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Education of moral competencies as a prospective method of violence prevention. A feminist perspective – through the lens of Nancy Fraser's model of justice

Kształcenie kompetencji moralnych jako potencjalna metoda zapobiegania przemocy. Perspektywa feministyczna – spojrzenie przez pryzmat modelu sprawiedliwości Nancy Fraser

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Abstract

The main objective of this dissertation is to provide a philosophical basis for the necessity of including educational methods tailored to fostering moral and moral-democratic competencies in violence prevention strategies. To this end, a precise but appropriately broad definition of violence is proposed, which is based on Nancy Fraser's concept of (in)justice, followed by the examining Intimate Partner Violence (IPV), focused on direct physical violence. Next, the method of fostering moral and moral-democratic competencies Konstanz Method of Dilemma Discussion (KMDD®) developed by Georg Lind and the Dual Aspect model of moral behaviour, the theoretical foundation of this method, proposed by the same author, are introduced. On this foundations, the guiding idea of this dissertation, namely that fostering moral and moral-democratic competencies is a necessary aspect of changing everyday practices and an indispensable condition for social transformation and gender emancipation, can be addressed in a sufficiently informed manner.

Table of content

The list of Abbreviations

CCV – Coercive Controlling Violence

CDC – Disease Control and Prevention

FRA – European Union Agency for Fundamental Rights

IPV – Intimate Partner Violence

IPVAW – Intimate Partner Violence against Women

IT – Intimate Terrorism

KMDD® – Konstanz Method of Dilemma Discussion®

MCT® – Moral Competence Test®

LGBT+ – Lesbian, Gey, Bisexual, Transgender + others (queer people)

MJI – Moral Judgment Interview

MVC – Mutual Violent Control

NCVS – National Crime Victimization Survey

NCAVP – National Coalition of Anti-Violence Programs

NFVS – National Family Violence Surveys

SCV – Situational Couple Violence

SGM – Sexual and Gender Minority

SIV – Separation-Instigated Violence

TGNC – transgender and gender nonconforming

VAW – Violence Against Women

VR – Violent Resistance

WHO – World Health Organisation

List of figures

List of tables

Introduction

The main objective of this dissertation is to provide a philosophical basis for the necessity of including educational methods tailored to fostering moral and moral-democratic competencies in violence prevention strategies. On the one hand, employing such a strategy is necessary to provide people with opportunities to grow moral-cognitive abilities to manage everyday interactions and maintain long-term relationships without violence or, in other words, manage interpersonal interactions fairly. On the other hand, social transformation towards more egalitarian and democratic relations and women's emancipation, which is needed to eliminate violence from interpersonal relations, requires this kind of education. Several steps must be accomplished to lay the groundwork for fulfilling that aim. The dissertation consists of three parts corresponding to the research objectives: Part A*: Defining Violence*, Part B: *Practicing Violence* and Part C: *Preventing Violence*. In Part A, I address the problems concerning the definition of violence. I develop a precise but appropriately broad definition of violence, which I base on Nancy Fraser's concept of (in)justice. In Part B, I explore the violence that can be observed in society. I concentrate on examining Intimate Partner Violence (IPV), focusing on direct physical violence. In Part C, I present a method of fostering moral and moral-democratic competencies Konstanz Method of Dilemma Discussion (KMDD®) developed by Georg Lind and the Dual Aspect model of moral behaviour, proposed by the same author, which is the theoretical foundation of this method. At this point, I can finally address the guiding idea of this dissertation in a sufficiently informed manner, namely that fostering moral and moral-democratic competencies is a necessary aspect of changing everyday practices and an indispensable condition for social transformation and gender emancipation. I will address each of those parts in more detail below.

The first step is to provide a precise but appropriately broad and comprehensive definition of violence. This step is realised in Part A: *Defining Violence* comprising Chapters I and II. Chapter I: *Different concepts of violence* is dedicated to the critical consideration of concepts of violence present in the scholarship and understanding of the advantages and shortcomings of those concepts, which is required for developing a sufficiently sophisticated definition of violence. Aside from insights examination of diverse concepts provided into the nature of violence, investigations conducted in this chapter inform the methodology of arriving at the definition. Namely, intuitively

constructing a definition of violence from linguistic roots and intuitions does not lead to satisfying results. The term 'violence' is employed across many different disciplines, including social and political sciences, anthropology, psychology, and criminology and over the years, many different concepts of violence have been proposed, and it would be virtually impossible to analyse all of them comprehensively. Therefore, I only discuss chosen concepts of violence influential in philosophy from the second half of the twentieth century to the present. Over the years, across various fields of study, a multitude of definitions of violence have been proposed (comp. Bufacchi 2005; 2022; Cawston 2015; Hamby 2017), and on top of that, some typologies of the definitions of violence also have been presented.[1] The problem of defining violence has been tackled by many philosophers[2], peace and nonviolence theorists[3] and in the context of IPV.[4] However, very few of the existing definitions are supplemented with rationales for the essential elements that a complete definition of violence should contain (Hamby 2017). As a result, commonly, the definitions of violence mistake contingent features for the fundamental problem (Cawston 2015). Even exhausted analysis and supplanting additional elements (adding to the list of necessary conditions) to the definition only ends with ensuing definitions being too narrow, too wide or even both at the same time, excluding relevant forms of violence while including non-violent behaviours, such as many forms of play. Instead, to have a comprehensive definition, it is necessary to reflexively construct it "from the ground up." Section 1.2. of Chapter I deals with the overview of multiple concepts and definitions, while subsequent sections are devoted to one of each of the chosen concepts presented by Johan Galtung (1969; 1990; section 1.3.1.), Slavoj Žižek (2008; 2016; section 1.3.2.), Pierre Bourdieu (1970; 1979; 1998/2001; section 1.4.1.), Hannah Arendt (1969; 1970; section 1.4.2.) and Franz Fanon (1961/2004; section 1.5.). The chosen authors are among the ones, who present a more philosophically sophisticated understanding of violence. They present diverse perspectives, which I hope will provide a nuanced outlook on violence and the problem of defining it. After the critical examination of different concepts of violence in Chapter

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[1] I consider already existing typologies of various forms of violence if they are relevant to discussed concepts of violence (comp. Bufacchi 2005; Coady 2008; Hamby 2017), but I do not provide a systematic analysis of various typologies, nor do I aim to develop a typology of various forms of violence on my own.

[2] e.g. Betz 1977; Bufacchi 2022; Dewey 1916; Garver 1968; Nozick 1974.

[3] e.g. Coady 2008; Pontara 1978; Steger 2003.

[4] e.g. Cawston 2015; Dobash & Dobash 1979; 1998; DeKeseredy & Schwartz 2011; Foolingstad 2017; Hamby 2017.

I, I concluded that, while the definition should be short, it needs to be supported by a wider philosophical framework.

I found a wider philosophical framework suitable for the purpose of defining violence in Nancy Fraser's concept of (in)justice, particularly in her status model of (mis)recognition. That broader framework also requires an explanation and justification of its appropriateness for defining violence. That is why Chapter II, *Inquiry into Nancy Fraser's concept of injustice: in search for the refined, comprehensive definition of violence*, deals exclusively with introducing Fraser's philosophical framework and using it as a basis for defining violence. First, I introduce the academic profile of Nancy Fraser, her theoretical background and the broader scope of her work (section 2.2.1.), the rationale for employing her framework for the purpose of this dissertation (section 2.2.2.) and a critical discussion about its limitations (section 2.3.3.). Next, I present an interpretation of basic terms from Fraser's work, which is necessary for understanding my definition of violence. I explore the meaning of harm and injustice (section 2.3.1.), I elaborate on the status model of (mis)recognition (2.3.2.), participatory parity as its deontological standard (section 2.3.2.1.), the meaning of institutions and practices in maintaining status relations (section 2.3.2.2.), and status based social groups and identities (section 2.3.2.3.), and on the role of patterns and practices (section 2.3.3.). In the concluding section of this chapter, I present the definition of violence I developed based on Fraser's model (section 2.4). Employment of Fraser's framework for defining violence and emphasis on practice in the definition let me grasp the crucial but somewhat overlooked problem of violence prevention, namely the discrepancy between conscious beliefs on the one hand and practice on the other. Hence, prevention requires a change of practice.

Nancy Fraser's status model of (mis)recognition is an iteration of the philosophical tradition, the theory of recognition ('Anerkennung') associated foremost with the thought of Georg Wilhelm Friedrich Hegel (1807). However, it had been anticipated by earlier philosophers such as Jean-Jacques Rousseau (1755). In contemporary scholarship, the recognition category is employed across various academic fields ranging from moral and political philosophy, social theory, legal philosophy, and philosophical anthropology to ontology and epistemology (Zurn 2010, 1). From the standpoint of this dissertation, it is essential to underline that the concept of recognition has been used to address and normatively unpack various problems about a

multicultural and pluralist society, such as justifying human rights (Fraser & Honneth 2003; Habermas 1994; Honneth; 1995; 2011/2014; Ikäheimo 2017; Kymlicka 1989; Taylor 1992/1994; Wojciechowski 2014). Fraser aside, the most influential figures developing theories of recognition in contemporary philosophy are Axel Honneth (e. g. 1995; 2011/2014; 2018; Fraser & Honneth 2003) and Charles Taylor (1989 & 1992/1994). The concept of recognition was discussed and employed by other prominent thinkers associated with Frankfurt School as well, especially Jürgen Habermas (1988/1992; 1991/1993 & 1994) and Rainer Forst (2007/2012 & 2003/2013), and employed, discussed as well as criticised by feminist thinkers Sheila Benhabib (1992), Judith Butler (2004a & b; 2009), Lois McNay (2008; 2014; Husso et al. 2009) and Iris Marion Young (1990; 1997a & b) and in contemporary Polish philosophy, for example, by Bartosz Wojciechowski (2009; 2014a & b), Jakub Kloc-Konkołowicz (2015) and Marcin Byczyński (2014; 2017 & 2021). I focus on aliasing the concept of (mis)recognition, the status model of (mis)recognition in a series of texts, in which Fraser develops the concept of recognition and redistribution as the two dimensions of justice.[56] Over the years, Fraser's concept of (mis)recognition has been extensively discussed and criticised.[7] Moreover, Fraser's theoretical and philosophical framework was employed to address a vast array of subjects like educational policies and practice (Keddie 2012; Blackmore 2016), including experiences of disabled students (Vincent, Rowe & Johnson 2020), social welfare, and social services,[8] sex work (Dziuban & Ratecka 2017; Katona 2020), queer issues.[9]

The second step is the identification and analysis of sociocultural and institutional factors that significantly condition violence and analyse the impact violence has on social relations, particularly on maintaining gender inequality. It is also necessary to examine how well the proposed definition of violence matches reality. Part

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[5] Fraser 1995a; 1996a; 2000; 2001; 2003; 2005a; 2007b; Fraser & Honneth 2003.

