOs, but many times those are fake organizations. About the issue of violence, there are many

organizations that allegedly provide services, but the fact is that there are very few of them that actually do it.^{N5.19}

The feminist movement and some women's NGOs openly expressed their opposition to the proposal. Moreover, they felt that they were being asked to participate in order to give legitimacy to the process, since those promoting the law were following an ideological and prestige-enhancing stand. For this group, the general feeling was that the 2005 law "confounded gender violence and family violence; and the goal of the law was to promote conciliation. But the problem is that conciliation is often confounded with '(re)conciliation'", said a member of the feminist movement that participated in the process.^{N5.20} Moreover, the law is applied in such a way that reconciliation is imposed on women, while the perpetrator of violence receives no sanction, since the main goal is to keep the family together. Another woman, member of Las Libres, described the process as

The gender Commission [in the Congress] has a majority of PAN's representatives, and they have not understood what gender is. Violence is just an issue that they talk about, but they do not have any training in gender issues. We had said that legislative reforms were necessary, and that the DIF should not have so much importance under the new reform. (...) and of course... female legislators proposed legislative reforms, but their reforms were centered in the family, confounding gender violence with family violence. Gender inequality and power inequality were key in the previous [2000] law. The Congress created several working commissions in order to get a consensus about the law... but the PAN introduced its proposal and they did not pay attention to us. We were told that we should let it to be enacted, and that later on we would be able to introduce changes... No ... There was a public debate about the law, we even got into TV, and we believed that the law was not useful, just as was not useful the previous one.^{N5.21}

Those opposing the 2005 law arranged a meeting with the Governor, Juan Carlos Romero Hicks (PAN), in which they asked him to veto the law. His reaction was to ask

them to support the law, “because we would reform the law a week later”, said a member of an NGO that participated in that meeting. The Governor Romero Hicks not only did not want to confront the PAN-controlled Congress, but he thought that the family must be kept together, just as the law intends by promoted couple reconciliation.

The position of the PRI, is complex and has to be understood in the political context. The first reaction of the PRI to the 2005 law was to reject the law, but in the end it supported the legislation. A PRD representative said “in Guanajuato, the PRI is also representing the right. The PRI co-governs with the PAN”. Monica, a woman from the women’s movement in Guanajuato shed some light about the reasons why the PRI ended up voting in favor of the law,

The PRI said that they were not going to support the law. The family violence law was for a while stopped in the Congress. Then the PAN wanted to get a proposal that would get the support of all. But as the PAN has majority in the Congress... it got approved in the Gender Commission. Then, the law was sent to the Justice Commission and it got stopped there. But all this process coincided with the approval of the state budget, and all the sudden the PRI did not see any problems in the law. The law was approved with the support of all political parties but the PRD.^{N5.22}

The PRD presented an alternative legislative proposal about the same time as the PAN. Their proposal placed the origins of violence in the inherent inequality between the sexes and presented family violence as a social problem. In the words of a former PRD state representative, “the reform of the law approved by the PAN was something done very fast. They [PAN] did not want our proposal to be considered. The enactment of the second law was favored by political interests, because they got a new law without evaluating the previous law.”^{N5.23} The PRD proposal was never analyzed. The general feeling among insiders is that the PRD presented the law for political reasons, because “it is a leftist party, and that is what supposed to do. None of its representatives [from the

PRD] is interested in the issue [of family violence] but women from other political parties are even less interested in the issue” said Monica.^{N5.24} Another female from an NGO was also skeptical of the PRD goals by saying, “the PRD presented a proposal for reforming the law, but we need to see it very carefully since the PRD has populist goals.”^{N5.25}

Those who supported the second law criticized those who were against the new law. For example, a PAN congresswoman in Guanajuato said “they [Milenio Feminista and Las Libres] are in disagreement with the law. They are very radical.”^{N5.26} Similarly, a member from a NGO said “Las Libres do not want to reach agreements, they are very radical. I believe that it is an ideological issue. They are socialist but the government is very conservative”. She added “the problem here is that NGOs are very linked with political parties.”^{N5.27} Nevertheless, all those interviewed from the feminist movement or women’s NGOs, NGOs working with victims of partner violence, regardless of whether or not they supported the law, were connected to a political party, and harshly criticized the 2005 law. They defined the 2005 law as “going backwards.” A lawyer working in a NGO that provides assistance to victims of partner violence expressed her disappointment saying, “They made a fool out of us. The original law did not work and the reform did not work either.”

After the 2000, the new PAN majority in the Congress and the Governor Juan Carlos Romero Hicks (PAN) promoted important changes limiting women’s rights. Political institutions in Guanajuato made a move toward the right. Everybody but those linked with the PAN complained about the traditionalism and conservatism of the right. For example few months after Governor Vicente Fox left the government in the hands of Ramón Martínez Huerta (substitute Governor), the Congress, controlled by the PAN, approved a reform in the criminal code by which abortion even in the case of rape would be considered a felony. When the PAN first introduced the reform, it declared that the

issue of abortion was not going to be changed. However, when the reform was discussed in the plenary, the issue of abortion in case of rape was included in the reform package. The punishment was an economic sanction and prison penalty ranging from three months to six years for those women who had an abortion after being raped. The response of the women's movement in the State of Guanajuato, and at the federal and international level was immediate and this so called reform was vetoed by Governor Martínez Huerta. The issue of the criminalization of abortion in case of rape generated an important break between the feminist movement and some women's NGOs. For them both the executive and legislative power lost their credibility. María, a former member of Milenio Feminista explained,

The people in this government try to give an image of plurality. When Vicente Fox was the Governor of Guanajuato, we collaborated with the government, even in the approval of the family violence legislation. But now, no, we don't. We have our position well defined. We do not participate because we are not interested, we do not participate because we already know that it is a game, and that everything is already cooked.^{N5.28}

Similarly, the tension between governmental institutions and the feminist movement is noticeable. For example, a member of the Women's Institute in Guanajuato said,

It is very complicated to work with women from the feminist movement. It is a challenge. I think that we should work together, but it is very complicated. (...) There are few NGOs in Guanajuato and they have done a good job, for example, promoting the creation of the Women's Institute, but perhaps the way in which they promote things is not the correct one. They [NGOs] have very good things, and somehow they are linked with the government, but the way in which they act is not the right one. Some of the NGOs have a lot of experience, and it would be excellent to find a new way in which NGOs and the government in Guanajuato could interact.^{N5.29}

5.5.b.iii- Lessons From the Experiences of Morelos and Guanajuato

In sum both in Guanajuato and Morelos the law was approved because of the initiative from above, and the participation of the civil society was something that legitimized the law. But as the 2005 law in Guanajuato shows, although the legislative power (PAN) sought the consensus of the society, when consensus wasn't forthcoming, they enacted the legislation anyway. The 2000 family violence law in Guanajuato and the 1999 law in Morelos are good examples of legislative diffusion since this type of legislation had already been approved in the Federal District. Key informants consider that sections of both laws are very similar to that approved in the Federal District, further confirming the theory of legislative diffusion based on imitation. As has been shown, what was important in Morelos was the fact of the approval of the law, regardless of its content. Anticipating the possibility of problems and opposition associated with the content of the law, Morelos' congresswomen decided to pass a law with the sole goal of promoting social awareness. In the case of Morelos, is an obvious case of quest of legitimacy, in which the institutions and definitions created were very similar to those of the Federal District.

In the case of Guanajuato, besides seeking legitimacy, the process of approval of the 2000 law adheres to a limited rational or a cognitive heuristic model. In Guanajuato, however, an unique factor is the support received from Governor Vicente Fox, whose position as the PAN presidential candidate expanded the attention of the law to a national level and gave him every incentive to create the impression of co-operation with civil society groups. Several years later, however, with national attention directed elsewhere, the new PAN majority in the Congress approved a new law that limited considerably women's protection in cases of family violence.

5.5.c- Bottom-up Promotion of Women's Rights: Reforms in Family violence Legislation as a Result of a Civil Society Movement in Jalisco

The family violence legislation in Jalisco was not the direct result of women's movement and feminist movement efforts. In Jalisco, the family violence law was the result of a grassroots exercise of citizenship. Jalisco is regarded as one of the most *machista* states in Mexico. Most of my interviewees in Jalisco coincided in picturing Jalisco as the place where machismo was originated. In the words of a lawyer,

Here, in Jalisco, the machismo is predominant. Machismo has prevented men and women from being recognized as equal. Although women in theory have equal rights, very often women feel that they only can get little crumbs.^{N5.30}

The situation in the state of Jalisco differs from that of the Federal District because in Jalisco there are few NGOs and civil society organizations that work for women's rights and a consolidated feminist movement is absent. In the words of Juan Carlos Ramirez, professor and researcher from the Universidad de Guadalajara:

There is not such a thing as a feminist movement in Jalisco. Moreover, there is confrontation among those women who label themselves as feminists. There is fragmentation among them. They have not been able to overcome their differences, and they [feminists] have not been able to set themselves in a group with a cohesive program. However, there are civil society organization that have eventually agreed on certain issues [over here he was talking about the issue of the family violence law].^{N5.31}

The origins of social mobilization and exercise of citizenship in Jalisco can be traced to the massive explosions of 1992 in the metropolitan area of Guadalajara, the capital of Jalisco. The explosion of a pipeline on April 22, 1992 caused 212 deaths and the properties of thousands of people were damaged. In the aftermath, Jalisco's civil society got together to demand visible political changes from Governor Guillermo Cosío Vidaurri (PRI), demanding the creation of a committee of inquiry. This was the first time

in contemporary history that Jalisco's citizenry participated directly in political matters beyond the electoral participation. The 1992's experience fostered the creation of new social networks and civil society groups with the objective of influencing in local and state-wide politics. Noticeable among them is the Mutual Support Network for Social Action (Red de Apoyo Mutuo para la Accion Social: RAMAS) that fostered a social policy agenda that was later assumed by the state government. The explosions also resulted in the establishment of the Civil Society Forum (Foro de Organizaciones Civiles) that was able to get the government compromise for implementing a social agenda.

The increasing civil society participation in Jalisco, their demands for democratic openness and the creation of new spaces of participation led the Jalisco's Congress and its governor, Alberto Cárdenas (PAN), to promote a legislative initiative concerning civic participation in 1997. Since 1995 both the local government and the Congress were for the first time in the hands of a non-PRI political party, the PAN. The Civic Participation Law was approved in 1998 and incorporated two forms of direct political participation: popular initiative and referendum.²² Through these two ways of participation citizens might present law initiatives for reforming, or annulling existing laws or codes, as well as approving new legislation. Until the approval of the law, only the Governor, the state Congress, the Jalisco's Supreme Court, and the city-councils could introduce reforms in matters of their competence. For some, the reason behind the Civic Participation Law was the PAN's aim to coopt the civic participation movement. In that way the PAN, "would not have to face the [political] discredit and the [civil society] pressure" so common in previous PRI governments (Zúñiga, Ibarra, and Aguilar 2003:95). The law

²² The Civic Participation Law of Jalisco was approved in January 31, 1998. The referendum requires the support of 2.5% of the electorate for its presentation to the Electoral Council (Consejo Electoral). The Popular Initiative only required the support of 0.5% of the electorate. This law also approved the plebiscite, a mechanism through which citizens can decide over the Governor's acts and decisions. Although citizens are the ones who have to decide, only two-thirds of the Congress or the Governor can present a plebiscite initiative in front of the Electoral Council.

would give the PAN the support and legitimacy of the citizenry while retaining the control of political institutions. The Civic Participation Law was an excellent political strategy since the PAN did not expect that the civil society would reach a consensus around any particular issue nor obtain the number of signatures, about 17,000, 0.5% of the electorate, required by law to make their participation valid (Zúñiga, Ibarra, and Aguilar 2003).

The first popular initiative resulting from the newly approved Civic Participation Law was the (intra)Family Violence Law. The proposal contained not only a specific family law, but also proposed reforms into the civil and criminal codes. The initiative was orchestrated by the Colectivo Voces Unidas (United Voices) which rationally analyzed what could be a good topic for the first popular law initiative. The federal and international context, the fact that many states had already approved family violence laws together with the nature of the topic made of the issue of partner violence the content of the first civic participation initiative in Jalisco, and in the country.

The issue of family violence was also being discussed at the national and international arenas. Feminist organizations throughout Mexico and in the international sphere were pushing for the approval of legal reforms in the area of partner violence. The Mexican Senate ratified the CEDAW in December 1998, and the support given by President Ernesto Zedillo to the National Women's Plan (*Plan Nacional de la Mujer*). Moreover, by 1998 seven states in Mexico had already passed family violence legislation: Federal District (1996), Querétaro (1996), Coahuila (1997), and Colima, Chiapas, San Luís Potosí and Veracruz in 1998.

Prior the presentation of the popular initiative, several organizations had been working on the issue of family violence and had made several attempts to obtain the cooperation of public institutions in the protection families against family violence. In

1995, the Coordination Committee of Female NGOs in Jalisco drafted a document with actions toward the protection of women and children against family violence, which was handed to the candidates for Governor. In 1996 took place the forum Legal Alternatives to Fight Family Violence (*Alternativas Legales para Enfrentar la Violencia Intrafamiliar*), and in 1997 the third national forum “Against Violence toward Women”. Jalisco’s public agencies such as the Ministry of Education, Attorney General’s Office, Jalisco’s institute of Social Assistance, and DIF; the University of Guadalajara through the program of gender studies (PIEGE: Programa de Investigacion y Estudios de Genero); and NGOs such as the Centro de Investigacion y Atencion a la Mujer (CIAM: Center for Women’s Research and Assistance), and the Mexican Foundation for Family Planning (MEXFAM participated in these two events). In November 1997, CIAM gave Governor Alberto Cárdenas a proposal draft for the Law on Assistance and Prevention of Family Violence for Jalisco. This first legislative proposal never made it to the Congress.

In 1998 the Mexican Institute for Community Development (IMDEC: Instituto Mexicano de Desarrollo Comunitario) organized a seminar on methodology and public participation. Several groups from the Committee for the Coordination of Social Organizations, members from several NGOs, university professors, members of the Feminist Millennium (Milenio Feminista), and CIAM who attended the seminar brainstormed about how to call the attention of the State to the issue of family violence against women and children. In order to preserve the non-partisan appearance of the issue, and to increase the likelihood of a popular initiative to pressure the legislature and the Governor, Voces Unidas made sure that the issue of partner violence would not be endorsed by any political party, nor official or traditional actors from Jalisco’s public life would take its ownership (Aguilar Villalobos and Alatorre Rodriguez 2000; Zúñiga, Ibarra, and Aguilar 2003).

The CIAM, led by Andrea Medina, again took up the proposal draft for the Law on Assistance and Prevention of Family Violence for Jalisco submitted to the Governor about one year before. The goal was to create a legislative initiative focused on family violence that would reach the Congress using the popular initiative as per the 1997 Civic Participation Law. Soon after, members from the ITESO (a Jesuit university) and other civic organizations such as Alianza Cívica joined the first group, and formally created the group “United Voices, Opening Paths”.²³ The organizations members of Voces Unidas had extensive social capital as a result of having participated in several citizenship networks and community initiatives, their links with the intellectual and business worlds, their connections with the Catholic Church and mass-media, as well as their relationship with the PRI and PAN.

The situation in Jalisco was different from other states since there were no feminist organizations working in the area of domestic violence. Contrary to the process in the Federal District, where seasoned organizations in the area of violence against women participated in the process of making visible the problem of violence against women and got involved in the process of preparing and approving the law, in Jalisco there were no such organizations. The words of a prominent member of Voces Unidas could not be more revealing:

Unlike in other states, in Jalisco there are not civil organizations working in the area of domestic violence. When the movement is created [Voces Unidas] we were seeking that the government would fix the problem. We [Voces Unidas] are co-responsible in making the problem visible, construct a social demand, and denounce the need of specific legislation as well as the lack of specialized agencies for victims of partner violence. (...) Victims of partner violence had very few places where to go. They could go to the University of Guadalajara, and²⁴... well, with the exception of CIAM, there were not specialized organizations in Jalisco. (...) The issue of family violence could not have been

²³ The name of the group in Spanish is “Voces Unidas, Abriendo Caminos”. The group, however, was publicly known as Voces Unidas.

²⁴ The University of Guadalajara, the Law school provided free consultation in matters of partner violence.

brought to the public sphere by the women's movement because Jalisco and the State are vaccinated against feminism.^{N5.32}

The groups that composed Voces Unidas had two main goals. First, the democratization and the promotion of new forms of political participation; and second, the approval of a family violence law. The placement of these organizations within the two axis might be explained both by their gender composition and their organizational goals. IMDEC, Alianza Civica and ITESO, were mixed gender organizations, stressing the means by which the legislation was enacted (popular initiative). IMDEC's goal was to promote processes and strategies of civic participation and communication. The objective of Alianza Civica was to promote transparent and clean elections, as well as to foster democracy and public participation. The objective of the Jesuit University, ITESO, is to give response to social welfare needs and support actions that among others advance democratic participation, human rights and social justice. CIAM was a feminist organization seeking to help women through the professional experience of their female members. Violence against women soon became the sticking point of CIAM. Milenio Feminista was composed of several civil organizations, including unions, indigenous, academic NGOs, for which both the approval of the legislation and the popular initiative were equal priorities. While the different priorities among the groups comprising Voces Unidas caused a lot of tension in the group, the fact that Voces Unidas was composed by both men and women was seen as something positive, since "only providing a female image would be [considered by the society and politicians] as aggressive" (words of Marisela Mongel in Zúñiga, Ibarra, and Aguilar 2003:134).

After a long internal process the project was presented to the citizenry on November 25, 1998, the international day commemorating for the victims of violence against women (see Zúñiga, Ibarra, and Aguilar 2003 for details). Although the details

about the project of the Family Violence law remained unclear to many in elite circles, it soon received the support of prominent figures from different spheres of Jalisco's society such as the president of the ITESO, David Fernández; the assistant Bishop of Guadalajara, José Trinidad; the rabbi of the Jewish community; and María Marván, a well-known political analyst, just to mention a few. The project was also backed by many social leaders, journalists and the business sector. After an extensive publicity campaign and many activities for raising public awareness, Voces Unidas' project received the support of 40,872 signatures.

It was not only the above mentioned different perspectives held by the different groups of Voces Unidas that created conflict within the group, but also the ownership of the initiative claimed by Andrea Medina of CIAM. Several members of Voces Unidas agree that Andrea Medina wanted to be recognized as the intellectual author of the project, which indeed was part of her B.A. thesis. Andrea Medina gained visibility and was often perceived as the spokesperson of Voces Unidas greatly increased the tension and disagreements within Voces Unidas, leading to a split in Voces Unidas even before the presentation of the legislative proposal to the Congress, with Angeles González, professor of the Universidad de Guadalajara, becoming the new spokesperson for Voces Unidas.

The tension between Voces Unidas and CIAM increased even more at the beginning of February 2003 as CIAM had not submitted the final law proposal project, which was supposed to be revised by specialized lawyers. When at last the draft was handed to Voces Unidas, and reviewed by the lawyers, the tension increased further. Gabriel Gallo Alvarez, at that time a faculty member of ITESO, describes the nature of these tensions,

(...) since at the beginning the legal part of the project was in the hands of CIAM, represented by Andrea Medina Rosas (...) the legal objectives for preventing, and sanctioning intrafamily violence were very clear... Finally, and given the concerns of Voces Unidas, on February 23, 1998 a committee from the [ITESO's] law school reviewed the legislative proposal and found that it did not fulfill the expectations generated by the social movement, that at the time was very advanced stage (...) [Together with that group of lawyers I worked] to avoid the two possible negative consequences: stop the proposal several days before its official presentation date, or that the proposal would have a different content from that previously announced to the society and to the Church. For this reason, we worked for three weeks, first to postpone its presentation, initially projected for March 8 (the International Woman's Day) and second, work with the purpose of the project to keep all the lawful proposals for preventing, dissuading and sanctioning all behaviors that cause damage to the family, remove the repressive [issues in the law proposal] and *some gender considerations that were not linked with the initial goal of the movement [Voces Unidas]*" (Zúñiga, Ibarra, and Aguilar 2003:161-162).^{N5.33}

The day before the project was to be submitted to the Congress, Andrea Medina made changes that had an important impact both in the proposal and in Voces Unidas. A member of Voces Unidas described the reaction of the group:

She made changes. Those changes were not discussed by Voces Unidas and created both a situation that impacted Voces Unidas, and the possibility that the legislation would be approved without so much danger. It is very complicated to reach a consensus. There was a fight between individual and collective interests.^{N5.34}

Gabriel Gallo Alvarez further explains the nature of the changes from the perspective of the ITESO that were mainly about the concept of family:

We have to recognize that when the document was presented to the Congress, [Andrea] Medina Rosas made some changes that, without being very significant, created an unnecessary fuss around the project. (...) ITESO participated in the [popular] initiative, but it was never directly or indirectly involved in the objective of attempting against the concept of family, marriage, or other matters that could be interpreted as gender issues (in Zuniga, Ibarra and Aguilar 2003:161-162).^{N5.35}

The legislative proposal of Family Violence, supported by popular initiative was submitted to the Congress in March 26, 1999. The Congress was responsible of analyzing and modifying the proposal for its subsequent voting. The initiative, not made public at the time, and without knowledge of the important changes introduced by Andrea Medina, received the tacit support of two of the three Commissions that the proposal had to go through: the Commission of Equality and Gender, chaired by Rocío Gaytán (PAN); and the Commission of Social Assistance, chaired by Salvador Ávila (PAN). The Commission of Legislative Studies, Constitutional Affairs and Regulations chaired by Porfirio Cortes (PRI), however, was not very favorable to the proposal. Voces Unidas did not see its “exercise” of citizenship as complete after the proposal made it to the Congress, and began a new lobbying phase, seeking alliances to pressure the Congress for the proposal.

When the content of the proposal, which included the CIAM’s changes, was made public, conflict exploded again, generating a public debate about the contents of the proposal. According to the public opinion and actors involved in the process, the controversy was in different areas: how (intra)family violence was conceptualized, the concept of family, and whether or not the State should be allowed to intervene in a private family matter. Within the next days the proposal, without the modifications of CIAM was presented again in the Congress, and the Congress made public its commitment of having the proposal evaluated by November 26, 1999. However, the controversy had already been made public.

Most of the public debate was about the concept of family. As in the approved Federal District LPAVIF, the bill as it was finally presented to the Congress in Jalisco contained the concept of *familias* (families, in plural). The concept of *familias* was problematic because in addition to the nuclear family, other types of unions could be

recognized as well, especially homosexual couples, or polygamy. The controversy reached one of its peaks when Juan Sandoval Iñiguez, the Cardinal of Guadalajara, said that Voces Unidas had not only fooled the Church but also thousands of members of the catholic congregation that supported the project. He added “this is a project that destroys the family, and therefore, the society, because it allows the indiscriminate intervention of the State in the family’s privacy” (in *Mural*, June 17, 1999). His claims, however, were groundless since it was the non-modified proposal that was being discussed in the Congress.

The controversy and polarization of Jalisco’s society was such that the Congress decided to put Voces Unidas’ proposal on hold. In response, Voces Unidas began an active campaign to get the proposal enacted. After a long process of building alliances with different actors in the process, and recognizing the problems faced during the process, Voces Unidas received the support of the Church once more. The governor of Jalisco, Alberto Cárdenas Jiménez reaffirmed his support of the project on November 15, 1999. The Congress had not finished debating the bill by November 26, 1999, the supposed deadline agreed to when the proposal was first presented in the Congress.

One week later, in December 1, 1999, the Congress finished the evaluation of the proposal that consisted in reforms both in the civil and criminal codes, and the approval of a family violence law. Voces Unidas had won a very partial battle. From the forty state-representatives in Jalisco, twenty-nine voted against considering the reforms in the civil and criminal codes. Nevertheless, they agreed upon the addition of the content of the Ley de Prevencion y Asistencia a la Violencia Intrafamiliar, to the Social Assistance Code, which indeed regulates the agency responsible for social assistance and family, DIF.

Voces Unidas, however, dissatisfied with the failure of the Congress to incorporate the reforms in the civil and criminal codes, demanded a response. In February 2000, a women's organization called *Círculo de Mujeres por Mexico* (Circle of Women for Mexico, a group created to support the political campaign of Luis Donaldo Colosio, a PRI presidential candidate assassinated in 1994, and that currently works toward in the areas of civic training and creation of public opinion) presented a complaint in front of the State Commission of Human Rights against the Jalisco Congress.²⁵ The State Commission of Human Rights investigated the reasons why the Congress had not evaluated the part of the popular initiative concerning with the civil and criminal codes amendments. It concluded that the Congress had to evaluate the reforms in the civil and criminal codes. Despite the pressure exerted by the State Commission of Human Rights, the mass-media, and Voces Unidas, the Congress did not make the changes in both Codes until August 23, 2000.

In Jalisco, the law was the direct result of an initiative from below, in which the content of the law and the institutions to be created by the law were discussed among its members. The family violence law was approved, but the dynamics differ greatly from those of other states, since only Jalisco experienced the promotion of the law from below. Not only among the four states in my set, but among all the states in Mexico, Jalisco's experience is unique. This is the only case in which there was a public debate that explicitly surfaced the double purposes of the law, split between the protection of the individual and the promotion of the family. In this case, as I have demonstrated above, even among those supporting and leading the popular initiative, the promotion of the family absorbed the notion of the protection of individual women from family violence. The actions of the Jalisco Congress show that the law was approved not because of any

²⁵ The State Commission of Human Rights has the goal of protecting individuals or organizations human rights that have been violated by civil servants or public institutions.

interest in the goal of diminishing violence against women in the family, but rather as a form of legitimacy-seeking, in which the impression of interest is created to produce political and status gains, as is implied by its inclusion in the Social Assistance Code. By including it in the Social Assistance Code, the Code that mainly regulates the DIF and its activities, the true goal of family promotion and protection is evident.

5.6- CONCLUSION

The approval of administrative legislation sanctioning family violence and authorizing preventive measures against it in Mexico's states has followed different paths: top-down, bottom-up and a collaborative effort between civil society and the State. In all states, the approval of family violence legislation has been the result of a diffusion process that in most of the cases can be explained by the need of the State to restore lost legitimacy, or to obtain it. The issue of obtaining legitimacy cuts across levels: international, federal and local-state level. This chapter has shown how the enabling State in terms of issues of violence against women has become such, due to the search for legitimacy.

At the international level, Mexico signs most international conventions and treaties that contain actions for guaranteeing that women have a life free of violence. However, this national signature is more a declaration of good will than an enforceable writ, since it has taken several years for its ratification from the Mexican Senate. At the Federal level, the creation of public agencies for victims of partner violence and rape was the result of the scandal of nineteen rapes perpetrated by agents within the Federal District Attorney's Office. This was seen as a symptom of the underlying corruption and deceitfulness of the State. Many regarded the creation of these agencies as a battle that was won over the status quo forces within the State; or as concessions of a controlling

State that was progressively changing its role to an enabling State. In reality, though, the Federal District government's concern was not about women's rights, but about the increase in crime as well as placating public indignation and civil society mobilizations following the scandals. The State was forced to provide some response to this society mobilizations, as Walker (1991) claims "when public support for the cause they [women's organizations] represent swells to such a great extent that policy makers must address their claims or risk losing their political legitimacy" (cited in Weldon 2002).

The reaction of the federal executive has also been mediated by legitimacy issues. When Grupo Plural sought the support of President Zedillo to the package of reforms to the criminal and civil codes, he consented, but given that the proposal originated in the PRD, members of the PRI wanted to boycott the signing event. If these reforms were originated by a non-PRI party, the public acceptance for the PRI would increase even more. It was not until members of the Grupo Plural let president Ernesto Zedillo know that the press was cognizant of plans for his attendance at the event that the president's office realized the political consequences in terms of public relations damage that would ensue if he did not sign the legislation; thus, the signing took place.

The goal of administrative family violence laws is to facilitate the access to justice for victims of partner violence. In most cases the enactment of administrative laws were accompanied by modifications in the civil and criminal codes. However, as we will see in the next chapter, these administrative laws are more symbolic than effective for protecting women's rights, given their unbridgeable duality of objectives: protecting individuals within families from violence, and the promotion of the family. In the Federal District, there was an international pressure for approving family violence legislation, arising not only from the international commitments made by the Mexican government, but also because other countries in the region had already passed similar

legislation. In the case of the Federal District, the collaborative effort between women's movement, NGOs and legislators, resulted in an analysis of previous legislation in order to draft the legislative proposal. Following Weyland's (2005b) typology of legislative diffusion, the Family Violence Prevention and Assistance Law followed a *rational learning* process.

For the other states, the geographical origin of such diffusion was the Federal District. As the legislation was already approved there, other states felt the pressure for approving similar legislation. As consequence, legitimacy became a key issue in the approval of the family violence law in Morelos. The main goal in Morelos was to have a law approved regardless of its content. That is the reason why it approved a law mainly centered in promoting public awareness, and trying to avoid any issue that was expected to generate controversy. Therefore in Weyland's (2005b) typology, the force behind the approval of the law in Morelos was a *quest for legitimacy*. In the case of Morelos we have seen how legislators promoted the approval of the legislation in order to demonstrate State's modernity, and as Weyland argue, governments fear "the stigma of backwardness and therefore eagerly adopt policy innovations regardless of functional need" (Weyland 2005b:270)

Guanajuato constitutes an excellent example of how the context influences the State and how legislation and public policies change depending on broader sociopolitical circumstances. The case of the family violence legislation in Guanajuato illustrates how the State moved from being an enabling State in 2000, when the first law was approved, to a repressive State in 2005 when the second law was passed. The case of Guanajuato shows also that the State is plural and that the same action –family violence law- might have different significances for the multiple actors constituting the State. For example, Governor Vicente Fox supported the legislation in 2000 because he wanted to become a

strong candidate for the presidency, in what Weyland would define as a *quest for legitimacy*; the State Congress behavior falls into the *cognitive* heuristics category, since the Federal District legislation was being taken as a reference by many states, and it was “widely adopted on the bases of its apparent promise, not its demonstrated success” (Weyland 2005b:271).

In the lapse of five years the legislation about family violence in Guanajuato changed from being an enabling legislation in terms of women’s rights to controlling legislation in terms of the familist agenda. The approval of the second family violence law in 2005 was not a consequence in the change of the political forces in the state since the PAN had both control of the governorship and the state congress. After Vicente Fox had already been elected president, the PAN approved a second law in 2005, which by requiring public authorities to impose a reconciliation process on abused women and their aggressors, actually limited women’s rights. This issue will be discussed with further detail in the next chapter, in which I will analyze how on paper the State might be formally *enabling*, but in its actions the State might be labeled as *controlling*.

The case of Jalisco also demonstrates how the reaction of public opinion and the search of legitimacy influenced the approval of family violence. Jalisco’s family violence legislation is an unintended consequence of the civic participation law approved in 1997 with the goal of creation new forums of participation. The family violence law was the result of an exercise of participation that caught the State by surprise. After the controversy generated by different actors about the concept of family and the right of the State to regulate private issues, a pseudo-law was approved. It was a pseudo-law because it was not an autonomous law as in the other cases studied in this chapter. After a lengthy process of approval, the law was included as part of the Social Assistance Code. As consequence the DIF, the public assistance institution of the government, was

responsible for its implementation, fostering the “family promotion” part of the legislation, and, therefore, providing limited rights to women.

Therefore, in Jalisco the DIF has been given responsible for interpreting and implementing the law, which is subject to change depending on the ruling party of the moment. Just for illustration purposes, some of my informants in Jalisco mentioned the informal letter that was sent by the higher ranks of the DIF, in which governmental agencies dealing with domestic violence cases were requested not to provide legal advice to those women willing to initiate a divorce procedure, “because the DIF is an institution for the promotion of the family, not for its destruction”. Jalisco’s Congress approved the legislation due to all the pressure received from the mass-media and the society. However, the length of time elapsed since the presentation of the proposal and its final approval, as well as its inclusion in the Social Assistance Code, supports the hypothesis of a lack of interest on behalf of Jalisco’s legislative power. Therefore, the family violence laws had the goal of granting legitimacy to State institutions, or to individual people, as was the case of Vicente Fox, governor of Guanajuato. In the case of Morelos, regardless of the content of the law, the important matter was to have a family violence law. In sum, the law responded to different objectives and strategies.

This chapter has also demonstrated that the State is plural and that there is a myriad of actors participating in the definition and protection of women’s rights. Following a post-structuralist approach, I have shown that in addition to the State, other actors need to be taken into consideration when analyzing legislative diffusion. The socioeconomic, political and historic context is of central relevance for understanding how women’s rights are defined and what type of protection is granted. Not only might different institutions have differing goals, but also different people within the institutions might have different agendas or attitudes, as evidenced by the division between male and

female legislators. While most congresswomen were supportive of the approval of the family violence legislation, their male counterparts often expressed their reluctance toward this type of initiatives, characteristically in the form of joking comments – implying at once discomfort with the issue and the desire to de-legitimate it as a serious legislative concern. This issue will be further explored in the last chapter.

The approval of administrative family violence legislation does not necessarily translate into better protection of women’s rights. As we will also see in the next chapter this type of legislation has had the unintended goal of reinforcing women’s traditional gender roles within the family rather than a real protection of women’s rights within the family by prioritizing keeping the family together.

CHAPTER 6: THE CONTENT OF THE FAMILY VIOLENCE LEGISLATION: HOW NEW LAWS AND HIGH EXPECTATIONS CONVERGED TO MAINTAIN THE STATUS-QUO

Administrative family violence laws were approved in almost all states guaranteeing the right for all family members to live free of violence. The key research question addressed in this chapter is whether this objective has been achieved. Violence is used by men as a way of securing and maintaining male dominance and female subordination, which are central to the patriarchal social order (Radford and Stanko 1991). In what follows I examine the ways in which violence against women is defined and how the administrative legislation on family violence attempts to protect women by attempting to balance gender-based power relations within the family.

In the previous chapter we saw that the family violence legislation was enacted in most Mexican states as a result of pressure from a variety of sources and actors, including civil society and international organizations whose activism gave rise to a legitimacy crisis concerning this issue. However, enactment of legislation is only one step towards the achievement of the stated objectives of that legislation. In order to differentiate the legislation from the achievement of its objectives I employ the terms “responsiveness” and “effectiveness.” One major part of government responsiveness is bureaucratic *responsiveness*, which refers to the extent to which specific bureaucracies respond to complaints and requests. Government responsiveness in general refers to the extent to which government acts in response to problems or citizen demands (see Weldon 2002 for further discussion and references). Responsiveness, however, does not necessarily imply effectiveness.

Effectiveness refers to policy impact, which in the case of family violence refers to the extent to which state initiatives (laws or public policies) ultimately reduce the prevalence of the problem. In Mexico, the State was responsive to citizen's demands and international pressures that led to the crisis of legitimacy. However, in terms of actually reducing the prevalence of violence, the State faced a dilemma that forces us to question the effectiveness of the actions taken by the State. The dilemma was inscribed in the objectives of the state's administrative family violence legislation itself as it aims at both guaranteeing family members security from violence and also strives to promote and sustain the unity of families. The latter aim meaning, in real terms, keeping the victim of violence and her assailant together. The latter objective is clearly conveyed in such statements as, "since the stability and development of families are of public interest and human solidarity " (see the Family Violence Prevention and Assistance Law in the Estado de Mexico), and "(...)[since] the family [is] the indisputable bastion for the preservation of society, the State must establish the suitable mechanisms for its integration and preservation. Therefore, it is of vital importance to fight face to face against everything that goes against the family unit and causes its deterioration; since there is no doubt that the family is the origin of the social community" (Colima's Family Violence Law).²⁶

As we saw earlier, domestic violence is a phenomenon that has serious consequences for the individual, families and the society in general. While zero violence should be the ultimate objective, something far short of that is the likely reality of even enlightened efforts at reform. In some cases, Mexican women who seek the intervention

²⁶ Que el maltrato familiar es una manifestación frecuente de violencia, cuyos orígenes se remontan a la antigüedad, y siendo la familia, el bastión indiscutible para la preservación de una sociedad, el Estado debe establecer mecanismos idóneos para su conservación e integración, resultando de vital importancia, combatir frontalmente todo aquello que vaya en contra o en deterioro de la unidad familiar que necesariamente es el origen de la comunidad social.

of the State are sent back to their homes and their husbands and to a dangerous situation that has not changed. The assessment of the ultimate effectiveness of the law depends on which of the competing goals of the legislation we focus on, protecting individual women from family violence or promoting the stability of the family.

Understanding the origins and consequences of this contradiction forms the core of this chapter. To this end I examine the specific provisions of the law, the interpretations of those agencies in charged of implementing the law, and the female victims of partner violence, as well as the extent to which the law and public agencies charged with enforcing it are used by the female victims of partner violence. As we will see, the patriarchal context and the pervasiveness of patriarchy in the State, reflected by the attitudes and actions of individuals working for and representing the State, and the strong familistic tradition in Mexico interact to create an situation in which rather than protecting women from family violence, the agencies charged with the task of protecting women tend to foster her revictimization if this is necessary to preserve families, no matter how dysfunctional they are. Familial ideology essentializes and universalizes the conception of women as wives and mothers, as economically dependent, as passive, dutiful and self-sacrificing across a broad range of personal laws (Kapur and Cossman 1996:101, cited in Ahmed-Ghosh 2004).

In the first part of this chapter I present an overview of the contents of the law in the administrative family violence legislation in Mexico. In the second part I analyze whether or not the differences in certain aspects of the legislation are associated with the structural level of gender equality. In the third section I present empirical data about the interpretation of the family violence law on behalf of the State agencies and women. By a detailed analysis of the conciliation process, I will show how individual and family protection is negotiated and understood. Formal conciliation is a process in which some

attempt is made to settle disputes between the aggressor and the victim with the aid of a mediator who helps both parties reach an agreement regarding their rights and obligations, without having to go to court.

More specifically in the first part of this third section I examine how public agencies conceptualize conciliation and transform it in *reconciliation*. In the second part I review how the requirements of the conciliation process revictimize the woman and either directly or indirectly pushes her to stay in the family. Finally, in the third section I review how the woman is faced with a dilemma posed by the patriarchal social structure, to choose between the well-being and unity of the family or her own well-being. The choices made by women will differ according to their individual and situational characteristics. Finally, in the last part of the chapter I present the conclusions and I discuss the effectiveness of the law for protecting the individuals and their families.

6.1- GENERAL OVERVIEW ABOUT THE CONTENTS OF THE ADMINISTRATIVE LAWS REGARDING FAMILY VIOLENCE

The legislation regarding family violence, as we saw in the previous chapter, is widespread. However as we will see throughout this chapter it is heterogeneous regarding its contents (for specific details about the contents of the administrative family violence laws by state see Pérez Contreras and Mora-Donatto 2006). The structure, although not the content, of the legislation is quite similar in all states and it is divided in the following eight sections, which content is summarized below: 1) general rules; 2) creation of a Council for Family Violence Assistance and Prevention; 3) assistance to victims of family violence; 4) prevention of family violence; 5) administrative procedures for resolving controversies related to family violence; 6) infractions and sanctions, and; 7) mechanisms for appealing the sanctions and resolutions.

1- General Rules:

- a. Main goal of the law.
- b. Definitions of key institutions created by the law and responsible for its application, as well as already existing institutions.
- c. Key concepts of the law such as prevention, assistance and coordination.
- d. The scope of the law: definition of individuals protected under the law and the types of relationships between individuals involved in violence acts which are protected under the family violence law.
- e. Definition of the acts constituting family violence (i.e. physical, sexual, psycho-emotional and economic). It also includes the definition of both perpetrator and victim of family violence.
- f. Public institutions and agencies responsible for the implementation of the law.