[6] Fraser's works have been translated into multiple languages including Polish: *Redistribution or Recognigtion? A Political-Philosophical Exchanange* (2003) co-authored with Axel Honneth translated as *Redystrybucja czy Uznania Debata polityczna filozoficzna* by Monika Bobako and Tomasz Dominiak in 2005, and *Fortunes of Feminism: From State-Managed Capitalism to Neoliberal Crisis* (2013) as *Drogi feminizmu. Od kapitalizmu państwowego do neoliberalnego kryzysu* translated by Agnieszka Wesek in 2014 with a foreword by Kinga Dunin.

[7] By e.g., Armstrong & Thompson 2009; Bargu & Bittici 2017; Benhabib 1996; Blackmore 2016; Butler 1997/2008; Forst 2008/2017; Keddie 2012; Olson 2008; Philips 1997; 2003; Robeyns 2003; Scheuerman 2017; Vatsov 2016; Young 1997a/2008; 2009; Zaretsky 2017; Zylan 1996.

[8] E.g. Norberg 2015; Fauske, Kojan & Storhaug 2018; Dvoriak *et al*. 2020.

[9] E.g. Aboim 2020; Oksala 2017; Kováts 2019.

B: *Practicing Violence,* consisting of chapters III, IV and V, dedicated to fulfilling this purpose by examining women's experiences with violence in the case of IPV.

Concerning the empirical study of violence referenced in this dissertation, to buttress the developed definition and to showcase conditions violence stems from and the influence it has on social relations, I limit it to IPV with a particular focus on direct, physical violence, however, it is impossible to understand the problem without addressing other aspects of IPV, particularly coercive control, as well. I do not conduct my studies on this subject; I use available literature. It is impossible to understand general trends of violence by analysing only specific regional or cultural contexts. A broader scope is required. It is essential to examine how IPV looks across borders and in different types of contexts. However, a specific limitation in the scope of investigations is necessary, therefore I limit the discussion to the research conducted in Europe and Anglosphere. I exclude the research from the countries outside this scope based on the assumption of a degree of intercultural legibility, comparatively greater between countries inside this scope than outside, despite considerable social, cultural and institutional differences in conditions across regions. It needs to be noted that taking a broader scope puts another constraint on this work, namely that many specifics related to particular types of contexts cannot be explored in greater depth. I discuss many studies from Northern America and Western Europe, particularly Britain and Nordic Countries, because IPV there has a longer history of academic interest than it has in Poland, which also contributes to the fact that more aspects of IPV have been researched there that are yet to be studied in the Polish context. I hope that gaining that knowledge will illuminate future research on IPV in Poland.

Chapter III, *Violence in women's experiences: the case of men's intimate partner violence against women,* deals with various situations when women become victims of male violence. In this chapter, I explain the methodological problems of studying IPV as well as vocabulary related to violence against women (VAW) and IPV (section 3.2.), as well as prevalence, various conditions shaping IPV perpetrated by men towards women as well as results of those practices (section 3.3.). Violence against women in intimate relationships has existed for at least as long as there are written records (comp. DeKeseredy et al. 2017). Still, the problem has only come under systematic academic scrutiny in the wake of the women's movement in the 1960s and 1970s of the twentieth century (see Dobash & Dobash 1979; 1992), family and intimate relationships (Dobash

& Dobash 1979, 7; hooks 2000, 64). Since then, many aspects of intimate partner violence against women (IPVAW) have been investigated. To name a few: prevalence across different regions and demographic groups, e.g. disabled (see: Balderstone 2013),[10] various types of violence employed and relationship dynamics between partners,[11] influence on gender and family norms on violence perpetration,[12] and bystander behaviours.[13]

IPVAW is just one side of the problem. To better understand women's experiences with IPV, it is necessary to consider women as perpetrators, which I do in Chapter IV, *Different perspectives on intimate partner violence*. In section 4.2. I address IPV perpetrated by women towards men. This is a controversial subject, and especially the so-called "gender symmetry thesis" – the assumption that women in intimate relationships are just as violent as men – has been hotly debated starting from the late 1970s of the twentieth century (Steinmetz 1977/78) based on data collected through National Family Violence Surveys (NFVS) conducted in the USA (comp. Alen 2011; Stark 2010). Opponents of the gender symmetry thesis underline that the research sensitive to the context in which violence occurs does not support the gender symmetry thesis.[14] That does not mean women do not partake in relationship violence. While a substantial portion of this violence can be characterised as violent resistance or situational and mutual, sometimes women are, in fact, the main or sole perpetrators and initiators of violence.[15]

Another facet of the problem is violence between women in queer relationships (section 4.3.). In this context, I discuss the problem of heteronormativity (section 4.3.1) and methodological issues with studies of IPV in queer relationships (section 4.3.2.). The research on IPV in same-sex couples have begun in the second half of the 1980s and the beginning of the 1990s (Renzetti 1992; Badenes-Ribera et al. 2016). The percentage of research on IPV in same-sex couples is relatively small, i.e. only about 3% of the studies on IPV conducted from 2000 to 2015 addressed IPV among gender

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[10] Comp. Ballan et al.; 2017; FRA 2015; Malgesini et al. 2018.
[11] See further examples: Belknap & Melton 2005; Graham-Kevin & Archer 2003; Johnson 1995; Johnson & Ferraro 2000; Johnson & Kelly 2008; Pence & Paymar 1993.
[12] See e.g. Abrams 2010; Cannon et al. 2015; Dobash & Dobash 1979; 1992; Helios & Jedlecka 2017; Wemrell et al. 2019; comp. Bourdieu 1998/2002.
[13] See e.g.: Capezza & Arriaga 2008; Serrano-Montilla et al. 2020; comp. Karlsson et al. 2020; Wemrell et al. 2019.
[14] See: Alen 2011; Johnson, 2011; Scarduzio et al. 2016; DeKeseredy 2021.
[15] Comp. Belknap & Melton 2005; Graham-Kevan and Archer 2008; Stark 2010; Tanha et al. 2010; Hine et al. 2022.

minorities specifically (Edwards et al. 2015, 112), and the data about the prevalence around the globe is lacking (DeKeseredy 2019; Messinger, 2017). Moreover, research typically uses small samples of LGBT+ IPV victims, so the findings may not apply to the broader LGBT+ population (Calton et al. 2015, 589). The research reveals both similarities and unique features of IPV in queer relationships (section 4.3.3.).[16]

The vital aspect I consider is the formal institutional response to IPV and how it affects the experiences of affected individuals. I limit the discussion on this problem to the formal institutions that come into direct contact with victims/survivors and/or perpetrators of IPV in the context of providing relief. In Chapter V, *Formal institutions' response to IPV*, I explore various ways in which formal institutions (mis)manage interactions with victims/survivors and perpetrators of IPV,[17] including unique ways formal institutions respond to queer people seeking help.[18] I include a short overview of the problem (section 5.2.), before I proceed to examine cases of the legal justice system, police (section 5.3.1.) and court process (section 5.3.2.), formal system of IPV relief in the form of specialised IPV services, shelters, phone helplines (section 5.4.1.), as well as social support services (section 5.4.2.) and healthcare system (section 5.4.3.).

The realisation of the main objective requires exploring principles guiding educational methods employed for violence prevention. Namely, those educational methods themselves need to be democratic in character, and developing competencies should be understood as the primary concern of moral education, more important than changing values, beliefs or norms. Well-developed moral and moral-democratic competencies facilitate changing world-views and beliefs based on reasonable arguments and not only accepting values and norms but also 'translating' abstract norms into everyday practices and interactions, which enables building fair and equal relationships. Part C: *Preventing Violence,* consists of Chapter VI, *Prospects for violence prevention: fostering moral and moral-democratic competencies of citizens*; while this part is significantly shorter than the previous two, it gathers together the enquiries carried out earlier in the scope of this dissertation. Violence prevention requires changing practices. However, the change of practices cannot be accomplished by imposition or coercion, as that would be ineffective and unfair. Therefore, it is necessary to empower people to change practices by themselves, and the way I propose

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[16] E.g. see: Renzetti 1992; Øverlien 2020; Woulfe & Goodman 2021.
[17] See e.g. Abrams 2010; Dobash & Dobash 1992; Helios & Jedlecka 2016; Meyersfeld 2016.
[18] Calton et al. 2015; Edwards et al. 2015; Hardesty et al. 2009.

it is possible to accomplish this goal is to give them opportunities for fostering moral and moral-democratic competence.