There are several institutions responsible for the application of the law. Among those we find the Governor or its equivalent in the Federal District (Government Chief), Secretary of Government, Secretary of Education, Secretary of Health, Secretary of Public Security, Secretary of Social Development, the State General Attorney's Office, and the State Women's Institute. According to some laws, the municipal governments bear responsibility for the execution of the law. Such are the cases of Guanajuato and Oaxaca. Also variously bearing responsibility are institutions of the judiciary power, such as the Center for Legal Assistance in Jalisco; the State's Congress such as in Colima; or the State Commission of Human Rights. The

specific responsibilities and competencies of each institution toward the issue are outlined, and the mechanisms of coordination among them are established.

2- Creation of the Council for Assistance and Prevention regarding Family Violence

- a. Creation of the council and its composition. All states, in which the legislation has been enacted, but Nayarit, have a Council for Assistance and Prevention of Family Violence. In Tlaxcala, it is called Technical Commission in Family Violence. The councils are composed by several members from the institutions responsible for the implementation of the law. In many states, one or several NGOs will be permanent members of the council. This is for example the case of Morelos, Coahuila, Colima or the Federal District. In other states such as Guerrero, Estado de México, Veracruz and Yucatán. NGOs can become part of the Council at the Governor's request. The Council is presided over by the Governor in most states.²⁷ In some states they include representatives of municipalities and members of the civil society or private sector with expertise in family violence.
- b. The role of the council: To coordinate, evaluate and promote actions and specific public policies for prevention of family violence and assistance to the victims. These actions will be translated into a general program that will establish the actions for the institutions responsible for its implementation. In some states the Council is also responsible for the sponsoring studies about

family violence, assisting in the professional training of public employees working in institutions dealing with family violence, keeping an statistical database about family violence, conducting public awareness campaigns, acting as a coordinator not only among the institution and NGOs in the State, but also between the local and federal levels. Also in some states such as in Jalisco and Sinaloa the Council will promote the creation of a Board of Finances (*patronato*) that will assist the Council to obtain funds for the development of family violence programs.

- c. How often the Council members will be summoned by the president of the council. The frequency ranges from once a month in Baja California Sur, Jalisco to six months in Morelos, Durango, Querétaro or Zacatecas. In most of the states the Council meets once every three months.

3- Assistance to Victims of Family Violence

- a. Characteristics of assistance: Not only the recipient of violence, but also the aggressor, as well as other members of the family are by law in most states eligible to receive assistance. Attention of different kinds (i.e. therapeutic, educational, and protective of the victims) is made available both by private or public institutions. State courts might mandate the aggressor to receive specialized attention in public agencies.
- b. Prohibition of discrimination due to race, marital status, nationality gender, socioeconomic status, and religion: The attention will be free of stereotypes,

²⁷ In the following States, the position of chair of the council is honorific: Tabasco, Puebla, Nuevo León and Federal District. In these States, the council is not presided over by the Governor: Baja California,

sexism, or other forms of bias and will have the goal of protecting victims of family violence, reeducating those that perpetrate violence and reducing and if possible eradicating violence in the family.

- c. Professional requirements of personnel providing specialized services: Personnel providing professional services should have specialized training, be board certified, have professional integrity, and be sensitive to the issues of human rights.
- d. Relevant institutions and roles of these institutions.
- e. Collaborating institutions: Institutions that are responsible for providing assistance to individuals that experience family violence (i.e. TSJ, Secretary of Public Security, Secretary of Governance, State Attorney's Office, DIF, Municipalities, State judges).

4- Prevention of family violence

- a. Institutions with responsibilities in the prevention of family violence. The institutional design in each state is different, but among those with in charge of prevention programs we find the Secretaries of Education, Health, Social Development, DIF, Women's Institute or Secretary of Women, the State Superior Court (TSJ), and the State Commission of Human Rights.
- b. Specific tasks for prevention:
 - i. Development of educational programs in schools about family violence and human rights.

- ii. Promotion of awareness campaigns and specific actions in communities where a higher incidence of family violence has been detected, and among vulnerable groups such as youth and indigenous peoples. These actions will be carried out by specially trained personnel. In some states, the law plans programs for low-income areas. In those cases, these programs will try to incorporate low-income people in their implementation.
- iii. General awareness campaigns, including those developed in collaboration with the mass-media.
- iv. Promotion of research about the causes and consequences family violence. The results of this research are to be used to design new models of assistance to victims and accused/perpetrators, as well as to design new prevention programs.
- v. Promote awareness and training of public employees in the executive and judiciary power, and specially those in direct contact with those affected by family violence.
- vi. Create awareness of the law in different institutions.
- vii. Creation of a registry of governmental and non-governmental institutions that provide assistance to victims.
- viii. Promotion of legal reforms.
- ix. Fostering awareness and provide specific training for teachers and creation of a “parenting school” (*escuela de padres*) in which issues of family violence will be addressed.

5- Administrative procedures for resolving controversies related to family violence:

Procedures of conciliation and arbitration.

- a. Institution(s) responsible for the mediation (*mediación*), conciliation (*conciliación*) and arbitration (*arbitraje o amigable composición*). These methods of resolving family violence incidents do not exist in all states. Some states only institute conciliation, not arbitration, while in some there are no mediation programs. These institutions are diverse: Family Violence Attention Units (UAVIs: Unidades de Atención a la Violencia Intrafamiliar), the Procuraduría de la Defensa del Menor y la Familia dependent from the State or Municipal, DIF, and family judge.
- b. Main characteristics of the procedures: Whether or no the conciliation procedure is initiated at request of the parties or the public agencies responsible for conducting it will always attempt to resolve the controversies through conciliation. Rules are different and sometimes vague on how many times the procedure must be attempted, or whether it is compulsory or not. For example, in Morelos, the law states that “the conciliation might be attempted as many times as is required”.
- c. Rules on the conduct of these procedures: Rules differ on whether a public agency can offer legal counsel to or find legal counsel for the victim of family violence. State rules differ, too, on whether or not the perpetrator of violence is given compulsory notice to report to the agency providing assistance to victims for an interview or to attend conciliation meetings. Procedures are defined concerning the arbitration process and whether or not those involved

in family violence must attend one, and what penalties ensue for non-compliance.

- d. Judge's role: Different rules in the states determine whether the institution responsible for conciliation must take the conciliation agreement to a member of the judiciary power in order to make sure that the agreement is enforced. In some other cases this is left up to the signatories.
 - e. Protective orders: Whether the institutions responsible for assistance, mediation, conciliation and arbitration have the responsibility to request measures for victims of family violence differs among the states.
 - f. Consequences: Penalties for breaching the agreements reached in the conciliation or arbitration agreements.
- 6- Infractions and Sanctions. Not all state laws contain sanctions to be applied to the infractions to the law.
- a. Definition of infractions: These include: The non-appearance of perpetrator after due notice has been given, breaching the agreements reached in the conciliation or arbitration process; acts of family violence that are not provided for in other bodies of law; acts committed in the process of conciliation, mediation and arbitration; unwillingness to receive psychological assistance from the units for victim assistance; and recidivism.
 - b. Sanctions: Conditions the circumstances which automatically initiate the application of sanctions.
 - c. Type of sanctions: Written warning, psychological therapy for aggressors, economic, and prison.

- d. What the payments of the sanctions will be used for: Very few states explicitly state that the sanctions will be used to finance programs of family violence prevention and assistance.
 - e. Integrity of public employees: Sanctions for those employees failing to fulfill the requirements of this law or acting in an unprofessional manner. In some cases, those penalties included in regulations outlining responsibilities of public employees will be applied, or specific sanctions will be included in the law.
- 7- Mechanisms for appealing the sanctions and resolutions reached or applied by the agencies responsible for arbitration, mediation and conciliation: Existence of appealing mechanisms to the administrative resolutions, time and institution to which the appeal has to be presented.

6.2- PROVISIONS OF THE FAMILY VIOLENCE LAW FOR PROTECTING WOMEN AND FAMILIES: VARIATION ACROSS STATES AND PATRIARCHY

As we have seen above, the contents of the law are very diverse. There was no set standard across the state's that approved administrative legislation concerning family violence. Here, I wish to focus on eight features of the legislation that determine the level of protection of women against family violence: 1) types of violence enumerated in the law, 2) whether or not the physical violence has to occur repeatedly for it to be considered as family violence, 3) the structuring of conciliation and 4) arbitration processes for resolving controversies, 5) compulsory conciliation, 6) the attribution of responsibilities to institutions –rather than to the victim of partner violence– for notifying

alleged perpetrators to be present at the conciliation process; 7) sanctions; and 8) creation of shelters.

When domestic violence became an issue of public interest due to the emphasis of the feminist movement, domestic violence was mainly associated with physical violence (see Yllo 1988). It was not until more recently that other types of violence such as emotional or economic violence began to be labeled as such. All legislations include physical and psycho-emotional violence. In the states of Yucatán, Tlaxcala, Oaxaca and Colima, partner sexual violence is not characterized as family violence. Women are virtually left without protection against marital rape in Tlaxcala and Colima because rape within the marriage is not categorized as a felony in the criminal code. Economic or patrimonial violence is the form of violence less included in the legislation. The fact that physical violence has to be recurrent in order to be classified as family violence has given rise to controversy, because in states that require recurrence (66% of states), women are left vulnerable to one time incidents. The criminal code offers no relief, since that the baseline for State intervention is set so that the injuries inflicted as consequence of physical violence must last a certain period of time.

Conciliation is a form of mediation whereby disputes may be settled between the aggressor and the victim with the aid of a mediator helping both parties to reach an agreement regarding their rights and obligations without having to go to court. In the case of family violence, 86% of the family violence administrative laws envision conciliation as the first response to domestic violence disputes. In six states, conciliation has been made mandatory for both parties. While those involved in family violence will reach an agreement in the process of conciliation, in the arbitration process, an impartial referee from a public institution agreed to by both parties sets a hearing and determines

the best resolution of a dispute. Twelve states offer this second venue of resolving family violence controversies.

The problem with the conciliation and arbitration processes is the inequality of power between the abused and the abuser. These processes tend to occur shortly after the violence. The victim of partner violence is, therefore, put in a coercive situation, face to face with her partner/abuser, and urged to reach an agreement that will end the violence. For obvious reasons, this situation may well increase the distress already experienced by women who have had to share the same space with their assailant. This distress might be exacerbated and provoke new episodes of domestic violence if the woman, rather than a public employee, is responsible for handing the notification by which the abuser is requested to attend to the public agency for receiving assistance or participating in a conciliation process.

Finally, laws that include sanctions and specific provisions for the creation of shelters for victims of partner violence offer an increased protection of women. Sanctions have proved dissuasive for partners who engage in violence. Seventy percent of the enacted laws contain sanctions for those involved in family violence or those who breach the conciliation or arbitration agreements. In contrast, only 31% of the laws provide for battered women shelters. In the U.S. domestic violence shelters have been around for several decades. As of 2000 the National Directories of Domestic Violence Programs registered 1,386 shelters (Tieffenthaler, Farmer, and Sambira 2005). By contrast, it was not until 1996 that the first shelter opened its doors in the small city of Aguascalientes, Mexico (Guillé-Tamayo 2002). As of May 2004 the National Women's Institute (Inmujeres) reported the existence of only 32 shelters for battered women in Mexico. While some states have additional publicly funded or non-governmental shelters, others lack any source of refuge at all for victims of partner violence, which

points to an insufficiency both in resources and in the regulatory vision that should attend to the situation of battered partners.

What factors explain the discrepancies across states? As we have seen throughout this dissertation, the level of structural gender inequality is associated with individual-level factors. Here I test whether or not the level of structural patriarchy is associated with the contents of the law. In other words, I analyze whether or not the effects of patriarchy operate differentially in the contents of the law depending on the degree of patriarchy in the state, as measured by the GEIMS developed in Chapter 2.

Table 6.1 presents features of the legislation associated with women by level of structural gender inequality. The classification of the states into three categories serves the purpose to find commonalities among states. From the thirty-two states that compose Mexico, three of them are not included in the analyses for two reasons: because their violence against women legislation was not put in terms of specific family violence (Chihuahua and Hidalgo), or because the provisions in the Social Assistance Code are so vague that cannot be compared with other laws (Aguascalientes).²⁸ By using the GEIMS, In the low gender equality category we find seven states: Baja California Sur, Chiapas, Durango, Michoacán, Tabasco, Tlaxcala and Veracruz. In those states the level of gender equality ranges from 36.9 in Tlaxcala to 39.9 in Durango. This means that from a scale in which 100 represents equality between men and women, in the states with low gender equality, women have barely achieved at most 40 percent of equality with men.

²⁸ In the case of Jalisco, the family violence provisions are also included in the Social Assistance Code, however, it was intended to be enacted as a law. The provisions are far more complete and extensive than in the case of Aguascalientes.

Table 6.1: Characteristics of the Administrative Family Violence Legislation by Level of GEIMS

	Level of Gender Equality (GEIMS)					
	Low		Medium		High	
	<u>Mean</u>	<u>STD</u>	<u>Mean</u>	<u>STD</u>	<u>Mean</u>	<u>STD</u>
GEIMS	38.84	1.3	41.8	1.2	49.3	7.9
Year	2000	2.6	2001	2.7	1999	1.2
Types of Violence	3.0	0.6	3.4	0.5	3.0	0.8
Recurrent	57.1	0.5	63.6	0.5	72.7	0.4
Conciliation	85.7	0.4	81.8	0.4	90.9	0.3
Conciliation compulsory	66.7	0.5	0.0	0.0	20.0	0.4
Arbitration	42.9	0.5	30.0	0.5	54.5	0.5
Institution carries citations	28.6	0.5	45.5	0.5	45.5	0.5
Sanctions	66.7	0.5	50.0	0.5	90.0	0.3
Shelters	28.6	0.5	45.5	0.5	18.2	0.4
% NGOs in violence	7.7	8.5	24.9	15.9	19.3	9.5
NGOs in the Council	42.9	0.5	63.6	0.5	45.5	0.5

Notes: States with low level of gender equality: Tlaxcala, Chiapas, Baja California Sur, Michoacán, Tabasco, Veracruz, and Durango. States with medium level of gender equality: Nuevo Leon, Baja California, Guanajuato, Jalisco, Zacatecas, Queretaro, Tamaulipas, Campeche, Sinaloa and Nayarit. States with high levels of gender equality: Colima, Morelos, Guerrero, Mexico, Sonora, Coahuila, Yucatan, San Luis Potosi, Puebla, Oaxaca and Federal District.

The level of structural gender equality in the states of the middle category ranges from 40 to 45. The states in the medium category are: Baja California, Campeche, Guanajuato, Jalisco, Nayarit, Nuevo León, Querétaro, Quintana Roo, Sinaloa, Tamaulipas and Zacatecas. Finally those in the high equality category, are states where the level of gender equality is higher than 45; Colima, Morelos, Guerrero, Mexico, Sonora, Coahuila, Yucatán, San Luis Potosí, Puebla, Oaxaca and the Federal District.

Among those, the Federal District with a level of gender equality of 72.4, followed by Oaxaca, where the gender gap is 48.4.

Table 6.1 shows interesting differences among the legislation enacted in the states depending on the level of structural gender equality. On average, the states where women have achieved higher levels of equality with men enacted the legislation earlier than in states with lower levels of gender equality. In terms of the types of violence specified in the law, no difference is found, however, between states in the high and low patriarchy category. In these states, in average, three types of partner violence are included in the law. These tend to be physical, sexual and psychological/emotional violence. The states with medium levels of gender equality also tend to include patrimonial or economic violence. This difference might be associated with the fact that those states on average enacted the legislation about two years later than the states with higher levels of equality. Another of our indicators, the legal provision that physical violence must recur in order to be considered violence and thus, to be regulated by the administrative family violence law, shows that 64% of the states in the high and medium category of structural gender equality tend to require repetitiveness of the behavior, while the states with lower levels of gender equality partner violence does not need to be recurrent to be regulated with the administrative family violence legislation.

Regarding the conciliation process, most laws explicitly include conciliation as the preferred process through which couple violence can be resolved. All states with low levels of gender equality but Baja California Sur include conciliation. The two states that do not include it among the intermediate states are Nuevo León and Querétaro. San Luis Potosí is the only state among those in the higher category of gender equality which does not contemplate conciliation, perhaps because its law is among the vaguest administrative family laws in Mexico. However, the most salient statistic concerning conciliation is that

it is mandatory, regardless of the will of the parties, precisely among states with low levels of gender equality, that is, five states of the seven in the low gender equality category (67%): Chiapas, Michoacán, Tabasco and Tlaxcala. The arbitration process is included in 43% of the laws of states with low gender equality, in 30% in the states of the intermediate category, and half of the high category.

Another feature of the family violence legislation that might contribute to women's victimization is notification. When delivery of diverse citations to the aggressor falls upon the female victim, the invitation to further physical abuse can be expected –so much so that this can be thought of as a disincentive to victims not to involve the state in domestic violence incidents. In 29% of states with lower levels of gender equality, some public agency, normally the department of transportation or the municipal police, is assigned the task of notifying the alleged perpetrator by citation, in contrast to states with medium and high levels of gender equality, where the percentage is 45.5%. As for sanctions, almost all laws enacted in more egalitarian states (90%) include sanctions for acts of family violence, and violations of the conciliation or arbitration agreements. This percentage lowers to 67% in states with higher levels of patriarchy and to 50% in the states in the intermediate category.

One of the few specific measures for the protection of women is the creation of shelters. Only nine states make the State responsible for creating shelters for victims of family violence: Oaxaca and San Luis Potosí, among the states with higher levels of gender equality; and, Baja California Sur and Tlaxcala among the states with lower levels of gender equality. It is among those states with intermediate levels of gender equality where on average more laws contain specific provisions for the creation of shelters: Guanajuato, Jalisco, Nuevo León, Querétaro and Zacatecas. It should be noted, though,

that some of those states enacted the law recently, like Nuevo León in 2006, or recently reformed the code, as with Guanajuato.

The last two lines of Table 6.2 record the presence of anti-family violence NGOs in the states. There are four states that do not have any single NGO with that purpose: Nayarit, Durango, Tabasco and Baja California Sur. The last three are states with low levels of gender equality. The average percentage of NGOs that have family violence or violence against women among their goals is 8% in the states that fall in the lower gender equality category. In contrast, the percentage is more than doubled in states with the highest level of gender equality, and tripled in the states of the intermediate category. The presence of NGOs might be associated with differences in the legislation, but it is not correlated with the presence of NGOs in the Councils for Prevention and Assistance of Family Violence.

It is not possible to make a clear conclusion about how the structural level of patriarchy in any given state affects the law features. For example, in more patriarchal states (lower level of structural gender equality) more cases of legislation in which the conciliation is compulsory are found. In addition, the legislation in these states does not attribute the responsibility of handing citations to the abusers to any public institution; falling thus on female victims the responsibility of handing over the notification. Nevertheless, perhaps as a protection for women, more patriarchal states do not require recurrence of violence in order to be considered family violence.

On the other side, in states with higher levels of gender equality (medium to high) we do not observe many salient differences in the laws, perhaps because the level of structural gender equality in Mexico is still low and there are not many differences in terms of GEIMS among these two groups. The legislation that apparently offers more protection to female victims of partner violence is found in states with medium levels of

gender equality: more types of family violence are recognized as such, fewer laws include conciliation, and in none of those states is the will of the aggressor and the victim disregarded in mandating public agencies to set up conciliation. Furthermore, in almost 50%, the responsibility of handing the notification falls to a public institution. Around 50% nominally pledge to create shelters. In these states the law is the least punitive, because only half of the laws in states with medium levels of gender equality include sanctions.

We can only speculate for the reasons behind these differences. One possibility goes back to the pattern of diffusion: as the laws in the medium category were approved and reformed more recently, it is also more likely that they picked up on the track record of other states and incorporated more effective measures for protecting women. As of the characteristics of the law in the low equality category, these might reflect the patriarchal climate governing the state. Finally and unexpectedly, higher levels of gender equality in a state do not translate into legislation more favorable in every aspect to women's rights. Again, the pattern of diffusion might provide one explanation for this, as those states with higher levels of gender equality were also more likely to be the innovators or first adopters of laws against family violence. The lag is in reforming imperfections in these laws as they became evident, but the track record was picked up by states who devised their laws later.

6.3- FAMILY VS WOMEN'S INDIVIDUAL RIGHTS: EFFECTIVENESS OF THE LAW, INTERPRETATION BY STATE AGENCIES AND VICTIMS

The formal protection of women against family violence is inconsistently materialized in State's public policies and the actions of public agencies. Again, we find contradictions between what is formally stated in the law –protection of women and

families– and how this is interpreted, showing thus how the State is plural and the protection of women’s rights is dependent on a broader political, and structural context, as well as on women’s situational factors. In the previous part of this chapter I identified several characteristics of the legislation that determine the level of protection of women against family violence. I will now show how the workings of some of these legal provisions that are intended to keep the family together as well as protect victims of domestic violence have, in some cases, led to the sacrifice of family violence victims to the goal of family unity.

Most laws provide protection for several forms of partner violence. Over time it has been easier to identify and prove the existence of physical and sexual partner violence. The identification of economic, psychological or patrimonial violence, nevertheless, is still difficult. Although these forms of violence are included in the law, both public authorities and women victims have a hard time conceptualizing these types of violence. Most of the people providing assistance argue that women have started labeling as violence physical and sexual abuse, but find psychological and patrimonial abuse hard to define. A lawyer working in an NGO in Chihuahua said, “(...) normally women tend to experience more than one type of violence. In the event of psychological or economic violence, women feel that there is something wrong in their relationship but they do not conceptualize what is happening to them as violence”^{N6.1}.

Women tend to seek help when violence has become physical. Often they have had a history of enduring other forms of violence leading up to the physical abuse. Public authorities and specially the law enforcement agencies have a hard time recognizing psychological violence. A woman working in a specialized agency in family violence in Morelos explained that to identify and prove the existence of psychological violence is very complicated. They need that an expert to perform an evaluation and

write a report. In some cases we even need witnesses. Press charges only for psychological violence is much more complicated than in the cases of physical injury. As a result, regardless of the provisions of the law for other types of violence than the physical and sexual, the activities of public agencies are mainly centered in these two types of violence.

6.3.a- Conciliation and Reconciliation of the Family: Maintaining the Status Quo as a Result of Socioeconomic Pressures, Patriarchal Culture and the State

By the process of conciliation couples goes through a process in which disputes may be settled between the aggressor and the victim with the aid of a mediator who helps both parties reach an agreement regarding their rights and obligations. As we saw in the previous section, in some states the conciliation is mandatory and in some others the conciliation process is considered a forum for those involved in family violence to settle their conflicts if they so desire. The data from the interviews conducted with key informants in the states show that a very high percentage of women (from 70-80% depending on the state) opt for the conciliation process.

But before analyzing the causes why women opt, or *are made* opt for the conciliation, and what are the consequences of it, it is necessary to understand the dynamism of the phenomenon of partner violence. In collaboration with Ronald J. Angel, we analyzed the dynamism of partner violence and concluded that women experience violence in brief bursts, transitioning in and out of violence in a short period of time (Frias and Angel 2007). Research from the U.S. indicates that in some cases men who have been violent cease their violence without the separation of the couple (Campbell, Rose, Kub, and Nedd 1998; Donato and Bowker 1984; Feld and Straus 1990; Johnson 2003; Wofford, Mihalic, and Menard 1994). In perhaps as many as half of the

cases of violence reported in representative surveys in any one year, the respondent reported no case of violence by the next year (Aldarondo 1996; Feld and Straus 1990; Wofford, Mihalic, and Menard 1994).

For some couples the cessation of abuse is possible (Campbell and Soeken 1999). This seems to occur in the event that the frequency and severity of the partner violence has not escalated (Frias and Angel 2008). However, research using shelter samples suggests that once violence occurs it usually continues, and often escalates until the woman is injured or until she leaves her partner (Pagelow 1981). These differences are associated with the different type of abuse experienced by women: common couple violence or patriarchal terrorism (Johnson 1995).

The reasons behind the *reform* of the abuser and/or the discontinuation of violence occur are unclear. Johnson and Leone (2005) suggest the possibility that changes in the emotional context of the relationship can result in specific conflicts that can escalate into periodic but non-persisting violence. Walker (1979) explains the temporary discontinuation of violence as part of a cycle of violence that includes tension build-up, acute battering, and contrition or reconciliation. For many women several attempts are required before they are able to leave permanently (Bybee and Sullivan 2005). Their return to the shared space, according to research, increases the possibility that they will suffer even more traumatic violence than those who never leave (Anderson 2003; Campbell, Miller, Cardwell, and Belknap 1994; Hebert, Silver, and Ellard 1991; Sullivan, Basta, Tan, and Davidson 1992). In some cases, the end of the relationship does not mean the end of the violence, since many violent partners continue abusing the woman (Bachman and Saltzman 1995; Bybee and Sullivan 2005; Sev'er 1997).

Conciliation is compulsory in the laws of some of the states in which I conducted interviews with key informants. This is the case of Morelos. In other states, conciliation

is not compulsory, but there is an informal rule in the public agencies responsible for assistance to attempt the conciliation several times. This is the case of Jalisco. In other states such as the Federal District or Guanajuato, the policy of privileging conciliation depends on the judgement of individuals within the agency. In Chihuahua, a state where the law against violence towards women is not supplemented or encoded in a family violence law, women seem not to face strong pressure to use conciliation to resolve the family violence hostilities. In fact, in all states where I had an opportunity to question the experts about their perceptions concerning the law, one of the first things that they would mention was the conciliation process and the difficulties associated with it. I identify three main set of problems associated with the conciliation: 1) Goals of the institution with responsibility of conducting conciliation processes; 2) The conciliation process and its requirements; 3) Individual and situational characteristics of the individuals participating in the conciliation process within a non-supportive structural context.

6.3.a.i- Goals of the institution with responsibility of conducting the conciliation process

The overriding problem with conciliation is that it is often confounded with reconciliation. In other words, public authorities take advantage of the conciliation process, which is open-ended as to the separation or the return of the woman to the shared domestic space, to promote only one outcome, the reconciliation of the couple. This derives from a fundamental devaluation of partner violence as a serious offense on the part of public institutions. The testimony of a woman working in an human rights NGO in Guanajuato illustrates this point,

The problem is that the DIF, and in general, all governmental institutions in Guanajuato do not see family violence as a serious offense. They understand family violence as a conflict. That is the reason why the DIF [institution

responsible of conducting conciliations] understands conciliation as reconciliation of the couple. Family violence is a crime, but they do not see it as such. There is not conciliation in cases of car theft. Why then family violence can be resolved through conciliation?^{N6.2}

The high crime rates in Mexico, and the efforts for decreasing the criminological indexes in Mexico have also influenced how family violence disputes are being handed in the State Attorney's Office. A well known feminist scholar from the Federal District who has conducted extensive research in violence against women from a legal perspective affirmed in an interview, "in the Federal District Attorney' Office the informal order is that family violence cases need to be resolved through conciliation because they want to reduce the crime indexes".^{N6.3} The testimony of a high official in a Morelos State Attorney' Office specialized agency in violence against women could not be more enlightening,

We promote the reconciliation from the MP. Sometimes women are pushed to continue with the relationship and the conciliation is stimulated. (...) When the woman pardons the aggressor, then the case is over, even though it originally was a crime prosecuted ex-officio.^{N6.4}

Respondents from all states where the family violence law was enacted agreed that the conciliation process does not work if it is structured in this way, contributing instead to the revictimization and subordination of women. All of them concur in that the objective of the conciliation is to keep the family together in a very paternalistic way, and that the interest of the administrative law in family violence, rather than taking violence committed against the victim as its main focus, takes its object to be preserving the family. The paternalism and fierce defense of the family in public institutions seems to be true regardless of the political party in the executive branch. "Here, in Jalisco, we do not want the relationship to be broken up, we want to exhaust all possible options before

that”, said a psychologist of the DIF Jalisco.^{N6.5} Marta Torres, a professor from the Colegio de Mexico and author of several books about domestic violence said,

Domestic violence is seen as a little fight (*pleitecito*), and the State attempts to resolve it as if they [the couple involved in family violence] were children. (...) The interest of public policies and the executive power in the way that it interprets the law, is not the abused woman, it is the family. What they are interested on is not on individual rights, they aim to keep the family as a basic social unit. (...). Governmental institutions classify families into two types: good and bad families, functional and dysfunctional families. The wife has to be sweet, loving, and affectionate. She has to take care of her husband and back him. In other words, a traditional wife. (...) Many institutions in charge of implementing the family violence legislation, such as the DIF, reproduce traditional gender roles, and somehow what they think is ‘as we cannot convince the husband not to be violent, then, we have to subdue the woman; women have to be confined to their traditional roles.’^{N6.6}

The State’s paternalistic attitudes and its fierce defense of the family contribute to the revictimization of women. The legislation is reinterpreted by public agencies and individuals within public agencies in order to keep the family together. In some cases this is a concrete order imposed on those working in these public institutions, while in other cases a specific mandate is not needed because individuals understand that the familial agenda is presupposed. Public employees working in DIF Jalisco’s agencies received a letter from the higher ranks of the institution urging them to keep the family together and discouraging women from breaking the family. Only in cases of extreme cruelty, those involving severe violence, do they recommend the woman get a divorce, in order to “safeguard women’s physical integrity, and to protect her from economic and emotional violence”. Another informant from the DIF Jalisco told me,

The State has, thus, a paternalistic function. For example the DIF Jalisco has the idea that psychologists have to do everything possible to keep the family together. And that is why they push women to the conciliation process: to keep the family together, regardless of how the woman feels in the family, or regardless if she suffers violence or not. In Jalisco there is a very conservative view of the family.

The legislation provides that family violence should not be allowed, but the fact is that institutions collaborate in the perpetuation of violence.^{N6.7}

Roberto Garda, member of CORIAC (Colectivo de Hombres por Relaciones Igualitarias), argues that the PAN, especially at the federal level, somehow places part of the responsibility for the violence on the woman. “Violence exists because the woman answers back her husband.” He claims that the PAN gives advice to women, and promote *el empoderamiento a la Mexicana* (empowerment in the Mexican style), which means that women are empowered in traditional female roles leaving intact oppression, subordination and machismo. In Roberto Garda’s words, “*empoderamiento a la Mexicana* consists in promoting changes that maintain the status-quo.”^{N6.8}

6.3.a.ii- The Conciliation Process and its Requirements

The second set of problems raised by respondents from public institutions and women from NGOs and feminist movement in all the states but Chihuahua is related to the nature of the conciliation process. Most key informants highlighted the inequality of power between the aggressor and the victim. In general the conciliation process is not backgrounded by previous or concurrent psychological work done on the aggressor party. The power status differential makes the conciliation a burden for women. The testimony of a lawyer working in a religious NGO that provides assistance to victims of domestic violence in Guanajuato illustrates this point,

The conciliation process is like a brainwash for women in order to get them to continue in the relationship. In the conciliation the woman loses everything but the man does not lose anything (...). The conciliation process is not fair. Despite that the person responsible for carrying out the conciliation is there, women are still very influenced by their husbands, and everything that they say. The

conciliation process should not be promoted if the husband does not receive psychological assistance first.^{N6.9 29}

Similarly, a woman from Guanajuato's Women's Institute argued,

Experts argue that there cannot be conciliation with previous work and that conciliation cannot occur because men and women are not in equal conditions. Conciliation only makes sense when the woman is empowered, but not in any other type of conditions.^{N6.10}

The conciliation occurs in a moment in which the woman is at a very high risk of experiencing more violence. Some of the men that attend to a public institution for a conciliation process are very upset because they are not aware of their behavior, they do not believe that their partner sought help and that they were required to go to a public agency. Since the process of conciliation occurs in few days or weeks after the woman goes to the public agency, some women experience threats and verbal abuse such as name-calling. In some cases even there have been attempts to physically abuse the woman during the conciliation hearing. The testimony of Rosa, in a Municipal DIF from Morelos exemplifies the danger for revictimization faced by women during the conciliation process and the unbalanced power dynamics,

Women are afraid to speak. We understand the level of violence exerted by the man when he threatens the woman in front of us and does not let her speak. Sometimes the man talks for several hours. He complains about her not being at home, the food not being ready when he arrives home, the house not being properly cleaned and ordered (...) There has been times in which I feared for the woman's life. Some men are very upset and demanding. When we see that type of situations we require a police to be present during the conciliation hearing. Sometimes the aggressor has attempted both to hit me and the woman who filed the claim".^{N6.11}

²⁹ "La conciliación es un lavado de cerebro a las mujeres para que continuen en la relación. En la conciliación la única que sale perdiendo es la mujer, y al hombre no le pasa nada (...) La conciliación ni es justa ni es equitativa. Aunque haya terceras personas las mujeres son muy influenciadas por el marido. La conciliación no debería existir si el varón no recibe atención psicológica primero".

The process of conciliation is very often conducted by people that do not have much experience in the issue. That is why some of my interviewees think that the conciliation process does not work. For example in the DIF Guadalajara the conciliation process is carried by social workers. The director of the agency responsible for conducting the conciliation process said that social workers “have a greater knowledge of the problem of domestic violence”. He added, “if the conciliation is carried out by lawyers, it would adopt a more legal and less humane approach”. The administrative family laws provided for the creation of many centers of assistance and conciliation. The generalized concern among people interviewed from public institutions not involved in conciliation processes, as well as those from NGOs and/or the women’s movement, is that conciliation is carried out by people without specific training in the issue. A woman occupying a high responsibility position in the Federal District CAVI said,

If the conciliation process is carried out by somebody who is knowledgeable in family violence and in conciliation, great. Otherwise it is rubbish. The ones who don’t understand the conciliation process make the aggressor and the victim to talk to each other. That is not conciliation, that is a conversation. (...) A lawyer, instead, provides alternatives and proposals, but the individuals are the ones that take the decision.^{N6.12}

Another problem associated with the conciliation process is who handles the notification to the abuser. As we saw in the previous section, the administrative law about family violence in some states does not provide that a public institution will handle the citation to the aggressor in order for him to show up in the institution that provides assistance to victims of family violence. In many cases the aggressor does not know that the woman sought assistance, and the commonality is that women are still living with the perpetrator of violence. The fact that women have to handle the notification to the man places them in a situation of risk. Similarly, to continue living with the aggressor when

the notice is handed also increases the risk of experiencing further violence. New episodes of violence and conflict might occur after delivering the citation due to the partner's anger, which is why some women opt for not delivering them, or inform the public agency the after that the notice was delivered everything is resolved. This is the best scenario, because a high percentage of women never go back. In some cases, people working in the agencies responsible for conducting conciliations and providing assistance have developed strategies to overcome the potential situations of violence that might arise if the woman handles the notification. Some of these strategies involve placing the victim of partner violence in another place than her house, and some others entail the good will of public employees working in the agencies. The experience of a female lawyer working in the DIF Morelos illustrates this point,

Prior 2003 we [Procuraduria de la Defensa del Menor y la Familia] requested the support of preventive police bodies to deliver the notice. Now, the woman has the option of giving it to the police, and the police is the one handing the notice. If the police are unable to handle it after two attempts, they let us know. Afterwards, in theory is women's responsibility to do it. Sometimes I do it, or I get that a woman's relative or friend to do it. Normally, I try to make sure that they are not home during this period, especially when he receives the notice. In some cases they are there, and that is very dangerous for the woman. Many women do not want to leave the house because they are afraid that they will be accused of house desertion, which is impossible because there is a reason behind –partner violence. Not leaving is very dangerous for them.^{N6.13}

6.3.a.iii- Individual and situational characteristics of the individuals participating in the conciliation process, and the structural context.

The third set of issues regarding the conciliation process is associated with individual and situational characteristics of the individuals participating in the conciliation process, as well as the structural context. Of special relevance here is the discrepancy between the rationale behind women's use the conciliation process and its real purpose. Most women, in all states attribute a new meaning to the conciliation.

They just want somebody with authority to “reprehend or scold the man about his violent behavior”, “slap at her husband’s wrists”, “tell her husband that hitting your wife is wrong”, or “tell her husband that if he continues with that type of behavior we will put him into prison”. This type of use of the conciliation has many similarities with public agencies goal of keeping the family together. A member of the Center for Attention of Family Violence (CENAVI: Centro de Atención a la Violencia Intrafamiliar) in Guanajuato told me “90% of the women who arrive here, they do not want a divorce, they just want that we talk to the aggressor and that we give him a *tirón de orejas* (slap at his wrists).” The same pattern is also found in those cases of extreme violence that constitute criminal offenses. A female state judge in a criminal court in Jalisco argued,

Approximately 90% of the females that suffer violence do not want to break the marriage. Women believe that they have to forgive him, and that all administrative and criminal process has the objective of giving a lesson to the man.^{N6.14}

Individual, situational and structural factors contribute to women’s “reinterpretation” of the purpose of conciliation. Individually, women who experience violence experience mental health problems such as posttraumatic stress, depression, anxiety, low self-esteem, and panic attacks, and are at a higher risk of suicide. Physical health of victims of partner violence tends to deteriorate as a result of permanent and temporary injuries, creating possible functional impairment and increasing likelihood of chronic pain syndrome, AIDS and gastrointestinal disorders, among others (Heise and García-Moreno 2002). As a result of those problems, abused women are less likely to be employed and are more likely to face employment problems (Lindhorst, Oxford, and Gillmore 2007). Women who are unemployed and those who lack financial resources are more likely to suffer repeated violence and they are less likely to leave their abusers

permanently than employed women or those with more financial resources (Bybee and Sullivan 2005; Gelles 1987; Strube 1988).

In all the states my respondents said that most women opt for the conciliation for two reasons: psychological and low self-esteem issues, and economic dependency. While economic dependency for higher class women means avoiding the loss of their socioeconomic status, for poor women it is associated with survival – a real fear in some cases, but fictitious for those women who are the primary breadwinner in their family. Although women from all social classes experience violence, everybody agreed that better-off women are more likely to go through the conciliation process because they do not want to lose their socioeconomic status. A psychologist that used to work for a public agency providing assistance to victims in Jalisco said,

Most women back out of their original decision. They sign the conciliation agreement and give the man a second, third, or fourth chance. (...) I think that economic dependence of the woman is a key aspect. That is the reason why women from higher social classes, if they seek assistance, are more likely to sign an agreement and stay in the relationship. Due to their economic dependency, they do not want to lower their socioeconomic status.^{N6.15}

Lower class women also go through the conciliation process because of economic issues. They are poor and very often they rely on the husband's income. When they know that economic sanctions are going to be imposed to their aggressor, or that he can be put into prison, they do not want that to happen because they do not have economic resources. They cannot support their children, and as many of them will return with their abuser, their financial situation will worsen even more. Economic situation and childcare are the two main reasons many women decide to stay in the relationship and not to initiate a criminal procedure. A female state judge in Guanajuato explained how many

women go to their office to request that she dismisses the case, and that she wants to forgive the aggressor.

Poor women tolerate domestic violence partially because of economic reasons. Poor people file more demands than people better off, but they are more likely to withdraw the demand because of all the cost that it generates. They might have a state-appointed lawyer, but they need to pay for the copies and certificates. If they do not have money for food, they cannot find money for the required certificates, copies and other paperwork. (...) Both in the administrative and criminal procedures, poor women forgive the aggressor because they need the money. Sometimes their self-esteem is so low that they think that they cannot make it without them. Many times this is a stupid thought because they are supporting him, and even giving him money for his vices.^{N6.16}

Structurally, the patriarchal nature of the society and familism influence women to go through the conciliation-reconciliation process. Familial ideology naturalizes and universalizes the construction of women as wives and mothers, as economically dependent, as passive, dutiful and self-sacrificing, across a broad range of personal laws (Kapur and Cossman, 1996 cited in Ahmed-Ghosh 2004). Many times the victims' family disapproves the fact that women seek help in public institutions. Many women are told, "*es tu cruz*" (it's your faith), "*la mujer sólo es valiosa si tiene un hombre al lado*" (women are only worthy if they have a man at their side), "*la violencia del esposo es algo que por genética tenemos que sufrir, yo lo he aguantado y tú lo has de aguantar*" (husband's violence is something that genetically have to endure, I suffer it and you have also to suffer it), "*eres una mujer, y sufrir violencia es parte de ser mujer*" (you are a woman, and experiencing violence is part of being a woman). That victims of partner abuse can expect such phrases from their closer social network reflects how embedded patriarchy is in Mexican society. In the context of these attitudes (ideological patriarchy), it is understandable that a high percentage of women forgive their aggressor

and, if anything, undergo a conciliation process to keep the family together. My interviewees said that most women say that they want to *save* their family.