To explain how moral and moral-democratic competencies can be fostered I employ the Dual Aspect model of moral behaviour proposed by Georg Lind and Konstanz Method of Dilemma Discussion, which he developed based on that model. I have chosen to discuss Lind's proposition because he developed a method of fostering moral competence. Although KMDD® is relatively little known, it is one of the most well-researched methods of stimulating moral development (Steć et al. 2021). Additionally, Lind's proposition is characterised by value minimalism, which basically only assumes the value is democratic living together, understood not as a political regime, but as communication and cooperation uncoerced and free from violence and deceit (comp. Lind 2016). This is basically a condition of reasonableness and, therefore, does not constitute an unfair imposition of values. It is very important for addressing a problem that concerns people with different worldviews. Value minimalism and the lack of specific assumptions about the outcome, other than moral-cognitive growth, makes Lind's proposition different from other educational methods employed in violence prevention and ensures the KMDD® is applicable in more varied types of contexts. Moreover, examining Lind's model of moral development lets me find the explanation for this discrepancy: the deficiency of moral and moral-democratic competencies. The solution is providing opportunities to foster moral-democratic competence to empower people to nonviolent practice.

The questions about moral development and moral education are as old or almost as old as philosophical reflection. In the Western philosophical tradition, the emergence of this line of questioning is identified with the figure of Socrates for his impact on the later thinkers through the works of Plato.[19] This subject pertains more to spreading democratic ideals and democratic forms of social and political organisation (comp. Juchacz 2006, 118). Over the centuries of philosophical enquiry, many

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[19] The interest in this subject is not limited to the Western philosophical tradition. The most prominent and influential philosophical tradition primarily concerned with moral development and moral teaching is Ruism in China. The key figure of this tradition, who has a parallel role to Socrates and Plato, was Kong Fuzi (Master Kong), known in the West as Confucius (who had been born over a century earlier than Socrates). While the comparison between the traditions of thinking about moral development and moral education stemming from Socrates and Confucius goes beyond the scope of this dissertation, it is worth noting that in the Confucian tradition, the questions about virtue in political and public life and in family relations are fundamental (comp. Lei 2018;Rogacz 2022), which is a concern paralleled in my own academic interests.

approaches to defining moral development and moral education have been proposed; some were articulated in terms of teaching values, others in terms of virtues and developing different concepts of those terms, some emphasised the role of social conditions, individual predispositions, emotions or cognitive abilities. Emerging the "new" (relative to philosophy) branches of science, such as psychology, sociology, educational sciences and finally, neuropsychology, helped cast new light on the problem. Much of the philosophical foundations for modern education moral-democratic democratic citizenship come from the thought of John Dewey (1909; 1915; 1938)[20]. Following and supporting this philosophical tradition, Jean Piaget (1928; 1932), Lawrence Kohlberg (1964; Kohlberg et al. 1984; Colby et al .1987) and their followers working on the field of developmental psychology made their own influential contributions (comp. Lind & Nowak 2015; Lind 2016; Schrader 2015; see section 6.2. & 6.3.). They not only substantiated theories with empirical observations leading to more sophisticated concepts but also advanced the methodology of research on the subject of moral development and moral education. From the perspective of the subject of this dissertation, it is necessary to mention that Kohlberg's theory and, indeed, much of the philosophical tradition that preceded it have been met with critique from feminist thinkers, most famously from Carol Gilligan (1982; see section 6.3.2.).

This is the context Georg Lind, one of Kohlberg's students, draws from proposing his reconceptualization of moral competence and the Dual Aspect model of moral behaviour and moral development (Lind 2013; 2016; 2021). However, Lind's most important innovation is not the reformulation of existing concepts but in providing a measurement instrument – the Moral Competence Test (MCT®), which allows testing competence by internal rather than external moral standards (Lind 2005; 2021; Lind & Nowak 2015),[21] and educational method – Konstanz Method of Dilemma Discussion (KMDD®).[22] Well-developed moral competence cannot be without democratic competence, so the two need to be fostered together. The democratic competence is essential to constitute well-developed moral competence because no serious moral problem can be solved without involving others (Lind 2016, Nowak 2013b). Lind's ideas are philosophically inspiring and have been addressed by thinkers interested in

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[20] Comp. Juchacz & Malitowska 2012; Malitowska and Bonecki 2015.
[21] Comp. Hummel et al. 2018, Di Masi & Santi 2016; Lind 2005; 2021; Lind & Nowak 2015; Schillinger 2006
[22] Lind 2012; 2013; 2016; 2019.

democratic education, such as Ewa Nowak (2013a & b; 2016) and Karolina M. Cern (2013; 2014). Fostering moral competence as a violence prevention measure also lies at the core of Lind's proposition.[23] So far, research indicates that KMDD® is an effective method of violence prevention (Nowak & Urbańska 2011 & 2017). KMDD® have also been employed in teaching students in helping professions (Lajčiaková 2016).

In the scope of this chapter, I introduce Georg Lind's Dual Aspect model of moral behaviour, with affective unconscious aspect – moral orientations (section 6.2.1.), cognitive unconscious aspect – moral competence (section 6.2.2.), the role of conscious affective and cognitive aspects (section 6.2.3.) and the relationship between both conscious and unconscious, cognitive and affective aspects (section 6.2.4.). I supplement it with an examination of the background behind Lind's Dual Aspect model, namely Kohlberg's model of cognitive moral development (section 6.3.1.) and a short review of criticism towards it (section 6.3.2.) and a brief comparison between Kohlberg's and Lind's models (section 6.3.3.). Next, I explain the Konstanz Method of Dilemma Discussion (KMDD®) and moral competence test (MCT®) and their development (section 6.3.4.). Then, I present the concept of moral-democratic competence (section 6.4.) and go on fostering moral and moral-democratic competencies in violence prevention in four main areas: in building foundations for good familial and intimate relationships (section 6.5.1.); in the therapeutic function for victims/survivors and perpetrators of violence (section 6.5.2.); training for employees institutions, agencies and organisations that may come in contact with victims, perpetrators or families afflicted with violence (section 6.5.3.); and finally in educating policymakers and politically active public (section 6.5.4.).

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[23]See Lind 1993, 2010; 2016; comp. Nowak 2013b.

PART A: DEFINING VIOLENCE

Chapter I Different concepts of violence

1.1. Introduction

The word 'violence' frequently appears through academic texts in various disciplines, often with some quantifier or adjective, specifying a particular 'sub-genre', like structural violence,[24] symbolic violence,[25] or by using qualifiers indicating particular methods (e. g. psychological violence,[26] economic violence[27]), targeted groups (e. g. racial violence,[28] violence against women[29]) or context of violence, (e. g. political violence,[30] domestic violence[31]), etc. While researching the subject of violence, it is not unusual to find works that use the terms 'violence' or '[qualifier] + violence' without

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[24] The term 'structural violence' was coined by Johan Galtung (1969) and has been used in scholarship since then (Ho 2007). I will discuss it in depth in section 1.3.1.

[25] The term and the concept of symbolic violence were introduced and popularised by Pierre Bourdieu (Bourdieu & Passeron 1970/1990) and have been widely accepted across humanities and social sciences. Symbolic violence was discussed among others by Slavoy Žižek (2008).

[26] In essence 'psychological violence' denotes "verbal and nonverbal communication with the intent to mentally or emotionally harm, and/or exert control" over another person (Neppl et al. 2017, 299). The term 'psychological violence' is often used in the context of academic publications (e. g. Dokkedahl et al. 2019; Kimmerling 2009; Neppl et al. 2017). However, in the scholarship, such terms as 'psychological abuse' or emotional violence/abuse/aggression are used interchangeably with 'psychological violence'. According to the dominant understanding, it is either a form of violence or a component of it.

[27] A more commonly used term in the English language scholarship is 'economic abuse' which denotes "a deliberate pattern of control in which individuals interfere with their partner's ability to acquire, use, and maintain economic resources" (Postmus et al. 2020, 162). However, 'przemoc ekonomiczna' lit. 'economic violence' is used in Polish language scholarship to denote the same concept (e.g. Helios & Jedlecka 2017; Lelek-Kratiuk 2014) and the term is sometimes used in English publications as well (e.g. Fawole 2008; Sharp (Ed.). 2014.)

[28] The term 'racial violence' (typically used interchangeably with 'racist violence') is generally understood as "defined as violence against persons or property motivated by racism, ethnocentrism, religious intolerance, or xenophobia (Bleich 2007, 150). Unsurprisingly the term often appears in the scholarship on racism (e.g. Athwal et al. 2010; Bleich 2007; Kynard 2015).

[29] The term 'violence against women' is very common, some of the multiple examples of publications, in which this term can be found (Christofi et al. 2017; DeKeseredy 2019; 2021; Dobash & Dobash 1979; 1992; 1998; 2015; Johnson 1995) as well in the peer-reviewed journal *Violence Against Women*. The meaning and methodological problems related to the use of the term 'violence against women' will be discussed in Chapter III.

[30] 'Political violence' is another very common term, but one that not necessarily precisely defined, and generally can be understood as "any form of organized violence carried out by political actors, including governments, rebel groups, insurgents, or terrorist organizations" (Valentino 2014; see also: Bardall et al. 2020; Clark et. al 2010; Coady 2008; Daiute 2010).

[31] Again, the 'domestic violence' is widely spread in the scholarship (e.g. Abrams 2010; Allen 2011; Dobash & Dobash 1992; Epstein 1999; Graham-Kevan & Archer 2003, Johnson & Ferraro 2000; Johnson 2008). The meaning and methodological problems related to the use of the term 'violence against women' will be discussed in Chapter III.

clearly and comprehensively defining what they mean.[32] The term 'violence' and its particular variants are often used loosely in the academic literature, which makes it seem to lack consistent meaning. This issue has not gone unnoticed, as the researchers have discussed the lack of a clear, comprehensive definition (Hambly 2017), the lack of consensus among researchers, and the problems with defining violence in the literature across various fields of study (Bufacchi 2005; Dobash & Dobash 1998; DeKeseredy & Schwartz 2011; Hammarén 2022; Standke-Erdmann et al. 2022). For instance, in the context of violence against women research, the problem of broad and narrow concepts of violence that I will address in this chapter was discussed by Rebecca Emerson Dobash and Russell Dobash[33] and multiple other researchers on the field (1998, 4; see also Cawston 2015; DeKeseredy & Schwartz 2011; Foolingstad 2017).[34] The problem of the unclear distinction between violence, abuse, aggression, and use of force was discussed as well (DeKeseredy & Schwartz 2011; Dobash & Dobash 1979, 8 Foolingstad 2007; 2017; Hambly 2017).

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[32] Authors who write about problems related to violence in empirical research do not define violence before they start to define particular dynamics and contexts for violence or specific types of violence (e. g. DeKeseredy & Corsianos 2016; Dobash & Dobash 1979; 1992; Follingstad & DeHart 2000; Johnson 1995; 2011; Kimerling et al. 2015; Ludermir et al. 2007; Pence & Paymar 1993; Salter 2014). Additionally, most of the examples of works listed in the footnotes above do not contain a comprehensive definition of what violence is either. Therefore, it is up to the reader to parse what kind of concept is hidden behind the term. Other authors reference pre-existing definitions that come from legal acts, international conventions, formal institutional guidelines (such as Centers for Disease Control and Prevention (CDC), European Union Agency for Fundamental Rights (FRA), World Health Organisation (WHO), or earlier scholarship (e. g. Archer 2003; Ludermir; et a. 2007; Kimerling et al. 2015) that likewise define only particular types or context of violence, often by enumeration of examples, without providing an understanding of the general context of violence or if there even is one (e. .g. Beiriding et al. 2015; Johnson 1995; 2011; Pence & Paymar 1993). In other words, the problem lies in the fact that multiple authors offer definitions of, for instance, domestic violence or describe various scenarios in which domestic violence takes place without answering the question, "what is violence?" or referencing definitions of violence with insufficient methodological basis. I do not mean it as an accusation against those authors. The objectives of their research may simply lie elsewhere; while in many cases they are aware of the problem, some of those authors discuss the issue of the definition of violence elsewhere in their works, yet they shy away from providing a comprehensive definition upfront. I am just pointing out the gap in the scholarship.

[33] Rebecca Emerson Dobash and Russell Dobash have jointly conducted research and co-authored eight books and over 100 journal articles and chapters on domestic violence and homicide, as well as the policies and interventions relating to it. Their first book together, *Violence Against Wives* (1979), was foundational for studying historically and socially contextualised domestic violence. Their other notable contributions include *Women, Violence and Social Change* (1992), *Rethinking Violence Against Women* (1998, edited by both Dobashes) and *When Men Murder Women* (2015).

[34] Another issue pertaining to the problem defining violence, that is often discussed in the scholarship on violence, is the shape of definitions of violence and various types of violence and violent acts present in the laws, mainly how a particular shape of definition affects policies and institutional practices, that affect lives of persons afflicted by violence (see: Bayatok 2021; DeKeseredy 2021; Dobash & Dobash 1992; Helios & Jedlecka 2016; Krizsan & Poppa 2014; Płatek 2018; Meyersfeld 2016; Montoya & Rolandsen Agustin 2013; Welmer et al. 2019).

For a long time, scholars tended to shy away from providing clear definitions of the phenomena of violence, preferring to offer loose ideas and metaphors for it (Sieber 1995, 1). Despite the observed increase of research on violence in every social and political discipline, the understanding of the meaning of the general concept of violence hardly gets any deeper (Bufacchi 2005, 194; Rule 1988, xii; DeKeseredy & Schwartz 2011, 3); it is difficult to find an explicit and general definition of violence containing clear *definiens* and *definiendum*. While the definitions of particular types of violence (e.g., psychological violence; economic violence) or specific types of violent acts (e.g., rape, assault) are significantly easier to come across, they lack reference to a general concept.

There is a number of definitions of violence proposed over the years across various fields of study, but very few of them are supplemented with rationales for the essential elements that a complete definition of violence should contain (Hambly 2017, 168). As a result, the widespread problem is that the definitions mistake contingent features for the fundamental problem (Cawston 2015, 217).

In this chapter, I will address various theoretical concepts of violence, concentrating on the concepts of violence in philosophy. To limit the scope of my research, I will focus my efforts on the texts that originated from the second half of the twentieth century to the present. However, I will reference older definitions when required to illustrate the point.[35] The chosen timeframe of the second half of the twentieth century to present converges with the abundant development of feminist scholarship, which includes both the construction of gender relations and gender-based violence, which are of particular interest to this dissertation.

The purpose of examining multiple concepts of violence is to answer how to approach the problem of defining violence. Reading through definitions proposed by philosophers over the years, I will consider what are the necessary and sufficient aspects that a pragmatic definition of violence should contain. In this dissertation, I aim to formulate a definition of violence that will be useful for conceptualisation from the perspective of gender and violence prevention; specifically, I will take a feminist perspective in discussing this problem. I acknowledge that the context in which the definition is formulated is not necessarily innocent. While I will refer to the context and

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[35] Certain modes of thinking about violence came out of intellectual fashion, and as a result more modern examples would be hard to come by.

aims of various thinkers that influenced the shape of the definition they proposed, I will, for now, avoid the discussion regarding who and for what purpose can develop a definition.

I will start the course of this chapter by discussing the two linguistic roots of defining violence; this will provide a general overview of the state of the research (section 1.2.). Additionally, in the same section, I will also address the distinction between the use of force and coercion and reference definitions of aggression and hostility, which will help me distinguish them from violence. Next, I will address chosen concepts in more depth to understand different aspects of violence. First, I will address the notion of violence as injustice (section 1.3.). I will explain Johan Galung's (section 1.3.1.) and Slavoi Žižek's (section 1.3.2.) concepts of violence, their methodology for arriving at those concepts, and the comparison between the two (section 1.3.2.). Then, I will explore the relationship between power and violence (section 1.4.), first by addressing Pierre Bourdieu's concept of symbolic violence (section 1.4.1.) and then by critical reflection on Hannah Arendt's proposal that puts violence as the antithesis of power (section 1.4.2.). Lastly, I will discuss oppressive, disruptive, and emancipatory aspects of violence in Franz Fanon's *Wretched of the Earth* (section 1.5.).[36] For this discussion, I have chosen authors, who represent different paradigms and approaches, but who, nonetheless, can be understood as being in a certain dialogue with one another. Together those diverse perspectives will provide an intricate and nuanced picture of violence and help me develop an approach to defining violence.

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[36] I chose to include a post-colonial perspective because I believe it would be illuminating not only to understand the concept of violence in the global context but also what is happening in Poland as well. In particular, the role of violence in the process of group emancipation discussed by Fanon could be employed to understand historical narratives about violence in Poland. Engaging in a violent struggle for independence is foundational for Polish self-understanding of national identity, and it is an important subject in Polish literature and history lessons. There is a debate about whether the historical experiences of European countries such as Poland should be discussed under the rubric of colonialism or a system that had many characteristics of colonialism, it is beyond the scope of my dissertation to decide which is more accurate, but there are no doubts Polish historical experiences in many ways akin to colonisation. It is worth examining Polish experiences through the lens of post-colonial studies. However, concepts developed in post-colonial studies should not be applied uncritically to the Polish context and without deep reflection. Poland has a unique position on the European map, existed as a *de facto* empire ruling over present-day neighbours and has been subjected to periods of subjugation by foreign powers.

1.2. Interrogating the two linguistic roots of 'violence'

Vittorio Bufacchi, a contemporary political philosopher interested in questions of social justice, human rights, and political violence,[37] maps different concepts of violence that can be distinguished in the twentieth and early twenty-first-century philosophical analysis[38] and notes that most authors attempting to define violence combine the idea of physical force with the concept of violation (Bufacchi 2005). The word 'violence' is derived from the Latin *violentia*, meaning 'vehemence', a passionate and uncontrolled force. This meaning, however, often merges with another word having its root in 'violation', which comes from the Latin *violo*, *violare*, and meaning 'infringement', and in fact represents a whole array of meanings including 'to force', 'to injure', 'to dishonour', which is connected to usual results of excessive usage of force (Steger 2003, 12; Bufacchi 2005,194). Bufacchi claims that the two linguistic roots correspond to the two main ways of defining violence. The author observes that most referenced definitions mix elements stemming from both roots to some extent, albeit in some cases, maintain either the excessive usage of force or violation as the core defining element. Moreover, definitions that focus on the force as the pivotal defining element are narrow and minimalist, while ones focused on violation are more comprehensive, but they risk becoming too wide (Bufacchi 2007, 23)[39].

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[37] Bufacchi authored and co-authored multiple papers on the subject of violence, including *Two Concepts of Violence* (2005), *Violence and Social Justice* (2007), *Knowing Violence: Testimony, Trust and Truth* (2013) and *Three Questions about Violence* (2022). Bufacchi is also the editor of *Violence: a Philosophical Anthology* (2009) and *Rethinking Violence* (2011).

[38] Due to historical circumstances, there were spikes in the research interest in the scholarship on violence in the 1960'and 70' as well as early 2000', as a result of the decolonisation process and social unrest as well as post 9/11 anxiety and American aggression on the Middle East.