These individual and situational characteristics, coupled with the patriarchal social structure that promotes and naturalizes female's subordination and violence against women, interact with the cycle of violence in order to keep women within the family, and in a high risk of experiencing violence. Walker (1979) argues that after violent episodes couples go through a honey-moon period in which the man shows how sorry he is. During this time the aggressor expresses his regret and he promises that he will never do it again. It is during this period when the administrative conciliation process takes place. However, without any type of intervention and change, the cycle of violence consisting in tension build-up, acute battering, and contrition or reconciliation is likely it will occur again. "I have seen men promising the sky and the stars (*prometer el cielo y las estrellas*) to women; women have forgiven them, and I have seen again the same women coming and seeking help", said a social worker from Guanajuato.^{N6.17}

6.3.b- The Conciliation: An Agreement Intended for Change that Keeps Everything More or Less the Same

The administrative legislation about family violence provides that before proceeding with the conciliation process, both the aggressor and the victims must receive assistance, for women, in the form of social, legal and psychological assistance, and for men, psychological assistance that dovetails with mandated therapy. While on the paper this looks good, in reality it is often rushed, the requirements of psychological therapy for both the man and women are often tacitly waived and the executive power agencies have little or no mechanisms of enforcement. The testimony of a scholar from the Federal

District that has conducted extensive research in the issue will help to understand how in many agencies speed both the attention and the conciliation process.

Women go to the public agency seeking help. Many times they do not know what they want, but they want help. In few hours they have received assistance from several departments. They have had interviews with people from the department of social work, as well as the legal and psychology department. After she repeats the same history, that institution notifies the aggressor that he is required to go to the agency. The police notify the husband in those cases in which the law provides so, in other states is the woman the one handling the notification. What happens next is obvious. More or less 50% of the women will never go back to the public agency, others will withdraw the complaint against the abuser, and many others desist. The public agency arranges to meet the man and the woman with half an hour of difference. The husband arrives to the agency very upset, and everybody, both men and women working in the agency try to calm down the man and tell him that they will look for solutions. Men go to a short therapy of half an hour, and in case he wants, he is required to go to the agency another day for the conciliation process. In some cases men are required to go to psychological therapy before to proceed with the conciliation process. In some other cases the conciliation process might occur at that same time. The conciliation agreement is signed in the agency, and in it is included a *mutual respect* clause, and the compromises both of the male and the woman. In some cases [states] there might be a clause by which both, the aggressor and the victim, acquire the compromise of going to psychological therapy⁷⁷.^{N6.18}

In some states such as Jalisco men are asked to receive psychological therapy. But a closer look to the psychological therapy process for men in Jalisco revealed the problems associated with it. Informants from the DIF Jalisco, which provides psychological group therapy for men, told me that of the ten men in an average case that were supposed to attend the therapy, only five will show up for the first meeting, which diminishes in the meeting thereafter until the men stop showing up. In some cases they cannot make it due to work constraints, but more relevantly, their incentive for being in therapy is the return of their wife, and once she returns, they have confidence that she will, or they know for sure that she will not they stop coming.

Because public agencies such as the DIF have no coercion power – in Jalisco only the CEPAVI and judges have it– they cannot do much about forcing men to attend. Under these circumstances, if the abuser does not receive psychological attention, the conciliation agreement is likely to be worthless. Even in the cases in which the man receives therapy, given its short duration, it is unlikely that changes have occurred. The words from a female state judge in a criminal court in Jalisco illustrates this position,

According to my experience, the conciliation agreement is often worthless. Women continue experiencing violence, perhaps in lower levels, but they still suffer violence. I do not think that the conciliation agreement brings domestic violence to an end. For that is required psychological work on both sides. It is really unlikely that people with emotional and psychological problems will change without treatment. I do not believe in conciliation.^{N6.19}

Most laws provide that public agencies have to offer assistance to both, the aggressor and the victim, but these agencies are often under-staffed and their budgets barely allow them to provide assistance to women. In Guanajuato, for instance, women from several NGOs and experts in several governmental agencies argued to me that there were not enough resources for programs targeting men. When public institutions face the dilemma of allocating resources to programs and activities targeting woman or men, they normally lean toward programs that provide assistance to women. Respondents in all states contend that public campaigns that attempt to promote awareness about family violence have generated a huge demand of services that have not been paralleled with an increase in resourcing by the State. Therefore there are not enough services for women, and even less for men, if any. Even in the case that men’s programs exist, as it is the case of the CAPPPI, Center for Psychological Prevention and Attention (Centro de Atención y Prevención Psicológicas) in Chihuahua, men tend not to finish the psychological treatment. Julieta Colomo, director of the CAPPPI explained that almost 85 percent of

women finish the psychological treatment. In contrast, this percentage is only about ten percent for men.

Most administrative family violence laws give the executive the power of sanctioning family violence behaviors as well as violations of conciliation and arbitration agreements. The penalties are either arrest or the payment of a fine. Previous research in the U.S. has shown that domestic violence offenders who were arrested by the police and convicted in court were less likely to reoffend (Sherman and Berk 1984; Tolman and Weisz 1995; Ventura and Davis 2005). Other studies, however, have yielded inconclusive findings ranging from the non-effect of the arrest to the interaction of the arrest with the individual ties to social networks (see review by Ventura and Davis 2005). Ford and Regoli (1992) found that recidivism is more frequent in cases in which the cases were dropped because the victims decided not to take legal action against their abuser. Similarly, batterers ordered by the court to go to an intervention program have lower rates of reassaulting than those who enter voluntarily to the program (Gondolf 1997).

Reliable data about whether or not the conciliation or arbitration agreements bring partner violence to an end doesn't yet exist, because in many cases in which the agreement is breached, women do not go back to the public agency to request help, or it takes several additional episodes of violence for the woman to go back. The institutions responsible for conducting conciliations vary across states. In most states the DIF is the institution responsible for carrying out the conciliation and arbitration process. However, in some states, such as in Colima or Sinaloa it is the State's Attorney's General Office the agency in charged for conciliation, in Durango or Veracruz the administrative municipal courts, in Puebla the Procuraduria General de Justicia, and in Quintana Roo the Center for Legal Assistance dependent from the Tribunal Superior de Justicia. In the case that the courts are promoting the conciliation, the conciliation agreement can be automatically

enforced. When it is an administrative institution such as the DIF, without enforcement power, which is responsible for conducting the conciliation, nothing happens when conciliation agreements are violated.

Some family violence laws take into consideration the lack of enforcement power of executive agencies by providing a judicial route for those agencies to take in cases of non-compliance. For example, in the states of Baja California, Durango, Oaxaca and Zacatecas the agency that conducts the conciliation process will send the judge the conciliation agreement for its ratification. Similarly, in the Estado de Mexico, the agreement will be sent to the Center of Judicial Mediation for the same purpose. In the states where I did my research, it is the individual who must ask the judge for an order to fulfill the agreement in case of breach. This process is time consuming, and leaves the victims of partner violence virtually unprotected. For that reason the agencies responsible for conducting the conciliation process have developed two strategies for increasing the protection of women in the terms of the agreement. The first one involves urging the woman to seek judicial ratification of the agreement. The second tactic is for the agency to independently seek ratification of the agreement in front of the judge. The testimony of a woman working in the CENAVI in Guanajuato exemplifies the first strategy and mentions some of its problems.

With the current legislation after the conciliation agreement is signed, the woman has to seek the judge's ratification. In that way the agreements have the same category than a sentence (*cosa juzgada*). The problem is that many times women do not go to the court and therefore no much can be done when the agreement is breached. (...) In those cases in which the agreement is not honored a civil or criminal procedure can be initiated. But this is very complicated, because it requires a lot of work with the female victim of partner violence in order to start that alternative processes.^{N6.20}

In some states, when the woman has not ratified the agreement and does not want to press criminal charges, the agencies responsible for assistance and conciliation often initiate another conciliation process, as revealed by key informants from Guanajuato and Morelos. In Jalisco, it is promoted a second strategy for forcing the fulfillment of the conciliation agreement that consists in that the agency responsible for conciliation seeks the ratification of the judge. The director of legal services at the DIF Jalisco explained the reluctance of some judges to ratify the conciliation agreement,

In general, here in the DIF Jalisco we seek all conciliation agreements to be ratified by the judge. But there are some judges that agree in ratify them but others do not want to. Those who do not ratify the conciliation agreements claim that it is voluntary jurisdiction, so they can decide whether or not they do it. And we don't have the option just to go to cooperative judges. In Jalisco, when you file a demand, this is assigned randomly by a computer to a certain judge. That is the reason why depending on who is the judge the conciliation agreement is ratified or not.^{N6.21}

The situation of Chihuahua exemplifies the cases in which the conciliation process takes place in the State Attorney's Office. Women in Chihuahua do not face any pressure to undergo a conciliation process. If the victim and the aggressor agree, a lawyer is responsible for conducting the conciliation process. Informants of the State Attorney's Office affirmed that the conciliation is not compulsory; they give the option to the victim and it is up to her to decide whether or not she wants an agreement. If the agreement is breached, the woman might go back to the State Attorney's Office. At that moment she is informed that they can initiate a criminal case for family violence

In some states, those agencies responsible for conciliation can also impose fines and detain the aggressor for several hours due to the acts of family violence or due to breaching the agreement. In Morelos, even though the public agencies have the possibility of imposing fines, they don't. Two main issues contribute to this decision.

On the one hand, when public authorities have a case in which the aggressor and the victims have few economic resources, are unemployed or hold down steady jobs, the dilemma is that of imposing an economic sanction may mean allowing further economic harm to come to the woman without money for feeding herself and her children. The second rationale for not imposing fines or short prison time is the lack of enforcement mechanisms within the executive. Of course, enforcement of the conciliation agreement is more likely to occur if this has been ratified by the judge. A male providing assistance to women in a joint program between the Federal Health Ministry and the DIF Morelos explained this with the following words,

If the conciliation agreement is breached in theory we can impose fines, but these are never paid. We are trying to sign an agreement with the Secretary of Finances in order to them having the responsibility of collecting the fines and require its payment. Therefore, we do not impose fines nor we do arrests. If the conciliation agreement is not honored the only alternative that we have, of course if the woman wants, is to document all the family violence situation in front of the State Attorney's Office and press criminal charges on the grounds of 'no significant change [on behalf of the man], and therefore the breach of the agreement and new acts of violence constitute a family violence crime.'^{N6.22}

As to the question of the success of the sanctions, fines, mandatory therapy and temporary prison penalties imposed by administrative agencies, the general opinion shared by NGO members and government employees is that these are poor tools for preventing new domestic violence. Without doubt the lack of reinforcement of the sanctions for family violence contributes. Only once did a high official at the State Attorney's Office in Jalisco, a woman, mention the benefits of the new administrative legislation about family violence, in contrast to the assessments of other people from that same state,

There are changes with the law [in Jalisco]. Men who are arrested for domestic violence we send them to treatment. I think that there is not a lot of relapse, men

do not tend to reoffend. I do not know if it is because they are afraid of the consequences of because psychological therapies are working. Bails might be as high as 30,000 pesos. (...) I think that men have realized that if they beat they will be punished. Before, everything was very different^t.^{N6.23}

6.4- CONCLUSION

At the beginning of this chapter I showed that administrative legislation regarding family violence was constructed around a dual objective, that of preventing women from being victimized by abuse in the household, and that of keeping the family together as a “basic social unit.” The question that I attempted to answer is whether the laws effectively fulfill this dual objective. Based on my research the response is *no*. That makes us wonder whether or not the responsiveness evidenced in the legislation enacted by the State corresponded to the demands of the international treaties, Mexican society, and the women’s movement. Their demands were centered in guaranteeing women a life free of violence, which included the most extended form of violence: partner violence.

Throughout this chapter I have shown that the states differ in their protection of women and the family. Certain characteristics of the administrative family violence legislation seem to be associated with the general level of patriarchy in the states. For example, states with higher levels of gender inequality (measured with the GEIMS) are more likely to enact laws that make conciliation mandatory. Similarly, states with higher levels of gender equality are more likely to attribute sanctioning power to the agencies that provide assistance and conduct the conciliation process.

This chapter has put special emphasis in the process of conciliation. I have shown differences between the formal provisions of the legislation (what it intends) and the material execution of the legislation by public agencies responsible for its implementation. Conciliation is intended to resolve controversies between the

perpetrator and the victim of domestic violence; however, this is interpreted by many public agencies and victims of partner violence as a process tending towards *reconciliation*, especially by those not trained in the conciliation process, perhaps due to the similarity of the words.

The patriarchal nature of the society is displayed in many instances. Women are victims of invisible patriarchal pacts (Maquieira and Sanchez 1990) that contribute to their subordination and their experiences of violence. First, the law has the dual objective of protecting the woman and the family, which might be impossible in many cases. Second, due to the strength of the patriarchal system, familism is deeply rooted in Mexican society, which places women before the choice of keeping her own physical and psychological well-being versus maintaining the well-being and integrity of the family. Third, the lower status of women in society in the economic and educational spheres – also the effects of patriarchy– provides a context of socially and economically limited choices within which the victims of partner violence have to decide between their own well being and their family. And fourth, the (patriarchal) values of those interpreting and executing the law also influence in the individual versus family dichotomy.

The administrative family violence legislation has generated a lot of expectations in the civil society and among feminists because it was thought that it would contribute to the protection of women against domestic violence. This has turned out to be far from reality, since the protection of the individual was captured by a seemingly synonymous, but in fact deeply antithetical effort to protect the family. The government does not provide enough resources for the protection of women. All the public awareness campaigns and all the advertising of services made by executive power agencies responsible for providing assistance and developing prevention programs generate interest that cannot be satisfied, given the resources for supplying such programs and

services. A demand has been generated, but the supply is definitely insufficient and of poor quality.

The agencies are understaffed, the assistance is rushed, and there are not resources to address the immediate situation of women, i.e, their need to be sheltered from a dangerous domestic space. The administrative legislation on family violence does not make special provisions for providing services to victims of partner violence as other laws, such as the U.S. Violence against Women Act (VAWA) do. The WAVA, for example, includes redistributive measures for providing the following services to victims of partner violence: housing, education, shelters, direct financial assistance, child care, and job training. In Mexico, the decision of whether or not these services will be provided is left to the executive branch. Material provision is especially important, since many battered women are economically dependent on their abusers, and especially among low-income women, discontinuation of abuse has been associated with lesser financial strain (Frias and Angel 2007). In Mexico, only nine states (Baja California, Guanajuato, Jalisco, Nuevo León, Oaxaca, Querétaro, San Luis Potosí, Tlaxcala and Zacatecas) have specific provisions regarding the responsibility of the State to create shelters for victims of family violence. Even in some states such as Guanajuato or Zacatecas, the law provides that all municipalities need to have a shelter. Again, the law's wording is one thing, implementation is another, because there really is not an adequate public funded shelters in each municipality.

My research has also shown that both the lack of programs for aggressors and the cases in which they exist, the lack of resources for financing them also jeopardize the objectives of the law. So far, public policies have focused on the victim, devoting little or no attention at all in the aggressor. Without any type of intervention, aggressors will continue with their violent behavior, proof for which exists in the high degree of repeated

offenses by perpetrators of family violence who are not given proper attention. In these cases we have to put, therefore, into question the effectiveness of the administrative family violence laws.

In a nutshell, without further reforms of the legislation, the allocation of more resources devoted to agencies that provide assistance to victims, and the development of additional programs that effectively target both, aggressors and victims, the law is ineffective. Evidence that the Mexican State was responsive is shown by the legislative power exerting itself to provide a law regarding family violence, but as the law seems to be ineffective, the question becomes whether the legislature was engaging in symbolic legitimacy-making actions, a form of impression management, with no real intention to stop violence against women, or whether, as time passes and institutions adapt to the many facets of family violence, things will change.

So far, given the cooptation of the feminist movement and NGOs into the structure of the State that I described in Chapter 4, there is little criticism of the effectiveness of the family violence law and its interpretation by the agencies that must implement it. As consequence, there is not real pressure for change. The State made big promises, made a big fuss about the protection of all family members and the family in itself; however, as I showed throughout this chapter, the law seems to maintain the status-quo. The contents of the law and its interpretation by both the victims and public employees, preserves and reinforces the sacred institution of patriarchy, and patriarchal gendered relations are reaffirmed in the best interests of the family.

It could be argued, though, that regardless of the effectiveness of the law, and whether or not it includes redistributive measure, “legal reforms might not put food on a woman’s table, but they can have an important effect on her treatment in the criminal

justice system” (Weldon 2002:18). For example these laws might extinguish the judicial habit of considering any type of domestic violence as a private matter.

CHAPTER 7:

PLURALISM AND GENDER CONTRADICTIONS WITHIN THE STATE: PARTNER VIOLENCE POLICY MAKING AS A CONTESTED PROCESS

By combining the theory of gendered organizations and feminist theories of the State, I expand upon previous theoretical analyses of the role of the State in promoting women's rights and show that, as proponents of the post-structuralist theory of the State argue, the homogeneous appearance of the State masks a multifaceted organization composed of numerous actors with interests and agendas that variously collude and collide. The specific content of the law was analyzed in the previous chapter. In this chapter I analyze the relationship of State-level actors and illuminate important contradictions among those actors. These contradictions result in the lack of a unified or coordinated response to the issue of domestic violence, both among branches of government and within the same branch.

The goal of this chapter is to document the fact that the State is plural, and an arena of struggle in which individuals social movements, and different governmental agencies meet ultimately to further their specific interests and agendas. The defense of women's rights and the activities of specific organizational actors depend on the structure of political opportunity, and the sensibility of key players within those organizations. As part of the analysis I analyze the role of gender in influencing the attitudes and behaviors of those same actors.

In previous chapters I analyzed how the administrative family violence legislation was approved (Chapter 5), and whether or not the law really protects women from

domestic violence (Chapter 6). Throughout these two previous chapters I have discussed the construction, reconstruction and negotiation of gender within the structure of the State. In this chapter, building in the two previous chapters, I specifically analyze the contradictions within branches of the State, which involve how gender is exhibited within the State. In the first part of this chapter the emphasis will be on the literature on gendered organizations and gender styles in the three branches of the State. The second part focuses on legislative power, wherein I analyze the interplay of gender and political ideologies within the state Congresses. In the third part, the most extensive, I provide an analysis of how the State's dealing with domestic violence in the executive power is articulated into three distinct types of institutions: public agencies that provide services to victims of partner violence, the police or law-enforcement bodies, and the Governor. Finally, the fourth part surveys the judiciary.

My analysis of each of the branches of the State emphasizes two aspects: first, I report on how the issue of domestic violence is ordinarily dealt with on the various levels of the government. Second, I analyze the *assessment* function: how do the members of other branches of government and corresponding civil society actors and organizations assess the degree of success enjoyed by each branch of government charged with dealing with some aspect of domestic violence, and how does the gender of key actors affect the general response toward partner violence? In the fifth section of the chapter, I examine the strategies employed by individuals empowered to deal with women's rights to make sure that the laws are applied. In the last, the concluding part of this chapter, I show that I have added a necessary dimension to the post-structuralist theory of the State by tracing the effects of the gender of those that make and carry out policy within the State through the whole mechanism of dealings with domestic violence.

7.1- FEMINIST THEORY OF ORGANIZATIONS AND GENDER STYLES IN THE THREE BRANCHES OF THE STATE

Joan Acker's (1990) feminist theory of organizations sees organizations as arenas in which societal images of gender are reproduced. The State, as an organization, is not only highly bureaucratic (Ferguson 1984, cited in Acker 1990), but it is also gendered, by which I mean, following. Acker (1990:146) argues that "to say that an organization, or any other analytic unit, is gendered means that advantage and disadvantage, exploitation and control, action and emotion, meaning and identity, are patterned through and in terms of a distinction between male and female, masculine and feminine". Within the organizations, the divisions of labor and power, the construction of gender symbols or images, and the interactions between (male/female) individuals, contribute to individual's "choice of appropriate work, language use, clothing, and representation of self as a gendered member of organization" (Acker 1990:147).

Therefore, gender is both constructed and reproduced in organizations. In organizational logic, both jobs and hierarchies are abstract categories that have no occupants, no human bodies and no gender. The bodiless worker who occupies the abstract gender-neutral job has no sexuality, no emotions and does not procreate. The concept of job, however, is gendered, because "the abstract worker is actually a man, and it is the man's body, its sexuality, minimal responsibility in procreation, and conventional control of emotions that pervades work and organizational processes" (Acker 1990:152).

For women to succeed in male-dominated organizations in which they find themselves doing works traditionally reserved for men, and especially at the top of male hierarchies "requires that women render irrelevant everything that makes them women", such as emotions and their own gender (Acker 1990:153). What Acker argues is also true for women wherever they work in the ranks of the highly male-dominated State

bureaucracies. Since the rise of feminism in the seventies, most States of the developed nations have made a formal compromise with gender equality to give women greater access to a broader range of public administration positions, in accordance with the representative nature of bureaucracy. This trend might have introduced new dynamics as more women reach positions of power to force a reconsideration of Acker's theory of gendered organizations. Yet, the truth is that the higher levels of both national and international bureaucracies, parliaments and judicial courts are still highly masculinized, which is also true in the case of Mexico (Acker 2004; Fernández Poncela 1995; Paxton, Hughes, and Green 2006; Rodríguez 2003). Even as a percentage of the public workforce, the percentage of women employed lags behind their percentage of the population. In Mexico, women's share of employment in the public sector and international organizations is almost the same than in the private sector, 35% and 36% respectively (Encuesta Nacional de Ocupacion y Empleo 2006 cited in INEGI 2007).

The higher ranks of the three branches of the State (legislative, executive and judiciary) are highly masculinized. Whether this entails the prevalence of a distinct masculine style regarding decisions, policies and legislation related to women's issues has been the subject of an extensive literature. The findings are often contradictory (see Martin, Reynolds, and Keith 2002). Some argue that if there were higher numbers of women holding positions in the State, there would be changes both in public policies and legislation related to women's issues and in the practical dealing of State institutions with women. In contrast, others argue that the masculinist norms embedded in organizational culture and practices might override any effects associated with women's higher numbers in institutions. Because women are in a subordinated position in the patriarchal society and they occupy a less-valued gender status, they experience more gender bias and are apt to be more aware of other women's experiences (Klein 1984; Scott 1997 cited in Martin,

Reynolds, and Keith 2002). But in the case of domestic violence, as it entails men's violence against women, gender beliefs, and feminist consciousness (commitment to a gender politics aimed at eliminating women's societal disadvantages) affect how individuals handle these cases (see Martin, Reynolds, and Keith 2002)

More specific research has been done on the question of whether the gender composition of the three branches of the State (legislative, executive and judiciary) leads to more gender-conscious policy making. This discussion is of relevance because it contributes to understanding the multiple levels of contradiction within the state (branches, and gender within branches) in Mexico.

7.1.a- Legislative

The representation of women in the federal Mexican legislature has increased from 3.4 percent in 1964 to 17.2 percent in 2003. This steady increase has been partially promoted by the adoption of gender quotas in Mexico (further details in Rodríguez 2003). In state legislatures women are better represented than at the federal level. As of 2005, 20 percent of all the state deputies were female. Women's representation is not homogeneous across the states. Table 7.1, presented below, shows how the representation of female ranges from 8 percent in Durango to 39 percent in Quintana Roo. Only the Federal District, Campeche and Quintana Roo have a proportion of female deputies above the 30 percent.

Kathlene (1994) has shown the effect on the political realm of the historically predominant male presence in politics, which makes men resistant to women's presence and views, especially when they are perceived as tokens or intruders. Previous research about women and the State has found that women in the legislative power tend to

Table 7.1: Representation of Women in State Legislatures as of May 2005

State	% Female	# Seats	# Women
Aguascalientes	11.11	27	3
Baja California	8.00	25	2
Baja California Sur	28.57	21	6
Campeche	31.43	35	11
Coahuila	20.00	35	7
Colima	20.00	25	5
Chiapas	15.00	40	6
Chihuahua	24.24	33	8
Distrito Federal*	31.82	66	21
Durango	8.00	25	2
Guanajuato	19.44	36	7
Guerrero	19.57	46	9
Hidalgo	17.24	29	5
Jalisco	19.35	31	6
México	14.67	75	11
Michoacán	17.50	40	7
Morelos	13.33	30	4
Nayarit	16.67	30	5
Nuevo León	26.19	42	11
Oaxaca	16.67	42	7
Puebla	19.51	41	8
Queretaro	12.00	25	3
Quintana Roo	39.13	23	9
San Luis Potosí	18.52	27	5
Sinaloa	18.92	37	7
Sonora	12.90	31	4
Tabasco	23.53	34	8
Tamaulipas	21.88	32	7
Tlaxcala	15.63	32	5
Veracruz	24.00	50	12
Yucatán	20.00	25	5
Zacatecas	26.67	30	8

Source: Author's elaboration based on SNIM (2005)

Notes: * Legislative Assembly of the Federal District

concentrate on the promotion of policies favoring women's issues (Carroll 2001; Dodson and Carroll 1991; Jones 1997; and review by Swers 2001). In her book, *Women in Mexican Politics*, Victoria Rodriguez (2003:145) concludes that Mexican women in the legislative branch are relegated to less influential positions, as for example chairing less influential Congressional committees. Women in politics in Mexico have hesitated to pursue a gender political agenda due to party constraints. Among all female legislators, PRD legislators seem most likely to express personal agendas more inclusive of women's issues. A consequence of the larger numbers of women in the legislative branch, and the building of alliances among women from different political parties and the civil society is that Mexican female deputies have been able to promote legislation concerning women's issues.

7.1.b- Executive

There are few women serving as state executives. As of 2005, only one of the 32 states, Zacatecas, is governed by a woman, Amalia García (PRD), who was elected governor in 2004. In the history of Mexico, only two other women have been elected governors: Griselda Alvarez in Colima (1979-1985), and Beatriz Paredes in Tlaxcala (1987-1992), both members of the PRI. Two other women have been appointed as interim governors: Dulce María Sauri in Yucatán (1991-1994) from the PRI, and Rosario Robles as *jefa de gobierno* of the Federal District from the PRD. So far, no woman from the PAN has been elected State governor.

According to the INEGI (2007), as of 2006 women constituted 30 percent of the federal government employees in Mexico. As **Table 7.2** shows, there are only two federal ministries in Mexico in which the percentage of government employees is equal

Table 7.2: Representation of Women in the Executive Power (Selected Offices)

Public Agency of Ministry	% Female
Ministries	
Agriculture, Farming, Rural Development, Fishing and Food	18.0
Communications and Transportation	20.0
Social Development	34.6
Economy	34.6
Public Education	39.3
Energy	29.5
Public Administration	34.3
Government	30.2
Treasury and Public Credit	33.1
Navy	28.3
Environment and Natural Resources	26.9
Agrarian Reform	30.7
Foreign Affairs	48.6
Health	39.0
Public Safety	32.2
Employment and Social Security	37.0
Tourism	34.7
Agencies (Selected)	
National Commission for the Development of Indigenous Peoples	23.1
Federal General Attorney's Office	37.5
National Council of Disabled People	25.0
Electoral Federal Institute	22.7
Family Integral Development (Desarrollo Integral de la Familia)	46.4
Mexican Petroleum	16.4
National Women's Institute	67.1
Institute for Social Development	50.0
Mexican Institute for Social Security	31.3
National Council for Educational Development	36.9

Source: Mujeres y Hombres en Mexico 2007. Aguascalientes: INEGI.

to 50 percent (Social Development Institute) or greater (INMUJERES). Women are relatively better represented, too, in the Ministry of Foreign Affairs. In contrast, in the Ministry of Agriculture, Farming, Rural Development, Fishing and Food, their share drops below 20 percent. Results from the 2003 Institutional Culture Survey (see

INMUJERES 2005) show that in the federal public administration only 2.4 percent of top executive positions are held by women, 13.9 percent at the general director level and 29.1 percent at the assistant director level.

In their study of state agency heads in the U.S., Saidel and Loscocco (2005) found in that women departmental heads were more likely than men to have among their top priorities policies specifically intended to help women. These differences, however, disappeared after controlling by the type of public agency. For Mexico, very little comparable research is available.

7.1.c- Judiciary

After the legislative branch, the judicial branch offers the most opportunities for women. The representation of women in the judiciary branch has increased steadily. In 1984, women accounted for 7.3 percent of top officials; in 1987, 9.5 percent; in 1989, 12.5 percent; and 12.4 percent in 1992 (Fernández Poncela 1995). The current representation of women in the judiciary varies by state as shown in **Table 7.3**. There are several states where the percentage of women occupying positions in the judicial system tends to be rather high: Campeche, Chihuahua, Puebla and Yucatán.

Research about different gender styles in the judiciary branch in Mexico is not currently available. Nevertheless, research based on the U.S. has found that women judges in state supreme courts tend to vote more liberally in some non-women's issues, and that their presence tends to increase the probability that male judges in the same institutions also support liberal positions (Songer and Crews-Meyer 2000). Many other studies have found gender differences between male and female judges in their judicial decisions (Coontz 2000). Martin, Reynolds and Keith (2002) report that female judges

Table 7.3: Percentage of Female Federal Judges and Magistrates by State

State	Federal Collegiate Judges	Federal Unitarian / District Judges	Magistrates
Aguascalientes	11.1	0.0	42.9
Baja California	16.7	26.7	15.4
Baja California Sur	33.3	0.0	20.0
Campeche	33.3	66.7	50.0
Coahuila	8.3	0.0	28.6
Colima	5.6	5.3	23.1
Chiapas	22.2	0.0	33.3
Chihuahua	16.7	44.4	20.0
Distrito Federal*	35.8	35.9	45.9
Durango	0.0	33.3	16.7
Guanajuato	0.0	14.3	40.0
Guerrero	8.3	50.0	21.1
Hidalgo	16.7	0.0	23.1
Jalisco	5.6	5.3	6.9
México	9.1	37.5	30.0
Michoacán	0.0	11.1	16.7
Morelos	0.0	16.7	30.8
Nayarit	0.0	33.3	14.3
Nuevo León	0.0	0.0	32.0
Oaxaca	11.1	25.0	21.7
Puebla	25.9	33.3	21.1
Queretaro	0.0	25.0	42.9
Quintana Roo	0.0	25.0	37.5
San Luis Potosí	0.0	60.0	33.3
Sinaloa	0.0	30.0	18.2
Sonora	20.0	10.0	11.1
Tabasco	0.0	0.0	27.8
Tamaulipas	16.7	9.1	10.0
Tlaxcala	0.0	0.0	20.0
Veracruz	13.3	33.3	13.6
Yucatán	33.3	66.7	50.0
Zacatecas	11.1	0.0	23.1

Sources: Percent of federal judges in collegiate tribunals who are women relative to the percent of federal judges in collegiate tribunals who are male (Author's calculation based on information from the Consejo de la Judicatura Federal 2005). Percent of federal judges in district or unitary courts who are women relative to the percent of federal judges in collegiate courts who are male (Author's calculation based on information from the Consejo de la Judicatura Federal 2005). Percent of Magistrados who are women relative to the percent of Magistrados who are male (Author's calculation).

have fewer stereotypes about women and issues of domestic violence than male judges, and a higher level of commitment to a gender politics aimed at eliminating domestic violence. However, whether these perceptions and beliefs translate into practice is impossible to know.

7.2- LEGISLATIVE POWER

In an earlier chapter we reviewed the process by which the laws concerning sexual and domestic violence were approved. However, besides the approval of the administrative family violence legislation, the legislative power is responsible for initiating other types of legislation regarding family violence and violence against women. As I showed in the previous chapter, almost all states in Mexico have approved family violence legislation, but some civil and criminal codes have still not been reformed. Considering the administrative nature of family violence laws, without those reforms women remain unprotected in many states. In addition, state congresses bear the responsibility for approving the budget, thus holding the strings for programs that are designed to be carried out by governmental agencies. In all these areas, ideological differences among political parties and gender differences both in the state and federal congresses condition the degree of activism that can be expected from legislative power in relation to family violence.

The gender ideology of the three main political parties is quite different. The PAN upholds a conservative ideology that supports the maximum separation of the private and public sphere economically, while supporting the patriarchal ideology that posits the household and the family as the central female domains. Given these programmatic notions, the PAN assigns a subordinate role to women in their participation in politics (Fernández Poncela 1997). The PRD upholds a more egalitarian

ideology and at least rhetorically defends parity between men and women in elected offices, making it the party most likely to openly fight for women's rights. Finally the PRI falls somehow between the PRD and the PAN (for details about the ideological positions of each party see Rodríguez 2003). Thus, the consensus view of the political experts is that we have the PAN on the right, the PRI in the center and the PRD in the left (see Klesner 2005). But this grouping often differs from the electorate's, who tend to place the PAN in the center and the PRI on the left, the positions depending on pro-regime (right) versus antiregime (left) attitudes rather than on the traditional dimensions of economy, social policy or/and religion (Moreno 2003).

All political parties have expressed interest in the issue of domestic violence. Political parties have come to include the issue of domestic violence in their platforms due to such different factors as the international pressure for gender equality and public opinion, where there is general agreement that violence against women is harmful for families, women and the society in general. However, there is a contradiction between the actual priorities of the parties and their rhetoric concerning the issue of domestic violence. Both male and female politicians tend to publicize their stances against family violence as a campaign issue even though it is not legislatively dealt with as a priority. Domestic violence is fashionable (*está de moda*) said most of the people I interviewed. A former federal legislator and the director of a municipal women's institute in Jalisco articulated this idea as follows:

Domestic violence is in fashion and it is politically profitable. It is very welcomed in the electoral process. Any political candidate, regardless of the position (local, state or federal) is very well regarded if he/she supports the issue or has participated in the implementation of policies. For them [candidates] this issue is necessary. Women are fifty-two percent of the electorate, and a candidate more appealing to female voters is more likely to be elected. That is why all of them carry the *domestic violence flag*.^{N7.1}

7.2.a- Ideological Differences in the Legislative

Almost all of the people interviewed mentioned differences in the level of concern and initiation of actions toward ending violence against women between male and female legislators. However, gender solidarity must be understood relative to political/party ideology. Legislators and civil servants in top executive governmental agencies like to claim that the political party with which they are affiliated or nominated them is the driver behind dealing with the problem of domestic violence in the legislature. As public administration top executive chiefs are political appointees they tend to be loyal to the political party. Both PRI and PRD politicians agree that PAN legislators are less active in sponsoring family violence issues in state congresses. This idea is also reflected in the opinions of members of the women's movement and scholars with expertise in family violence, who think that leftist oriented political parties are more concerned about and provide better solutions to the problem, a stance taken, for instance, by Juan Manuel Contreras, a young scholar from the Federal District.

Somehow left wing political parties are more interested in the problem [of family violence], they have a more egalitarian gender view than more conservative parties that have views that contribute to perpetuate the inequality system.^{N7.2}

It is unrealistic to state that the PAN is not supportive of family violence issues. Quite the contrary: the PAN's ideological doctrine, contains specific mentions to the family, considering the family as one of the key social units, even more important than the State (Partido de Acción Nacional 2002). So, why is the PAN perceived as less concerned about family violence issues? The answer is linked to the different ideological perspectives toward the phenomenon. The family violence perspective, the feminist perspective, the public health and the crime approaches have some similarities but are

quite different because each of them places the origins of partner violence in different realms. In addition, as we saw in the previous chapter, the double objective of the legislation –protection of the family members from family violence and the promotion of the family- also contributes to the general believe that the PAN is not supportive of family violence issues. The PAN, without any doubt, is supportive of the family promotion aspect of the administrative family violence legislation. Maricela Julian Contreras, a PRD representative at the Federal District Assembly summarized the conflict between perspectives as follows,

(...) there are differences among parties. For example, the PRD's feminist view is that domestic violence has to be reduced and eradicated in order to provide women with a better quality of life. Female legislator from the PAN, on the other hand, believe that as domestic violence affects the family, it has to disappear in order to keep the family intact. It is gender versus family. There are many people with a lot of experience who want to change things, but within the same political group you can find shades. These shades are even within my own party. ^{N7.3}

These ideological perspectives have permeated the scholarly research about partner violence, or perhaps the research has partly created the ideological response. Therefore, individuals not embracing a PAN ideology or a family approach to the issue are more likely to criticize PAN for its (non)actions, blaming them for *not having an interest*. My research shows that in all states PAN legislators are as concerned about family violence as legislators from other political parties. But PAN's position of giving preeminence to the family rather than the individual woman makes the PAN appear to be uninterested in family violence. However, in reality, they prioritize the family promotion aspect rather than the individual protection of women against partner violence. An illustration of the above is provided by a very active member of the extinct political party, Mexico Posible. Mexico Posible was a leftist political party which merged with other

parties in 2006 to compose the Alternativa Socialdemócrata y Campesina³⁰ after failing to keep its political registry in the 2003 federal elections. In an interview held in Mexico City she said,

During the 57th legislature (1997-2000) there was an important advance in women's issues. After that, the rise of the PAN brought people with rightist ideologies that took the wrong way. The Church and several conservative organizations put pressure on them. They want to appear like they are doing something for women, but this is just the façade. For example, they have strengthened institutions such as DIF and the Institute for Public Charity (*Instituto de la Beneficencia Pública*) that provide assistance to women.

President Fox's government will go down in history not only because it was the party that took the PRI out of the government, but also because it was unable to promote the democratic consolidation. In little time, with their family perspective, the PAN attempted to promote changes in the areas where the greater gains [in women's issues] were achieved, such as in the area of domestic violence, or reproductive rights.^{N7.4}

Some PAN legislators do not recognize themselves in the image cast by scholars, members of civil society and women's movement and fellow legislators from PRD and PRI. For example, a female legislator from Guanajuato (PAN) argued that there are differences among political parties, but they all share the same interest in eradicating domestic violence. There are voices in the civil society movement and members of governmental agencies who argue that though PAN's female legislators want to be sensitive to women's issues, they are limited because the PAN leadership exerts a closer control over its members than other political parties.

³⁰ Alternativa Socialdemócrata y Campesina changed its name to Alternativa Socialdemócrata in 2007. It is a moderate leftist political ideology. They call it *la nueva izquierda* (the new left). They advocate for women's reproductive rights, same-couple rights, environmental issues and euthanasia, among others.

7.2.b- Gender Differences among Representatives in State Legislatures

Beyond the differences among the political parties, my research shows that there are further differences between males and females within each political party. People from public agencies believe that women tend to be more sensitized to family violence issues than men, regardless of the party they belong to. Men hold *machista* attitudes because men have been socialized in that way from generation to generation. Male legislators see domestic violence as an issue of interest mostly to feminists, of *viejas locas*, and they do not perceive it as something serious, explained a member of a governmental agency in Chihuahua.

At the state level there have been some male legislators from all political parties who opposed family violence legislation and displayed patriarchal attitudes during its debate. For example, in the case of Jalisco, a PRI legislator chairing one of the commissions that had to approve the family violence law proposal said that “women need blows to keep them under control”.^{N7.5} Jalisco is the state in which my interviewees reported that male legislators had –at the time of the discussion of the law proposal in the State Congress– the worst attitudes not only toward female legislators but also to female members of the civil society supporting the law proposal. The words of one of my interviewees illustrate this:

They would say that we were against the family, that we were lesbians, even some of the women supporters of the family violence legislation were sent a sausage. You know... as they thought that we were lesbians, just to check if we liked *sausage* (penis).^{N7.6}

Female legislators from all political parties mentioned how hard it is to get the support some of her fellow male legislators on certain topics related to women’s issues. Family violence is one of them. However female legislators from the PAN were less

likely to mention the opposition of their fellow party legislators. It has always been female legislators who initiate proposals regarding women's issues to the frequent opposition of male legislators, even in those parties, such as the PRD, which have publicly stated support for gender equality. Among the female legislators I interviewed, the belief is expressed that male legislators are simply mirroring the patriarchal nature of society. In an interview with Maricela Julian Contreras, a PRD representative from the Federal District Legislative Assembly, she said:

Women are still the ones that care about other women (*que se ocupan de otras mujeres*). The patriarchal and *machista* culture are very rooted in Mexico. We, women we fight with men, even within the same party. We fight against their sarcasm, against their *machista* attitudes. In the political parties, as well as in society, there are *machos*, there are authoritarian men. But we have to fight for equality between men and women. (...) There are misogynic men everywhere, and men with ideologies that are very difficult to change. Still, women fight for other women. Men in politics can back our proposals, but it is still a problem for men to introduce proposals for women.^{N7.7}

Most of the people that I interviewed argue that this issue will not be solved by having more women in the legislature but only if these are women sensitive to the issue. Several of my interviewees, most of them from the women's movement explained this issue using the same sentence, "I do not believe in parties, I believe in people" (*Yo no creo en partidos, yo creo en la gente*). The situation of Chihuahua, where at the time the violence against women law was being discussed, illustrates how individual characteristics of female legislators are key for the promotion of legislative changes about violence. One of the members of *Mujeres por Mexico*, a feminist NGO in Chihuahua said:

We [NGOs] communicated representative Victoria Chavira (PAN) the need for a law [about violence against women]. We had several meetings with representative Chavira and several of her own advisors and advisors from the Congress. (...) Representative Chavira showed a great deal of interest. But she is

the only one both in the Congress and in her party who is interested. She has a personal interest in doing something, she is very responsible. It is something individual, sometimes other female representatives from the Gender and Equality Commission attend to the meetings, but she is the only one with genuine interest. She has been responsible for the openness of the State Congress toward gender issues.^{N7.8}

In an interview with representative Chavira, she acknowledged the lack of support that she is receiving from female legislators.

Female legislators from other political parties and even from the PAN, if they do not obstruct my work they do not help either. But their moment has not come yet. (...) The patriarchal system is so strong that there are very few lights of liberalism in the Congress. I proposed all women from all political parties to work together in the law about violence against women. I started working but they were not very interested. Then, I invited people from NGOs to analyze a write a law proposal draft.^{N7.9}

7.2.c- The Budget

There is a clear difference between what was approved in the laws and the implementation of policies and specific measures following the approval of the law. Funding for domestic violence programs is insufficient. The legislation on family violence does not allocate funding for specific programs or assistance to victims. In Mexico, as in many other Latin American and Caribbean countries, “most campaigns for a law on domestic violence focused on the content of laws and overlooked details of implementation, including an estimate of the resources required” (Luciano, Essim, and Duvvury 2005:125). In the case of Mexico, information about the budgetary allocations of domestic violence policies is unavailable (Luciano, Essim, and Duvvury 2005). When I requested that information from the INMUJERES in 2006 through the IFAI, and they were unable to tell me how much resources were spent at the federal level in family

violence programs. There are no publicly available year to year budgets, and the availability of funding depends on the priorities of the administration in office at the time.

Perhaps that is the reason why I found that the biggest complaint among people from the agencies devoted to provide services to victims of partner violence, legislators from parties different to the one that has the majority, and NGOs that receive part of their budget from governmental funds is that the legislation about partner violence is not translated into a set budget. The budgeting process goes like this: the Governor of each state submits a budget to that state's Congress, where it is debated, changes are made in allocating resources, and its final form is agreed to. In this process, if the budgetary resources for domestic violence are not disaggregated into specific programs, it means that these resources can be reassigned to other programs by the government without such reassignment attracting attention. The words of a woman, very active in a leftist party and responsible for the coordination of gender issues in that party, could not be more enlightening,

Any governmental act or political promise not translated into a budget is populism. Any [political] initiative that aims to incorporate a cross-sectional gender perspective, such as in the case of partner violence, requires changes in the public budgets.^{N7.10}

In sum, the legislative power is divided, not only in terms of political parties, but also in terms of the gender split within each political party. Although legislators from all political parties will officially claim bragging rights for combating domestic violence, the truth is that there are different perspectives for dealing with the issue and it is differently prioritized according to political circumstances. The differences between perspectives line up, clearly, as family vs. non family, in which the first, defended by the PAN, aims to keep the family together regardless the situation of violence. All the concern, and

complex legislation about family violence, has not been translated, however, into a realistic budget. This is evidence, to my interviewees, that the rhetoric which goes into populism, campaigning, or other political strategies doesn't cash out in terms of real legislative interest. The budget is the bottom line, the true indicator of State's priorities.

7.3- EXECUTIVE POWER

The executive power is made up of several agencies and actors, among which we can put into separate categories those public agencies providing assistance to victims of partner violence, the police or law-enforcement agencies at the state and municipal level Attorney's Office –Ministerio Publico (MP)–, and the Governor. My analysis of these three factions within the executive power demonstrates the effects of contradictions within the State as well as the contradictions and tensions within the motives and actions of the actors in each branch of the State. Margarita Guillén, the director of the Red de Refugios (shelters' network), illustrated the difficulties of implementation of the law. In her interview she recounted the pilgrimage of a battered woman whose story exemplifies the inefficiency and lack of coordination of governmental agencies, as well as the response of the MP.

There is certain laziness that infects the denunciation of domestic violence. There are CAVIs (Centro de Atención a la Violencia Intrafamiliar) and specialized agencies in sexual crimes, but they are saturated with work. They need more technicians in domestic violence, more skilled and specialized staff, proper services (...) Women go through a critical route. Let me tell you the case of a battered woman. This is a real situation. She arrived from Sinaloa. The police brought her to the shelter fearing for her life because her husband's connections with the *narco* (drug trafficking).

She arrived to the shelter in very serious conditions, completely bruised, beaten and having been raped with an object. In fact, the woman was still alive because her husband's violence left her unconscious. I think that her husband thought he had killed her. She requested our help and we accompanied her to a specialized agency of the MP in order to get a certificate of her injuries. But the specialized

agency was not open on Saturdays and Sundays. Then, we go to a normal agency of the MP. The officers appeared to be indifferent; while we waited they went out for dinner. We waited approximately for one hour and a half. They knew that the woman had been beaten. Finally, they helped us. We were told that the only thing they could do for her was to take her testimony because the doctor responsible for certifying the injuries was not there. We had to go to a hospital. We were in an urban area; can you imagine what can happen in a rural area?

Finally, we arrived to the hospital emergency services. When the doctor saw us, after waiting for more than one hour, he said there was nothing he could do because we did not bring with us the formal request from the MP nor the specific MP form specifically used to certify injuries. Then, we went back to the MP, we got the document and then we went back to the hospital. Back in the emergency room we were told to come back the following day. We returned the following day. This woman was accompanied by us [workers from the shelter]. Can you imagine somebody that has to go through all this process by herself? It is very unlikely that she would end up pressing charges against her abuser.^{N7.11}

7.3.a- Governmental Agencies that Provide Assistance to Victims of Domestic Violence

The increasing public attention on the issue of violence against women and the approval of legislation in the states are two of the factors behind the creation of public agencies with the goal of providing assistance to victims of partner violence. In any given state there are multiple agencies both at the state and municipal level where victims of partner abuse can request help. For example, as we saw in the previous chapter, at the state level the following agencies providers of legal, psychological, and social assistance to victims of partner violence, can be found: the Women's Institutes, the DIFs through the Procuraduria de Defensa del Menor y Familia, the General Attorney's Offices, State Commissions of Human Rights, the site of the councils for assistance and prevention of family violence, state-funded shelters, and specialized agencies for victims of family violence.

The above mentioned agencies coexist with diverse public agencies at the local or municipal level such as the municipal DIF, local Women's Institutes, municipal police bodies, and local agencies specifically created to provide assistance to victims of partner violence. In addition, women can also seek assistance in the numerous NGOs that have among its objectives the assistance of victims of family violence or the promotion of actions for its eradication. These private organizations and NGOs have flourished as result of the support received from the State, which has even been recognized in some laws. For example, the state of Jalisco has assumed the responsibility for promoting private or non-profit initiatives that aim at creating agencies or organizations to provide assistance to victims of family violence (Art. 26, Ley para la Prevención y Atención de la Violencia Intrafamiliar del Estado de Jalisco).

Yet, this flourishing of different agencies has led to coordination problems. In most states, for instance, the governmental agencies responsible for assisting victims of partner violence have failed to build collaborative structures to negotiate the multiplicity of victim assistance agencies. Practically, this results in women having to go from one agency to another in search of assistance from the state level to the municipal or among agencies within each level (municipal and state). My respondents referred to this fact as “*peloteo*” or “*peregrinaje*” (pilgrimage). The process that women have to go through, going from agency to agency, until they receive assistance has been called by those working in public agencies as *ruta critica* (critical route). The dysfunction of the *peloteo* for women has functional consequences for the governmental institutions because the same domestic violence cases are often counted several times by each contacted agency. In most states public agencies are required by law to keep track of the number of cases they provide assistance since their resources tend to be dependent on the number of cases they provide assistance to. The discouragements of the “*peloteo*” result in victims not

seeking help. In addition, governmental data about services provided to victims of domestic violence have become unreliable because cases are counted multiple times.

Those working in or with the public agencies tend to be less critical of the services they provide than NGOs, scholars and the women's movement. Dr. Juan Carlos Ramirez, a researcher and scholar from the Universidad de Guadalajara (UdG) who used to be member of the Jalisco's Council for the Prevention and Assistance of Family Violence, coordinated a research project to evaluate the quality of the victim assistance services provided by public agencies which found that no institution in Jalisco was doing a satisfactory job. "The first time we called, it took them more than one hour to reach the last phone, and when we were connected to the last phone, it turn out that it was a fax", said Dr. Ramirez.^{N7.12} Similarly, the director of a municipal women's institute in Jalisco mentioned that she has called several times to the emergency number for victims of domestic violence and that nobody has responded to her calls. My respondents adduced the lack of coordination among these agencies, the *peloteo*, and the inefficient agency service as reasons why women desist from seeking further assistance and even pressing charges against the abuser.

Those critical of public agencies argue that public agencies are understaffed and often composed of individuals lacking any training in domestic violence issues. They also mentioned the lack of professionalism, the high demand of the services and the lack of resources assigned to these agencies. All my interviewees but one agreed that the service provided to women were inefficient and insufficient. Despite this, all of them also agreed that the situation was improving and that the agencies were gradually professionalizing. In states where those public agencies have been functioning for a longer period of time, such as in the Federal District, there is less criticism than in states

such as Jalisco or Morelos, where these agencies are of more recent creation. For example, Dr. Ramirez, described the situation in Jalisco as follows,

People responsible of the implementation of family violence programs have a limited knowledge of the issue of domestic violence; they offer a bureaucratic response to the problems. They are clueless about the importance of their role in assisting and preventing family violence (...) women are revictimized in multiple ways when they go to public agencies. It is complicated to find a reliable agency in which the procedure to follow in cases of family violence is clear and the woman is treated with respect.^{N7.13}

Among the target states in this study, Jalisco stood out as the state with the most coordination problems. All my interviewees from governmental agencies mentioned them. Several of them told the same story, which seemed to symbolize the overwhelming lack of coordination in which they operate: each agency prints its own information brochure about partner violence, which means that the brochures, though officially they are supposed to be used by all the relevant governmental agencies, contain conflicting and confusing information. What is unclear is whether Jalisco is suffering from idiosyncratic personnel problems, as many of my interviewees in Jalisco claim, or whether the low level of coordination is also common in other states with the same inter-organizational rivalries, lack of resources, and varying levels of engagement along the personnel chain. Members from the academia, former members of Voces Unidas, former members of governmental agencies and even the director of one public agency, agreed with the idea expressed by a psychologist very active in Voces Unidas,

The problem of coordination among governmental agencies is reduced to a problem of protagonism of the people in front of them. Individuals leading these agencies are concerned about their own prominence; they want to be the center of attention rather than focusing on those for whom the governmental services are intended.^{N7.14}

Both, experts interviewed from public agencies and NGOs tend to agree that high uncertainty regarding the status of the family violence programs (its scope and resources) is introduced with each change in the government. I found that those providing first line assistance to family violence cases in governmental agencies were most inclined to express anxiety about the progress they had made being undone by the party being put in power in the next electoral period. The fact that *domestic violence* is a public opinion concern compels the State to guarantee minimum efforts for its eradication, but the position of each new government is uncertain. In Jalisco, for example, one of my interviewees mentioned that in a previous annual budget, the legislature assigned four million pesos (approximately 400,000 dollars) to the CEPAVI (Consejo Estatal de Prevencion y Asistencia a la Violencia Intrafamiliar), but that these resources were disbursed to another program when the government changed. Margarita Guillén, director of the Shelter Network of Mexico, summarizes this generalized anxiety as follows,

The attitude and compromise of public agencies has changed, but the change is not sufficient. Each time that the government changes we have to lobby (*cabildear*). The problem is that the issue of domestic violence is not institutionalized yet. The newly arrived person needs to be sensitized, and many times in every change in the government you lose everything that you achieved before. But little by little, we have been able to embed the issue of domestic violence within public opinion.^{N7.15}

The gender differences previously reported within the legislative branch of the State are not found in governmental agencies providing services to women. I questioned my interviewees about whether or not there were different styles of providing service to victims of family violence among governmental employees offering legal, social and psychological services. All of them agreed that gender differences in governmental agencies were not a problem, perhaps because most of them are led by women and the services are also mainly provided by women. However, I found that respondents from

the women's movement and NGOs embracing a feminist ideology tend to say that some governmental agencies treat women badly in PAN dominated. This does not refer to the quality of the assistance, but rather to the preeminence given to the promotion of the family rather than to the protection of women's individual rights. As in the case of the legislative power, these opinions are linked with ideological differences regarding the type of assistance and services to be provided by the government. This finding is even stronger in those states where the PAN's leadership has extended over more than one legislative election and governorship. The PAN approach to family violence, aiming to keep the family together, is different from the feminist approach, centered on the safety of the individual woman. As a consequence, the women's movement and feminist NGOs are very critical of the services provided by PAN controlled public institutions and, especially, those provided by the DIF in those states.

As we saw in a previous chapter, in Jalisco the institution responsible for implementing the family violence law is the DIF. I was told by several of my interviewees in Jalisco and members of the civil society that DIF institutions providing legal services to victims of partner violence received the order from a high official of the institution (*alguien de la alta jerarquia*) prohibiting legal services from providing assistance for filing for divorce. This fact can explain the ideological answer of a feminist psychologist privately working with victims of partner violence, "women are very badly treated in the DIF [Jalisco], they are forced to continue the relationship with their abusers. The DIF forces the reconciliation of the family, and avoids by all means the divorce of the couple."^{N7.16}

Similarly, a woman from a NGO from Chihuahua said regarding the Chihuahua city (governed by the PAN) public agencies: "There is a strong offensive from the conservative right to promote a certain family model, saying that the marriage can be

dissolved only in cases in which there is danger of death, so that if there are only *golpes*, the marriage must continue”.^{N7.17} Also in Morelos, a very a critical member of the General Attorney’s Office, who self-defined herself as a *feminist*, said

The DIF makes a big fuss, women are only important because they are members of the family. The DIF regards the family as mom, dad, and son. With this sort of conceptualization they frown on couples separating. If they get separated or divorced, then it is not longer a family. That’s the reason why they want to keep the family together, regardless of the woman’s situation of violence.^{N7.18}

7.3.b- Police Bodies: Special Focus on the Ministerio Publico (General Attorney Office)

The police and MP in Mexico are held in low regard by Mexican citizens. The problems of Mexican police forces are both nationally and internationally well known and have been extensively documented (Brown, Benedict, and Wilkinson 2006). These problems include a lack of accountability, high turnover rates, poor compensation and extensive corruption (Urbalejo 2003). Davis (2006) argues that the corruption and distrust of police in Mexico is aggravated by a weak judicial system. These two institutions “exist as two interrelated entities that together undermine the rule of law” (pp.55-56). Davis (2006) puts the structural responsibility for the current dysfunctional situation of the police force on the long lasting political domination of the PRI. The situation started changing during the presidency of Vicente Fox (2000-2006), who prioritized the reform of police institutions and fighting corruption in Mexican public institutions (Davis 2006; Moloeznik 2003; Urbalejo 2003).

One of the main problems of Mexican police bodies is corruption, institutionalized in the famous *mordida*. The *mordida* is nothing other than those gifts, payoff or bribes given to officers in order to avoid law enforcement or to get police officers to perform their duties. The problem is compounded by the poor wages paid to

the police. Police officers have a very low profile, and the requirements for joining the police are so low that almost any individual can join the force. The profile of police officers, among which are the ones that have to deal with victims of partner violence is described by Arteaga Botello and Lopez Rivera (2000:61):

“most have had a personal history involving law breaking, violence, bitterness and resentment, and drug consumption, and few have gone beyond a primary or secondary education. A large number of applicants (...) have legal problems that lead them to leave their place of origin. (...) There are also persons who have been police officers most of their lives, and have gone from one police force to another, after being discharged for violent behavior, corruption, or links to drug trafficking and consumption”.

The law-enforcement bodies create an order and a hierarchy, and through the socialization impose among its members values that make possible the reproduction of certain attitudes and behaviors, such as corruption. “Everything in the police force is handled with money. No favor from companions, commanders, or the upper ranks is by good will. Everything must be paid for” (Arteaga Botello and López Rivera 2000:66). Police often focus on the lucrative aspects of their work, dismissing cases and situations that do not contribute to their own profit or their institutions profit. In describing the corruption of the police forces in the center of Mexico, Arteaga Botello and Lopez Rivera (2000:68) recount the behavior of Mario, a four-year veteran police officer in charge of training and socializing a newly arrived officer in a case of domestic violence. “At about 8:00pm a women approached [Mario], crying, her clothing soiled, complaining that her husband had beaten her. The police officer didn’t pay her any attention either”.

Although police forces from all levels of the State –local, state and federal– are seen as corrupt, some analyses show that the public has more trust in the federal police force than the state police, which in turn is perceived more positively than the municipal police (Brown, Benedict, and Wilkinson 2006). Many Mexicans believe that citizens

who are able to pay the largest bribe are more likely to receive a better treatment from police officers. As result, it is not surprising that the 2000 World Values Survey revealed that only 29 percent of Mexicans have “some” or “a lot” of trust in the police. This lack of trust in the police has been associated with the high levels of corruption. But Mexicans seem to be tolerant of corruption: 64% believe that corruption is not serious (Moloeznik 2003). The image and social prestige of the police are so damaged that the recruitment and retention process for police personnel has become increasingly complicated, while complications also obstruct those who are attempting to reform the police force culture.

The view of the police bodies that deal with domestic violence in the states where I conducted my research is uniformly that they constitute a highly masculinized and hierarchical institution and that in their performance they contribute to the revictimization of women. Such views are even expressed by those working in the higher ranks of the State General Attorney’s Office. The occupational culture of the police leads to exaggerated patriarchal notions of women and the family (Rigakos 1995). Previous research by Edwards (1989) and Stanko (1989) has found that patriarchy is not only perpetuated by individual male attitudes, but by the organization itself through its informal rules.

Before analyzing gender issues within the MPs and how they relate to other governmental institutions and other branches of the State, we should note that the situation in Mexico does not fundamentally differ from that in Canada or the U.S., as research has shown. Women are often reluctant to call the police, and police officers tend to minimize situations of domestic violence, or perceive it as not constituting a legal problem; they are too inclined to behave arrogantly in front of abused women, and inclined to consider them as uncooperative and weak (Gillis, Diamond, Jebely,

Orekhobvsky, Ostrovich, MacIsaac, Sagrati, and Mandell 2006; Hannah-Moffat 1995; Menjívar and Salcido 2002; Stephens and Sinden 2000). These attitudes have been linked to the traditional views of women's roles held by officers (Saunders and Size 1986).

The attitudes of MPs are often dismissive of women's experiences of violence, and in their attitudes it is clear that they are reproducing the societal patriarchal attitudes. The issue of partner violence is often sexualized or reduced to a sexual matter, women are treated as sexual objects, and many MPs recommend women resolve the situation of violence through sex. The responses and literal expressions that reported to me the key informants from the three branches of the state and NGOs in the five states that I studied illustrate this fact.³¹

- Why not do you go home and you start heating your husband's bed?
- If you were raped, it is because you looked forward to it
- Madam, please go home.
- Why don't you go home and have sex with your husband?
- Madam, why don't you give your husband another chance?
- If you do not have a physical mark, there is nothing I can do.
- Madam, he only hit you a little bit, it is better that you go home and do not make him angry again.

³¹¿Por qué no se va a casa y empieza a calentarle la cama a su marido?; Si a usted la han violado es porque usted se lo buscó; Señora, por favor, márchese a casa;¿Por que no se va a casa y se acuesta con su marido?; Señora ¿Por que no le da usted otra oportunidad a su marido?; Si no tiene alguna marca física no puedo hacer nada; Señora, sólo la pego un poquito, mejor váyase a su casa y no le haga enojar; Señora y no trajó las actas de nacimiento de sus hijos? Ya la habían pegado muchas veces antes según lo que me está diciendo, y no podía usted esperar a venir hasta que hubiera sacado la actas de nacimiento de la casa?; Sí, ya se que usted dice que su marido la ha violado, pero necesito que me traiga dos testigos antes de levantar el acta; Señora, piense bien si va a regresar con él antes de levantar la denuncia; Señora, ¿Cómo es posible que la hayan violado si usted no está ni llorando?

- Madam, why you did not bring your children's birth certificates? You had been beaten many times according to what you just told me, and could not you wait to come here until you got the birth certificates?
- I know that you told me that your husband raped you, but I need you to bring two witnesses before pressing charges.
- Madam, think about whether or not you are going to go back with him before pressing charges.
- Madam, how come is it possible that you claim you were raped, and you are not even crying?

Yet, despite the insensitivity of these frequent police remarks, state human rights commissions seldom receive complaints against MP or civil servants involving that type of attitudes. The State Commission of Human Rights (Comision Estatal de Derechos Humanos: CEDH) is a public institution independent from the government, responsible for defending citizens' interest from malfeasance committed by public administration practices or civil servants. Although women may be disturbed, feel betrayed by the institutions, or are solicited for *mordida*, they tend not to denounce the perpetrators at the CEDHs or go to any other agency because they expect that this will lead to revictimization, explained a female working at the Guanajuato's CEDH. Although the patriarchal and dismissive attitudes toward women seem to be common in all the states that I studied, the corruption problems in some states create an additional burden for women who are victims of partner violence. The few that arrive to the CEDH often complain about the insensitive treatment they received in the MP agencies, but see the fact of giving bribes to the officers as something *normal*. Sergio Vallespin, president of the Morelos' CEDH explained the situation in Morelos with the following words:

Many of the women that arrive to the CEDH Morelos try to give us 100 pesos [around 10 dollars] since in all institutions they go to have to give money. Few women do it in gratitude for the services, but the majority do it by custom. We tell them that our services and assistance are free. What happens is that they are used to ‘pay under the table’ (*por debajo de la manga*) to public employees if they want to speed a process or an issue. For example, in the MP, if you do not have money the investigation does not advance, or the complaint is not processed. Even there are women who told me that as his husband has economic resources, he paid the MP to not follow upon the violence case, or to get favorable reports. Almost 50 percent of the cases are complaints about MP in cases of domestic violence are about officers’ inappropriate conduct because accepting money from the husband.^{N7.19}

This situation contrasts sharply with the one described in Chihuahua by Leopoldo Gonzalez Baeza, *visitador de la CEDH Chihuahua*, where allegedly MPs are not so corrupt. However, although *mordidas* are not common in Chihuahua, it does not follow that the patriarchal attitudes and dismissive comments about the experiences of the victims of abuse by the police are diminished, as confirmed by members of the Chihuahua CEDH, public agencies, NGOs and members of the women’s movement.

In the state [Chihuahua] corruption does not exist and MPs have an acceptable salary. They do not ask for a *mordida*. Most of the cases against MP are related to the length of time that it takes them to put the report together. Here MPs do not ask for bribes. Before it was common, but now it is not. In Chihuahua MP are very controlled. *Machista* attitudes might exist, but these are being reduced over time. Even when MPs are not trained in gender issues, both men and women MP can make *machista* comments against women that experience violence.^{N7.20}

Although the general opinion regarding MPs is bad, all the respondents saw some improvement in the situation over the last few years. The process of sensitizing police officers and MPs is perceived differently by those who are in MP agencies, or are in the higher ranks of the State Attorney’s Office. Those tend to be optimistic, as opposed to those who belong to other State institutions and NGOs. The biggest improvements have occurred when institutions have been led by management which prioritizes partner

violence and violence against women. In an interview with the Coordinator of Assistance for Victims of Crime and Community Services in the Jalisco Attorney's General Office explained.

The State General Attorney, Leobardo Larios Guzman, has conceded importance to the issue of violence against women, and he wants citizens to receive a good service from the Procuraduria. Almost 2000 people in the Procuraduria have already received training in the issue of violence against women. It is a difficult and slow process because of the issue [partner violence] but I think that the training is working. There is not as much *machismo* as there used to be in the Procuraduria. There are a lot of myths about the MPs, and some of them are disappearing. At least here [in Jalisco] those were true in the past. Almost all officers were changed in a process that started in 2002. We went through a process of internal control because some of our officers were engaged in violence themselves, and there were cases of corruption. We cleaned up everything, and since then, I think that the situation has improved. I believe that all depends on the person responsible of the institution.^{N7.21}

However, it all ultimately depends on the institution and the personnel working for that institution. In Jalisco, there have been actions for sensitizing MPs and local police officers; however, the issue of partner violence is very often dismissed by the higher ranks. A woman very active in community matters and very involved in the process of approval of the family violence law explained to me that she was responsible of training 42 police officers in a municipality of Jalisco. After talking to them, she realized that most of them had committed disciplinary misdemeanors, and that their attendance to the domestic violence seminar was the disciplinary action. She argued that there is an enormous need of training in gender and domestic violence among the police and MP.

In an interview with Marta, a MP providing direct assistance to victims of partner violence in Chihuahua, she mentioned some of the reasons why women say that they were treated badly by MPs. Her explanation depended on the bad image of the police:

There is the image of the MP as being the worst thing. Sometimes women arrive here and they want us to fix their life, and very often they do not understand that we must follow a procedure. We have been trained in gender and violence against women. But when women arrive here they do not understand that we must interrogate them. Above all they get very upset when we realize that they are forging the charges. Then, they say that we treated them bad.^{N7.22}

Given the criticism that the police are unable to protect women, women are included within the police force. Moreover, special agencies for the protection of women are created. The inclusion of women is based on the belief that women are more suitable for dealing with women and their protection (Feinmann 1986; Radford 1990). In Mexico, as elsewhere (see Radford and Stanko 1996), when feminists criticized the behavior of police officers dealing with domestic violence cases, and specially after the rape of several women by members of the Procuraduria, the Federal District set up special units responsible for dealing with domestic violence and sexual cases. These specialized offices soon opened in other states.

All interviewees from governmental agencies, the judiciary branch, NGOs and the feminist movement consider that abused women tend to receive better service in specialized MP units. However, as has been evidenced above with the testimony of Margarita Guillén, specialized MP agencies in some states are closed during the weekends, those days of the week when couples tend to spend more time together. The specialized agency of the state of Morelos in Cuernavaca was no exception to this rule in 2005, when I conducted my research. The office lacked of resources and personnel. At times there was only one person in the office, which consisted of a medium sized room with two tables. Otherwise, the furniture was almost inexistent; for instance, lacking filing cabinets, there were at least four piles of files scattered about the office. During my interview I could see that there were only two white outdoor style plastic chairs that were

pulled next to the desks in which people could seat themselves. This situation exemplifies the precariousness of resources for specialized agencies in some states.

Whether treatment of abuse victims would be ameliorated by the hiring of more women in the police forces remains unclear according to the data provided by my interviewees. I found however, that in all the states, that the perception of the degree of difference made in the treatment of victims by woman MPs was associated to the branch of the State or organization to which the respondent belongs, with NGO members or members of the women's movement and in the case of the legislative power to the political ideology. It is not associated, however, with the gender of the interviewer. I found that: 1) people from NGOs, the women's movement and scholars think that there are not gender differences among MP officers; 2) legislators from parties holding a more traditional gender ideology (PAN) think that men and women MP have different styles, that women tend to be more nurturing and understandable and that provide better attention to female victims of partner violence. In contrast, legislators from non-PAN political parties are more likely to believe that there are not differences between men and women; 3) members of the higher ranks of governmental agencies and those providing direct assistance to victims of family violence also think that women are more sensitive toward the issue of partner violence and have a different [and better] style of providing services; 4) Judges opinion shows no clear pattern by state or gender.

Monica works in an NGO and she is very active in the Chihuahua's women's movement. When I asked her whether or not women MPs treat victims of domestic violence differently, she responded with a clear *no*, as all other interviewees from NGOs and scholars involved in research and governmental projects about partner violence. Most of them agree that being a woman is not a vaccine against patriarchy. The fact that men and women have the same style might be a consequence of the culture of the police

departments, highly masculinized, and with strict principles of hierarchy and obedience. However, none of the people interviewed suggested this idea. In Monica's words,

Women in the MP or in public agencies are not any different from men. To have a female body is not a guarantee of a better treatment for victims of partner violence. Both men and women are trapped in a patriarchal culture. If women do not receive training, both men and women are equally insensible.^{N7.23}

On the other hand, PAN legislators and people working in public agencies that provide services to victims of family violence and some judges claim that female MP have a different style than males when they have to provide services to women abused by their partner. They argue that in general all women have characteristics making for solidarity with victims because they have the same gender or because biologically women are different than men. "Women are completely different. They have other qualities such as emotional intelligence that allows them to help female victims of violence in a different way [than men do]", said a female PAN legislator from Jalisco.^{N7.24} The testimony of a female judge from Morelos further illustrates this claim

Regardless if it is a domestic violence situation or not, I think that women treat differently victims of crime than men. Women treat victims better, in a more humane way. Perhaps it is a biological reason. Women are more sensitive, more understanding, they are more patient for understanding conflict and its sources. Women are also more skilled in conflict resolution. Men, in contrast, are more practical and distant regarding family problems.^{N7.25}

Based on the interviews I identified three main reasons given for why MPs might treat women badly: 1) systematic patriarchy; 2) dysfunctions peculiar to police departments, and; 3) the perception that women use the police for their own purposes.

Systematic patriarchy. The first one is related to the patriarchal nature of the society and how the patriarchal system pervades even the institutions that are supposed to protect and support women. Because men and women cannot detach themselves from

their socialization, either directly or indirectly tend to reproduce the subordination of women so characteristic of patriarchal societies. As violence against women is one of the most brutal expressions of patriarchy, violence is often condoned and seen as an expression of women's transgression of gender roles or gender ideologies (Dobash and Dobash 1979). Domestic violence is accepted as normal phenomenon among couples and often excused in society, while sometimes females are socialized to endure violence and *aceptar su cruz* (Borjón López-Coterilla 2000; Glantz and Halperin 1996; Salcido and Adelman 2004; Torres-Falcón 2004). Perhaps that is the reason why MPs often say to the woman, *what did you do to your husband?*

The problem is so extended in Mexican society that many MPs are involved in partner violence in their private lives. Therefore, cannot be detached from it. "If they are violent in their homes, what type of service and treatment do you want these MPs to provide to women", said the director of one UAVI in the Federal District.^{N7.26} Some of MPs realize about the problem when they take training in the issue of partner violence. The Coordinator of Assistance for Victims of Crime and Community Services in the Jalisco State Attorney's Office said,

I participated in the training of MPs in the issue of domestic violence and violence against women. It is so obvious to me that many of them are involved in the problem. Some of them have contacted me privately after the training sessions and requested help. Some others, I thought that they were even going to admit that they had been victims of abuse during their childhood or that they are violent toward their partners in front of their co-workers while in the training seminar.^{N7.27}

Dysfunction in the police departments. The second reason refers to the specific characteristics of the political system and functioning of the police bodies in Mexico. The status of those working in the police departments is low and they do not receive enough training in gender and family violence issues, nor is their work considered to be

prestigious. MPs are often ignorant of the new laws, and “since the crime of family violence is new in Mexico, and before it was just an aggravating circumstance linked to another crime. Most public authorities do not know about it, that’s the reason why women are treated bad”, said a male lawyer working at the DIF Jalisco.^{N7.28} Problems with the rule of law and impunity in Mexico only worsen the situation, because complaints against civil servants are often dismissed, and sanctions are rarely applied against them, explained to me a male judge in Guanajuato.

The perceived use of the police by women against their partners. The third set of reasons is associated with the use that women make of the police and governmental public agencies that provide assistance to victims of partner violence. In all the states where I conducted research all the people working in public agencies, the MP and in the judiciary system explained to me that there are many women who seek assistance because they want “that somebody with authority” pull on her husband's ears (*dar un tiron de orejas*). In other words, some women just want somebody with authority (such as the MP) to let their husband know that his behavior is wrong, and that he has to respect his wife. This situation coupled with the lack of personnel in police offices and the saturation of work, only worsens the situation of women that seek assistance in the MP.

Some other women forgive their abusers for economic reasons. As we saw in the previous chapter where the contents of the law were analyzed, those who engage in family violence have to pay fines or can be put into jail, which indeed increases the problems of poor families in which the male is the sole breadwinner. Some of the respondents mentioned that many women do not want to end the relationship, and when they see the potential consequences for the abuser, they forgive him and ask MPs and judges to dismiss the case. According to both judges, and people from the governmental agencies this has generated the lack of response of MPs and some of their attitudes, such

as “*Madam, why don’t you go to your house and give your husband a second chance?*”.

A criminal judge in Morelos mentioned:

It’s exasperating see that women arrive here [criminal court], or to the MP agencies with serious lesions as result of domestic violence. And then she forgives him. It is frustrating because all the machinery is already functioning. MPs do not believe women or do not take them seriously because they think that women will forgive the aggressor, so they [MP agents] do not want to start the procedure.^{N7.29}

7.3.c- The Governor

In all the states in which I conducted in-depth interviews except the Federal District, the Governor is perceived as a key figure in the development of public policies about partner violence and its later implementation. The Governor is instrumental in promoting policies and in developing the institutions created by the family violence laws. However, the Governor’s personal life and their own experiences with the issue of domestic violence affect the role legally assigned to him regarding family violence. A PAN female legislator from Guanajuato commented:

Our law gives the executive the power of implementing [family violence] programs, and the governor is responsible for doing it. In Guanajuato, we currently have a Governor [Juan Carlos Romero Hicks] who is very interested in *the family*. He has a beautiful family. He married Frances Siekman, from the U.S., and has ten children. He pays special attention to the family. The Governor is a key figure in the development of family policies, and he is doing it. Of course, previous governors also did it, Carlos Medina Plasencia, Vicente Fox Quesada, and Ramón Martín Huerta [all of them from the PAN]. All of these young governors had interest in family issues. Perhaps that is what gave us a different family profile.^{N7.30}

In some states, such as Jalisco or Guanajuato, both people from the civil society and the executive consider that the Governor’s wife (as she is the one presiding over the DIF, the institution responsible for providing social assistance) plays a very important

role in promoting actions toward the integration of the family and preventing family violence. In these two states, the Governor's wife is perceived as being very concerned about the issue of family violence. They are very well regarded for having promoted the creation of a shelter for victims of family violence, and supported specific actions on the issue. The director of an agency in Guanajuato offering services to victims of domestic violence said:

The Governor's wife [Frances Siekman de Romero] has always been very concerned about people. If she supports the issue of domestic violence, it is because she thinks that it is important. The problem is serious. The Governor's wife is unpretentious, she worries about women. She often comes here even though no pictures are taken for the press.^{N7.31}

The personal life or personal issues of the Governor also affects the implementation of policies about domestic violence. There are unconfirmed rumors that the Governor of Morelos, Sergio Estrada Cajigal (PAN), and the former Governor of Chihuahua (Patricio Martinez Garcia, PRI) had been allegedly involved in incidents of domestic violence. According to NGOs from Morelos, this is the reason why the CEPAVI (Consejo de Prevencion y Asistencia a la Violencia Intrafamiliar) was not summoned –in Morelos the Governor is the president of the CEPAVI and is responsible for summoning it. One of my informants in Morelos told me,

(...) it was rumored that he had been involved in domestic violence, and perhaps summoning the Council would bring up personal memories to him. He is not interested and he blocks any type of action from governmental institutions and NGOs. Moreover, he rejects the issue of family violence. But perhaps it is also a party issue. The PAN wants to keep the family together. But I think that in the case of Morelos it is both, political party and individual factors. (...) We have tried to negotiate with several institutions, including the Morelos' Women's Institute because it is its responsibility to lead a program on violence against women. But they receive little support; the current government does not allow them freedom of action. We look forward to have a more sensitive Governor and that things can move with the government change.^{N7.32}

The public agencies in Morelos have quite a different story when questioned about the issue of the CEPAVI, because they blame the opposition of NGOs. A member of the Morelos' Women's Institute said that the NGOs are just very negative and they complain about everything that the government does without making new proposals. NGOs in Morelos are very critical of the Governor, they compare him with the two previous governors, Jorge Carrillo Olea and Jorge Morales Barud, the interim governor, because during Estrada Cajigal's period not only the Women's Program was discontinued but also the CEPAVI was never summoned. Members of the CEDH Morelos, Women's Institute, DIF and NGOs have held several meetings trying to fulfill the role assigned to the CEPAVI. Both the CEDH Morelos and the members of NGOs and women's movements agree with what this key informant told me:

The political circumstances surrounding of the governor have not allowed him to be involved in the issue of violence against women. The gubernatorial politics have centered on infrastructure, but in this government there is not a real interest in human beings.^{N7.33}

The situation just described in Morelos is similar to the one of the former governor of Chihuahua. It is surprising that although I only selected five states to conduct detailed research, in two of them either the Governor at the time or the former governor were rumored to have been involved in domestic violence incidents. A psychologist who used to be very active in the Chihuahua's women's movement and is currently working in a private practice mentioned:

Here in Chihuahua there was a Governor who apparently abused his wife. It is rumored that on one occasion the woman had to go to the U.S. for treatment. He cancelled almost all projects related to domestic violence, there were not UAVIs and he paralyzed the CEPAVI. The new governor has paid definitely more attention to partner violence.^{N7.34}

Regarding the role of the Governor, most respondents agree that it is not a matter of political ideology; they believe that it is a matter of the individual's sensibility toward the issue. For example, the PRD has publicly shown its concern about domestic violence, but that did not prevent one of the most prominent PRD politicians, Andrés Manuel Lopez Obrador, at that time the head of the Federal District Government, from proposing reducing funds for domestic violence programs and even floating the possibility of closing the only public funded domestic violence shelter in Mexico City, located in the Alvaro Obregón section. The director of a domestic violence shelter in Mexico City said,

I would not say that the interest in domestic violence is tied to a specific political party. I think that some people are more interested in the issue of family violence than others. When there is a government change, you wonder what is going to happen. More than wondering which party will win the elections, you wonder if the new elected government be interested in family violence.^{N7.35}

7.4- JUDICIARY POWER

The judiciary power in Mexico has been subject to much adverse comment on account of its weakness relative to the executive and legislative branches of government. Pilar Domingo (2004), examining the judicial reforms of the 90s, notes that they significantly contributed to a re-accommodation of the judiciary in terms of its position with the Mexican political system”, which led to a growing “willingness by the courts to confront the executive, even on potentially sensitive issues in political and economic matters”. At the same time, she notes that “little has been done in terms of addressing access to justice, efficiency, improving mechanisms of legal accountability, or introducing anti-corruption measures” (Domingo 2004).