[39] This is, of course, not the only classification present in the scholarship on violence. For instance, C. A. J Coady, an Australian philosopher renowned for research in epistemology, political and applied philosophy, including issues related to political violence, identified three types of definitions of violence: restricted, wide and legitimist (Coady 1986, 4; Coady 2008, 22; Wyckoff 2013, 338). Restricted definitions generally include the usage of force in the interpersonal context as the necessary condition, while broad definitions propose the presence of harm or injustice alone as a sufficient condition. Legitimist definitions include an additional factor beyond the presence of force and harm, namely the absence of legality or legitimacy of employed force (Coady 2008, 23). There is a trend, particularly among English-speaking academics, to exclude harmful acts of force, which have been legally undertaken by the representatives of legitimized institutions, from the definition of violence. I will discuss the question of the legitimacy of violence in subsequent sections of this chapter (2.2, 2.5, 2.6, 3.3).

Another example is Sherry Hambly*, who discusses four common approaches towards definitions of violence in scientific research: the exemplar approach (e.g., criminal law often that this approach), the social psychology approach (e.g. DeWall et al. 2011), the public health approach (e.g. definitions employed by such organisations as WHO), and the animal research approach (e.g. Natarajan & Caramaschi 2010). Hambly addresses the strengths and weaknesses of those approaches (see Hambly 2017, 168-170).

An example of a narrow definition comes from John Dewey.[40] Dewey defines violence as an act of force[41] that becomes unchecked, wasteful and potentially destructive, thus becoming an act of violence (Dewey 1916, 361). Here violence is defined as excessive usage of physical force (with the destructive results merely being a very likely product of this force).

> Energy becomes violence when it defeats or frustrates purpose instead of executing or realizing it. When the dynamite charge blows up human beings instead of rocks, when its outcome is waste instead of production, destruction instead of construction, we call it not energy or power but violence. Coercive force occupies, we may fairly say, a middle place between power as energy and power as violence. To turn to the right as an incident of locomotion is a case of power: of means deployed on behalf of an end. To run amuck in the street is a case of violence. To use energy to make a man observe the rule of the road is a case of coercive force. Immediately, or with respect to his activities, it is a case of violence; indirectly, when it is exercised to assure the means which are needed for the successful realization of ends, it is a case of constructive use of power. Constraint or coercion, in other words, is an incident of a situation under certain conditions – namely, where the means for the realization of an end are not naturally at hand, so that energy has to be spent in order to make some power into a means for the end in hand. (Dewey 1916, 361-362)

In the paper above, Dewey discusses the relationship between force or power[42] and violence and the difference between violence and coercive force. Force or power should be understood here as an exercise of physical energy in the social context. The distinction between force and violence is that force can be used orderly and efficiently in accomplishing goals, while violence is more crude, unorderly and inefficient, essentially uncontrolled (or poorly controlled) exercise of energy. Violence for Dewey is thus a subcategory of force, characterised by the unnecessary excess of the energy used. Moreover, the inefficient and unorderly character makes violence immoral (Dewey 1916, 364-365). Excessive force can likely produce an outcome in the form of destruction. Still, the presence of destruction is not a necessary condition for defining

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Sherry Hambly is a clinical psychologist working on the problem of violence, including frontline crisis intervention and treatment, and grassroots organizations. Her decades-long research fruited in over 150 publications, including books *The Web of Violence: Exploring Connections among Different Forms of Interpersonal Violence and Abuse* (2013) with John Grych, *Battered Women's Protective Strategies: Stronger Than You Know* (2014) and *Strengths-based Prevention: Reducing Violence & Other Public Health Problems* (2022) with Victoria Banyard. She is also the founding editor of the journal *Psychology of Violence*.

[40] Dewey was a well-known American philosopher, psychologist and proponent of pedagogical reforms. The scholars later in the twentieth century (Garver 1968, Betz 1977) responded to the concept of violence he introduced in the quoted paper (Dewey 1916).

[41] Dewey seems not to distinguish between power, energy and violence in the quoted papers (1916).

[42] The distinction between force and power does not seem to have meaningful consequences for Dewey's definition of violence in the referenced paper.

violence in the referenced paper, as it can be seen in one of the given examples of violence: "running amuck on the street" (Dewey 1916, 361-362)[43].

As seen above, Dewey also proposes the distinctions between violence and coercive force (or coercion) and between violence and force in general. He provides insight into the problem in the referenced paper, which can be understood in the following way: coercion happens in the conflict when the two sides, A and B, have different aims that cannot be realised simultaneously to achieve productive results. A has to use force in order to make B abandon their original aim and follow A's goal instead. For example, the aim of adult (A) is to make sure that a child (B) is safe and uninjured. Child B runs towards the street while playing.[44] In this case, adult (A) uses coercive force to restrain the child (B), so the child (B) does not run into the street[45]. However, if (A) uses more force than necessary against (B), then it becomes a case of violence. In other words, if force produces more waste or damage than can be justified by the aim the force is used for, then it becomes (coercive) violence. Dewey's definition of coercive force is clear and can be applied both to the non-violent and violent examples of coercion; therefore, it is also adequately wide. However, his distinction between non-violent coercion and coercive violence is insufficiently justified. [46]

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[43] It is important to note that destruction should not be equated with violation (although Dewey does not discuss this distinction at all). Expanding on Dewey's example, a car running amuck on the street can hit and destroy a lamp post or other inanimate object or a person's body. Damaging someone's body may be a case of violation, but damaging a lamp post is doubtfully so. The car running amuck on the street breaks the law (if the law can be considered here as a subject of violation), but does not destroy anything until it hits something. Still, the car could also accidentally skid and destroy the lamp post without the driver violating the law. Destruction and violation are overlapping categories but not entirely synonymous.

[44] Example is mine. Dewey (1916) uses similar examples of making a man observe the laws of traffic. Of course, not all instances of coercion are so benign. I aimed to provide an example of coercion that does not constitute violence.

[45] One should wonder who decides what aims are productive. The excess of force can only be defined in relation to the reasonable force necessary to accomplish the goal. If the goal is productive (e.g. keeping the child safe), then the appropriate amount of force to meet that goal is also productive (and not violent). But the aims in themselves, especially if they conflict with someone else's aims, have to be productive as well or at least non-destructive. So, who and under what criteria decides that?

[46] Dewey also explains the relation between coercive force and law in the same paper. "Law is a statement of the conditions of the organization of energies which, when unorganized, conflict and result in violence- that is, destruction or waste. We cannot substitute reason for force, but force becomes rational when it is an organized factor in an activity instead of operating in an isolated way or on its own hook." (Dewey 1916, 362).
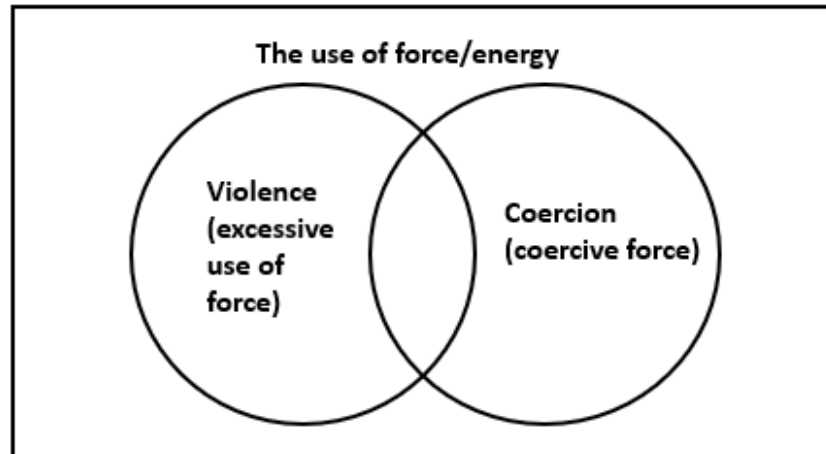
Figure I: relation between the use of force, coercion and violence drawn from Dewey's 1916 paper

Instead of concentrating the definition of violence on the use of force, contemporary thinkers stress harm or violation as a necessary condition in the definition of violence. If the force is still included in the definition, the emphasis is on its effect, not on the use of force itself, no matter if the force is excessive or not. For instance, Manfred B. Steger[47] defines violence in the following way:

> As humans, we engage in violence when we use force to injure or dishonour somebody purposefully. This element of intention implies that, in addition to obvious physical aspect, violence also contains psychological dimension. (Steger 2003, 12)

Here the use of force is still present in the definition, however, other authors go even further and discard the usage of force as the necessary condition altogether. For example:

> An act of violence occurs when injury or suffering is inflicted upon a person or persons by an agent who knows (or ought reasonably to have known), that his actions would result in the harm in question (Harris 1980, 19).[48]

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[47] Steger is a contemporary political thinker, particularly interested in globalization, peacebuilding and nonviolence. His works include *Peacebuilding and nonviolence: Gandhi's perspective on power* (2001), *Judging nonviolence: The dispute between realists and idealists* (2003), and *Globalization: A very short introduction* (2017).