The judiciary is perhaps the branch of the Mexican State that is in less contact with the other two. It is as well the branch that seems to harbor the deepest patriarchal

attitudes, as revealed by the following examples both at the federal and local level. Since the reforms in the federal criminal and civil codes in the early 1990s, the law recognized the rape within the marriage as a crime. However, in 1994 the Mexican Supreme Court, ruled against categorizing it as a crime. Instead, rape within marriage was considered as an abusive exercise of conjugal debt. The 1994 Supreme Court decision supported the idea the marriage had a procreation purpose. It was not until November 15, 2005 that the Supreme Court overrode its former ruling and recognized that women's right to sexual freedom, that is, of deciding when and with whom to have intercourse, is not lost in the institution of marriage.

The role of the judiciary power is central since judges are responsible for applying the legislation concerning domestic violence. As the family violence laws are administrative laws, the judges do not have any competency over them. However, in some states the agreements reached by the victim and perpetrator of violence with assistance of a mediator or a counselor are ratified by the judge, in order to make sure that these will be observed. However, there are judges who refuse to ratify these agreements.

Judges often complain that the MPs –who are responsible for making the case– do not present the case according to the precepts laid down by the family violence legislation in the civil and criminal codes. Similarly, there is also certain ignorance about the newly approved legislation regarding family violence among lawyers. Two years prior to when I conducted this research, family violence was defined as a felony in the criminal code of Morelos. However, a criminal judge explained to me that over the last two years since the change, he had only seen two cases in which “family violence” was charged, and one of them was related to the abuse of a minor. He contended that there are many cases of domestic violence that could be charged as “family violence”, but given the lack of

competency of both MP and prosecutors, the family violence articles in the criminal code are not often used. He argued,

I know that some cases of domestic violence constitute felonies under the criminal code, but as a judge I cannot tell the prosecutor or the lawyer how they have to present the case. Nor, can I tell MP to integrate a demand specifying that there was a family violence felony.^{N7.36}

Within the judiciary power, differences between male and female judges as with the MPs, don't always correspond to gender differences. Instead, differences can be traced back to individual values and personal sympathy with victims of partner violence. Regardless of the gender, there are judges who are more understanding of the problem of partner violence. In my interviews with the judges in all states, the interviewees in the judiciary branch were mostly able to name at least a couple of colleagues that hold patriarchal attitudes, that is, that they tend not to believe the testimony of the woman, to believe that the family needs to stay together, or believe that a woman is physically abused generally "because she did something to upset her husband". Unfortunately, the attempts to contact these judges and obtain an interview were fruitless. A woman responsible for coordinating the services to victims in the State Attorney's Office of Guanajuato commented,

Judges are more insensitive than they should be. Some judges do not believe in psychological abuse. They do not even believe in psychologists' expert testimony (*peritaje*). It is very frustrating. We have made advances with the MP, they are more sensitized than they were before. But even in those cases in which the response of the MP was correct, then we face the judges' wall. Both men and women judges are very insensitive and have patriarchal attitudes. So when we know that there is an insensitive judge presiding, we sometimes wait for the next judge on duty.^{N7.37}

Trainers in domestic violence issues from public agencies, scholars and members of NGOs and the feminist movement all concur that some judges, regardless of their gender, will in some cases, regardless of the nature and severity of partner violence, attempt to impose reconciliation on the couple. In most states there is specific training for judges concerning gender and domestic violence issues. However, as the head of a governmental agency also responsible for designing and teaching seminars to public employees and judges in the Federal District said, “Some judges do not want to receive training because they have the feeling that gender issues are not of their concern.”^{N7.38}

Most judges feel frustrated with the recent reforms in the state legislation concerning family violence. For example, a female family judge in the state of Morelos argued that the administrative law regarding family violence is the result of a political fad which really gives more importance and power to the executive through the promotion of the DIF. But she claims that the executive power does not have a real interest in domestic violence issues, and therefore what they [judges] can do is rather limited.

The law does not give us resources for bringing violence against women to an end. We [judges] cannot sentence men to receive therapy. The executive does not provide that type of services. The only thing that we can do is to impose fines and remove the parental guardianship to those who perpetrate acts of family violence, but we cannot go any further.^{N7.39}

It is older and male judges who are most likely to have patriarchal attitudes toward women and be more dismissive of cases of domestic violence. However, both men and women may hold this type of attitudes. In sum, the application of laws intended to protect women depends greatly on the personal values of the person acting as a judge, and the values of the judge can't be inferred from the gender of the judge; rather, they are related to specific socialization or special sensibility about the issue.

7.5- DEVELOPMENT OF STRATEGIES

As one might expect, given the weaknesses in the State system, the lack of resources, the lack of coordination within the different branches of the State, and even among agencies within the same branch, informal networks and individuals working on domestic violence issues have developed ‘work around’ strategies to be able to provide services to women, and protect them.

7.5.a- NGOs and MP: Collaboration

Given patriarchal attitudes among the police or MPs and the problems faced in the courtroom by abused women, many public agencies in all states where I did my research accompany the woman to the MP in order to make sure that they are treated “correctly”. In addition, specific individuals within the institutions of the State and those in NGOs providing services to abused women have developed a collaborative relationship. These collaborative relationships are based in personal friendship between the people from the two agencies/institutions or in informal collaboration agreements developed by the two agencies/institutions as a result of the participation of the people responsible of these agencies in a certain event, conference, etc. The director of one of the three domestic violence shelters in the Federal District in 2005 explained to me.

We have a good relationship with authorities. Over here [in the shelter] women receive specialized services. When our women go to the [public] authorities, they know that they are not playing. You know what we do? We give them referral letters (*cartas de canalizacion*). In that way the process not only is speeded up but also we make sure that they will receive good services. Of course, there are women that went by themselves to the MP and were well treated. But they were just lucky. It is a matter of luck to find an angel, an agent sensitized with the problem.^{N7.40}

7.5.b- Strategies Among Executive Power Agencies

Given the previously described problems in the executive power agencies, they restore to the same strategies than NGOs. The head of the CEPAVI at Jalisco mentioned that the institutions that have cooperated with the CEPAVI have forged some sort of solidarity. Both the women that go to that particular agency for the first time, or those who are channeled by other institutions that also are coordinating with the CEPAVI, tend to receive good attention. She mentioned that when she channels a woman she makes sure the woman is supplied with a letter to be given to the next agency. “It is something simple, and perhaps something stupid, but it works”, said CEPAVI’s head. Other common strategies are to accompany women victims of partner violence to the MP, to refer them to specialized MP agencies, or to send them to MP agencies well known for providing good attention to women. This information is known through informal channels, by personal connections or friendship with people working in other public agencies.

In other cases they follow the established channels, but they accompany the woman or they give her a letter. There are informal agreements with the institutions. For example the Morelos’ Women’s Institute gives a letter to the woman before she goes to the MP or other agency, and then the MP or other agency sends an official letter back to let them know that they took care of the case.

Other agencies, such as the State Commission of Human Rights, where citizens can denounce improper activities and behaviors of public employees, have also developed strategies to ensure that complaints of civil servants that have not provided good service to women or have treated them improperly are given a follow up. For example, in the Morelos’ State Commission of Human Rights, informal protocol calls for the first official response to contact the chief of the agency or unit where the civil servant

is employed. Otherwise no attention would be paid to the complaints. Sergio Vallespín, president of the Morelos' State Commission of Human Rights, explained it as follows,

Women with complaints about acts or omissions of public servants arrive at the Morelos' State Commission of Human Rights. Above all, women victims of partner violence complain about MPs. We give a call to the hierarchical superior of the civil servants. After that, we follow up the case. When, we give a call to other authorities, they provide us with an answer. This is the fast track for settle cases, if we try to use other channels it does not work, because the complaint is filed without providing any answer to the complainant. We make sure that those responsible of the units where the civil servants are employed get to know what their subordinates are doing. In many cases, if it were not for us, they would not know.^{N7.41}

7.5.c- MP and Judiciary Power: Threats and Deadlines

Sometimes the MPs also develop strategies for getting other branches of the State to work in favor of women's interests. This exhibits how conflict and tensions arise among the different branches of the State. In the case of Mexico, given the lack of continuity of the high ranks of the administrative structure (as it changes with every election), there is a continuous negotiation among the branches of the State. Given the lack of hierarchy between different branches of the State, when informal collaboration agreements based on friendship are not possible, or cannot be established, people in these branches "play with the time" and even resort to tricks for getting the law applied in victims of partner violence benefit. For example, high officials in the Attorney's General Office of Jalisco and Guanajuato mentioned that in critical cases of women severely beaten, when the abuser is under arrest, they have twenty-four hours to turn the detainee to the judge in duty. Depending on the schedule of the judge on duty, and based on their previous experience with him or her, MPs play with the time frame of 24 hours in order to turn the detainee to a judge that is more likely to arrest the aggressor.

In other cases, when the individual in the State agency is highly sympathetic to victims of partner violence and holds a position of power in the organization, individuals within the ranks of the State might use threats to other individuals from the judiciary power in order to obtain protection to women. One of this officials mentioned above admitted that he/she has even turned to threats for getting an apprehension order for the aggressor in cases where the life of the women is at risk:

I have personally accompanied MPs to the court, or I have given a call to the judge in order to request the apprehension of the aggressor. I have even told the judge ‘God grant that I send you a case of a beaten women and that the aggressor does not kill her, because if you do not sign an arrest order and something happens to the woman, I will make sure that everybody knows about that, and I will act against you’.^{N7.42}

7.6- CONCLUSION

In this chapter I have demonstrated the pluralism of agendas and interests within the State, which helps us conceptualize it as a permanent arena of struggle between different forces. By plural I mean that many battles take place within the State structure: battles between the civil society and social movements with the legislative and executive power, as well as battles between the different branches of the State. The State is not unique and coordinated because actors within each branch might have different agendas, and different attitudes and perceptions toward the same issue. I have also shown that patriarchy pervades the structure of the State, and that often these struggles must be understood relative to the gender of the individuals that occupy the positions within the State.

By using the specific case of domestic violence and analyzing the responsibility of the different branches within the State toward the issue, I have demonstrated that gender battles also occur within the State. The State has the power to transform the

societal structure through laws and the use of force. However, gains in changing the social structure accomplished by one branch of the State might be undermined by another branch. The gender of the individuals that compose the State matters in some branches and agencies of the State because it might affect the likelihood that the efforts from the State in changing the social structure will take place.

I have also demonstrated how in Mexico the three branches of the State need to be studied independently because of the lack of coordination among them. If we analyze progress in women's rights by surveying legislation alone gives us a faulty and incomplete picture of the real situation. Although any legislation that protects women might be considered an advance of women's rights from one perspective, one must be cautious when in the case of Mexico given that the legislation has the double goal of protecting individuals within the family and the promotion of the family. On an everyday level one has to know how the legislation is actually being implemented by the executive and enforced by the judiciary, and one has to look at whether or not resources are allocated for developing the public policies contemplated in the law.

Also by using the theory of gendered organizations and the literature about gender styles, I have shown how in different branches of the State men and women are perceived to have different styles. These different gender styles of specific individuals within the executive and legislative branches are not related to political ideology. Instead, in those areas where men and women are perceived to have different gender styles (legislative, and police bodies within the executive), one actually finds individuals responding according to their socialization or idiosyncrasies that ensure greater or lesser interest in and understanding of partner violence.

As post structuralists feminist perspectives of the State claim (see for example MacDowell Santos 2004; Molyneux 2000), the Mexican State is a 'differentiated set of

institutions' and a 'site of struggle' both representing and reconstructing gender relations. However, I have augmented this type of analysis by looking at the gender struggles occurring in the interior of the State at the micro level within each branch, and at the different gender styles among those with roles within the structure of the State in order to demonstrate that patriarchy might pervade the structures of the State. Thus, descriptions of the State as a patriarchal institution are too broad, and one should look, instead, to two intertwined factors, the structural level of patriarchy and the prevalence of patriarchal ideology, in association with the actions of the individuals within the structures of the State to the degree in which they embody or dissent from these patriarchal norms. Although the State structures are effectively controlled by men, and tend to operate with certain bias toward heterosexual men's interests (Connell 1990), this is a feature resulting from the embeddedness of individuals in a patriarchal system. Nevertheless, I think that the different branches within the State and even different levels within branches might present particularities.

By using the theory of gendered organizations I have also demonstrated the plurality among the three branches of the state in terms of different gender styles. Acker (1990) argues that women have to present themselves in such a way that they eliminated gender coded behaviors, such as emotional expression, in order to succeed in male-dominated organizations, doing work traditionally reserved to men, especially in the top of traditionally male predominant hierarchies. This is not true throughout the State, as women in some branches have different styles than men. In governmental agencies responsible for providing assistance to women, the employees providing direct assistance to victims of partner violence and the directors of such agencies as well are expected to be anything but gender neutral, displaying a certain sympathetic sensibility towards victims of abuse. However, in more masculinized areas of the State such as in the

judiciary power and in the police in the executive power, perhaps due to the nature of the agencies and the pressure for conforming to organizational norms, these expectations regarding abused women are less likely to occur.

CHAPTER 8

CONCLUSION AND IMPLICATIONS: MAKING SENSE OF WOMEN, THE STATE AND VIOLENCE

In this dissertation, I have been examining the confluence of effects that emerge when the State, implicated as it is in the patriarchal system, attempts to mitigate the individual women's risk of partner violence by using its legislative, judicial and police powers. I also have examined the influence of the patriarchal system on individual women's risk of partner violence. The approach adopted in this dissertation was based on the assumption that patriarchy is a social system that permeates institutions and that becomes internalized in the interpretive and motivational structure of individuals. The framing questions with which I have approached my project relate to the influence of the patriarchal system on individual experiences of partner violence, as well as whether the Mexican State strengthens patriarchy and reaffirms women's inequality in the family. I also asked whether the Mexican State has in fact made any attempt to challenge patriarchy. Finally, I looked at feminist and women's movements and NGOs to determine whether they succeeded in influencing the State to adopt measures to guarantee women a life free of violence. I looked not only for their influence on the legislative level, but also surveyed the role they continue to play in implementing anti-violence laws.

The 2003 ENDIREH revealed that more than 40 percent of women were victims of some sort of partner violence (physical, sexual, psychological/emotional or patrimonial/economic) during the year before the survey. The phenomenon of partner violence is complex. At the most micro-level there are individual, situational, and exosystem factors. At the most macro level, the nature of Mexican society –which, like

Western societies in general, is patriarchal— contributes and inflects this phenomenon. Thus, the structure of my dissertation has been as follows: I've identified the multiple causal factors, starting individual and the cultural assumptions of patriarchy and going through political, economic and historic reasons which converge in the social phenomenon of domestic violence; I have sorted through the formation of resistance to domestic violence, starting with feminist consciousness raising groups in the seventies, and traced their subsequent influence on legislation; and, finally, I have followed the path from the legislative sanctions and mandates to the ordinary application of the law in a number of Mexican states, which involves the often conflicted coordination of state-level bureaucracies, the court system, and an array of non-public groups.

How extensive is patriarchy in Mexico? To answer this question, I constructed, in Chapter 2, an index for measuring the structural component of patriarchy, the Gender Equality Index in Mexican States (GEIMS). By taking into consideration the level of gender inequality in the political, economic, educational and legal spheres, I concluded that Mexican women have attained an overall level of equality of 44 percent. The homogeneity and size of the coefficients for each of the dimensions of gender equality reveal that almost all Mexican states but the Federal District, are still in the early stages of the trend to structural gender equality. In essence, Mexican states all tend to rank relatively low in terms of structural gender equality. .

The patriarchal ideology in Mexico that reproduces the inequality between men and women flourishes in the culture and language. Pejorative sayings about women and misogynic characterizations are part of the ideology of patriarchy (Amorós 1990). For women and dogs, a stick in one hand and bread in the other (*a la mujer y al can, el palo en una mano y en la otra el pan*); Nothing will happen to a women who stays at home (*a la mujer en casa, nada le pasa*). These sayings, and innumerable others, represent that

part of the folk psychology of Mexican culture which feeds into gender inequality and female subordination. There are other sayings and attitudes that justify and normalize violence against women. If I do not hit her, she will think I do not love her –*si no la pego, pensara que no la quiero* (Díaz-Olavarrieta and Sotelo 1996); All women secretly desire to be hit or raped –*todas las mujeres desean en secreto ser golpeadas o violadas* (Híjar-Medina, López, and Blanco 1997); He hits me because he loves me –*me pega porque me quiere* (Torres-Falcón 2001). In other cases, popular sayings blame the victim and imply that women enjoy their own physical abuse: If she doesn't like it [abuse] she would have left me –*si no le gustara, ya se habría ido* (Torres-Falcón 2001). This patriarchal ideology tries to enroll not only men, but also women, in the task of subordinating women. This is shown by the negative perception of men who desire to express their love to their family and make family decisions democratically, which is summed up in the term “mandilón”, that is, ‘a man with an apron’, without prestige for sharing prestige and authority (Guillé-Tamayo 2002).

In Chapter 1, I presented the theoretical model governing my research, in which the social structure (level of patriarchy) is considered to have a direct effect on the behavior of individuals. In the case of the experiences of partner violence, I confirmed this model in Chapter 3 by using a national representative sample of Mexican women. In Mexico, in general, the context in which women live creates certain conditions that make them more vulnerable to certain types of partner violence. That context of vulnerability, determined by the level of structural gender equality or the degree of structural patriarchy, influences the individual's experiences of physical and psychological violence. These findings are of relevance because until recently, quantitative sociological studies about partner violence have often ignored the context –social structure– in which individuals and social life is embedded. Moreover, this finding empirically supports the

feminist liberal hypothesis: higher levels of structural gender equality do reflect erosion of patriarchy and are associated with lower levels of violence.

Feminist and the women's movement have, since the 1980s, emphasized the issue of violence against women, starting with the issue of sexual violence. They won over public opinion and pressured the State to take action, building alliances with female legislators and key members of the executive to introduce reforms in the criminal code regarding rape and creating specialized agencies for victims of sexual crimes.

Responding to internal criticism that the feminist movement had not prioritized domestic violence as they had rape, the woman's movement used the synergies created in the wake of the reform of sexual violence legislation to press for specific laws to protect women from domestic violence. At least three other historically specific factors played a role in highlighting domestic violence issues. First there was the recent participation of Mexico in the Fourth World Conference on Women organized by the United Nations in 1995 in Beijing. Second, Mexican government was put in a position where it had to defend itself from losing face, after endorsing the year of the American Convention on the Prevention, Punishment and Eradication of Violence –also known as Belem do Pará Convention– also in 1995. And third, other countries in North, Central and South America had already enacted or were in the process of approving specific laws about violence against women (Puerto Rico in 1989; in 1994 in the United States, Argentina, Peru and Chile; in 1995 in Bolivia and Ecuador; in 1996 in Colombia, Costa Rica, El Salvador and Guatemala). As we saw in Chapter 4, the first legislative initiative for protecting women from domestic violence was enacted in 1996 in the Federal District. The scope of the legislation was broad since it aimed not only to protect women against family violence, but also all members of the family. Soon, other Mexican states approved similar types of legislation. As we have shown, the dual objective of these laws

(promotion of the family and protection of individual's within the family from family violence) created many ambiguities regarding its interpretation.

8.1- THE SEARCH FOR LEGITIMACY ON THE NAME OF WOMEN'S RIGHTS

In Chapter 1, I proposed, following the theory of the State adumbrated by certain post-structuralist feminists that consider the democratic State to have a dual function, both as an arena in which tensions that originate in society are manifested and negotiated, and as an agent that has the potential for changing that same social structure, thereby altering gender relations through the use of force. What led the State to approve the domestic violence legislation? A detailed examination of the international, historical, political and economic circumstances surrounding the enactment of the administrative family violence legislation reveals the importance of the State's search for legitimacy – either for restoring lost legitimacy or obtaining it– in the process of approving the legislation. The theoretical dimension of this was examined in Chapter 4 and the empirical dimension in Chapter 5.

This search for legitimacy has to be understood in the political context of the political transition in Mexico, after seven decades of uninterrupted PRI governments. In the Mexican case, as well as in other countries undergoing abnormal or intense political change, the State is more likely to grant and expand women's rights as a transition looms, or during the political transition process (see Htun 2003, for an analysis of the case of Argentina, Chile and Brazil). In its search for legitimacy, the Mexican State attempted to coopt minority groups traditionally excluded from the long-lasting corporatist political system, which in this case meant women's and feminists groups (Camp 1999). Taking into account the role played by women's groups, NGOs and civil society in the process of writing and approving new laws concerning domestic violence, in Chapter 5 I identified

three different patterns that shaped the enactment of the bills. One is the collaboration between the women's movement and the State, as in the case of the Federal District. Another is the bottom-up model, which results from the efforts of the organized civil society, as in the case of Jalisco. Finally, family violence law can be enacted as a result of a diffusion process promoted from above, as in the cases of Guanajuato and Morelos. Here, the women's movement and NGOs were invited to participate later on, mostly to legitimize the legislation.

That the laws were approved due to a different combination of pressures does not entail that the laws were materially different, nor that they were open to significantly different interpretations. In the past, some scholars argued that the enactment of legislation concerning women's rights and especially legislation about violence against women was more in response to anxieties about legitimacy than to a real interest in women's issues (Lamas, Martínez, Tarrés, and Tuñón 1995). This argument was corroborated in Chapter 6. In this chapter, the underlying question is whether or not the Mexican State is an enabling State in feminist terms? The answer is not straightforward. Formally, *yes*, the Mexican State is enabling because it enacted legislation for the protection of women from family violence. In these terms, the State was responsive to the demands of social and feminist groups (Weldon 2002). But as to the question of efficacy, that is, are the actions of the Mexican State such as to satisfy its ostensible concern for women's rights and guaranteeing women a live free of violence? The answer to this question is a categorical *no*.

The reason is in the double objective of the legislation that is implanted at the contents of the law, creating thus some sort of contradiction between protecting the family and protecting women, which are often treated as synonymous, thus highlighting the patriarchal assumptions pervading the State. The way in which the states interpreted

and implemented family violence legislation highlights the inability and/or unwillingness of these states to protect women's rights.

8.2- MUCH ADO ABOUT THE LAW, AND NOTHING... IN TERM OF IMMEDIATE CHANGES

Given the hypothesis of the dual function of the democratic State presented in Chapter 1 –the State is both an arena in which tensions that originate in society are manifested and negotiated, and as an agent that has the potential for changing the same social structure–, the question presents itself: Has the State been successful in challenging the existing patriarchal social structure both by giving a well publicized discursive space to the opposition to patriarchy, and by operating within society to challenge those patriarchal behaviors that make women vulnerable and unequal? *Yes, partially*, but these changes have mostly occurred in the ideological sphere. The Mexican State has been effective in promoting awareness about partner violence, and the diversity of acts that might constitute violence, since partner violence was previously associated almost exclusively with physical or sexual abuse. In these terms, domestic violence has been condemned by the State, and the idea that violence against members of the family should not be tolerated has been extended in the society.

On the other hand, although the Mexican State has been formally responsive to social demands, the interventionist function of the State has a less successful record. While the State has enacted domestic violence legislation, it has never seemed to back this legislation with resources allocated for implementing its provisions, suggesting to many that the State's concern may be just a façade. Therefore, although the State has done the preliminary work of instituting rules to change behaviors in the social structure, it hasn't provided the resources in prevention and assistance programs, nor overseen the

enforcement of the legislation to lower the rate of domestic violence and nor achieved a measure of prevention by creating the expectation that acts of domestic violence will be taken seriously.

The issue of approving legislation with the dual purpose of guarding the family and protecting individuals within the family from family violence brings us to two interlocking and long-lasting debates: a) women's subordinate position both in society and in the family due to patriarchy; and b) protection of individual rights versus preserving the family. As Chapter 1 demonstrates, the State has traditionally fostered patriarchy within the family in an attempt to model hierarchies of obedience and hierarchy there that would be reproduced elsewhere in social life. As we saw in Chapter 6, there is an interaction between the provisions of the law, the patriarchal context, the long-lasting paternalism of the State, the embeddedness of patriarchy in the State and the strong familist tradition in Mexico that creates a schema in which the rights of women to protection from domestic violence is exchanged for the interests of the (dysfunctional) family. While the State has ostensibly broken with this traditional exchange, there is a lag between the State's rhetoric and the behavior of the officers of the State.

Women resist the patriarchal system and the violence to which they are subject by seeking a number of kinds of help from State agencies. The legislation offers women the possibility of promoting changes in the family. The administrative family violence legislation is functional for women in terms of its second goal, the protection and promotion of the family. In Chapter 6 I argue that many women want somebody with authority and power to tell her husband that it is wrong to use violence against them or other family members, a desire that surprised me when it came up in my field research. The State, here, operates as the embodiment not just of punitive power, but of moral

authority. The State, in turn, does try to fulfill this role, indicating that the assumptions in play here are widespread enough in the community that the State is responding to them.

In order for violence to end it is not enough to simply request that the violent partner stop his/her abusive behavior. That is basically what the Mexican State does. As revealed by my research, the lack of resources makes often impossible to do anything else. The legislation provides two different mechanisms for preventing the engagement of the couple in new episodes of violence. First, the use of the force and the possibility of imposing fines and sanctions to perpetrators of violence. And, second, the possibility of ordering the aggressor to receive psychological therapy. Both types of interventions have the possibility of changing the individual's behavior (Gondolf 1997; Hamby 1998; Sherman and Berk 1984; Tolman and Weisz 1995; Ventura and Davis 2005). The problem in Mexico is the lack of resources for implementing either of these options. As a consequence, the abuser's behavior is unlikely to change. It is possible that violence might be temporarily discontinued in cases of common couple violence, but after a certain period of time violent incidents are likely to occur again.

Why didn't the feminist movement foresee the potential contradictions related to the protection of women and protection of the family inherent in the law, especially in those cases in which the legislation was approved in collaboration with the women's movement? My interviews with members of feminist NGOs suggest that many of them failed to anticipate the way the law would be interpreted and implemented. In other cases, even foreseeing that the legislation would entail certain problems, the feminist organizations that participated either in the promotion or the legitimization process of the legislation preferred the existence of some kind of legislation over not having any legislation at all. The women's movement and members of feminist NGOs agree that the law did not fulfill their expectations. Nevertheless, at present they have not prioritized

denouncing the current side effects of the legislation or demanding some kind of legislative or administrative changes. This lack of action may be related to the fact that many feminists are coopted by the State, and feminist organizations receive a high percentage of their resources from the State, as well as accruing prestige from collaborating with the State, in effect making them hostages of the State's policies and reducing their potential of acting independently.

8.3- AGENCY AND STRUCTURE WITHIN THE STATE

In this research I adopted a post-structuralist perspective on the State, which meant that I regarded the State, from the beginning, as a dispersed and conflicted rather than unitary and monolithic entity. From a post-structuralist perspective the State is conceived both an agent and an arena in which the battles for women's rights take place. Bourque (1989:115) argues that State elites "are both potential sources of access as well as critical actors in the creation and maintenance of [gender] hierarchies." Therefore, their beliefs, values and attitudes must be taken into account in examining State's role in promoting changes in the social structure and in maintaining the status quo in the relationship between men and women.

Does this mean that all individuals or agencies act simply in accordance with the expectations that define their roles in the machinery of the State? Or rather, do they have the potential to change both the law through its implementation and the social structure? The underlying debate is the overarching issue in Giddens' structuration theory (1984) of the relationship between agency and structure. This issue is complex as noted by Nancy Fraser (1992:16-17)

The problem of agency has become a problem in recent feminist theory because of the cross-pull of two equally important imperatives. On the one hand, feminist have sought to establish the seriousness of our struggle by establishing the

pervasiveness and systematicity of male dominance. Accordingly, we have often opted for theories that emphasize the constraining power of gender structures and norms, while downplaying the resisting capacities of individuals and groups. On the other hand, feminist have also sought to inspire women's activism by recovering lost or socially invisible traditions of resistance in the past and present. Under the sway of this imperative, we have often supposed quasi-voluntarist models of change.

The issue of agency and structure must be approached from both the micro-level (individuals within each agency, and individual women) and the macro level (agencies within the State). This type of analytical strategy overcomes some of the problems highlighted by Fraser (1992), who points to the problems with structuralist feminist analysis insofar as it seems to either deny agency to women or interpret women's agency so uncritically that the power of subordination evaporates. Certain agents may choose to challenge the patriarchal social structure while retaining and using their positions in the institutional matrix of the State, and, as well, they retain some capacity to influence other branches of the State. This is the case, for example, for State women's institutes that have among their ostensive goals the improvement of women's situation in society, and, by inference, the adoption of a gender perspective in State agencies. The plurality of objectives among State agencies does, however, lead to conflicts between the goals and practices of different branches, so that, for instance, the goal of state women's institutes, at least formally, differs from that of law enforcement agencies, which, in everyday practice, tend provide support for the status quo and reinforce patriarchal attitudes.

While it is possible to view State agencies as social actors, it is important to also examine the beliefs and attitudes of the individuals within those agencies who are charged with the implementation of public policies. The point is illustrated by the example of reconciliation policies: there is more enthusiasm on the part of some directors of DIFs than others for implementing the policy that reconciliation must be attempted

several times before more serious actions are taken, even up to the separation of the couple. If a woman wants to pursue the dissolution of the marriage, the DIF's legal services will not provide legal assistance unless the frequency and severity of the partner violence has escalated into a severe threat to the victim's life. The pro-family directors believe that the DIF is an institution for "integrating the family, not for its disintegration". Therefore, they give more importance to the family than to individual women's rights and well-being in cases of common couple violence.

One must ask whether the party affiliation of important actors influences their personal views concerning the appropriate State role in order to get an accurate sense of the conditions that govern the differences between particular State's positions vis-à-vis domestic violence. The answer, as I show in Chapter 6 and Chapter 7, is no: political party affiliation by itself is not a predictor of attitudes. Rather attitudes appear to reflect an individual's ideology, with gender being more of a determinant than party affiliation in many cases. For example in the legislative power, women are more likely to challenge the social structure than men. Again, this varies across branch and agency. These variations demonstrate the degree to which State elites are critical actors in the creation, maintenance and change of gender hierarchies.

In some cases individual women within State agencies also display their agency in the sense that they reinterpret the legislation to forward their objective of keeping the family together, just as the law proposed. Similarly, individual victims of partner violence exert their agency when they request the intervention of the State for stopping violence while aiming to keep the family together. The question of agency should remind us that both the women who hold state offices, the women operating in women's movement organizations, and the women who are the victims of domestic violence

should not be assumed to have the same interests or speak the same language because they are women. As Chandra Talpade Mohanty has written:

What binds women together is a sociological notion of the ‘sameness’ of their oppression. It is at this point that an elision takes place between ‘women’ as a discursively constructed group and ‘women’ as material subject of their own history. Thus, the discursively consensual homogeneity of ‘woman’ as a group is mistaken for the historically specific material reality of groups of women. (Mohanti 2003:53)

Thus, one cannot make assumptions about acting on behalf of all women in cases involving particular women. Women are influenced by the patriarchal social structure in the sense that many factors might decide the victim of domestic violence, on the second, third or more occasion of abuse, to still give a chances to the male perpetrator for the sake of the family, or in response to their lower socioeconomic status, or their dependence on the male, or for reasons of familism, etc. The problem arises with those who want to opt out of the situation entirely, or who would be inclined to, given help. For some of these women it is hard to take this type of decision and to request help. Especially if the State presses them to go through a conciliation process –understood as reconciliation- for the ‘sake of the family,’ encouraging them to interpret the violence not as an individual who has the right to prosecute assault, but as a female family member whose rights are lessened with relation to the rest of the family.

Even in those cases in which women find the strength and decide to seek for help, their attempts are often dismissed by some agencies, for example law-enforcement institutions. Therefore, women are revictimized by the State both directly and indirectly. Directly, because of the attitudes and behaviors of those State employees displaying their own patriarchal attitudes, and indirectly by rules forcing them to go through a

conciliation process that very often results in their return to a family situation in which new episodes of violence are very likely to be repeated.

8.4- POLICY IMPLICATIONS

One of the objectives of this research is to offer insights into the multiplicity of factors that influence the phenomenon of partner violence in order to evaluate the potential actions that the State might take to address the problem. The policy implications that I delineate are based on the assumption that the State has the capacity and responsibility to guarantee that individuals are able to enjoy a life free of violence. In response to international pressure the Mexican government has signed international treaties and passed national legislation to prevent violence and to address its negative individual and social effects. At least in theory, the State is accountable for developing programs and engaging in actions to protect women and prevent violence.

This research has shown that the liberal feminist theory that hypothesizes that as the level of gender equality in the social structure increases, the rate of violence decreases is true in the case of Mexico. Lower levels of violence do correspond to higher levels of structural gender equality in the political, educational, legal and economic spheres. This points to the underlying social context that the State needs to pro-actively address, and in particular, the issue of gender equality in the economic and educational spheres. The State should develop public policies that effectively address gender inequalities which might include governmental gender affirmative actions such as stimulus for guaranteeing access of women to managerial positions both in the public and private sectors, programs targeting the alleviation of poverty in female headed households, and increasing women's access to higher levels of education.

In the political realm, Mexico should continue implementing the gender quota system in elected positions, and promoting the access of women to the higher ranks of the

executive and judiciary power. In the legal sphere, reforms should be made annulling or modifying those laws that perpetuate gender inequality and that fail to protect women's basic right to security, while new legislation that further protects women's rights should be enacted. Some of the legal provisions that should be changed include sexual harassment laws, abortion legislation, the adjustment of punishments to reflect the severity of crimes (for instance, stealing livestock is punished more consistently and severely than rape perpetrated by strangers or rape within the marriage). These types of measures will not only have a direct effect on women, but also they will create a climate of structural gender equality that in turn, might decrease the prevalence of partner violence.

Nonetheless, I would like to draw attention to the potential short term consequences of such policies that could *increase* the prevalence of violence. When the gender balance of a society is altered, violence is likely to occur due to males' attempts of recovering their power by using violence (Yllo 1984; 1988; Yllo and Straus 1984). This is known as backlash theory, which postulates that as women gain power in the political, educational, economic and legal spheres, violence against women might increase as a result of men's attempts to control women and their achievements.

The results of this research also show that women are often revictimized by the State. Specific sensitivity training programs for civil servants should be implemented. These programs should be continuous, and attending to them should not be the result of a disciplinary action, which is the case, as I have shown, in some municipalities with law-enforcement bodies. Each time women are revictimized by civil servants, the moral and civil authority of the State fails; therefore disciplinary actions for those who incur in behaviors that contribute to the revictimization of women need to be established and effectively implemented.

One of the criticisms of members of the civil society and NGOs toward the State is the lack of continuity of the programs. All political actors should reach a compromise that sustains the continuity of certain programs regarding family violence as a normal part of civic functioning. Due to the lack of a tradition in which the civil service is connected to the party structure, with each election a high percentage of public employees are rotated, or move to other positions (Camp 1999), which means that the need for training is never-ending. Due to the specialization of the services provided by public agencies with responsibility in assisting victims of partner violence, taking measures to minimize changes in these offices resulting from elections can help to provide better quality service.

The biggest implication in terms of public policies addressing domestic violence in Mexico is indeed the need of developing them effectively. The lack of public funding for developing programs and actions both for preventing and providing assistance to victims of partner violence is a generalized complaint. The State needs to make sure that more funding is allocated for the type of provisions mandated by administrative family violence legislation. Steady, certain funding commitments would affect every level of the State-domestic violence interface: in this way, the public shelters could be created, psychological therapy could be offered to perpetrators and victims, prevention programs could be extended and better quality of services by specialized personnel could be offered.

In addition, my research has highlighted economic dependency as one of the major factors influencing women to decide to go back to their abusers. Even in programs that aim at family reconciliation, a period of separation time in which the woman is separated from her assailant is crucial. The number of public shelters is clearly insufficient for this all important task. As of May 2004 the National Women's Institute

(INMUJERES) reported the existence of only 32 shelters for battered women in Mexico. The resources offered to women are rather scarce and very often only address their short-term survival needs. The Mexican administrative legislation about family violence falls short in allocating funding for specific programs of partner violence. For example, the U.S. Violence against Women Act of 1994 and its later reform in 2000 increased federal resources devoted to partner violence initiatives, and provided grants for educational and social programs aimed at the prevention of domestic violence. It extended law enforcement initiatives related to domestic violence (see Orloff 2003; Tieffenthaler, Farmer, and Sambira 2005). It also made possible for victims of partner violence to apply for post-trial relief aid (see review by Mirchandani 2005). Reforms to the state administrative family laws to more effectively address partner violence should be promoted. However, as I have shown, due to the lack of accountability in Mexico the enactment of legislation sometimes represents more a move toward legitimization than a real compromise. Therefore, the changes in the law and its implementation could only be accomplished if there is a real compromise on behalf of the public powers.

8.5- SUGGESTED PATHS FOR FUTURE RESEARCH

The research agenda that derives from this study comprises four broad topics: 1) The conceptualization of the ideological component of the patriarchy as it was defined by Dobash and Dobash (1979), the social acceptance of the inequality between men and women; 2) The use of public agencies by women that have experienced some sort of partner violence; 3) The analysis of prevention programs and its effectiveness; 4) Monitoring the amount of violence against women over time, and probing any increases or stagnation.

For conceptualizing the ideological component of the patriarchy, first I will conduct some exploratory analysis of the areas in which the inequality between men and women is manifested. Next, I will construct a questionnaire that it will allow me to measure the ideological inequality. I will use focus groups for assessing the dimensions of gender inequality and questions to be included for measuring. I will then develop a questionnaire that might include some of the questions found in the World Values Survey, or others such as: Can females be as good as men as political leaders? Should men be paid more than women for the same job? Should families spend more time and money in the education of boys than girls? Should women quit their job to take care of the children? Should wives obey their husband? Is it a woman's obligation to have sex even with her husband if she does not want to? After pretesting the questionnaire, I will develop a final one that will be intended to be included in future surveys or small-scale projects. The creation of such a measure might be of importance for analyzing not only the issue of partner violence, but also other social phenomena that because of their nature are expected to be influenced by the level of patriarchal ideology: fertility, abortion, or election of women in politics among others.

The second research line that derives from this research relates to the use of public agencies by women that have experienced some type of partner violence. I will use the recent collected ENDIREH 2006 that includes a battery of questions that allow the study of the use that victims of partner violence make of public agencies specifically created for their protection. As result of the enactment of the administrative family violence legislation in Mexican states, a myriad of governmental agencies now provide assistance to women. The evaluation of their use, and assessing what are the circumstances under which women use them, provides important data that should inform public policies. I will use quantitative analysis to find the percentage of women that

experience violence and do use these agencies. Then using logistic regression I will examine which are the sociodemographic, situational and structural correlates of individual use of the agencies. I hypothesize that the use of these agencies is dependent on the type, frequency and severity of violence.

The third research question that can be developed from this dissertation is the analysis of prevention programs and their effectiveness. I will collect information about prevention programs at the state and federal level and I will assess where the efforts have been concentrated, and how much resources have been allocated to them. Next, I will select some programs and I will analyze in detail their strength and weaknesses by using interviews with key informants. The questions to be included in the interview protocol will derive from the quantitative analysis of the information, as well as from reviews of existing literature about prevention programs.

Finally, the fourth issue in the research agenda deals with monitoring the quantity of partner violence over time. I will establish a cross-sectional analysis of the ENDIREH 2003 and ENDIREH 2006 for assessing first, whether or not the prevalence of violence is increasing or decreasing. Then, I will examine if the individual, situational, exosystemic and structural correlates of experiencing violence have changed over time. At last I will introduce state-level variables such as expending in programs related to domestic violence (prevention and assistance), state-level political variables as well as the level of structural gender equality to examine the effect of these variables on partner violence over time.