[48] Compare propositions from the field of psychology: "We define violence as any aggressive act that has as its goal extreme physical harm, such as injury or death" (DeWall et al. 2011, 246); or "Central to the definition of violence is the act of causing physical harm" (Motz 2016, 1). The concepts of violence in psychology can be characterized as narrow; as a result, their propositions only cover some types of violence (direct interpersonal) and do not grasp other types of violence at all. Psychologists are more concerned with the causes of personal violence, so the definitions proposed by them also emphasize the causes of violence. Multiple authors defined violence as a response to distressing mental experiences, attempts to eliminate painful psychic experiences (Perelberg 1999, 5), that can be linked to the failure of developing symbolic thought (Motz 2016,117). Impeded articulateness and emotional self-awareness force a body to rely on violent acts for communication. The underdeveloped capacity to think of mental states may result in transporting thoughts, beliefs and desires into the physical domain and managing

Considering only the usage of force and the presence of violation (as a result of human doing) as relevant factors, the three following positions can be distinguished in the discussion around defining violence. (1) The usage of excessive physical force is the only necessary condition for defining violence, thus the presence of harm is not such a condition; (2) the presence of violation is a necessary and sufficient condition, regardless of the presence of excessive force, for the definition of violence; (3) the use of force and the presence of violation are both necessary conditions for defining violence.[49] Positions (1) and (3) represent narrow concepts of violence, while position (2) can usually be characterised as a wide one.

Taking up either of those positions begs further questions, namely: (a) what is the character of the involved force (regarding positions (1) and (3)); and (b) what kind of violation (harm) is relevant (regarding the positions (2) and (3))?

(a) Considering the presence of force, I see the following two issues. First is the issue of the amount of force used: does the force need to be excessive (position (1)) or merely sufficient to produce some kind of harm (position (3))? For example, injecting someone with a harmful drug or spraying them with a reactive substance such as pepper spray does not require much force but can produce serious bodily harm (comp. Cawston 2015). In this case, excessive force would not be required. The justified use of force that produces relatively minor harm in order to directly prevent major harm should be excluded from this consideration. For example, pushing someone from the path of a speeding car or breaking an arm or leg of a person who is trapped under some rubble in a burning in order to free them and save their life (comp. Thomson 2011, 439). This type of action is essential to reduce harm. Those examples are straightforward and easy as nonviolence. But in more complicated cases deciding what harms are essential and non-essential may be more difficult. Whether or not it is necessary to exert physical force on someone or cause them physical harm is highly dependent on context. If the use of force and causing harm can be justified to exclude it from the definition of violence, then neither the presence nor the absence of the use of physical force nor the presence or absence of physical harm is indicative of violence.

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them as the body functions and processes (Fonagy and Target 1999, 53). Especially severe psychological pain resulting from losing self-respect may spur violence (Gilligan 200: 1159).
[49] The examples of position 1): Dewey (1916); 2): Galtung (1969), Garver (1968), Harris (1980), 3): Audi (1971), Honderich (2002), Coady (2008), Steger (2013).

Second, is the quality of the employed force: is using the physical force necessary to speak of violence, or can the force be different in character? For instance, is a symbolic force of words or gestures that produces psychological harm a sufficient condition (comp. Audi 1971; Steger 2003)? From the feminist perspective, it is evident that the definition of violence should not be limited to physical force; the violence women can be subjected to does not always include the use of physical force.

(b) The dominant trend regarding the definition of violence in contemporary philosophical thought is considering the presence of violation as either the only necessary condition or the most important among the necessary conditions (Bufacchi 2005, 196). It is especially important to consider the character of violation (harm) constituting the necessary condition for distinguishing violence. It is crucial to ask what kind of violation constitutes violence ('harm', 'damage' or 'infringement' are often used synonymously for violation).[50] The main concern here is the subject of violation (harm, infringement, damages).[51] The answer to this allows us to further distinguish between different propositions of the definition of violence (Bufacchi 2005, 196). The proponents of narrow definitions single out the harm or violation of a person's body or psyche (Harris 1980, 19; Steger 2003, 12), but some also include inanimate objects (Honderich 2002, 91).[52]

However, the thinkers who argue in favour of wide concepts of violence particularly concentrate on the violation of rights. This only begs a further question of what kind of rights have to be violated to qualify the infringement of those rights as violence. An advocate of this line of thinking, Newton Garver,[53] explains that violence infringes upon two kinds of rights: the right to the body (bodily integrity) or the dignity of the person (Garver 1968; Bufacchi 2005, 196). Meanwhile, according to Robert

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[50] Those terms overlap considerably but may vary depending on the context in which they are used. In order to not impossibly bloat this chapter, they can indeed be treated as approximate synonyms in the context of classifying definitions. However, the notion that harms equal violation can be contested and making it a tacit assumption has consequences for the adequacy of the definition (Cowston 2015, 221).

[51] Bufacchi proposes violation of integrity as essential for defining violence (2022).

[52] Some authors want to include the violation of social norms in defining violence as a necessary condition. This idea can, however, be easily discarded, since social norms not only differ depending on time and place, but they are also imperfect and sometimes unfair and can even legitimise certain kinds of violence (Hambly 2017; 176).

[53] Garver was American philosopher and peace activist. He is most known for his works on Wittgenstein, but he also wrote about nonviolence, pacifism and social justice, which include *Philosophy and Pacifism* (1967), *What Violence Is* (1968), *Pugnacity and Pacifism* (1991).

Nozick,[54] the relevant rights are the rights to act freely. Because individuals are entitled to act freely, anything more than the bare minimum of limiting or forcing individuals to certain actions is unjustified and consists of a violation (Nozick 1974, ix).

Finally, the rights in question can be taken as broadly understood human rights, shorthanded as rights to fulfil basic human needs. An example of a definition of violence that takes this approach, looks in the following way:

> any avoidable action that constitutes a violation of a human right, in its widest meaning, or which prevents the fulfilment of a basic human need (Salmi 1993, 17).

The second question about violation as a defining condition for violence is the extent of harm (damage or infringement) that must occur to constitute a violation. Does any, even the most minor harm, constitute a violation in the relevant aspect, if the relevant aspect is understood only as the integrity of a person's physical body or even the integrity of a person's body and mental well-being? Does it constitute violence, or is there some threshold at which violence starts? If so, at what degree of harm violence starts?[55] On the other hand, taking the perspective of rights would make it possible to avoid the question of the extent of harm.

There are further problems to consider. Taking the usage of force and/or violation, the only necessary conditions proposed for defining violence are too much of

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[54] Nozick was an American political philosopher and a renowned libertarian thinker, author of such books as *Anarchy, State, and Utopia* (1974) and *Philosophical Explanations* (1981).

[55] Let me consider a more straightforward case of infringement of a person's body. Compare two imagined but realistic examples. 1) A person, who attended a mass gathering, for instance, a rock concert or sports game, has sustained some minor injuries due to people bumping into them in a crowded space, which can be understood as others unintentionally harming their body. 2) Second, a person, who attended a mass gathering, had been trampled by the crowd, seriously injured, or even accidentally killed.

Those examples share several similarities. Neither of these two examples differs in other aspects, such as intentionality (both occurred as unintended accidents) or necessity (neither person needed to attend the gathering where the harm had occurred, in other words going to the gathering was nonessential). So neither of those aspects, sometimes included in the definitions of violence, would allow for distinguishing between them. However, the severity of the harm changes its perception. Intuitively, I would not consider the first example of minor accidental bodily harm as an example of a violation. However, the grievous bodily harm, even sustained in similar circumstances, appears different. My intuition may be wrong, but I believe the degree and the context of harm are also relevant.

The extent of harm becomes even more complicated when non-physical forms of harm are considered. For example, does saying something hurtful to someone only once constitute meaningful harm? It is hard to assess the psychological harm inflicted by a single statement. Not all interpersonal interactions can be positive, people often have negative experiences with each other and they sometimes need to be able to express negative feelings about other people or their behaviour. To automatically consider every critical statement towards others as an expression of violence simply because it can be experienced as hurtful by the addressee would make interpersonal interactions extremely difficult. Moreover, no one can always be expected to communicate everything they have in mind perfectly. For that reason, I believe not all forms of psychological harm should be automatically classified as violations, and therefore a more context-sensitive definition should be required.

a simplification. As evidenced by quoted examples, some authors propose additional necessary conditions for the definition of violence, namely, the intentional character of the harm (Steger 2003, 13), the awareness of harmful results (Harris 1980, 19), or the element of choice and moral responsibility (Bäck 2004, 224-225). The intention to harm defines hostility, distinct from mere aggression, which can be limited to forcefulness[56] (Stoller 1975, 4; Motz 2016, 17).[57] There is no controversy about classifying hostile behaviours as violence, however, hostile behaviour does not exhaust violence. Parental violence against children may be done without the intent to harm children. Instead, it may be seen as fulfilling a pedagogical function with the goal of the good of the children. Another example; some acts of sexual violence may not include intention or even awareness of the possible harm towards the victims.[58] The perpetrator may be motivated by a desire for control, to show sexual prowess or even a simple desire for pleasure. They may simply be unaware that their actions harm the victim (Hambly 2017, 175). It is a problem when the intention of harm is included because violence remains unacknowledged when the perpetrator has been deemed unaware of the harm their action would have caused (comp. Płatek 2017, 8). Intentionality may also be understood as having the intention to act purposefully, as opposed to an accident.[59] Intentionality, understood as purposeful action rather than intention for a certain kind of harmful outcome, is a better indicator of violence and a better condition that should be

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[56] For example, shouting is an aggressive act, whatever the purpose of shouting is, e.g., to warn someone of impending danger, express strong emotions or insult someone, but shouting to insult someone is not only aggressive but hostile as well. Insulting someone in a calm voice is not very aggressive, but hostile.