APPENDIX 1: INTERVIEW PROTOCOL AND CONTACT LETTER SENT TO KEY INFORMANTS

PROTOCOL ITEMS FOR THE OPEN-ENDED INTERVIEWS WITH KEY INFORMANTS FROM PUBLIC INSTITUTIONS AND ORGANIZATIONS OF CIVIL SOCIETY

What is domestic violence? How would you define it? (*Investigator will probe for other types of violence in addition to physical violence*).

What are the causes of domestic violence? (*Investigator will probe for socio-economic and cultural causes*).

What are the characteristics of women that suffer partner violence?

What is your organization/institutions' role with regards to victims of partner violence? (*Investigator will probe for cooperative actions with other institutions both from the government and civil society*).

How long have you been working with this organization?

What is your specific role? Can you describe it?
f

How did you become involved in this organization? (*Investigator will probe for willingness to do so, or if their involvement was the result of a promotion or the lack of work opportunities in other areas. Also probe for the personal involvement of the respondent with the organization*).

Is the most challenging part of your job? And the easiest? (*Investigator will probe for challenges resulting from the implementation of legislation, and cultural organizational practices of other institutions, and personal attitudes of the people working in their own institution and other institutions that he/she is involved as a result of his/her work*).

What can women do if they are physically abused? How do public institutions respond? (*Investigator will probe for the knowledge of the procedure to follow in case of willing to report abusers, and also knowledge about resources that can be mobilized for somebody who has been victimized*).

Do you think that partner violence is a social problem in Mexico? (*Investigator will probe for the comparison between domestic violence with other major problems in Mexico as corruption, or crime in general*).

Do you think that this problem can be solved? How? (*Investigator will probe for changes in legislation, changes in the enforcement procedures and organizational culture*).

Do you think that there are areas in which the incidence of domestic violence is higher than in others? If so, why do you think that is the reason for higher violence against women? (*Investigator will probe for differences within the state and across states, also will probe for cultural particularities in certain regions such as some areas being “machistas”, and also for institutional and societal responses in those areas*).

Is there anything else that I have not asked you and you consider that it would be interesting to know or to think about when scholars analyze the phenomenon of partner violence?



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17 de Junio de 2005

Estimada Sra.

Soy Sonia M. Frías, española, investigadora y candidata a doctora en sociología por la University of Texas en Austin. Estoy llevando a cabo una investigación sobre violencia intrafamiliar en México parcialmente financiada por la Fundación Mellon, y respaldada por el departamento de sociología de la Universidad de Texas.

Usted, por su posición que ocupa en la organización u agencia de la cual es miembro, es un experto/a en el tema, y me gustaría tener la oportunidad de entrevistarle/a como tal. Durante un periodo de siete meses voy a estar llevando a cabo entrevistas con expertos/as como usted en distintos lugares de la República Mexicana. El próximo mes de julio iniciaré este trabajo cualitativo y dentro de unas semanas le contactaré para ver si usted me puede conceder una entrevista.

Esta investigación analiza qué factores individuales y de la estructura social pueden ayudarnos a entender el fenómeno de la violencia intrafamiliar. La primera parte de mi investigación se basa en el análisis de una encuesta de ámbito nacional y representativa de la población mexicana. La segunda parte analiza como la estructura social, entendiendo por tal los tres poderes del Estado (legislativo, ejecutivo y judicial), y los diversos actores y organizaciones de la sociedad civil conceptualizan la violencia intrafamiliar y responden ante la misma. En esta segunda parte se llevarán a cabo entrevistas con informadores claves y expertos en el tema en todas las áreas enumeradas con anterioridad.

Por favor, si tiene alguna duda, comentario o sugerencia, o simplemente desea contactarme por favor no dude en hacerlo. Asimismo si desea no participar en este estudio como experto/a en el tema, por favor hágamelo saber. Mi información de contacto está a continuación. El mejor modo de comunicarse conmigo es mediante correo electrónico ya que voy a estar viajando durante todo este tiempo.

Sin otro particular, aprovecho la ocasión para saludarle/a y darle las gracias por anticipado por su atención.

Atentamente,

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DOCUMENTO CON INFORMACIÓN ACERCA DE LA PARTICIPACIÓN EN LA INVESTIGACIÓN

The University of Texas at Austin

Se le está pidiendo que usted participe en un estudio de investigación. Este documento le provee de toda la información que usted necesita saber acerca de este estudio. El investigador principal (persona responsable de esta investigación) también le explicará todas las particularidades sobre este estudio y contestará cualquier duda o pregunta que usted tenga. Por favor, lea toda la información en este documento y siéntase libre de expresar todas aquellas dudas y preguntas que usted tenga antes de decidir tomar parte en el mismo. Su participación es totalmente voluntaria y usted puede negarse a participar.

Título de la Investigación

“Si No le Pego, Pensaré que No la Quiero”: Explicaciones Individuales y Estructurales de la Violencia Doméstica en México.

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¿Cuál es el objetivo de este estudio?

Esta investigación analiza el fenómeno de la violencia doméstica en México. Por un lado, este proyecto examina una conocida encuesta representativa de la República Mexicana, de la cual quizás usted haya oído hablar de ella, ENDIREH (Encuesta sobre la Dinámica en las Relaciones de los Hogares, Inegi 2003). Por otro lado, este estudio estudia la respuesta de las agencias públicas y organizaciones civiles al fenómeno de la violencia doméstica. Asimismo, también considera cómo sus respuestas institucionales afectan al objeto de estudio: violencia contra las mujeres en el entorno de la familia. Usted está siendo invitado a participar como un experto en esta segunda parte de la investigación. Usted, junto con personas de agencias gubernamentales e instituciones y organizaciones no gubernamentales (ONGs) tales como representantes de la Comisión de Igualdad de Género del Congreso, profesores universitarios de distintas disciplinas, expertos en el área de violencia doméstica, directores de albergues para mujeres

maltratadas, jueces, síndicos, diseñadores de políticas públicas, jefes de policía, directores de programas de familia en el DIF, y diversos actores de la sociedad civil, tales como directores/as de ONGs y religiosos. Este grupo de expertos ha sido seleccionado de los diversos niveles del gobierno (local, estatal y federal) y su selección también obedece a una división rural/urbano.

¿Qué va a suceder si participa en este estudio?

Si usted acepta participar en este estudio usted será entrevistado y se le preguntarán cuestiones sobre violencia doméstica, las relaciones de género en los hogares y la respuesta de las instituciones, sus respuestas estarán basadas en la información privilegiada que usted tiene como experto. Como miembro de una organización u agencia que trata directa o indirectamente el tema de la violencia intrafamiliar, se le realizarán preguntas sobre el rol de su agencia/organización, así como la concepción del fenómeno de violencia doméstica en la misma. Sus opiniones, declaraciones y contribuciones a esta investigación serán anónimas, a no ser que usted dé permiso al investigador principal a revelar su identidad. Bajo ninguna circunstancia la información que usted está proporcionado será facilitada a terceros. Se le preguntará si usted autoriza a que la entrevista sea registrada en cinta de audio, si usted prefiere que no sea así, o no se siente cómodo ante la perspectiva de que su conversación se grabe, usted puede negarse. La entrevista no durará más de una hora y quince minutos. Usted puede decidir no contestar cualquier pregunta. Se tomarán notas durante la entrevista. Éstas, y en el caso de que usted acceda a que se registre la entrevista, se mantendrán anónimas y serán de uso exclusivo para el investigador. No habrá ninguna información en estas notas, más allá de la afiliación institucional que le puedan identificar.

¿Cuáles son los posibles riesgos y efectos secundarios?

No se anticipa ningún riesgo serio, malestar o efecto secundario. No obstante, para algunas personas (dependiendo de cuales hayan sido sus experiencias personales, las cuales no son objeto de estudio en esta investigación) se puede producir algún leve malestar psicológico asociado con el proceso de entrevista y debido a la naturaleza del tema. En el caso de que usted no se sienta cómodo o no quiera contestar alguna de las preguntas, usted es totalmente libre de decidir contestarlas o no, así como finalizar la entrevista en cualquier momento.

¿Cuáles son los posibles beneficios que usted u otras personas pueden recibir?

Al participar en esta investigación usted tendrá la oportunidad de compartir sus opiniones y experiencias profesionales sobre el tema de la violencia intrafamiliar. La información que usted provea servirá para informar futuras investigaciones académicas, y tienen también la potencialidad de servir como base para avanzar en las investigaciones sobre políticas públicas.

¿Hay algún riesgo de resultar dañado si participo en este estudio?

No hay ningún riesgo de daño físico asociado con la participación en este estudio.

¿Hay algún coste o compensación asociada a la participación en este estudio?

No. Es completamente voluntario decidir tomar parte en este estudio. No hay costes asociados, y usted no recibirá ninguna compensación por su participación en el mismo.

¿Qué sucede si decido no participar en este estudio?

La participación en esta investigación es completamente voluntaria. Usted puede decidir no participar en este estudio; esta decisión no influirá en el caso de que tenga o tuviera alguna relación con la University of Texas at Austin

¿Cómo puedo hacer saber al investigador principal que deseo que la información proporcionada durante las entrevistas no sea incluida en el estudio? ¿A quién puedo llamar?

Usted puede decir no tomar parte del estudio en cualquier momento. Si usted desea que la información que proporcionó no sea incluida en el estudio, usted puede contactarme en el número de teléfono que está al inicio de esta documentación, o puede contactarme mediante correo electrónico en cualquier momento. Usted puede decidir no tomar parte del estudio sin que esto conlleve penalización alguna o pérdida de beneficios. A lo largo del tiempo en que se conduzca este estudio, el investigador le notificará de cualquier información disponible pudiera influir en su decisión de terminar el estudio.

Si usted tiene alguna duda sobre sus derechos como participante en la investigación, por favor contacte a Clarke A. Burnham, Ph.D., Chair, The University of Texas at Austin Institutional Review Board for the Protection of Human Subjects, 512/232-4383.

¿Cómo se protegerá la privacidad y confidencialidad?

Ninguna de la información que usted provea será hecha pública bajo su nombre. A no ser que usted dé su consentimiento expreso para ello. Ni su nombre ni otra información personal estarán en las notas tomadas durante la entrevista. Las notas de entrevista y las cintas de audio serán de uso exclusivo del investigador, y no se compartirán con nadie. Si después de realizar la entrevista, usted tiene alguna duda sobre la privacidad, usted puede contactarme en el número de teléfono o en la dirección de correo electrónico que se provee al inicio de este documento.

Si los resultados de esta investigación se publican o se presentan en reuniones científicas, su identidad no será revelada en ningún momento. No obstante, personal autorizado de la University of Texas at Austin y el Comité Institucional de Revisión Ética tienen el derecho legal de revisar la información que usted provea (no obstante, usted no estará identificado), y este mismo Comité protegerá la confidencialidad de cualquier información dentro de los límites previstos por la legislación estadounidense. De no ser que usted lo autorice, sólo una orden judicial puede hacer que el investigador dé a terceras personas la información que usted proporcionó.

¿Se beneficiará el investigador de su participación en este estudio?

El investigador no se beneficiará directamente de su participación en el estudio; no obstante su participación contribuirá a que el investigador principal pueda finalizar su tesis de doctorado, publicar su trabajo en conferencias especializadas, y presentar y publicar sus resultados en revistas especializadas.

APPENDIX 2: NOTES IN SPANISH

NOTES CHAPTER 4

N4.1: “La situación de las grandes feministas me da tristeza. Están agotadas, no tienen ni recursos sociales ni económicos. Su lucha era y continúa siendo muy agresiva. Si no hubieran sido tan radicales no las hubieran dejado de lado. Necesitamos incorporarlas a los nuevos movimientos.”

N4.2: “Yo lo tenía muy claro: Siempre pensé, que se debe luchar lo mismo fuera que dentro del sistema”, Mujeres Destacadas. Esperanza Brito. Instituto de las Mujeres del Distrito Federal. Retrieved August 7, 2007 from http://www.inmujer.df.gob.mx/muj_destacadas/esperanzabrito.html

N4.3: “El papel que tuvieron las ONG fue fundamental. Fueron ellas las que trabajaron para dar visibilidad al problema de la violencia contra las mujeres. Ahora las ONGs también son muy importantes, pero al igual que los políticos hay gente que lo toma como moda, y se sube al barco para salir adelante. (...) Pero creo que ahora el Estado tiene más influencia sobre el problema que las ONGs. Las ONGs deben continuar su lucha. Pero su rol no es tan importante como lo era antes, ya que se quejan de la falta de recursos y de que sus acciones tienen un alcance limitado. El tema de la violencia contra las mujeres ya es un problema público, pero es importante que las ONGs continúen presionando al Estado. (...) Al inicio, las ONGs presionaban al Estado, ahora es el Estado quien las usa. Ahora hay una doble dinámica: el Estado deja en manos de las ONGs responsabilidades que debería asumir, y algunas ONGs se constituyen como tales y trabajan en el tema de la violencia de pareja ya que eso les da recursos.”

N4.4: “Uno de los objetivos de APIS es promover la participación de las mujeres, y nos dimos cuenta de que las mujeres no pueden participar en nuestras actividades si tienen miedo de lo que su marido o pareja les vaya a hacer.”

N4.5: “Vamos casi a cumplir diez años desde la creación de la Casa de Apoyo a la mujer. A partir de la junta de Beijing nos juntamos ocho mujeres que ven la necesidad de hacer algo para proteger a las mujeres que sufren violencia. Al principio no sabíamos como hacerlo, todo era muy casero, incluso nosotras mismas poníamos de nuestro propio dinero para Casa de Apoyo.”

N4.6: “Cuando todavía era una estudiante de la carrera de comunicación produje dos programas de radio. Era muy sorprendente escuchar las experiencias de las mujeres que sufrían violencia. Ellas llamaban al programa de radio para contar sus historias. Ellas tenían una gran necesidad de ser escuchadas. Algunas amigas de la universidad y yo fundamos la revista Mujer Contemporánea ya que pensábamos que a partir de las palabras se podría cambiar todo, creíamos que el problema estaba en la mentalidad de las personas. Entonces conocimos a Emilio Viano. En México se había oído muy poco del

tema de la violencia domestica. El [Emilio Viano] me ayudo a darme cuenta de que las mujeres que sufren violencia necesitan ayuda, y que necesitan que las instituciones publicas les ayuden a superar sus problemas”.

N4.7: “(...) algunas de las feministas que elaboran la propuesta [de 1984] colaboran en la parte inicial de la elaboraci3n de la realizada por las parlamentarias del PRI, generando un puente indirecto de di3logo y colaboraci3n que nunca se discute ni se aclara como estrategia pol3tica dentro del movimiento [feminista]. Es decir, el Movimiento genera una suerte de relaci3n indirecta y vergonzante con los c3rculos oficiales, mediante un permiso impl3cito que se le otorga a algunas de sus participante aut3nomas, a condici3n de que se haga de manera extraoficial.”

NOTES CHAPTER 5:

N5.1: El gobierno mexicano sale al exterior y firma todos los convenios que encuentra, los habidos y por haber. El gobierno mexicano es muy h3bil en temas de derechos humanos, pero internamente, no pasa nada, y si hay leyes estas no sirven para nada. No hay ning3n tipo de inter3s, no hay ninguna intenci3n. Una cosa es lo que sucede en el exterior, la imagen que se da, pero aqu3 los convenios y tratados no se cumplen. Es m3s, la realidad de M3xico se maquilla en el exterior.

N5.2: “Estuve compitiendo con otros 200 abogados para el trabajo. Fui seleccionada, y acept3 el trabajo por que el salario era bueno. Ellos (los hombres en la Procuradur3a de Justicia del Distrito Federal) no quer3an esta agencia. Tuvimos que escribir el manual de procedimientos del CAVI. La agencia fue finalmente creada, nos dieron el espacio pero tuvimos que empezar de cero... ya sabes, barriendo el suelo, limpiando las ventanas. Incluso tuvimos que colgar informaci3n en las paredes e ir a escuelas a dar informaci3n a mujeres (...). Ellos no nos quer3an, no ten3amos recursos, no recib3amos ning3n tipo de apoyo, y nos consideraban aviadores”.

N5.3: “(...) gran importancia del establecimiento de un Centro de Atenci3n de Violencia Intrafamiliar para prevenir y sancionar las conductas antisociales (...). Este Centro (...) proporcionar3 atenci3n integral (...) a efecto de combatir y reducir los 3ndices delictivos del Distrito Federal. (...) La violencia intrafamiliar (...) favorece conductas antisociales, daña el desarrollo de las v3ctimas directas e indirectas, produce sufrimiento y propicia la aparici3n de delitos.” (PGJDF, Acuerdo N. A/026/90, en Lang 2003:79).

N5.4: “En este contexto, queda claro que la creaci3n de los centros de atenci3n para v3ctimas del delito en la Procuradur3a correspond3a a una estrategia populista.”

N5.5 “[este proceso] fue complicado. No 3ramos amigas, pero en ese momento hab3a algo que nos un3a. En ese momento empezamos a trabajar (...). La ley de violencia intrafamiliar familiar es el resultado de dos años intensos de reuniones y acuerdos entre mucha gente e instituciones.”

N5.6: “Hubo mucha controversia porque algunas opinábamos que no teníamos por qué ir, que ni falta hacía tener su firma. Pero otras decían: ‘No. Es que estamos en un sistema político en el que la figura del presidente, del Poder Ejecutivo, es muy fuerte’. Así es que reconociendo la situación como es, constitucionalmente el régimen es presidencialista, pero además (...) si nosotros lo queremos sacar adelante, si queremos tener un gran número de votos a favor, pensando en el PRI que eran 239 diputados, pues con la firma del Presidente garantizábamos esos 239.”

N5.7: “Un diputado PANista me dijo, ‘Ustedes creen que no le puedo dar una buena bofetada a mi hija cuando lo requiera?’. Otros, PRDistas y PRIlistas, no decían nada aunque lo pensaban. Al menos los PANistas fueron más dignos y mostraron reacios a las reformas.”

N5.8: “Empezamos a trabajar sin que nadie dentro de la Asamblea nos hiciera mucho caso, ocupados como estaban en los ‘grandes temas’ de la ciudad, entre los cuales, por supuesto, no se encontraban, ni se encuentran, los que nos atañen directamente a las mujeres” (Marta De La Lama, in Yllán and De la Lama 2003:VIII).

N5.9: “Aquí recibimos otras grandes sorpresas: algunos de ellos nos presentaron un proyecto de ley total y exclusivamente declarativo que no iba a servir para nada ni para nadie, urgiéndonos a suscribirlo, a lo cual por supuesto nos negamos. Una persona de otro grupo, vital para nuestros fines, cuando estaba con nosotras nos ofrecía su apoyo in condicional y cuando nos dábamos la vuelta, daba contraorden a sus subordinados. A tal grado llegó todo esto, que un caballero ordenó a una subalterna, parte de nuestro equipo, que saboteara el proyecto y tuvimos que simular una pelea con ella, delante de su jefe y varios funcionarios, reclamándole su actitud, para que su ‘superior’, en vista del escándalo, la dejara en paz” (en Yllán Rondero and De La Lama 2003:ix).

N5.10: “Patricia Elton empezó a sensibilizarse en cuestiones de género al entrar en contacto con el movimiento feminista de Morelos. (...) Un día llega con una propuesta de ley ya elaborada, y nos pregunta qué nos parece. A ella [Patricia Elton] quería dejar esa propuesta, que era casi una copia de la del distrito Federal. Pero nosotras, mujeres de distintas ONGs la revisamos e hicimos sugerencias sobre la propuesta para adaptarla a la realidad del Estado de Morelos. Alguna gente piensa que era la propuesta de Patricia Elton, pero la realidad es que nosotras también estábamos tras la propuesta [de ley].”

N5.11: Hay un puñado de mujeres que pertenecen a varias ONGs. De hecho, sólo hay tres o cuatro mujeres en Morelos que están preocupadas por el avance de las causas de las mujeres, pero no se puede decir que en Morelos exista un movimiento de mujeres”.

N5.12: “Ahora ya no le puedo pegar a mi vieja”; “Nos quieres poner a lavar trastes”; “No te vamos a aprobar la ley”.

N5.13: “Hicimos un excelente trabajo de cabildeo a distintos niveles. Ningún hombre votó en contra de la ley en el Congreso. Sólo votó en contra una mujer. Ella quería una ley punitiva. Ella no entendió en ese momento que necesitábamos una ley consensuada. Se opuso no porque no creyera en la ley, o porque no la apoyara; se opuso porque creía que la ley tenía que ir más allá.”

N5.14: “Logramos un consenso, queríamos una ley, y no queríamos que el tema de la violencia en la familia continuara siendo invisible. La ley tenía el objetivo de sensibilizar a la población. La ley no era lo que queríamos, pero al menos conseguimos aprobar una ley.”

N5.15: “La ley (Ley de Prevención y Asistencia a la Violencia Intrafamiliar) es el resultado de un moda política. Es sólo un a copia de la del Distrito Federal. Muchas veces se aprueban aquí, ya que se aprueban allá. No hubo tal cosa como un estudio de fondo de la situación social y características del lugar [Morelos] para ver si se podía aplicar. (...) En el Estado [Morelos] alguien [diputado estatal] oyó que había una ley de violencia en algún lugar, y la quisieron aprobar aquí, pero no se hicieron estudios específicos.”

N5.16: “Una diputada, Malú (María Lucía Micher Camarena, PRD) trae la iniciativa y la consensúa con algunas mujeres. Tomó la ley del Distrito Federal como ejemplo. Ella siguió el mismo procedimiento y modelo que en el Distrito Federal.”

N5.17: “Hay mujeres que trabajan por los derechos de las mujeres, pero aparte de Las Libres... no, no hay un movimiento que las englobe. Hay ocasiones que sí actúan, pero eso está en función del trabajo legislativo. Sus acciones son intermitentes, y no existe un movimiento estructurado. Sólo se reúnen por cuestiones coyunturales

N5.18: No existe un movimiento de mujeres, ya que es parte de la cultura. A las mujeres les cuesta trabajo trabajar por las mujeres, que le digan chismosa, tortillera, que el marido es un mandilón, etc... A mi no me afecta, pero a muchas mujeres les afecta mucho eso.”

N5.19: “El movimiento de mujeres en Guanajuato tiene su origen en el feminismo. El PAN impulsa grupos de mujeres para que luchen en contra de la violencia intrafamiliar. Pero lo hacen desde una perspectiva gubernamentalista y asistencialista. También hay alguna ONG de mujeres, pero muchas veces se trata de organizaciones fantasmas. Sobre el tema de violencia, el tema está muy difundido, muchas dicen que atienden, pero en realidad hay pocas que lo hagan.”

N5.20: “[la ley] confundía violencia de género con violencia familiar, y el objetivo de esa ley es promover la conciliación. Pero el problema es que frecuentemente la conciliación se confunde con (re)conciliación”

N5.21: “La comisión de género tiene mayoría PANista y no han entendido que es el género. La violencia es un tema en el que se meten, pero no tienen ningún tipo de formación en temas de género. Nosotras habíamos dicho que era precisa una reforma de la ley, y que el DIF no tendría que tener tanta importancia en la ley. (...) y sí... las legisladoras hablan de reformar la ley, pero hacen una reforma vinculada a la familia, confundiendo violencia de género y violencia familiar. La ley anterior tenía como centro la inequidad de género y el poder. (...) Se crearon unas mesas de trabajo para la ley, para consensuarla... pero el PAN mete su propuesta y no nos hacen caso. Nos dijeron que dejáramos que la ley se aprobara, y que luego ya se harían cambios... No... Hubo un debate público, incluso en la televisión y nosotras sosteníamos que esa ley no servía, al igual que no servía la anterior.”

N5.22: “El PRI dijo que no iba a apoyar la ley. La ley de violencia se quedó un poco tiempo congelada en el congreso. Pero entonces el PAN quería que la propuesta de ley estuviera consensuada. Pero como el PAN tiene la mayoría en el Congreso... La ley la aprueba la Comisión de Género y luego se envía a la Comisión de Justicia, donde se congela. Pero todo este proceso coincide con la aprobación del presupuesto, y de repente el PRI ya no veía ningún tipo de problema en la ley. La ley de violencia del 2005 se aprobó con el apoyo de todos los partidos políticos menos el PRD.”

N5.24: [sobre el PRD] “es un partido de izquierda, y es lo que se supone que ha de hacer. Ninguno de sus diputados está interesado en el tema [de la violencia intrafamiliar] pero las mujeres de otros partidos políticos están todavía menos interesadas en el tema.”

N5.25: “Hay una propuesta de reforma de ley del PRD, pero hay que verla con ojo clínico ya que el PRD tiene una visión populista.”

N5.26: “Milenio Feminista y las Libres están en desacuerdo con la ley. Son muy radicales.”

N5.27: “Las libres no quieren llegar a ningún acuerdo, son muy radicales. Yo creo que es una cuestión ideológica. Ellas son socialistas, pero el gobierno es muy conservador. (...) El problema es que las ONGs están vinculadas con los partidos políticos.”

N5.28: “Las personas del gobierno intentan dar una imagen de pluralidad. Antes colaborábamos con el gobierno, incluso durante la aprobación de la ley de violencia intrafamiliar, cuando Vicente Fox era el gobernador de Guanajuato. Pero ahora no. Tenemos nuestra posición bien definida. No participamos, no porque no estemos interesadas, sino por que ya sabemos que esto es un juego, y que todo está ya cocinado.”

N5.29: “Es muy complicado trabajar con las mujeres del movimiento feminista. Es un reto. Yo creo que tendríamos que trabajar juntas, pero es muy complicado (...). Hay pocas ONGs en Guanajuato y han hecho un buen trabajo al promover la creación del Instituto de las Mujeres, pero quizás de la forma en que lo hicieron no fue la correcta. [Las ONGs] tienen muy buenas cosas, y de alguna forma están vinculadas con el

gobierno, pero en la forma en que actúan no es la adecuada. Algunas ONGs tienen mucha experiencia, y sería bueno encontrar un nuevo modo en que el gobierno y las ONGs pudieran interactuar.”

N5.30: “Aquí en Jalisco, predomina el machismo. El machismo ha impedido que se reconozca a la mujer como un ser humano igual. Aunque la mujer tiene en teoría los mismos derechos que el hombre, a veces siente que sólo tiene derecho a migajitas.”

N5.31: “En Jalisco no hay tal cosa como un movimiento feminista. Es más, hay una confrontación entre aquellas mujeres que se denominan feministas. Hay una fragmentación entre ellas que no han podido superar, y no han logrado constituirse como un frente único con aspectos programáticos. Pero sí existen organizaciones civiles que eventualmente han coincidido sobre algún tema.”

N5.32: “A diferencia de otros estados, en Jalisco no existen organizaciones civiles que trabajen el tema de la violencia doméstica. Al crearse el movimiento [Voces Unidas] se buscaba que el gobierno resolviera el problema. Nosotros somos co-responsables en hacer visible el problema, construir una demanda social y denunciar que no haya ley ni centros de atención para la violencia familiar. (...) Las víctimas de violencia familiar tenían pocos sitios donde ir. Podían acudir a la Universidad de Guadalajara... pero ninguna organización era especialista con excepción de CIAM. (...)...El tema de la violencia intrafamiliar no podría haber entrado [a la esfera pública] a partir del movimiento de mujeres, ya que el Jalisco y el Estado están vacunados en contra del feminismo.”

N5.33: “(...) desde el principio la parte jurídica del proyecto quedó en manos del CIAM, representado por la Licenciada Andrea Medina Rosas (...) sin embargo estaban claros los objetivos jurídicos para prevenir, evitar y, en su momento, sancionar la violencia intrafamiliar... Finalmente, y ante la preocupación de Voces Unidas, el 23 de febrero de 1998, el departamento de derecho a través de una comisión, analizó el trabajo legislativo y encontró que no reunía las aspiraciones que generaron el movimiento social que ya se encontraba en una etapa muy avanzada. Trabajé [junto con ese grupo de abogados] para evitar que se diera cualquiera de los dos supuestos ambos negativos: parar la iniciativa a unos cuantos días del compromiso público de presentación o que ésta tuviera un sentido distinto al que se publicitado hacia la sociedad y hacia la Iglesia misma, por ello se trabajó durante tres semanas, primero, para diferir el compromiso de presentarla el día 8 de marzo (Día Internacional de la Mujer) y luego, trabajar con la responsable del proyecto para conservar todas las propuestas legítimas y tendientes a prevenir, disuadir y sancionar las conductas atentatorias en contra de la familia, quitarle lo represivo y algunas consideraciones de género que no tenían vinculación con el tema inicial del movimiento.”

N5.34: Ella [Andrea Medina] hizo cambios. Esos cambios no habían sido discutidos por Voces Unidas y provocan una situación que impacta al Colectivo [Voces Unidas] y la posibilidad de que la ley se aprobara sin tanto peligro. Es muy difícil llegar a un consenso. Había una lucha entre intereses colectivo e individuales.”

N5.35: “Hemos de reconocer que al momento de presentar al H. Congreso dicho documento, se le hicieron algunas modificaciones por la licenciada Medina Rosas que no estaban previstas, las cuales sin ser demasiado trascendentes, sí han metido un ruido innecesario a todo el proyecto. (...) ITESO participó en la Iniciativa, ahora bien, lo que nunca estuvo ni directa ni indirectamente involucrado en los objetivos fue atentar contra el concepto de familia, matrimonio ni otras cuestiones que pudieran interpretarse como de género.”

NOTES CHAPTER 6

N6.1: “Normalmente las mujeres tienden a sufrir más de un tipo de violencia. En el caso de que sufran violencia psicológica o económica, las mujeres sienten que hay algo malo en su relación, pero no conceptualizan lo que les está ocurriendo como violencia.”

N6.2: “El problema es que el DIF y en general las instituciones del gobierno en Guanajuato no ven la violencia intrafamiliar como un delito. La entienden como un conflicto. Es por eso que el DIF entiende conciliación como reconciliación de la pareja. Todavía no hay conciencia de que la violencia intrafamiliar es un delito. El robo de autos no lo concilian. Entonces, ¿Por qué si concilian la violencia intrafamiliar?”

N6.3: “(...) en la Procuraduría de Justicia del Distrito Federal existe una consigna de que si los casos de violencia intrafamiliar se resuelven mediante conciliación, entonces se consigue bajar el índice delictivo.”

N6.4: “Desde el Ministerio Público se promueve la reconciliación. A veces se empuja a las personas continuar con la relación y se promueve la conciliación. (...) Cuando la mujer otorga el perdón ya no se persigue la causa, aunque sea un delito que inicialmente se podría perseguir de oficio.”

N6.5: “Aquí, en Jalisco, no queremos que la relación se rompa, queremos que todas las posibilidades se agoten antes de que se produzca la disolución de la pareja.”

N6.6: “Se ve la violencia de pareja como un pleicitecito, y el Estado lo intenta resolver como si fueran niños. (...) El interés de las políticas públicas no es la mujer maltratada, es la familia. Lo que les interesa no es el derecho individual, sino conservar la familia como institución social básica. Clasifican a las familias en buenas y en malas, en funcionales y disfuncionales. La esposa tiene que ser dulce, amorosa, tierna, tiene que atender al marido y apoyarlo, es decir... la esposa tradicional. (...) Muchas de las instituciones que se encargan de implementar las leyes de violencia como es el caso del DIF, reproducen los patrones de género tradicionales, y en cierta forma lo que hacen es ‘como no podemos convencer al marido de que no sea violento, entonces hay que someter a la mujer, hay que confinar a la mujer a sus roles tradicionales’.”

N6.7: “El Estado tiene entonces una función paternalista. Por ejemplo en el DIF la idea es que los psicólogos tienen que hacer todo lo posible para que no se desintegre la familia. Y por eso empujan a las mujeres al proceso de conciliación, para preservar la familia con independencia de cómo se sienta la mujer dentro de ella, o de que sufra violencia o no. En Jalisco hay una visión muy conservadora sobre que es la familia. La ley dice que no se deben permitir las conductas violentas, pero lo cierto es que las instituciones colaboran a que se perpetúe la violencia.”

N6.8: “El empoderamiento a la Mexicana es cambiar para que todo siga igual.”

N6.9: “La conciliación es un lavado de cerebro a las mujeres para que continúen en la relación. En la conciliación la única que sale perdiendo es la mujer, y al hombre no le pasa nada (...) La conciliación ni es justa ni es equitativa. Aunque haya terceras personas las mujeres son muy influenciables por el marido. La conciliación no debería existir si el varón no recibe atención psicológica primero.”

N6.10: “Los especialistas dicen que no puede haber conciliación sin un trabajo previo y que no se puede negociar ya que la mujer y el hombre no están en igualdad de condiciones. Sí que tiene sentido negociar cuando la mujer esta empoderada, pero no en otras condiciones.”

N6.11: “Las mujeres tienen miedo de hablar. Nos damos cuenta del grado de violencia del hombre cuando amenaza a la mujer delante de nosotros y no la deja hablar. A veces el hombre está hablando durante varias horas, se queja de que ella no está en casa, de que la comida no le gusta, de que la casa esta sucia. (...) A veces he llegado a temer por la vida de la mujer. Algunos hombres llegan enojadísimos y exigiendo. Cuando vemos esa situación pedimos a un policía que esté presente en el proceso de conciliación. A veces me han intentado golpear y también a la señora que esta aquí.”

N6.12: [sobre la conciliación] “ si la lleva acabo una persona que sabe sobre violencia intrafamiliar es una maravilla, si no es una porquería. El que no sabe le dice a las personas involucradas en la violencia que hablen ellos. Eso es una plática, eso no es una conciliación. El abogado en cambio da alternativas, y puede hacer propuestas, pero son las personas las que deciden.”

N6.13: [Entrega del citatorio para la conciliación]. “Antes de 2003 se le pedía apoyo a la policía preventiva para que ellos entregaran los oficios. Ahora ella se lo da a la policía para que lo entregara al hombre. Si la policía no lo puede entregar tras intentarlo en dos ocasiones, le dan respuesta a la institución, entonces le corresponde en teoría a la mujer. A veces, yo lo hago de forma personal, o hago que un familiar de ella o algún conocido le entregue la citación al hombre. Normalmente ellas se salen de la casa, pero en algunas ocasiones todavía están allí cuando el hombre lo recibe. Eso es peligroso. Hay muchas mujeres que no se van ya que tienen miedo de que su pareja les acuse de abandono de hogar, lo cual es imposible ya que hay un motivo. No marcharse en este contexto es muy peligroso para las mujeres.”

N6.14: “El 90% de las mujeres no disuelve el matrimonio, y les otorgan el perdón al marido. Las mujeres creen que deben otorgar el perdón, y que todo el proceso administrativo y penal es para que los hombres aprendan.”

N6.15: “Las mujeres la mayoría se echan para atrás, firman el convenio y deciden darle al tipo una segunda, tercera, o cuarta oportunidad. También entra en juego el tema de la dependencia económica de la mujer. Por lo que a veces las mujeres de clase social más alta es más probable que se queden en la relación por la dependencia económica y nadie quiere bajar de nivel.”

N6.16: “Las mujeres pobres toleran la violencia en parte por razones económicas. Las mujeres pobres presentan muchas más denuncias que las mujeres de mejor clase social, pero también es menos probable que la denuncia prospere por los gastos que genera. Aunque tengan un abogado de oficio, iniciar un proceso por violencia intrafamiliar acarrea gastos y desembolsar dinero. Y si no tienen dinero para comer, todavía tienen menos para pagar certificados copias y otro papeleo que requiere el proceso. En algunos casos su autoestima es tan baja que piensan que no pueden sobrevivir sin ellos. En muchas ocasiones este pensamiento es algo estúpido porque ellas los mantienen e incluso les dan dinero para sus vicios.”

N6.17: “He visto a muchos hombres prometer el cielo y las estrellas a las mujeres. Las mujeres los han perdonado, y he visto como la misma mujer ha regresado a buscar ayuda.”

N6.18: “Las mujeres acuden a la agencia pública. Muchas veces ellas no saben lo que quieren, pero piden ayuda. En el transcurso de unas horas, si tienen suerte, ya han pasado por el departamento de trabajo social, el departamento jurídico y el psicológico. Después de contar su historia, esa institución cita al marido. La policía, en aquellos estados donde si esta previsto lleva el citatorio, y si no es la propia mujer quien lleva al marido la citación. Y, ¿Qué sucede? Que el 50% de las mujeres ya no regresa a la agencia pública, otras muchas vuelven con el marido, y otras retiran la demanda. Desisten. (...) Citan al hombre y a la mujer con media hora de diferencia. El marido llega enojado, y la gente de la unidad, tanto los hombres de las mujeres que trabajan en la agencia lo intentan calmar y le dicen que buscarán soluciones. El hombre pasa a terapia una media hora y luego lo citan para que firmen un convenio. Eso si es que no lo hacen en ese mismo momento. En algunos casos se requiere que los hombres se sometan a terapia psicológica antes de proceder con el convenio. El convenio se firma en la unidad y entonces en el convenio se pone la cláusula de respeto mutuo, y se llega a un compromiso. En algunos casos [estados] también se puede incluir una cláusula por la cual tanto el agresor como la víctima se comprometen a recibir terapia psicológica.”

N6.19: “De acuerdo con mi experiencia, creo que el acuerdo de conciliación es inútil. Las mujeres continúan siendo violentadas, quizás, en algunos casos, en un nivel inferior, pero viven violentadas de cualquier modo. No creo que así se ponga fin a la violencia, se

necesita trabajo psicológico de ambas partes. Las personas con problemas psicológicos y emocionales no cambian. Yo no creo en el proceso administrativo de conciliación.”

N6.20: “Con la ley nueva se firma el convenio, y la persona ha de ir ante el juez para ratificar el convenio y que adopte categoría de cosa juzgada, el problema es que muchas veces las mujeres no acuden ante el juez, y entonces ante cualquier tipo de violación del convenio no se puede hacer nada. (...) En esos casos en los que se incumple el convenio se puede proceder por la vía civil o penal. Pero entonces viene lo complicado, se ha de hacer mucho trabajo con la señora para que se inicien estos procesos alternativos”.

N6.21: “En general aquí en el DIF Jalisco intentamos que todos los convenios que se celebran entre las partes los ratifique el juez. Pero hay algunos jueces que si los ratifican y otros no. Los que no ratifican dicen que como es jurisdicción voluntaria... no lo hacen. En Jalisco cuando se presenta una demanda, la computadora la asigna a un determinado juez, es por eso que dependiendo del juez se ratifica el convenio o no se hace.”

N6.22: “Si no se cumple el convenio en teoría hay multas, pero en realidad no se pagan. Estamos tratando con la secretaria de finanzas que se encarga de recaudar y exigir las multas. Entonces en realidad no establecemos ni las sanciones ni arrestos. De momento la única alternativa que nos dejan, claro si la mujer quiere, es fundamentar la situación con documentos e ir delante del MP para presentar una demanda penal sobre la base de que ‘no hubo cambio por parte del hombre, por la violación del convenio y los nuevos actos de violencia eso constituyen violencia intrafamiliar.”

N6.23: “Si que hay resultados con la ley. A los hombres que son detenidos los mandamos a terapia. Creo que no hay reincidentes, ya sea por miedo o porque las terapias funcionan. Las fianzas son de hasta 30.000 pesos. (...) El hombre se ha dado cuenta de que si golpean hay un castigo. Pero antes era todo muy distinto.”

NOTES CHAPTER 7

N7.1: “El tema de la violencia doméstica está de moda, es rentable políticamente y que vende mucho en el proceso electoral. Cualquier candidato político, con independencia de la posición a la que se postule (local, estatal o federal) se ve muy bien si apoya el tema o ha participado en políticas [sobre violencia domestica]. Para los candidatos éste es un tema necesario. Cincuenta y dos por ciento del padrón electoral está compuesto por mujeres, y un candidato que resulta atractivo para las mujeres es más probable que resulte elegido. Este es el motivo por el cual llevan el tema de la violencia doméstica como bandera.”

N7.2: “De alguna forma los partidos de izquierda están más interesados en la problemática, tienen una visión más egalitaria del género que los partidos más conservadores, que tienen unas posturas que alimentan el sistema de desigualdad.”

N7.3: “Hay diferencias entre partidos. Por ejemplo la visión feminista del PRD es que la violencia doméstica se ha de reducir y erradicar para garantizar que las mujeres tengan una mejor calidad de vida. Las legisladoras del PAN, por otro lado, creen que la violencia doméstica afecta a la familia, y que la violencia ha de desaparecer para mantener la familia intacta. Es género versus familia. Hay mucha gente con experiencia que quiere cambiar las cosas, pero dentro del mismo grupo político puedes encontrar facciones. Estas facciones están incluso en mi propio partido.”

N7.4: “Durante la LVII legislatura se produjo un avance importante en los temas sobre mujeres. Después, el ascenso del PAN trae personas con ideologías de derechas que tomaron el camino erróneo. Tienen presiones de la Iglesia y de algunas organizaciones conservadoras. Parece que hacen cosas para las mujeres, pero sólo es la fachada. Por ejemplo, han fortalecido instituciones como el DIF y el Instituto de la Beneficencia Pública, que proveen asistencia a las mujeres. El gobierno del presidente Fox pasará a la historia no sólo por ser el partido que sacó al PRI del gobierno, pero también por ser incapaz de promover la consolidación democrática. En poco tiempo el PAN, con su perspectiva de familia, ha intentado promover cambios en las áreas donde se habían conseguido los mayores logros, como es el caso de la violencia doméstica o los derechos reproductivos.”

N7.5: “A las mujeres se les ha de dar sus golpes para controlarlas.”

N7.6: “(...) ellos nos decían que estábamos en contra de la familia, que éramos lesbianas, incluso algunas de las mujeres que apoyaban la legislación sobre violencia familiar les enviaron un chorizo. Ya sabes... como ellos pensaban que éramos lesbianas, era para comprobar si nos gustaba el chorizo.”

N7.7: “Las mujeres somos todavía las que se ocupan de otras mujeres. La cultura machista y patriarcal está muy arraigada en México. Nosotras, las mujeres, luchamos en contra de los hombres, incluso de nuestro propio partido. Nosotras luchamos en contra del sarcasmo, en contra de sus actitudes machistas. En los partidos políticos, al igual que en la sociedad hay machos, hay hombres autoritarios. Pero hemos de luchar por la igualdad entre hombres y mujeres. (...) Hay hombres misóginos en todos los lados, y hombres con ideologías que son muy difíciles de cambiar. Pero todavía las mujeres luchamos por otras mujeres. Los hombres en la política pueden apoyar las propuestas de las mujeres, pero todavía es muy difícil que un hombre lidere una propuesta para las mujeres.”

N7.8: Nosotras [ONGs] le comunicamos a la diputada Victoria Chavira (PAN) que necesitábamos una ley [sobre violencia en contra de las mujeres]. Nos reunimos con la diputada Chavira y con varios de sus asesores y asesores del Congreso. (...) La diputada Chavira tiene mucho interés. Pero es la única en el Congreso y en su partido que tiene interés. Ella tiene un interés personal para hacer algo, es muy responsable. Es una cosa individual, a veces están en las reuniones otras diputadas de la Comisión de Género e

Igualdad, pero el verdadero interés lo tiene ella. Ella ha sido la responsable que en el Congreso del Estado ahora haya mayor apertura sobre temas vinculados con la mujer.”

N7.9: Las diputadas de otros partidos políticos, e incluso del PAN, si no obstruyen mi trabajo, tampoco ayudan. Pero creo que su momento todavía no ha llegado. (...) El sistema patriarcal es tan fuerte que hay pocas luces de liberalismo en el Congreso. Yo propuse a las mujeres de todas las fracciones parlamentarias trabajar juntas en una ley sobre violencia en contra de las mujeres. Empecé a trabajar, pero ellas no estaban muy interesadas. Y lo que hice, fue invitar a miembros de ONGs para analizar y escribir una propuesta de ley.”

N7.10: “Todo acto del gobierno y promesa política que no se ve reflejada en un propuesto es populismo. Cualquier iniciativa que quiera incorporar la transversalización de la perspectiva de género, como es el caso de la violencia de pareja, ha de pasar por modificar los presupuestos públicos.”

N7.11: “Hay cierta indolencia para denunciar. Aunque hay CAVIS y agencias de delitos sexuales, tienen mucha carga de trabajo. Se precisan más técnicos, y un equipo más especializado, servicios adecuados... Las mujeres pasan por una ruta crítica. Imagínate el caso de esta mujer. Es un caso real. Llego de Sinaloa. La policía trae a la mujer al albergue ya que temían por la vida de la mujer debido a las conexiones de su marido con el narcotráfico. Esta mujer llega al albergue en un estado crítico, con hematomas en todo el cuerpo, muchos golpes y violada con un objeto. De hecho la mujer se salva ya que el marido la deja inconsciente, creo que el pensó que la había matado. Luego nos pide ayuda y la acompañamos a la agencia especial del Ministerio Público para certificar las lesiones. Pero la agencia especial no abre los sábados y domingos, y nos vamos a una agencia normal del Ministerio Público. No tuvieron ningún tipo de indolencia, mientras estábamos esperando se fueron a cenar... Esperamos una hora y media. Y la mujer esta ahí, toda golpeada. Cuando ya nos atienden nos dicen que sólo le podían tomar declaración ya que el médico encargado de certificar lesiones no estaba allí, por lo que tenemos que ir al hospital. Estábamos en una zona urbana, imagínate qué sucedería en una zona rural. Finalmente llegamos al servicio de urgencias del hospital. Después de esperar más de una hora, y tras vernos, el medico nos dice que no puede hacer nada, ya que no llevábamos con nosotros el documento en el que estaba la orden del Ministerio Público. Entonces nos regresamos a por el papel a la Procuraduría, conseguimos el papel y volvemos de regreso al hospital, y luego nos dicen que volvamos al día siguiente. Regresamos al día siguiente. Esta mujer estaba acompañada por nosotras [trabajadoras del refugio]. ¿Te puedes imaginar a alguien que haya de pasar por todo este proceso sola? Es muy improbable que acabe levantando una denuncia en contra de su agresor.”

N7.12: “La primera vez que llamamos, tardamos más de una hora para llegar al último teléfono, y cuando nos conectan a ese teléfono, resulta que era un fax.”

N7.13: “Las personas encargadas de los programas de violencia de familia no tienen ningún conocimiento sobre el tema y sólo dan una respuesta burocrática a los problemas. Desconocen el papel tan importante que tienen en la asistencia y prevención de la violencia familiar. (...) Es complicado encontrar una agencia confiable, en la que esté claro el procedimiento a seguir en casos de violencia doméstica y que la mujer sea tratada con respeto.”

N7.14: “Los individuos responsables de esas agencias están preocupados por su propio protagonismo, en su búsqueda por ser el centro de atención, en lugar de preocuparse por aquellos para los cuales están diseñados los servicios gubernamentales.”

N7.15: “La actitud de los poderes públicos ha cambiado, pero no lo suficiente. En cada renovación de gobierno se ha de cabildear. El problema es que el tema de la violencia de género no está institucionalizado. Los poderes públicos no están preparados. Hay que incidir en sensibilizar. Muchas veces con cada cambio de gobierno se pierde todo lo que se ha conseguido. Pero poco a poco se ha logrado posicionar el tema en la opinión pública.”

N7.16: “A las mujeres las tratan muy mal en el DIF [Jalisco], las obligan a retomar su relación con los hombres que las violentan. El DIF fuerza la reconciliación de la familia, y evita a cualquier precio el divorcio.”

N7.17: “Hay una ofensiva fuerte de la ultra derecha para promover un determinado modelo de familia, diciendo que el matrimonio no se puede disolver, sólo en casos en que haya peligro de muerte, pero que si sólo hay golpes el matrimonio debe seguir.”

N7.18: “El DIF mete mucho ruido, importan las mujeres como integrantes de la familia. El DIF ve a la familia como papá, mamá e hijo. Con esta conceptualización no quieren que la gente se separe, si se separan o se divorcia, entonces ya no es familia. Este es el motivo por el cual quieren mantener la familia unida con independencia de la situación de violencia de la mujer.”

N7.19: “Muchas de las mujeres que llegan a la CEDH Morelos cuando se van te dejan 100 pesos, ya que en todas las instituciones a las que acuden le dan dinero. La minoría de los casos lo hacen por agradecimiento, pero la mayoría lo hace por costumbre. Nosotros les decimos que nuestros servicios y atención son gratuitos. Lo que sucede es que están acostumbradas a que tienen que dar dinero por debajo de la manga a los servidores públicos si quieren que se agilice su asunto o trámite. Por ejemplo, en el Ministerio Público si no tienes dinero no se agiliza la investigación o la tramitación de la queja. Incluso ha habido mujeres que me han dicho que como su esposo tiene recursos, éste ha pagado al Ministerio Público para que no dé continuidad al caso de violencia, o para que los dictámenes salgan a favor del tipo. Casi el 50% de los casos que atendemos son quejas de los Ministerios Públicos, que actuaron de manera impropia como consecuencia de haber aceptado el dinero del marido.”

N7.20: “En el Estado [Chihuahua] no hay corrupción y los MPs tienen un salario aceptable. No piden mordida. La mayoría de quejas sobre los MP son por que tardan demasiado tiempo en tramitar la denuncia. Pero aquí los MP no piden mordida. Antes sí que sucedía, pero no ahora. En Chihuahua los MP están muy fiscalizados. Sí que puede haber actitudes machistas, pero éstas se han ido reduciendo con el tiempo. Pero aún y cuando los MP no estén capacitados en cuestiones de género, los comentarios machistas en contra de las mujeres que sufren violencia los pueden hacer tanto los hombres como las mujeres MP.”

N7.21: “El Procurador General, Leobardo Larios Guzmán, está muy comprometido con el tema de la violencia en contra de la mujer, y quiere que todos los ciudadanos reciban un buen servicio de la Procuraduría. Casi 2000 personas en la Procuraduría ya han recibido capacitación en el tema de la violencia en contra de las mujeres. Es un proceso difícil y lento ya por el tema del que se trata [violencia de pareja], pero creo que la capacitación está dando sus frutos. Ya no hay tanto machismo como había antes en la Procuraduría. Hay muchos mitos sobre los MPs y algunos de ellos ya están desapareciendo. Al menos aquí, esos mitos son cosa del pasado. Casi toda la plantilla de la Procuraduría cambió como resultado de un proceso que se inició en el año 2002. La Procuraduría tuvo un proceso de control interno ya que algunos de nuestros efectivos estaban involucrados en cuestiones de violencia, y había casos de corrupción. Lo limpiamos todo, y desde entonces, creo que la situación ha mejorado. Creo que todo depende de la persona que esté al frente de la institución.”

N7.22: “Se tiene la imagen de que el Ministerio Público es de lo peor. A veces las mujeres llegan aquí y quieren que les solucionemos la vida, y a veces no entienden que tenemos un procedimiento a seguir. Nosotras hemos recibido mucha capacitación en temas de género y de violencia en contra de las mujeres. Pero las mujeres que acuden aquí no entienden que tengamos que hacer un interrogatorio. Sobre todo se enfadan mucho cuando nos damos cuenta que ellas denuncian cosas que son falsas. Entonces van por ahí diciendo que las tratamos mal.”

N7.23: “Las mujeres en el Ministerio Público o en otras agencias públicas no son distintas de los hombres. Tener un cuerpo de mujer no es garantía de que ofrezcan un mejor trato a las víctimas de violencia de pareja. Tanto los hombres como las mujeres están atrapados en una cultura patriarcal. Si las mujeres no reciben capacitación, los hombres y las mujeres son igualmente insensibles.”

N7.24: “Las mujeres son completamente distintas. Ellas tienen otras cualidades como la inteligencia emocional que les permiten atender a las mujeres víctimas de violencia de otra forma.”

N7.25: “Con independencia de si es una situación de violencia doméstica o no, creo que las mujeres tratan de forma distinta a las víctimas de crímenes que los hombres. Las mujeres tratan mejor a las víctimas, de una forma más humana. Quizás es por una cuestión biológica. Las mujeres son más sensibles, más comprensivas y tienen más

paciencia para entender el conflicto y sus causas. Las mujeres son más hábiles en la resolución de conflictos. Los hombres, por el contrario, son más prácticos y fríos con respecto a los problemas de familia.”

N7.26: “Si ellos [agentes del ministerio publico] son violentos en sus casas, ¿Qué tipo de asistencia y trato quieres que estos MPs le den a las mujeres?”.

N7.27: “He participado en seminarios y sesiones que tenían como objetivo la capacitación de MP en el tema de la violencia en contra de la mujer. Es tan obvio que muchos de esos están involucrados en el problema. Algunos de ellos me han contactado de forma privada después de las sesiones de capacitación y me han solicitado ayuda. Algunos otros, incluso llegué a pensar que iban a reconocer en frente de sus compañeros de salón que habían sido víctimas de violencia durante su infancia, o que ejercen violencia en contra de sus parejas“.

N7.28: “(...) el crimen de violencia intrafamiliar es nuevo en México. Antes, no se consideraba como un crimen, era sólo una circunstancia agravante vinculada a otro crimen. Muchas autoridades públicas no lo saben; ese el motivo por el cual se trata mal a las mujeres.”

N7.29: “Es desesperante ver como las mujeres que llegan aquí [juzgados penales], o a las agencias del MP con lesiones serias derivadas de la violencia domestica luego los perdonan. Es frustrante, ya que toda la maquinaria para que después los perdonen. Los MP no creen a las mujeres o no las toman en serio ya que creen que la mujer perdonará a su agresor, por lo tanto, [los MPs] no quieren iniciar todo el procedimiento.”

N7.30: “Nuestra ley prevé que el ejecutivo instrumente los programas [sobre violencia familiar], y el Gobernador tiene responsabilidad para hacerlo. Ahora en Guanajuato hay un Gobernador [Juan Carlos Romero Hicks] con interés en la familia. El tiene una familia muy bonita. Se casó con Frances Siekman, estadounidense, y tiene diez hijos. Él le presta una atención particular a la familia. El Gobernador es una figura clave en el estado para el desarrollo de políticas de familia, y el lo está haciendo. Claro, también lo hicieron los gobernadores anteriores, Carlos Medina Plasencia, Vicente Fox Quesada, y Ramón Martín Huerta [todos ellos del PAN]. Todos estos gobernadores jóvenes sí que han tenido interés en temas de familia. Quizás eso ha sido lo que nos ha dado un esquema de familia diferente.”

N7.31: “La esposa del gobernador [Frances Siekman de Romero] ha estado siempre muy preocupada por la gente. Y si ella le da apoyo al tema de la violencia doméstica es porque piensa que es importante. El problema es grave. La esposa del gobernador es una persona muy sencilla, que se preocupa por las mujeres. Muchas veces se interesa en venir aquí aunque aquí no se tomen fotos.”

N7.32: “Se rumorea que el gobernador ha estado involucrado en cuestiones de violencia doméstica, quizás convocar el Consejo de Prevención y Asistencia de la Violencia

Intrafamiliar le traiga memorias personales. El no está interesado en el tema y bloquea cualquier tipo de acción de las instituciones gubernamentales y ONGs. Además, el rechaza el tema de la violencia intrafamiliar. Pero quizás también es una cuestión de partido. El PAN quiere mantener la familia unida. Pero creo que en su caso son ambas cosas, una cuestión personal y una cuestión de partido. (...) Hemos intentado negociar con varias instituciones incluyendo el Instituto Morelense de las Mujeres, ya que le tocaba liderar un programa sobre violencia contra las mujeres. Pero reciben poco apoyo, y el gobierno actual no les permite actuar libremente. Esperemos que el próximo Gobernador sea más sensible y que se puedan mover las cosas con el cambio de gobierno.”

N7.33: “Las circunstancias políticas del Gobernador no ha permitido que se centren en el tema de la violencia hacia las mujeres. La política del Gobernador en Morelos se ha centrado en las obras, pero no existe un verdadero interés del gobierno en el ser humano.”

N7.34: “Aquí en Chihuahua había un gobernador que ejercía violencia en contra de su mujer. Se rumorea que en una de esas la señora tuvo que irse a EE.UU. para tratamiento. El canceló casi todos los proyectos sobre el tema de violencia doméstica, no había UAVIs y detuvo el CEPAVI. Definitivamente el nuevo Gobernador ha prestado más atención al tema de la violencia de pareja.”

N7.35: “Yo no diría que el interés en violencia doméstica está vinculado con un partido político. Creo que algunas personas tienen un mayor interés en el tema de la violencia familiar que otras. Cuando hay un cambio de gobierno, te preguntas ¿Qué va a pasar? Más que preguntarte qué partido político va a ganar las elecciones a gobernador, te preguntas si el recién elegido gobierno estará interesado en la violencia familiar.”

N7.36: “Sé que algunos de los casos de violencia domestica que me llegan son punibles bajo las reformas aprobadas en el código penal, pero yo soy el juez y no le puedo decir al fiscal o al abogado como tienen que presentar su caso, ni al MP que levante un acta en la que se especifique que existe un delito de violencia familiar.”

N7.37: “Los jueces son más insensibles de lo que debieran. Algunos jueces no creen en la violencia psicológica. No creen en las pruebas periciales de los psicólogos. Es muy frustrante. Hemos avanzado en la sensibilización de los Ministerios Públicos, ahora están más sensibilizados que antes. Pero incluso en aquellos casos en que la respuesta del MP es correcta, luego nos topamos con la pared del juez. Los jueces, tanto hombres como mujeres, son muy insensibles, tienen actitudes patriarcales. Es por eso que cuando sabemos que hay un juez insensible a veces esperamos al siguiente turno para que haya otro juez.”

N7.38: “Algunos jueces no quieren recibir capacitación porque piensan que los temas de genero no son de su incumbencia.”

N7.39: “La ley no nos da instrumentos para acabar con la violencia en contra de las mujeres. Nosotros [jueces] no podemos sentenciar a los hombres a que reciban terapia. El poder ejecutivo no nos ofrece ese tipo de servicios. La única cosa que podemos hacer es imponer sanciones y quitar la patria potestad a aquellos que incurran en actos de violencia de familia, pero no podemos ir más allá.”

N7.40: “Con las autoridades tenemos buena relación, las mujeres reciben un trato especializado aquí. Cuando acuden nuestras mujeres a las autoridades, saben (las autoridades) que estas mujeres no están jugando. Sabes? Les damos cartas de canalización, de esa forma se agiliza todo el proceso y nos aseguramos que las traten bien. Claro, hay mujeres que han llegado por si solas al Ministerio Público y las han tratado bien, pero eso es una suerte. Es suerte encontrarse con un ángel, con un agente sensibilizado.”

N7.41: “Aquí en la CEDH Morelos llegan mujeres que se quejan de actos u omisiones de un servidor público, sobre todo llegan quejas de los MPs. Llamamos directamente al superior jerárquico del servidor público Después no nos desentendemos, hacemos un seguimiento. Claro, cuando llamamos directamente a otras autoridades sí que responden. Esta es la vía rápida de resolver las cosas, si lo hacemos de otra forma no funciona, se acaba radicando la queja. Nosotros nos encargamos que los superiores jerárquicos se enteren de lo que hacen los de abajo. En muchas ocasiones si no fuera por nosotros no se enterarían.”

N7.42: Yo he acompañado personalmente a los MP al juzgado, o he llamado directamente al juez para solicitar una que éste/a emita una orden de aprehensión para el agresor. Incluso le he llegado a decir al juez, ‘Pídele a Dios que yo te mande un caso de una mujer golpeada y que no la maten, porque si no firmas la orden de arresto y le sucede algo a la mujer, me aseguraré de que todo el mundo lo sepa y me iré en contra de usted’.”

REFERENCES

- Acker, Joan. 1990. "Hierarchies, Jobs, Bodies: A Theory of Gendered Organizations." *Gender and Society* 4:136-158.
- . 2004. "Gender, Capitalism and Globalization." *Critical Sociology* 30:17-41.
- Agoff, Carolina, Ari Rajsbaum, and Cristina Herrera. 2006. "Perspectivas de las Mujeres Maltratadas sobre la Violencia de Pareja en México." *Salud Pública de México* 48:S307-S314.
- Aguilar Villalobos, Elena and Felipe Alatorre Rodriguez. 2000. "La Iniciativa Popular. Un Ejercicio Ciudadano en Jalisco." Pp. Retrieved October 15, 2007 from <http://iglom.iteso.mx/PDF/falatorr.PDF> in *Memoria del Congreso. Los Gobiernos Locales. El Futuro Político de México*, edited by M. Bazdresch. Guadalajara: ITESO-IGLOM.
- Ahmed-Ghosh, Huma. 2004. "Chattels of Society: Domestic Violence in India." *Violence Against Women* 10:94-118.
- Alberti Manzanares, Pilar. 2004. "¿Qué es la Violencia Doméstica para las Mujeres Indígenas en el Medio Rural?" Pp. 19-49 in *Violencia contra la Mujer en México*, edited by T. Fernández de Juan. México DF: Comisión Nacional de Derechos Humanos.
- Aldarondo, Etiony. 1996. "Cessation and Persistence of Wife Assault." *American Journal of Orthopsychiatry* 66:141-151.
- Alonso, Ana María. 1997. "Rationalizing Patriarchy: Gender, Domestic Violence and Law in Mexico." *Identities* 2:29-47.
- Alvarado-Zaldívar, Gloria, Jaime Salvador-Moysén, Sergio Estrada-Martínez, and Alberto Terrones-González. 1998. "Prevalencia de Violencia Doméstica en la Ciudad de Durango." *Salud Pública de México* 40:481-486.
- Alvarez, Sonia E. 1990. *Engendering Democracy in Brazil: Women's Movements in Transition Politics*. Princeton, NJ: Princeton University Press.
- . 1998a. "Latin American Feminisms 'Go Global': Trends of the 1990s and Challenges for the New Millenium." Pp. 293-324 in *Cultures of Politics, Politics of Cultures. Re-Visioning Latin American Social Movements*, edited by S. E. Alvarez, E. Dagnino, and A. Escobar. Boulder, CO: Westview Press.
- . 1998b. "Latin American Feminisms 'Go Global': Trends of the 1990s and Challenges for the New Millenium." Pp. 293-324 in *Cultures of Politics, Politics of Cultures*.

- Re-Visioning Latin American Social Movements*, edited by S. E. Alvarez, E. Dagnino, and A. Escobar. Boulder, CO: Westview Press.
- Amorós, Celia. 1990. "Violencia Contra las Mujeres y Pactos Patriarcalesq." Pp. 39-53 in *Violencia y Sociedad Patriarcal*, edited by V. Maquieira and C. Sánchez. Madrid: Editorial Pablo Iglesias.
- Anderson, Deborah. 2003. "The Impact of Subsequent Violence of Returning to an Abusive Partner." *Journal of Comparative Family Studies* 34:93-112.
- Anderson, Kristin L. 1997. "Gender, Status and Domestic Violence: An Integration of Feminist and Family Violence Approaches." *Journal of the Marriage and the Family* 59:655-669.
- . 2005. "Theorizing Gender in Intimate Partner Violence Research." *Sex Roles* 52:853-865.
- Arteaga Botello, Nelson and Adrián López Rivera. 2000. "Everything in This Job Is Money. Inside the Mexican Police." *World Policy Journal* 17:61-70.
- Asgary, Nader and José A. Pagán. 2004. "Relative Employment and Earnings of Female Households Heads in Mexico 1987-1995." *The Journal of Developing Areas* 38:93-106.
- Austin, Roy L. and Young S Kim. 2000. "A Cross-National Examination of the Relationship between Gender Equality and Official Rape Rates." *International Journal of Offender Therapy and Comparative Criminology* 44:204-221.
- Babbie, Earl R. 2005. *The Basics of Social Research*. Belmont, CA: Thomson/Wadsworth.
- Bachman, Ronet and Linda E. Saltzman. 1995. "Violence Against Women: Estimates from the Redesigned Survey." U.S. Department of Justice - Bureau of Justice Statistics. Retrieved October 13, 2003 from <http://www.ojp.usdoj.gov/bjs/pub/pdf/femvied.pdf>.
- Barbieri, Teresita de. 2003. *Género en el Trabajo Parlamentario: La Legislatura Mexicana a Fines del Siglo XX*. Buenos Aires: CLACSO.
- Baron, Larry and Murray A. Straus. 1988. "Cultural and Economic Sources of Homicide in the United States." *The Sociological Quarterly* 29:371-390.
- Bartra, Eli. 1992. "Mujeres y Política en México. Aborto, Violación y Mujeres Golpeadas." *Política y Cultura* 1:23-33.

- . 1999. "El Movimiento Feminista en México y su Vínculo con la Academia." *La Ventana* 10:214-234.
- Beauvoir de, Simone. 1952. *The Second Sex*. New York: Knopf.
- Beckwith, Karen. 1992. "Comparative Research and Electoral Systems: Lessons from France and Italy." *Women and Politics* 12:1-33.
- Bedregal, Ximena, Irma Saucedo, and Florinda Ríquer. 1994. *Hilos, Nudos y Colores en la Lucha contra la Violencia Hacia las Mujeres*. Mexico DF: CICAM.
- Berger, Ronald J. , W. Lawrence Neuman, and Patricia Searles. 1991. "The Social and Political Context of Rape Reform: An Aggregate Analysis." *Social Science Quarterly* 72:221-238.
- Blumberg, Rae Lesser. 1984. "A General Theory of Gender Stratification." *Sociological Theory* 2:23-101.
- Bograd, Michele. 1988. "Feminist Perspectives on Wife Abuse. An Introduction." Pp. 11-26 in *Feminist Perspectives on Wife Abuse*, edited by K. Yllo and M. Bograd. Newbury Park, CA: Sage.
- Borda, Orlando Fals. 1990. "Social Movements and Political Power: Evolution in Latin America." *International Sociology* 5:115-127.
- Borjón López-Coterilla, Inés. 2000. *Mujer Víctima, Mujer Victimaria. El Caso de la Violencia Doméstica*. México DF: Comisión Nacional de los Derechos Humanos
- Bourdieu, Pierre. 1998. *Masculine Domination*. Stanford, CA: Stanford University Press.
- Bourque, Susan C. 1989. "Gender and the State: Perspectives from Latin America." Pp. 114-129 in *Women, the State, and Development*, edited by S. E. M. Charlton, J. Everett, and K. Staudt. Albany, NY: State University of New York.
- Bradley, Karen and Diana Khor. 1993. "Toward an Integration of Theory and Research on the Status of Women." *Gender and Society* 7:347-378.
- Brewer, Victoria E. and M. Dwayne Smith. 1995. "Gender Inequality and Rates of Female Homicide Victimization Across U.S." *Journal of Research in Crime and Delinquency* 32:175-190.
- Brown, Ben, Wm Reed Benedict, and William V. Wilkinson. 2006. "Public Perceptions of the Police in Mexico: A Case Study." *Policing. International Journal of Police Strategies and Management* 29:158-175.

- Brown, Cynthia J., José A. Pagán, and Eduardo Rodríguez-Oreggia. 1999. "Occupational Attainment and Gender Earnings Differentials in Mexico." *Industrial and Labor Relations Review* 53:123-135.
- Brownridge, Douglas A. . 2002. "Cultural Variation in Male Partner Violence against Women." *Violence Against Women* 8:87-115.
- Brush, Lisa. 2003. *Gender and Governance*. Walnut Creek, CA: Alta Mira Press.
- Buvinic, Mayra, Andrew R Morrison, and Michael Shifter. 1999. "Violence in the Americas: A Framework for Action." Pp. 3-29 in *Too Close to Home: Domestic Violence in the Americas*, edited by A. R. Morrison and M. L. Biehl. Washington: Inter-American Development Bank.
- Bybee, Deborah and Cris M. Sullivan. 2005. "Predicting Re-Victimization of Battered Women 3 Years After Exiting a Shelter Program." *American Journal of Community Psychology* 36:85-96.
- Caiazza, Amy 2004. "Does Women's Representation in Elected Office Lead to Women-Friendly Policy? Analysis of State-Level Data." *Women and Politics* 26:35 -70.
- Calveiro, Pilar. 1999. "Violencias Domésticas." *Metapolítica* 3:471-493.
- Camp, Roderic Ai. 1999. *Politics in Mexico: The Decline of Authoritarianism*. New York: Oxford University Press.
- . 2003. *Politics in Mexico: The Democratic Transformation*. New York: Oxford University Press.
- Campbell, Jacquelyn, Paul Miller, Mary M. Cardwell, and Ruth A. Belknap. 1994. "Relationship Status of Battered Women over Time." *Journal of Family Violence* 9:99-111.
- Campbell, Jacquelyn, Linda E. Rose, Joan Kub, and Daphne Nedd. 1998. "Voices of Strength and Resistance: A Contextual and Longitudinal Analysis of Women's Responses to Battering." *Journal of Interpersonal Violence* 13:743-762.
- Campbell, Jacquelyn and Karen L. Soeken. 1999. "Women's Responses to Battering Over Time. An Analysis of Change." *Journal of Interpersonal Violence* 14:21-40.
- Campos Beltrán, María del Rosario. 2004. "La Institucionalización de las Redes contra la Violencia hacia las Mujeres. De las Redes de Defensa Transnacional a las Redes de Políticas Públicas." Pp. 271-281 in *Construcción de Género en Sociedades con Violencia. Un Enfoque Multidisciplinario*, edited by A. de la Torre Barón, R. Ojeda Cárdenas, and C. J. Maya Ambía. Mexico DF: Porrúa.

- Carroll, Susan J. 2001. *The Impact of Women in Public Office*. Bloomington, IN: Indiana University Press.
- Casique, Irene. 2004. "Índices de Empoderamiento Femenino y su Relación con la Violencia de Género." Pp. 75-107 in *Violencia de Género en las Parejas Mexicanas. Resultados de la ENDIREH 2003*, edited by R. Castro, F. Ríquer, and M. E. Medina. Mexico DF: Instituto Nacional de las Mujeres.
- Castro, Roberto. 2004. *Violencia contra Mujeres Embarazadas. Tres Estudios Sociológicos*. Cuernavaca, Mor: CRIM-UNAM.
- Castro, Roberto, Lorena Garcia, Agustín Ruiz, and Corinne Peek-Asa. 2005. "Developing and Index to Measure Violence Against Women for Comparative Studies between Mexico and the United States." *Journal of Family Violence*.
- Castro, Roberto, Corinne Peek-Asa, Lorena García, Agustín Ruiz, and Jess F. Kraus. 2003. "Risks for Abuse Against Pregnant Hispanic Women. Morelos, Mexico and Los Angeles County, California." *American Journal of Preventive Medicine* 25:325-332.
- Castro, Roberto, Corinne Peek-Asa, and Agustín Ruiz. 2003. "Violence Against Women in Mexico: A Study of Abuse Before and During Pregnancy." *American Journal of Public Health* 93:1110-1116.
- Castro, Roberto and Florinda Ríquer. 2003. "La Investigación sobre Violencia Contra las Mujeres en América Latina: Entre el Empirismo Ciego y la Teoría sin Datos." *Cadernos Saude Publica* 19:135-146.
- . 2004. "Marco Conceptual. Encuesta Nacional sobre Violencia Doméstica." in *Encuesta Nacional sobre la Dinámica de las Relaciones en los Hogares 2003, ENDIREH*, edited by Inegi. Aguascalientes: Inegi.
- Castro, Roberto, Florinda Ríquer, and María Eugenia Medina. 2004. "Violencia de Género en las Parejas Mexicanas. Resultados de la ENDIREH 2003." Pp. 181. Mexico, DF: Instituto Nacional de las Mujeres.
- Charles, Nickie. 2000. *Feminism, The State and Social Policy*. New York: St. Martin's Press, Inc.
- Connell, Robert W. 1990. "The State, Gender and Sexual Politics: Theory and Appraisal." *Theory and Society* 19:507-544.
- Coontz, Phyllis. 2000. "Gender and Judicial Decisions: Do Female Judges Decide Cases Differently than Male Judges." *Gender Issues* 18:59-73.

- Cortés, Fernando. 1997. "Determinantes de la Pobreza de los Hogares. México 1992." *Revista Mexicana de Sociología* 59:131-160.
- Cotter, David A., Joan M. Hermsen, and Reeve Vanneman. 2001. "Women's Work and Working Women: The Demand for Female Labor." *Gender and Society* 15:429-452.
- Craske, Nikki. 1998a. "Mexican Women's Inclusion into Political Life: A Latin American Perspective." Pp. 41-62 in *Women's Participation in Mexican Political Life*, edited by V. E. Rodríguez. Boulder, CO: Westview Press.
- . 1998b. "Remasculinisation and the Neoliberal State in Latin America." Pp. 100-120 in *Gender, Politics and the State*, edited by V. Randall and G. Waylen. New York: Routledge.
- Creswell, John W. 1998. *Qualitative Inquiry and Research Design. Choosing Among Five Traditions*. Thousand Oaks: Sage.
- . 2003. *Research Design. Qualitative, Quantitative and Mixed Methods Approaches*. Thousand Oaks: Sage.
- Cuétara, Covadonga. 2001. "Gender, Higher Education, and Social Development in Mexico." *International Journal of Sociology and Social Policy* 21:143-159.
- Dalton, Margarita. 2003. "Las Presidentas Municipales en Oaxaca y los Usos y Costumbres." Pp. 237-280 in *El Municipio. Un Reto para la Igualdad de Oportunidades entre Hombres y Mujeres*, edited by D. Barrera Bassols and A. Massolo. Mexico DF: GIMTRAP-INMUJERES.
- Darcy, Elizabeth 1987. *Women, Elections and Representation*. New York: Longman Inc.
- Davis, Diane E. 2006. "Undermining the Rule of Law: Democratization and the Dark Side of Police Reform in Mexico." *Latin American Politics and Society* 48:55-86.
- de Oliveira, Orlandina and Brígida García. 1992. "Jefas de Hogar y Violencia Doméstica." *Revista Interamericana de Sociología* 6:179-200.
- DeWees, Mari A. and Karen F. Parker. 2003. "Women, Region and Types of Homicide." *Homicide Studies* 7:368-393.
- Di Noia, Jennifer. 2002. "Indicators of Gender Equality for American States and Regions: An Update." *Social Indicators Research* 59:35-77.
- Díaz-Olavarrieta, Claudia, Charlotte Ellertson, Francisco Paz, Samuel Ponce de León, and Donato Alarcón-Segovia. 2002. "Prevalence of Battering among 1780

- Outpatients at an Internal Medicine Institution in Mexico." *Social Science & Medicine* 55:1589-1602.
- Díaz-Olavarrieta, Claudia and Julio Sotelo. 1996. "Domestic Violence in Mexico." *Journal of the American Medical Association* 275:1937-1941.
- Dijkstra, A. Geske. 2002. "Revisiting UNDP's GDI and GEM: Towards and Alternative." *Social Indicators Research* 57:301-338.
- Dobash, R. Emerson and Russell P. Dobash. 1977. "Love, Honour and Obey: Institutional Ideologies and the Struggle for Battered Women." *Contemporary Crisis* 1:403-515.
- . 1979. *Violence Against Wives: A Case Against the Patriarchy*. New York: Free Press.
- . 1988. "Research as Social Action, The Struggle for Battered Women." Pp. 51-74 in *Feminist Perspectives on Wife Abuse*, edited by K. Yllo and M. Bograd. Newbury Park, CA: Sage.
- . 1992. *Women, Violence and Social Change*. New York, NY: Routledge.
- Dodson, Debra L. and Susan Carroll. 1991. *Reshaping the Agenda: Women in State Legislatures*. New Brunswick, NJ: Center for American Woman in Politics.
- Domingo, Pilar. 2004. "Judicialization of Politics or Politicization of the Judiciary? Recent Trends in Latin America." *Democratization* 11:104-126.
- Donato, Katharine M. and Lee H. Bowker. 1984. "Understanding Helpseeking Behavior of Battered Women: A Comparison of Traditional Service Agencies and Women's Groups." *International Journal of Women's Studies* 7:99-109.
- Duarte, Patricia and Gerardo González. 1994. *La Lucha contra la Violencia de Género en México: De Nairobi a Beijing*. México DF: COVAC.
- Dutton, Donald G. 1994. "Patriarchy and Wife Assault: The Ecological Fallacy." *Violence and Victims* 9:167-182.
- Edwards, Susan S M. 1989. *Policing 'Domestic' Violence: Women, the Law and the State*. Newbury Park: Sage.
- Egeland, Byron. 1993. "A History of Abuse is a Major Risk Factor for Abusing the Next Generation." Pp. 197-208 in *Current Controversies on Family Violence*, edited by R. J. Gelles and D. R. Loseke. Newbury Park, CA: Sage.
- Ensalaco, Mark. 2006. "Murder in Ciudad Juarez: A Parable of Women's Struggle for Human Rights." *Violence Against Women* 12:417-440.

- Esping-Andersen, Gøsta. 1990. *The Three Worlds of Welfare Capitalism*. Princeton, NJ: Princeton University Press.
- . 1999. *Social Foundations of Postindustrial Economies*. Oxford ; New York: Oxford University Press.
- Esping-Andersen, Gøsta, Duncan Gallie, Anton Hemerijck, and John Myles. 2002. *Why We Need A New Welfare State*. Oxford, Eng. and New York: Oxford University Press.
- Feinmann, Clarice. 1986. *Women and Criminal Justice*. New York: Pergamon.
- Feld, Scott L. and Murray A. Straus. 1990. "Escalation and Desistance from Wife Assault in Marriage." Pp. 489-505 in *Physical Violence in American Families*, edited by M. A. Straus and R. J. Gelles. New Brunswick: Transaction.
- Fernández Poncela, Anna M. 1995. "Comportamiento Electoral y Acceso de las Mujeres a la Elite Política." *Política y Cultura* 3:139-158.
- . 1997. "Algunas Características de las Mujeres Políticas." *Sociológica* 33:99-117.
- Finkler, Kaja. 1997. "Gender, Domestic Violence and Sickness in Mexico." *Social Science & Medicine* 45:1147-1160.
- Firestone, Juanita M., Richard J. Harris, and William A. Vega. 2003. "The Impact of Gender Role Ideology, Male Expectancies, and Acculturation on Wife Abuse." *International Journal of Law and Psychiatry* 26:549-564.
- Ford, David A. and Mary Jean Regoli. 1992. "The Preventative Impact of Policies for Prosecuting Wife Batterers." Pp. 181-207 in *Domestic Violence. the Changing Criminal Justice Response*, edited by E. S. Buzawa and C. G. Buzawa. Westport, CT: Greenwood.
- Foucault, Michel. 1965. *Madness and Civilization: A History of Insanity in the Age of Reason*. New York: Vintage Books.
- Fox, Bonnie J. 1988. "Conceptualizing 'Patriarchy'." *Canadian Review of Sociology and Antropology* 25:163-182.
- Franzway, Suzanne, Dianne Court, and Robert W. Connell. 1989. *Staking a Claim: Feminism, Bureaucracy and the State*. Boston: Allen & Unwin.
- Fraser, Nancy. 1989. *Unruly Practices: Power, Discourse, and Gender in Contemporary Social Theory*. Minneapolis: University of Minnesota Press.