[57] This understanding of the distinction between hostility and aggression is not universal among researchers. For instance, aggression can be understood as "a forceful action, done intentionally by an agent, of a type of action that tends, or intends, to reduce both the freedom or the genetic fitness of those affected by that action" (Bäck 2004, 220). The proponents of the General Aggression Model (GAM) in social psychology, researchers who understand violence as an escalation of inappropriate responses, define aggression as "any behavior intended to harm another person who does not want to be harmed" (DeWall, Anderson, & Bushman 2011, 246). However, the distinction between aggression and hostile behaviour is more useful, because there are many examples of aggression that do not have the underpinning of hostility, for instance, among people who, for some reason, cannot respond in a nonaggressive way to stimuli, such as toddlers, elderly patients with dementia or people with significant cognitive impairments. On the other hand, people who engage in self-defence may act aggressively but without hostile intent (Hambly 2017, 170).

[58] Obviously not all acts of sexual violence can be characterised in this way. Often perpetrators have hostile intentions or at least awareness their actions are harmful.

[59] For example, the intention to perform a specific action, or lack thereof, maybe a difference between accidentally touching another person in a densely crowded space (such as a train or other vehicle of public transportation) and molesting another person (which is a kind of sexual violence). The two are not necessarily distinguishable between body parts that are touching or the duration of the contract, but the context and the intention with which the action occurs. Unfortunately, the perpetrators may exploit this fact for plausible deniability. The perpetrator does not need a hostile intention or even awareness that the act may cause a certain kind of harm to the other person (additionally, this is an example of violence without notable use of force). On the other hand, the perpetrator still shows disregard towards the other person in pursuing their own gratification without considering the other person's wishes or wellbeing.

included in the definition (comp. Hambly 2017),[60] at least as long as the definition is only concerned with direct violence.

There are more propositions for the necessary conditions that should be included in the definition of violence to narrow it down. I already brought one of them up before – the definition of violence should exclude the justified or the essential use of force or the justified harm. However, in this case, the definition should also include the basis for distinguishing between what is and is not justified or essential.[61] Another possible condition to consider is legitimacy (comp. Coady 2008), under the proposition that excludes the "legitimate use of force" from the definition of violence.[62]

Considering the problems with the definitions I analysed above, I may state the following. Taking the presence of force as a necessary condition for violence only seems to obscure the subject further, rather than clarify it. Moreover, employing physical force as a necessary condition leads to a truncated definition of violence unsuitable for modern research. Such a definition would not even be able to adequately capture forms of physical violence directed towards a person's body, particularly women's experiences and various ways violence affects women's lives.[63] For example, such definitions exclude many instances of sexual violence, when the perpetrator does not use direct physical force to overpower the person, but instead uses threats, psychoactive substances, deception, or some psychological manipulation. Moreover, there are categories of phenomena in modern scholarship that are described as violence even though they do not rely on the presence (or even a threat) of physical force at all (see Galtung 1969; 1990; Bourdieu 1998/2001; Žižek 2008). Distinguishing violence by the presence of physical force excludes those phenomena (e.g., structural violence, economic violence, psychological violence) from the definition of violence, which

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[60] I do not include intentionality understood in this way, because I define violence as practice rather than behaviour or act, so it is not necessary to underline intentionality.

[61] Another proposition discussed in the literature is that behaviour or act is only considered as violence if it is either unwanted or unconsented to. However, there is a problem in determining what is or is not wanted (comp. Hambly 2017; Bufacchi 2022.).). Moreover, considering the honeymoon phase in abusive intimate relationships, the behaviours that are desired by the person subjected to violence are an indispensable part of the cycle of violence and should not be separated from the rest of the cycle (see Ch. III). It is important to have a definition that would facilitate grasping positive influence as it is something that often occurs in abusive relationships (comp. Confortini 2006). Because unwantedness and lack of consent are very fuzzy categories, and because there are counterexamples, they are ultimately unsuited to construct a precise definition.

[62] The problem of the legitimacy of violence will be discussed further in section 1.4.2.

[63] The diverse ways in which violence affects women's lives and experiences will be discussed in Chapters III to V with a focus on violence in intimate relationships.

would mean their similarity in the nomenclature is merely accidental. Some propositions try to circumvent that problem by expanding the definition of the force used from literal physical force to metaphorical force of the words, but this seems to defeat the purpose of including the condition of the use of force in the first place.

Moreover, in the scholarship referenced above, violence is often explicitly or implicitly defined as an act, activity or behaviour (Bufacchi 2022, 110-111). This is the perpetrator-centred approach (which may obscure the victim/survivor of violence), which is also skewed for incidentalism that detaches violence from the broader context. Definitions that assume some kind of violation or harm are more promising. However, such definitions still need to specify the kind of harm, and the proponents would need to justify choosing certain kinds of harm as the basis for the definition.

1.3. Violence as injustice

1.3.1. Creating new language to talk about violence – Johan Galtung's concept

Now I would like to look deeper into a concept of violence proposed by Johan Galtung, a Norwegian sociologist and a political thinker, principal founder of peace and conflict studies and the author responsible for coining the term 'structural violence', which he equates with social injustice (Galtung 1969, 167; Ho 2007, 3). The concept of structural violence that originated in peace research has been widely used in fields such as sociology, anthropology, human rights and even clinical medicine (Ho 2007, 3). The definition proposed by Galtung, which can be classified as a wide one (see section 1.2.), exemplifies a comprehensive response to the narrow concepts of violence, presents many aspects of violence with analytical clarity and provides conceptual tools to address less obvious types of violence (see Galtung 1969, 170-171). Importantly, his definition is not derived from the study of linguistic roots or colloquial use of the term.[64]

In his paper "Violence, peace, and peace research" (1969), Galtung strives to comprehensively answer the question of what violence is, proposes key distinctions for

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[64] Essentially, Galtung developed specialised and innovative language for the research field: "In playing a pivotal role in the creation of the academic discipline known as Peace Studies, Galtung deliberately and self-consciously developed a new vocabulary, and thus a new conceptual framework, that carried with it an exciting new vision of what has come to be known as engaged scholarship" (Vorobej 2008, 90-91).

defining violence and clearly draws the connection between violence and injustice. The point of the departure of this connection begins at the relation between violence and peace, namely the assumption that peace is a state in which no violence is present (1969, 167). The statement is further developed as the absence of direct (personal)[65] violence constitutes 'negative peace', while the absence of structural violence constitutes 'positive peace' or social justice (Galtung 1969, 183). The presence of structural violence constitutes social injustice.

VIOLENCE

Personal

(direct)

Structural

(indirect)

(also referred to as «social injustice»)

absence of
personal violence

or

Negative
peace

absence of
structural violence

or

Positive
peace

(also referred to
as «social justice»)
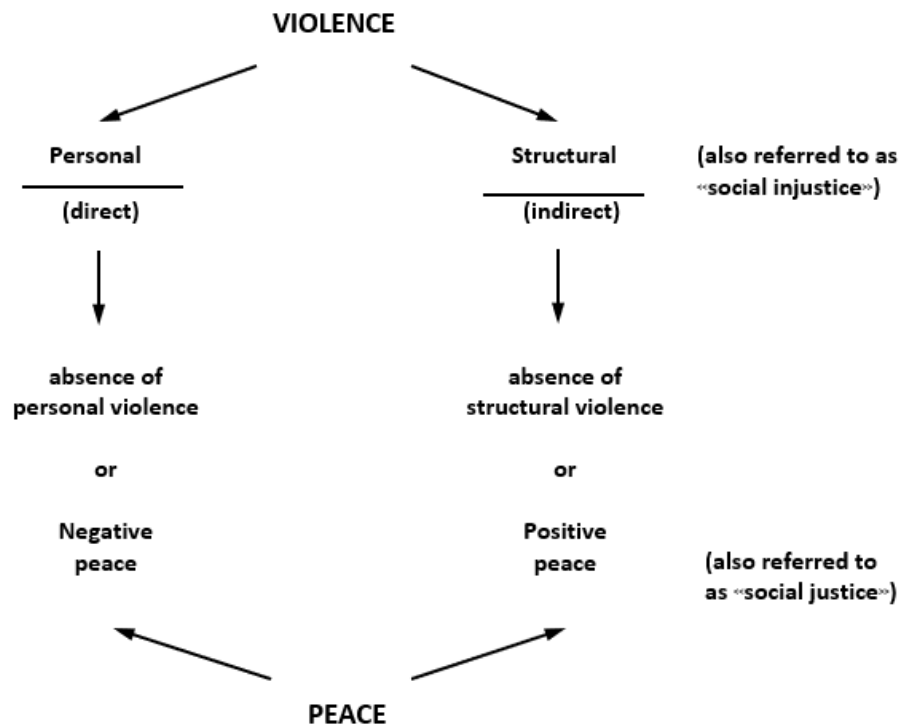
PEACE

Figure II: The extended concept of violence and peace (after Galtung 1969, 183)

The concept of peace is purposefully left without any specific definition (Galtung 1969, 167). Therefore, the concept of peace itself does not give much insight into the character of violence. Instead, defining violence can help us understand what peace is supposed to be. However, exploring the relation between violence and peace is important as it helps to understand the relationship between violence and injustice and the relationship between direct and structural violence.

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[65] Galtung (1969) uses 'direct' and 'personal violence' interchangeably; how he uses the term 'personal' in this context is very counterintuitive, as it includes the mass manifestation of it like the war; in other words, Galtung does not limit personal violence to violence between the singular individuals, it can take the shape of the group violence.

Direct violence is often a manifestation of (and/or reaction to) underlying structural violence (social injustice), however, direct violence does not seem to presuppose structural violence and vice versa. Galtung notes that both forms of violence are logically and empirically independent from each other, at least as long as the wider, older structural context is forgotten (Galtung 1969, 177-178). In other words, even though they are logically and (to a certain degree) empirically independent, they are continuous with one another (Galtung 1969, 182). I interpret it in the following way: the presence of structural violence implies the threat of direct violence, while the presence of direct violence indicates the presence of structural violence, but the introduction of direct violence into previously peaceful conditions can cause result in the development of structural violence (comp. Galtung 1969, 179-180). Therefore, to ensure social justice (positive peace), it is not only necessary to ensure the absence of structural violence, but also that of direct violence. Direct violence is as much of a threat to social justice as structural violence. As I understand it, direct violence can accordingly be called injustice as well.