- . 1992. "Introduction." Pp. 1-24 in *Reevaluating French Feminism: Critical Essays on Difference, Agency, and Culture*, edited by N. Fraser and S. L. Bartky. Bloomington: Indiana University Press.
- Fregoso, Rosa Linda. 2006. "'We Want Them Alive!': The Politics and Culture of Human Rights." *Social Identities* 12:109-138.
- Frias, Sonia M. 2007. "Measuring Structural Patriarchy: Toward the Construction of a Gender Equality Index in Mexican States." *Social Indicators Research* 10.1007/s11205-007-9193-4.
- . 2008. "Diferencias Regionales en Violencia Domestica en Mexico. El Rol de la Estructura Patriarcal." Pp. 81-136 in *Estudios sobre Cultura, Género y Violencia Contra las Mujeres*, edited by R. Castro and I. Casique. Cuernavaca, Mor.: CRIM-UNAM.
- Frias, Sonia M. and Ronald J. Angel. 2007. "Stability and Change in the Experiences of Partner Violence Among Low-Income Women." *Social Science Quarterly* 88:1281-1306.
- Fuentes, Ricardo and Andres Montes. 2004. "Mexico and the Millennium Development Goals at the Subnational Level." *Journal of Human Development* 5:97-120.
- Gaddie, Ronald K and Charles S. Bullock. 1995. "Congressional Elections and the Year of the Woman: Structural and Elite Influences on Female Candidacies." *Social Science Quarterly* 76:749-762.
- Gadsden Carrasco, Carlos. 2003. "Democracia, Gobiernos Municipales y Equidad en México." in *Memoria del Primer Encuentro Nacional de Presidentas Municipales*, edited by D. Barrera Bassols and A. Massolo. México: GIMTRAM-INMUJERES.
- García-Moreno, Claudia. 1999. "Violence Against Women, Gender, and Health Equity." Harvard Center for Population and Development Studies, Working Papers # 99.15.
- Gelles, Richard J. 1987. "Abused Wives: Why Do They Stay?" Pp. 108-125 in *Family Violence*, edited by R. J. Gelles. Newbury Park, CA: Sage.
- . 2000. "Estimating the Incidence and Prevalence of Violence Against Women." *Violence Against Women* 6:784-804.
- Gelles, Richard J. and Claire Pedrick Cornell. 1983. "Introduction: An International Perspective on Family Violence." Pp. 1-22 in *International Perspectives on Family Violence*, edited by R. J. Gelles and C. P. Cornell. Lexington, Mass.: Lexington Books.

- Gelles, Richard J. and Murray A. Straus. 1979. "Determinants of Violence in the Family: Towards a Theoretical Integration." Pp. 549-581 in *Contemporary Theories about the Family*, edited by W. R. Burr, R. Wesley, R. Hill, F. I. Nye, and I. L. Reiss. New York: Free Press.
- Giddens, Anthony. 1984. *The Constitution of Society: Outline of the Theory of Structuration*. Berkeley, CA: University of California Press.
- Gillis, Joseph Roy, Shaindl Lin Diamond, Paul Jebely, Victoria M. Orekhobvsky, Ellis M. Ostrovich, Kristin MacIsaac, Sandra Sagrati, and Deborah Mandell. 2006. "System Obstacles to Battered Women's Participation in the Judicial System. When Will the Stats Quo Change?" *Violence Against Women* 12:1150-1168.
- Glantz, Namino Melissa and David C. Halperin. 1996. "Studying Domestic Violence: Perceptions of Women in Chiapas." *Reproductive Health Matters* 7:122-128.
- Goffman, Erwing. 1959. *The Presentation of the Self in Everyday Life*. New York: Doubleday.
- Gondolf, Edward W. 1997. "Patterns of Re-assault in Battered Programs." *Violence and Victims* 12:373-387.
- González Ascencio, Gerardo. 1995. "Delitos Sexuales. El Escenario: La Denuncia." *Vínculo Jurídico* 22: Retrieved on December 29, 2007 from <http://www.uaz.edu.mx/vinculo/webvrij/rev22-7.htm>.
- Goodman, Lisa A., Mary P. Koss, and Nancy Felipe Russo. 1993. "Violence Against Women: Physical and Mental Health Effects." *Applied and Preventive Psychology* 2:79-89.
- Gordon, Linda. 1990. "Family Violence, Feminism and Social Control." Pp. 178-198 in *Women, the State and Welfare*, edited by L. Gordon. Madison: University of Wisconsin Press.
- Gray, Gwen. 1999. "Women's Health in a Restructuring State." Pp. 205-215 in *Women, Public Policy and the State*, edited by L. Hancock. South Yarra, Australia: Macmillan Education Australia.
- Groves, Robert M., Floyd J. Fowler, Mick P. Couper, James M. Lepkowski, Eleanor Singer, and Roger Rourangeau. 2004. *Survey Methodology*. Hoboken, NY: John Wiley & Sons, Inc.
- Guillé-Tamayo, Margarita. 2002. "Primer Refugio para Mujeres Maltratadas en México." Pp. 9-37 in *Experiencias Exitosas en la Incorporación de la Perspectiva de Género*, edited by Inmujeres. México, DF: Inmujeres.

- Hackler, Jim. 1991. "The Reduction of Violent Crime Through Economic Equality for Women." *Journal of Family Violence* 6:199-216.
- Hamby, Sherry L. 1998. "Partner Violence: Prevention and Intervention." Pp. 210-258 in *Partner Violence: A Comprehensive Review of 20 Years of Research*, edited by J. J. Jasinski and L. M. Williams. Thousand Oaks: Sage.
- Hannah-Moffat, Kelly. 1995. "To charge or not to Charge: Frontline Officers' Perceptions of Mandatory Charge Policies." Pp. 35-46 in *Wife Assault in the Canadian Criminal Justice System*, edited by M. Valverde, L. MacLeod, and K. Johnson. Toronto: University of Toronto.
- Hartmann, Heidi. 1976. "Capitalism, Patriarchy and Job Segregation by Sex." *Signs: Journal of Women in Culture and Society* 1:137-169.
- . 1981. "The Unhappy Marriage of Marxism and Feminism, Towards a More Progressive Union." Pp. 1-42 in *Women and Revolution: A Discussion of the Unhappy Marriage of Marxism and Feminism* edited by L. Sargent. Boston: South End Press.
- Harvey, Edward B., John H. Blakely, and Lorne Tepperman. 1990. "Toward an Index of Gender Equality." *Social Indicators Research* 22:299-317.
- Hebert, Tracy Bennett, Roxane Cohen Silver, and John H. Ellard. 1991. "Coping with an Abusive Relationship: Who and Why Do Women Stay?" *Journal of Marriage and the Family* 53:311-325.
- Heise, Lori L. 1998. "Violence Against Women. An Integrated, Ecological Framework." *Violence Against Women* 4:262-290.
- Heise, Lori L. and Claudia García-Moreno. 2002. "Violence by Intimate Partners." Pp. 89-121 in *World Report on Violence and Health*, edited by E. Krug, L. L. Dahlberg, J. A. Mercy, A. B. Zwi, and R. Lozano Ascencio. Geneva: World Health Organization.
- Heise, Lori L., Jacqueline Pintaguy, and Adrienne Germain. 1994. *Violence against Women: The Hidden Health Burden*. Washington, DC: World Bank.
- Hernández-Castillo, Aída. 2004. "El Derecho Positivo y la Costumbre Jurídica: Las Mujeres Indígenas de Chiapas y sus Luchas por el Acceso a la Justicia." Pp. 335-377 in *Violencia contra las Mujeres en Contexto Urbanos y Rurales*, edited by M. Torres-Falcón. México, DF: El Colegio de México.
- Híjar-Medina, Martha, M. Victoria López, and Julia Blanco. 1997. "La Violencia y sus Repercusiones en la Salud; Reflexiones Teóricas y Magnitud del Problema en México." *Salud Pública de México* 39:565-xxx.

- Híjar-Medina, Martha, Ramón Alberto Rascón, Julia Blanco, and M. Victoria López. 1996. "Los Suicidios en México. Características Sexuales y Geográficas." *Salud Mental* 19:14-21.
- Hondagneu-Sotelo, Pierrette. 1994. *Gendered Transitions: Mexican Experiences of Immigration*. Berkeley, CA: University of California Press.
- Htun, Mala. 2003. *Sex and the State*. NY: Cambridge University Press.
- Inegi. 2003. "Densidad de Población por Entidad Federativa, 2000. Censo de Población y Vivienda." Retrieved on October 20, 2005 from <http://www.inegi.gob.mx/est/contenidos/espanol/rutinas/ept.asp?t=mpobl11&c=3188>.
- INEGI. 2007. *Mujeres y Hombres en México 2007*. Aguascalientes: INEGI.
- Inegi and Inmujeres. 2003. "ENDIREH: Encuesta sobre la Dinámica de las Relaciones en los Hogares."
- INEGI and INMUJERES. 2004. *ENDIREH: Encuesta sobre la Dinámica de las Relaciones en los Hogares. Tabulados Básicos*. Aguascalientes: INEGI.
- Inegi and Secretaría de Trabajo y Previsión Social. 2004. *Encuesta Nacional de Empleo*. Mexico.
- INMUJERES. 2005. *Programa de Institucionalización de la Perspectiva de Género en la Administración Pública Federal*. Mexico: INMUJERES.
- Inter-Parliamentary Union. 2006. *Women in National Parliaments*. Retrieved from www.ipu.org/wmn-e/classif.htm, May 16 2006.
- Jaggar, Alison M. 1983. *Feminist Politics and Human Nature*. Totowa, NJ: Rowman and Allanheld.
- Janssen, Eric and Regina Martínez Casas. 2006. "Una Propuesta para Estimar la Población Indígena en México a Partir de los Datos Censales." *Estudios Demográficos y Urbanos* 21:457-471.
- Jaquette, Jane S. 1994. "Conclusion: Women's Political Participation and the Prospects for Democracy." Pp. 223-240 in *The Women's Movement in Latin America*, edited by J. S. Jaquette. Boulder, CO: Westview.
- Jewkes, Rachel. 2002. "Intimate Partner Violence: Causes and Prevention." *The Lancet* 359:1423-1429.

- Johnson, Holly. 2003. "The Cessation of Assaults on Wives." *Journal of Comparative Family Studies* 34:75-91.
- Johnson, Michael P. and Janel M. Leone. 2005. "The Differential Effects of Intimate Terrorism and Situational Couple Violence. Findings from the National Violence Against Women Survey." *Journal of Family Issues* 26:322-349.
- Jones, Mark P. 1997. "Legislator Gender and Legislator Policy Priorities in the Argentine Chamber of Deputies and the United States House of Representatives " *Policy Studies Journal* 25:613-629.
- Kalmuss, Debra. 1984. "The Intergenerational Transmission of Marital Aggression." *Journal of Marriage and the Family* 46:11-19.
- Kathlene, Lyn. 1994. "Power and Influence in State Legislative Policymaking. The Intraction of Gender and Position in Committee Hearing Debates." *American Political Science Review* 88:560-575.
- Kaukinen, Catherine. 2004. "Status Compatibility, Physical Violence, and Emotional Abuse in Intimate Relationships." *Journal of Marriage and Family* 66:452-471.
- Klesner, Joseph L. 2005. "Electoral Competition and the New Party System in Mexico." *Latin American Politics and Society* 47:103-142.
- Krahe, Barbara, Steffen Bieneck, and Ingrid Moller. 2005. "Understanding Gender and Intimate Partner Violence from an International Perspective." *Sex Roles* 52:807-827.
- Krane, Julia Elissa. 1996. "Violence Against Women in Intimate Relations: Insights from Cross-Cultural Analyses." *Transcultural Psychiatric Research Review* 33:435-465.
- Lamas, Marta. 1994. "Algunas Características del Movimiento Feminista en Ciudad de México." Pp. 143-165 in *Mujeres y Participación Política. Avances y Desafíos en América Latina*, edited by M. León. Bogotá, Colombia: TM Editores.
- . 1998. "De la A a la Z: A Feminist Alliance Experience in Mexico." Pp. 103-115 in *Women's Participation in Mexican Political Life*, edited by V. E. Rodríguez. Boulder, CO: Westview Press.
- Lamas, Marta, Alicia Martínez, María Luisa Tarrés, and Esperanza Tuñón. 1995. "Building Bridges: The Growth of Popular Feminism in Mexico." Pp. 324-347 in *The Challenges of Local Feminisms. Women's Movements in Global Perspective*, edited by A. Basu. Boulder: Westview Press.

- Lang, Miriam. 2003. "¿Todo el Poder? Políticas Públicas, Violencia de Género y Feminismo en México." *Iberoamericana* III:69-90.
- Larraín Heiremans, Soledad. 1994. *Violencia Puertas Adentro: La Mujer Golpeada*. Santiago, Chile: Editorial Universitaria.
- Lawson, Agathe Latre-Gato. 1999. "Women and AIDS in Africa: Sociocultural Dimensions of the HIV/AIDS Epidemic." *International Social Science Journal* 51:391-400.
- Levinson, David. 1989. *Family Violence in Cross-Cultural Perspective*, Edited by H. R. Bernard. Newbury Park, CA: Sage.
- Lindhorst, Taryn, Monica Oxford, and Mary Rogers Gillmore. 2007. "Longitudinal Effects of Domestic Violence on Employment and Welfare Outcomes." *Journal of Interpersonal Violence* 22:812-828.
- Liverman, Diana and Altha Cravey. 1992. "Geographic Perspectives on Mexican Regions." Pp. 39-57 in *Mexico's Regions: Comparative History and Development*, edited by E. Van Young. San Diego: UCSD Center for U.S.-Mexican Studies.
- Lopez, María de la Paz and Vania Sallès. 2004. *El Programa Oportunidades Examinado desde el Género*. Mexico DF: El Colegio de México.
- Luciano, Dinys, Simel Essim, and Nata Duvvury. 2005. "How to Make the Law Work? Budgetary Implications of Domestic Violence Laws in Latin America, Central America, and the Caribbean." *Journal of Women, Politics and Policy* 27:123-133.
- Lujambio, Alonso. 2000. *El Poder Compartido. Un Ensayo sobre la Democratización Mexicana*. Mexico DF: Oceano.
- MacDowell Santos, Cecilia. 2004. "En-Gendering the Police: Women's Police Stations and Feminism in Sao Paulo." *Latin American Research Review* 39:29-55.
- . 2005. *Women's Police Stations: Gender, Violence and Justice in Sao Paulo, Brazil*. New York, NY: Palgrave Macmillan.
- MacKinnon, Catharine A. 1979. *Sexual Harassment of Working Women: A Case of Sex Discrimination*. New Haven: Yale University Press.
- . 1989. *Toward a Feminist Theory of the State*. Cambridge, MA: Harvard University Press.
- Mann, Michael. 1986. "A Crisis in Stratification Theory? ." Pp. 40-56 in *Gender and Stratification*, edited by R. Crompton and M. Mann. Cambridge, UK: Polity Press.

- Manza, Jeff and Clem Brooks. 1998. "The Gender Gap in U.S. Presidential Elections: When? Why? Implications?" *American Journal of Sociology* 103:1235-1266.
- Maquieira, Virginia and Cristina Sanchez. 1990. "Violencia y Sociedad Patriarcal." Madrid: Editorial Pablo Iglesias.
- Marshall, Catherine and Catherine Rossman. 2006. *Designing Qualitative Research*. Thousand Oaks: Sage.
- Marshall, Susan E. 1985. "Ladies against Women: Mobilization Dilemmas of Antifeminist Movements." *Social Problems* 32:348-362.
- . 1997. *Splintered Sisterhood: Gender and Class in the Campaign against Woman Suffrage*. Madison: University of Wisconsin Press.
- Martin, Kimberly, Lynne M. Vieraitis, and Sarah Britto. 2006. "Gender Equality and Women's Absolute Status." *Violence Against Women* 12:321-339.
- Martin, Patricia Yancey, John R. Reynolds, and Shelley Keith. 2002. "Gender Bias and Feminist Consciousness among Judges and Attorneys: A Standpoint Theory Analysis." *Signs: Journal of Women in Culture and Society* 27:665-701.
- Martínez, Alicia and Teresa Incháustegui. 1998. "Feminist Policies in Contemporary Mexico: Strategies and Viability." Pp. 179-192 in *Women's Participation in Mexican Political Life*, edited by V. E. Rodríguez. Boulder, CO: Westview
- Massolo, Alejandra. 1998. "Women in the Local Arena and Municipal Power." Pp. 193-203 in *Women's Participation in Mexican Political Life*, edited by V. E. Rodríguez. Boulder, Colorado: Westview Press.
- McIntosh, Mary. 1978. "The State and the Oppression of Women." Pp. 254-289 in *Feminism and Materialism: Women and Modes of Production*, edited by A. Kuhn and A. M. Wolpe. Boston: Routledge.
- Menjívar, Cecilia and Olivia Salcido. 2002. "Immigrant Women and Domestic Violence. Common Experiences in Different Countries." *Gender and Society* 16:898-920.
- Mirchandani, Rekha. 2005. "What's So Special about Specialized Courts? The State and Social Change in Salt Lake City's Domestic Violence Court." *Law and Society Review* 39:379-417.
- . 2006. "'Hitting in Not Manly'. Domestic Violence Court and the Re-Imagination of the Patriarchal State." *Gender and Society* 20:781-804.
- Moghadam, Valentine M. 2004. "Patriarchy in Transition: Women and the Changing Family in the Middle East." *Journal of Comparative Family Studies* 35:137-162.

- Mohanti, Chandra Talpade. 2003. "Under Western Eyes: Feminist Scholarship and Colonial Discourses." Pp. 49-74 in *Feminist Postcolonial Theory*, edited by R. Lewis. New York, NY: Routledge.
- Molinar-Horcasitas, Juan. 1991. *El Tiempo de la Legitimidad: Elecciones, Autoritarismo y Democracia en México*. Mexico, DF: Cal y Arena.
- Moloeznik, Marcos Pablo. 2003. "The Challenges to Mexico in Times of Political Change." *Crime, Law and Social Change* 40:7-20.
- Molyneux, Maxine. 1998. "Analyzing Women's Movements." Pp. 65-90 in *Feminist Visions of Development: Gender Analysis and Policy*, edited by C. Jackson and R. Pearson. London: Routledge.
- . 2000. "Twentieth-Century State Formations in Latin America." Pp. 33-81 in *Hidden Histories of Gender and the State in Latin America*, edited by E. Dore and M. Molyneux. Durham, NC: Duke University Press.
- Molyneux, Maxine and Sian Lazar. 2003. *Doing the Rights Thing: Rights-based Development and Latin American NGOs*. London: ITDG Publishing.
- Mooney, Jayne. 2000. *Gender, Violence and the Social Order*. New York, NY: Palgrave.
- Moore, Gwen and Gene Shackman. 1996. "Gender and Authority: A Cross-National Study." *Social Science Quarterly* 77:273-288.
- Moreno, Alejandro. 2003. *El Votante Mexicano: Democracia, Actitudes Políticas y Conducta Electoral*. Mexico: Fondo de Cultura Económica.
- Morrison, Andrew R and María Beatriz Orlando. 1999. "Social and Economic Costs of Domestic Violence: Chile and Nicaragua." in *Too Close to Home: Domestic Violence in the Americas*, edited by A. R. Morrison and M. L. Biehl. Washington: Inter-American Development Bank.
- Muñiz Martelon, Patricia, Aideé Rocío Arellano Alegría, Alejandro Chimal Garcia, Edith Cruz Otero, Fernando Aguilar Aceves, Georgina García Vilchis, Héctor Robles Vásquez, Laura Zendejas Frutos, Raúl Pérez Argumedo, Rocío Chávez López, Rubén Sánchez López, Salvador Corral Luna, and Saúl Silvia Cervantes. 2004. *Panorama Educativo de México. Indicadores del Sistema Educativo Nacional 2004*. Mexico: Instituto Nacional para la Evaluación de la Educación (INEE).
- Murphy, Patricia. 1997. "Domestic Violence Legislation and the Police: The Role of Socio-Economic Indicators, Political Factors and Women's Political Activism on State Policy Adoption." *Women and Politics* 18:27-53.

- Natera Rey, Guillermina, Francisco Juárez García, and Marcela Tiburcio Sainz. 2004. "Validez Factorial de una Escala de Violencia hacia la Pareja en una Muestra Nacional Mexicana." *Salud Mental* 27:31-38.
- National Research Council. 1996. *Understanding Violence Against Women*. Washington D.C.: National Academy Press.
- Nisbett, Richard E. 1993. "Violence and U.S. Regional Culture." *American Psychologist* 48:441-449.
- Norris, Pippa and Mark Franklin. 1997. "Social Representation." *European Journal of Political Research* 32:185-210.
- Norris, Pippa and Ronald Inglehart. 2001. "Cultural Obstacles to Equal Representation." *Journal of Democracy* 12:126-140.
- Norris, Pippa and Joni Lovenduski. 1995. *Political Recruitment: Gender, Race and Class in the British Parliament*. Cambridge: Cambridge University Press.
- Nunnally, Jum C. 1978. *Psychometric Theory*. New York: McGraw-Hill.
- Oakes, Ann and Elizabeth Almquist. 1993. "Women in National Legislatures: A Cross-National Test of Macrostructural Gender Theories." *Population Research and Policy Review* 12:71-81.
- Oficina del Alto Comisionado de las Naciones Unidas. 2003. "Diagnostico sobre la Situación de los Derechos Humanos en México." edited by A. Kompass. Mexico: Mundi-Prensa Libros.
- Orloff, Leslye. 2003. "Women Immigrants and Domestic Violence." Pp. 49-56 in *Women Immigrants in the United States*, edited by P. Strum and D. Tarantolo. Washington, DC: Woodrow Wilson International Center for Scholars.
- Oropesa, RS. 1997. "Development of Marital Power in Mexico." *Social Forces* 75:1291-1317.
- Pagelow, Mildred D. 1981. "Factors Affecting Women's Decision to Leave Violent Relationships." *Journal of Family Issues* 2:391-414.
- Parker, Susan and Carla Pederzini. 2000. "*Gender Differences in Education in Mexico*." vol. 2005: World Bank.
- Partido de Acción Nacional. 2002. *Proyección de Principios de Doctrina del Partido de Acción Nacional*. Retrieved on January 27, 2008 from http://www.pan.org.mx/docs/p_doctrina2002.pdf.

- Paxton, Pamela, Melanie M. Hughes, and Jennifer L. Green. 2006. "The International Women's Movement and Women's Political Representation, 1893-2003." *American Sociological Review* 71:898-920.
- Pedrero Nieto, Mercedes. 2003. "Las Condiciones de Trabajo en los Años Noventa en México. Las Mujeres y los Hombres: ¿Ganaron o Perdieron?" *Revista Mexicana de Sociología* 65:733-761.
- Peek-Asa, Corinne, Lorena García, David McArthur, and Roberto Castro. 2002. "Severity of Intimate Partner Abuse Indicators as Perceived by Women in Mexico and in the United States." *Women and Health* 35:165-180.
- Pérez Contreras, María de Montserrat and Cecilia Mora-Donatto. 2006. *Análisis Comparativo de la Legislación Local en Materia de violencia Familiar y Propuesta de Ley Marco*. Mexico City: INMUJERES; PNUD.
- Piven, Frances Fox. 1990. "Ideology and the State: Women, Power and the Welfare State." Pp. 250-264 in *Women, the State and Welfare*, edited by L. Gordon. Madison: University of Wisconsin Press.
- PNUD. 2006. *Indicadores de Desarrollo Humano y Género en México*. Mexico DF: PNUD Mexico.
- Poole, Millicent, Laurel Bornholt, and Fiona Summers. 1997. "An international Study of the Gendered Nature of Academic Work: Some Cross-Cultural Explorations." *Higher Education* 34:373.
- Pozo del, Blanca Elena, Roberto Castro, and Florinda Riquer. 2004. "Análisis Multivariado de los Distintos Tipos de Violencia." Pp. 172-215 in *Violencia de Género en las Parejas Mexicanas. Resultados de la ENDIREH 2003*, edited by R. Castro, F. Riquer, and M. E. Medina. Mexico, DF: Instituto Nacional de las Mujeres.
- Psacharopoulos, George and Zafiris Tzannatos. 1993. "New World Perspectives on Population and Development." *Journal of Population Economics* 6:293-315.
- Radford, Jill. 1990. "Sorry, Sir, It's Domestic. You're Nicked." *Rights of Women Bulletin* Autumn.
- Radford, Jill and Elizabeth A. Stanko. 1991. "Violence Against Women and Children: The Contradictions of Crime Control Under Patriarchy." Pp. 188-202 in *The Politics of Crime Control*, edited by K. Stenson and D. Cowell. London: Sage.
- . 1996. "Violence Against Women and Children: The Contradictions of Crime Control under Patriarchy." Pp. 65-80 in *Women, Violence and Male Power*, edited by M. Hester, L. Kelly, and J. Radford. Philadelphia: Open University Press.

- Ramos Escandón, Carmen. 1994. "Women's Movements, Feminism, and Mexican Politics." Pp. 199-221 in *The Women's Movement in Latin America. Participation and Democracy*, edited by J. S. Jaquette. Boulder: Westview Press.
- Raudenbush, Stephen W, Anthony S. Bryk, Yuk Fai Cheong, Richard Congdon, and Mathilda du Toit. 2004. *HLM6: Hierarchical Linear and Nonlinear Modeling*. Lincolnwood, IL: Scientific Software International.
- Raudenbush, Stephen W. and Anthony S. Bryk. 2002. *Hierarchical Linear Models. Applications and Data Analysis Methods*. Thousand Oaks, CA: Sage.
- Rendón-Gan, Teresa. 2003. "Empleo, segregación y salarios por género." Pp. 129-150 in *Situación del Trabajo en México*, edited by E. de la Garza and C. Salas. México: Plaza y Valdés-IET.
- Rendón, Teresa. 2003. "Empleo, Segregación y Salarios por Género." Pp. 129-150 in *Situación del Trabajo en México*, edited by E. de la Garza and C. Salas. México: Plaza y Valdés-IET.
- Reynolds, Andrew. 1999. "Women in the Legislatures and Executives of the World: Knocking at the Highest Glass Ceiling." *World Politics* 51:547-572.
- Rice, J. K. 2001. "Poverty, Welfare, and Patriarchy: How Macro-Level Changes in Social Policy Can Help Low-Income Women." *Journal of Social Issues* 57:355-374.
- Rigakos, George S. 1995. "Constructing the Symbolic Complainant: Police Subculture and the Nonenforcement of Protection Orders for Battered Women." *Violence and Victims* 10:227-247.
- Riger, Stephanie and Maryann Krieglstein. 2000. "The Impact of Welfare Reform on Men's Violence against Women." *American Journal of Community Psychology* 28:631-647.
- Rivera-Rivera, Leonor, Eduardo Lazcano-Ponce, Jorge Salmerón-Castro, Eduardo Salazar-Martínez, Roberto Castro, and Mauricio Hernández-Ávila. 2004. "Prevalence and Determinants of Male Partner Violence Against Mexican Women: A Population-Based Study." *Salud Pública de México* 46:113-122.
- Rivera, Leonor, Betania Allen, Rubén Chávez, and Leticia Ávila. 2006. "Abuso Físico y Sexual durante la Niñez y Revictimización de las Mujeres Mexicanas durante la Edad Adulta." *Salud Pública de México* 48:S268-S278.
- Rodríguez, Victoria E. 1997. "Federalism a la Mexicana." Pp. 17-37 in *Decentralization in Mexico: From Municipio Libre to Solidaridad to Nuevo Federalismo*. Boulder, Colorado: Westview Press.

- . 2003. *Women in Contemporary Mexican Politics*. Austin, TX: University of Texas Press, Austin.
- Rodríguez, Victoria E. and Peter M. Ward. 1995. *Opposition Government in Mexico*. Albuquerque: University of New Mexico Press.
- Rule, Wilma. 1994. "Parliaments of, by, and for the People: Except for Women?" in *Electoral Systems in Comparative Perspective: Their Impact on Women and Minorities*, edited by W. Rule and J. F. Zimmerman. Westport, CN: Greenwood Press.
- Saidel, Judith R and Karyn Loscocco. 2005. "Agency Leaders, Gendered Institutions, and Representative Bureaucracy." *Public Administration Review* 65:158-170.
- Salcido, Olivia and Madelaine Adelman. 2004. "'He Has Me Tied with the Blessed and Dammed Papers': Undocumented-Immigrant Battered Women in Phoenix, Arizona." *Human Organization* 63:162-172.
- Saunders, Daniel G. and Patricia B. Size. 1986. "Attitudes about Woman Abuse Among Police Officers, Victims, and Victims Advocates." *Journal of Interpersonal Violence* 1:25-42.
- Segal, Marcia Texler. 1993. "The Academic Confrontation with Patriarchy: Two Decades of Feminist Theory and Practice in Sociology and Related Disciplines." *Race, Sex and Class* 1:95-108.
- Sev'er, Aysan. 1997. "Recent of Imminent Separation and Intimate Violence against Women. A Conceptual Overview and Some Canadian Examples." *Violence Against Women* 3:566-589.
- Sherman, Lawrence and Richard A. Berk. 1984. "The Specific Deterrent Effects of Arrest for Domestic Assault." *American Sociological Review* 49.
- Singh, Susheela and Gilda Sedgh. 1997. "The Relationship of Abortion to Trends in Conception in Fertility in Brazil, Colombia and Mexico." *International Family Planning Perspectives* 23:4-14.
- Smith, Michael D. 1990. "Patriarchal Ideology and Wife Beating: A Test of Feminist Hypothesis." *Violence and Victims* 5:257-273.
- Smock, Pamela J. 2000. "Cohabitation in the United States: An Appraisal of Research Themes, Findings and Implications." *Annual Review of Sociology* 26:1-10.
- Songer, Donald R. and Kelley A. Crews-Meyer. 2000. "Does Judge Gender Matter? Decision Making in State Supreme Courts." *Social Science Quarterly* 81:750-762.

- Stacey, Jackie. 1997. "Untangling Feminist Theory." Pp. 49-73 in *Introducing Women's Studies*, edited by D. Richardson and V. Robinson. London: MacMillan.
- Stanko, Elizabeth A. 1989. "Missing the Mark? Policing Battering." Pp. 46-79 in *Women, Policing, and Male Violence: International Perspectives*, edited by J. Hannmer, J. Radford, and E. A. Stanko. London: Routledge.
- Stephens, Joyce B. and Peter G. Sinden. 2000. "Victims Voices." *Journal of Interpersonal Violence* 15:534-547.
- Straus, Murray A. 1990a. "The Conflict Tactics Scales and Its Critics: An Evaluation and New Data on Validity and Reliability." Pp. 49-74 in *Physical Violence in American Families*, edited by M. A. Straus and R. J. Gelles. New Brunswick: Transaction.
- . 1990b. "The National Family Violence Surveys." Pp. 3-16 in *Physical Violence in American Families*, edited by M. A. Straus and R. J. Gelles. New Brunswick: Transaction.
- . 1994. "State-to-State Differences in Social Inequality and Social Bonds in Relation to Assaults on Wives in the United States." *Journal of Comparative Family Studies* 25:7-24.
- Straus, Murray A., Richard J Gelles, and Susan K. Steinmetz. 1980. *Behind Closed Doors: Violence in American Family*. New York: Anchor Press.
- Straus, Murray A., Sherry L. Hamby, Sue Boney-McCoy, and David B. Sugarman. 1996. "The Revised Conflict Tactics Scales (CTS2): Development and Preliminary Psychometric Data." *Journal of Family Issues* 17:283-316.
- Straus, Murray A. and Christine Smith. 1990. "Violence in Hispanic Families in the United States: Incidence Rates and Structural Intepretations." Pp. 341-367 in *Physical Violence in American Families*, edited by M. A. Straus, R. J. Gelles, and C. Smith. New Brunswick, NJ: Transaction.
- Strube, Michael J. 1988. "The Decision to Leave and Abusive Relationship: Empirical Evidence and Theoretical Issues." *Psychological Bulletin* 104:236-250.
- Suárez Escobar, Marcela. 1999. "Discurso y Violencia Intrafamiliar en México. Historia y Realidad." *Iztapalapa* 45:133-144.
- Sugarman, David B. and Susan Frankel. 1996. "Patriarchal Ideology and Wife-Assault: A Meta-Analytical Review." *Journal of Family Violence* 11:13-40.
- Sugarman, David B. and Murray A. Straus. 1988. "Indicators of Gender Equality for American States and Regions." *Social Indicators Research* 20:229-270.

- Sullivan, Cris M., Joanna Basta, Cheribeth Tan, and William S. Davidson. 1992. "After the Crisis: A Needs Assessment of Women Leaving a Domestic Violence Shelter." *Violence and Victims* 7:267-275.
- Swers, Michele. 2001. "Understanding the Policy Impact of Electing Women: Evidence from Research on Congress and Women Legislatures." *Political Science and Politics* 34:214-220.
- Tarrés, María Luisa. 1998. "The Role of Women's Nongovernmental Organizations in Mexican Public Life." Pp. 131-145 in *Women's Participation in Mexican Political Life*, edited by V. E. Rodríguez. Boulder, CO: Westview.
- Tieffenthaler, Jill, Amy Farmer, and Amandine Sambira. 2005. "Services and Intimate Partner Violence in the United States: A County-Level Analysis." *Journal of Marriage and Family* 67:565-578.
- Tilly, Charles. 1999. "Conclusion. From Interactions to Outcomes in Social Movements." in *How Social Movements Matter*, edited by M. Giugni, D. Mcadam, and C. Tilly. Minneapolis: University of Minnesota Press.
- Titterington, Victoria B. 2006. "A Retrospective Investigation of Gender Inequality and Female Homicide Victimization." *Sociological Spectrum* 26:205-236.
- Togeb, Lise. 1994. "Political Implications of Increasing Numbers of Women in the Labor Force." *Comparative Political Studies* 27:211-240.
- Tolman, Richard M. 1989. "The Development of a Measure of Psychological Maltreatment of Women by Their Male Partners." *Violence and Victims* 4:159-177.
- Tolman, Richard M. and Jody Raphael. 2000. "A Review of Research on Welfare and Domestic Violence." *Journal of Social Issues* 56:655-682.
- Tolman, Richard M. and Arlene N. Weisz. 1995. "Coordinated Community Intervention for Domestic Violence: The Effect of Arrest and Prosecution on Recidivism of Women Abuse Perpetrators." *Crime and Delinquency* 41:481-488.
- Torres-Falcón, Marta. 2001. *La Violencia en Casa*. México DF: Paidós.
- . 2004. "Violencia contra las Mujeres y Derechos Humanos." in *Violencia contra las Mujeres en Contextos Urbanos y Rurales*, edited by M. Torres-Falcón. Mexico, DF: El Colegio de México.
- United Nations. 1993. *Declaration on the Elimination of Violence Against Women*. Retrieved December 29, 2007 from <http://www.un.org/documents/ga/res/48/a48r104.htm>.

- United Nations Development Program. 1995. *Human Development Report 1995*. New York Oxford University Press.
- Urbalejo, Rodolfo. 2003. "Reforming the Police System under the Fox Government." *Crime, Law and Social Change* 40:37-41.
- Valdez-Santiago, Rosario and Clara Juárez. 1998. "Impacto de la Violencia Doméstica en la Salud Mental de las Mujeres: Análisis y Perspectivas en México." *Salud Mental* 21:1-10.
- Ventura, Lois A. and Gabrielle Davis. 2005. "Domestic Violence. Court Case Conviction and Recidivism." *Violence Against Women* 11:255-277.
- Vessuri, Hebe M. C. 1997. "Investigación y Desarrollo en la Universidad Latinoamericana." *Revista Mexicana de Sociología* 59:131-160.
- Vieraitis, Lynne M. and Marian R. Williams. 2002. "Assessing the Impact of Gender Inequality on Female Homicide Victimization across U.S. Cities." *Violence Against Women* 8:35-63.
- Villarreal, Andres. 2007. "Women's Employment Status, Coercive Control, and Intimate Partner Violence in Mexico." *Journal of Marriage and Family* 69:418-434.
- Walby, Sylvia. 1990. *Theorizing Patriarchy*. Cambridge, MA: Basil Blackwell Ltd.
- Walker, Leonor E. 1979. *The Battered Woman*. New York: Harper & Row.
- Watts, Charlotte and Cathy Zimmerman. 2002. "Violence Against Women: Global Scope and Magnitude." *The Lancet* 359:1232-1237.
- Waylen, Georgina. 1998. "Gender, Feminism and the State." Pp. 1-17 in *Gender, Politics and the State*, edited by V. Randall and G. Waylen. New York: Routledge.
- Weber, Max. 1965. *Politics as a Vocation*. Philadelphia: Fortress Press.
- Welch, Susan and Dianne Levitt Gottheil. 1978. "Women and Public Policy: A Comparative Analysis." *The Policy Studies Journal* 7:258-264.
- Weldon, S. Laurel. 2002. *Protest, Policy and the Problem of Violence Against Women. A Cross-National Comparison*. Pittsburgh: University of Pittsburgh Press.
- Weyland, Kurt. 2005a. *Bounded Rationality and Policy Diffusion: Social Sector Reform in Latin American*. Princeton, NJ: Princeton University Press.
- . 2005b. "Theories of Policy Diffusion. Lessons from Latin American Pension Reform." *World Politics* 57:262-295.

- Williams, Christine L. 1993. "Psychoanalysis and the Sociology of Gender." Pp. 131-149 in *Theory on Gender/Feminism on Theory*, edited by P. England. Hawthorne, NY: Aldine de Gruyter.
- Wofford, Sharon, Delbert Elliott Mihalic, and Scott Menard. 1994. "Continuities in Marital Violence." *Journal of Family Violence* 9:195-225.
- Yllán Rondero, Bárbara and Marta De La Lama. 2002. *Ley de Asistencia y Prevención de la Violencia Intrafamiliar. Construyendo la Igualdad*. Mexico, DF: Porrúa.
- Yllo, Kersti. 1980. "The Status of Women and Wife-Beating in the U.S.: A Multi-Level Analysis." in *National Council of Family Relations*. Portland, Oregon.
- . 1984. "The Status of Women, Marital Equality, and Violence Against Wives." *Journal of Family Issues* 5:307-320.
- . 1988. "Political and Methodological Debates in Wife Abuse Research." Pp. 28-50 in *Feminist Perspectives on Wife Abuse*, edited by K. Yllo and M. Bograd. Newbury Park: Sage.
- Yllo, Kersti and Murray A. Straus. 1984. "The Impact of Structural Inequality and Sexist Family Norms on Rates of Wife-Beating." *Journal of International and Comparative Welfare* 1:16-29.
- . 1990. "Patriarchy and Violence Against Wives: the Impact of Structural and Normative Factors." Pp. 383-399 in *Physical Violence in American Families*, edited by M. A. Straus and R. J. Gelles. New Brunswick: Transaction.
- Yodanis, Carrie L. 2004. "Gender Inequality, Violence against Women, and Fear: A Cross-National Test of Feminist Theory of Violence against Women." *Journal of Interpersonal Violence* 19:655-675.
- Yodanis, Carrie L., K Hill, and Murray A. Straus. 1997. *Tabular Summary of Methodological Characteristics of Research Using the Conflict Tactics Scales*. Durham: Family Research Laboratory, University of New Hampshire.
- Young, Gay, Lucia Fort, and Mona Danner. 1994. "Moving from 'The Status of Women' to 'Gender Inequality': Conceptualisation, Social Indicators and an Empirical Application " *International Sociology* 9:55-85.
- Young, Iris. 1981. "Beyond the Unhappy Marriage: A Critique of the Dual Systems Theory." Pp. 43-70 in *Women and Revolution: A Discussion of the Unhappy Marriage of Marxism and Feminism*, edited by L. Sargent. Boston: South End Press.

Zabludovsky, Gina. 1997. "The Presence of Executive Women in Mexico." *Sociologica* 12:73-97.

Zúñiga, María Teresa, Francisco Javier Ibarra, and Elena Aguilar. 2003. *Violencia Intrafamiliar en Jalisco. Una Historia que No Termina*. Guadalajara, Jalisco: Instituto Mexicano para el Desarrollo Comunitario, A.C.

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