In addition to exploring the relationship between violence, peace, and justice, Galtung proposes to define violence in the following way:

> violence is present when human beings are being influenced so that their actual somatic and mental realizations are below their potential realizations. (…) Violence is here defined as the cause of the difference between the potential and the actual, between what could have been and what is. Violence is that which increases the distance between the potential and the actual, and that which impedes the decrease of this distance. (Galtung 1969, 168)

And further in the text:

> In other words, when the potential is higher than the actual is by definition avoidable and when it is avoidable, then violence is present. (Galtung 1969, 169)

To put it in simpler words: violence is what causes people to be less well-off, physically (somatically) or psychologically (mentally) than they would otherwise be (comp. Vorobej 2008, 85). If people could be better-off than they actually are, and if the obstacles to them being better-off are avoidable (non-essential), then violence is present[66]. The abstract term "somatic and mental realisations" of human beings can be

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[66] If someone is ill and receives no cure because no cure exists at present, then the harm caused by the illness is unavoidable, but if the treatment exists and the ill person does not receive the cure because they simply cannot afford it, then this is avoidable (compare Galtung 1969, 168).

roughly translated into the fulfilment of human needs and/or human rights.[67] Broadly defined, violence is anything that violates human rights, including all sorts of avoidable obstruction to the fulfilment of individual's basic needs (Galtung 1969, 169; Confortini 2006, 337; Ho 2007, 3). It's worth to note that both structural and direct violence have this effect (Confortini 2006: 337).

Actions taken under pressure of necessity are excluded from Galtung's definition (for example, the use of force in immediate self-defence would not be considered violence). On the other hand, his definition includes even passive occurrences, where avoidable harms are simply a result of existing social and political relations. For example, if the loss of life or impediment to thriving happened as a result of a natural disaster such as drought in the region, but it could be avoided by providing outside help, then such a situation should still be considered violence (Galtung 1969, 168-169; Bufacchi 2005, 196-197).

Galtung's concept of violence stresses violation over the use of force and covers in a very nuanced way who can be the victim and who can be the perpetrator of violence as well as what are the results of violence. The aforementioned distinction between 'direct violence', where the instigator of an act of violence can be traced to an individual or a group of individuals, and the 'structural violence', where there may be no one directly responsible for harms that befallen some person or people is proposed to prevent the broad concept of violence from losing its meaning (comp. Galtung 1969; Bufacchi 2005, 198).

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[67] The following quote from Galtung's later paper corroborates this interpretation: "I see violence as avoidable insults to basic human needs, and more generally to life, lowering the real level of needs satisfaction below what is potentially possible" (Galtung 1990, 292).
There is a caveat here regarding the conception of human right from Galtung himself:
"One expression of what is meant by social justice is found in declarations of human rights, where a number of norms about equality are stated. However, they very often suffer from the deficiency that they are personal more than structural. They refer to what individuals can do or can have, not to who or what decides what they can do or have; they refer to distribution of resources, not to power over the distribution of resources. In other words, human rights as usually conceived of are quite compatible with paternalism whereby power-holders distribute anything but ultimate power over the distributions, so that equalization without any change in the power structure is obtained. It is almost painful to see how few seem to realize that much of the current anti-establishment anti-authority revolt is precisely about this: concessions are not enough, not even equality is enough, it is the way in which decisions about distribution are arrived at and implemented that is basic. But there is little reason to believe that this will not also in due time crystallize into some kind of human right and be added to that list of philosophical and political battlefields" (Galtung 1969, 188).

Strictly speaking, in his 1969 paper, Galtung does not propose a typology for all possible kinds of violence. Instead, he provides six guidelines, six key distinctions regarding defining violence:

(1)   The first distinction is between physical and psychological violence. A most narrow conception of violence applies only to physical violence, while Galtung claims it is also essential to include violence that influences the 'soul' (1969, 169), underlining that the notion of psychological injury or violation is already present in the language.

(2)   Secondly, it is important to distinguish between positive and negative influence, which Galtung understands as the system of rewards and punishments in society (particularly, in the consumerist society) that limits the actions of an individual. It is incredibly manipulative to make an individual dependent on rewards and subjugate them to a particular system of rewards; it can have as much of a stifling impediment on the individual as subjecting them to punishment (ibid. 170).

(3)   The third distinction relates to whether or not there exists an object that suffered harm (here, an object can be a person subjected to harm). It is controversial to discuss violence without tangible harm (to some physical or biological object) (Galtung 1969, 170). However, Galtung claims, a threat of physical or mental violence can also limit human action or the sphere of possible action-taking.

(4)   The fourth distinction regards the presence (or the absence) of the 'subject' (here, 'subject' means the person who acts, the agent). This distinction helps to place a border between personal or direct violence and structural or indirect violence (ibid. 170). A violent action can be easily observed when violence manifests itself with a clear subject-object relation, as it is perceived as dramatic. In contrast, without such a clear subject-object relation, violence is built into a structure and lacks dramatic action, as it can remain invisible. Galtung uses the term social injustice to denote the latter type of violence (Galtung 1969, 171). However, while providing this distinction, he cautions the reader that there are no clear cases of personal and structural violence; instead, one is intertwined with the other (Galtung 1969, 177). The difference between structural and personal violence can be illustrated with the following quote:

> Thus, when one husband beats his wife there is a clear case of personal violence, but when one million husbands keep one million wives in ignorance there is structural violence (ibid. 171).

Structural violence shows specific stability over time, while direct violence displaces significant fluctuations (Galtung 1969, 173). Structural and personal violence are logically empirically independent, as none necessarily presupposes the other (ibid. 178). However, their pure cases are only observed if the broader context (pre-history of the case) is absent from the analysis, making them deeply entangled. The state of societal relations is devoid of structural violence Galtung calls 'social justice' (ibid. 1969, 183).

(5)   Fifth distinction is made between intended and unintended violence. Galtung notes that the current definition of violence lies on the side of consequences, while the question of culpability and guilt lies on the side of intentions and thus does not capture structural violence (Galtung 1969, 171-172).

(6)   Lastly, the distinction between manifested and latent violence is made (Galtung 1969, 172). Manifested violence is defined by the fact that it can be directly or indirectly observed. Latent violence does not seem to be present, however, it can easily and likely come into the horizon of observation.
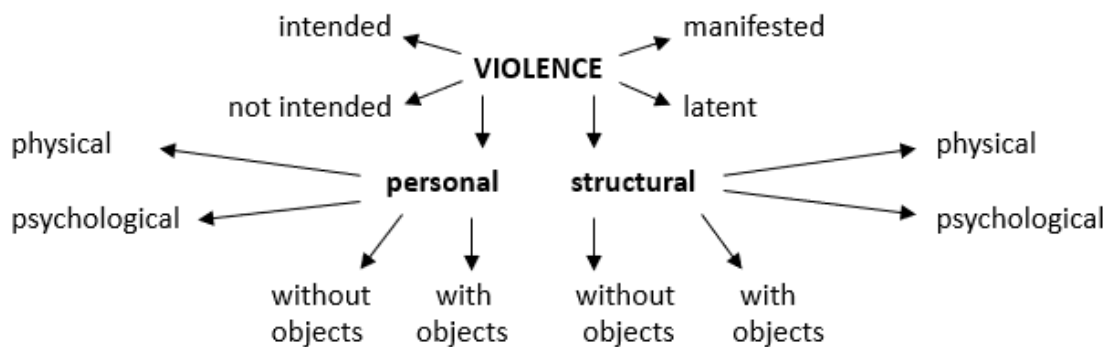
Figure III: A typology of violence (after Galtung 1969, 173)

In the later research, Galtung introduces the idea of cultural violence, which he defines in the following way:

> By 'cultural violence' we mean those aspects of culture, the symbolic sphere of our existence -exemplified by religion and ideology, language and art, empirical science and formal science (logic, mathematics) – that can be used to justify or legitimize direct or structural violence (Galtung 1990, 291).

The opposite of cultural violence, Galtung claims, is cultural peace, which means the aspects of culture that fulfil the purpose of justifying and legitimising direct and structural peace (Galtung 1990, 291). The primary function of cultural violence is to change the perception of direct and structural violence. As a result, the violent acts that would be otherwise judged as wrong, are deemed right or at least acceptable (Galtung

1990, 291-292). For example, killing is wrong until it is presented as killing in service of an idea like a nation-state, and then killing becomes patriotic and heroic (Galtung 1990, 292). Another way cultural violence operates is by making violence either completely invisible or lesser than it actually is (Galtung 1990, 292), for example, by using euphemisms (1990, 293). In the same paper, Galtung indicates the main research issues of violence studies, namely, "the use of violence and the legitimation of that use" (Galtung 1990, 291). According to Galtung, they actually mirror the chief problems of political science, that is, the use of power and the legitimation of the use of power (Galtung 1990, 291). The concept of cultural violence is an answer to the need to explain the legitimation of the use of violence[68].

Furthermore, Galtung categorises direct, structural, and cultural violence as supertypes of violence (1990, 294). Introducing cultural violence completes Galtung's concept of violence, and enables him to grasp phenomena in the symbolic sphere of human existence. The relations between the super types explain the working of violence by formulating the image of a vicious violence triangle. Each corner is simultaneously influenced by the two others and, in turn, influences both.

Cultural violence

Direct violence   **Structural violence**
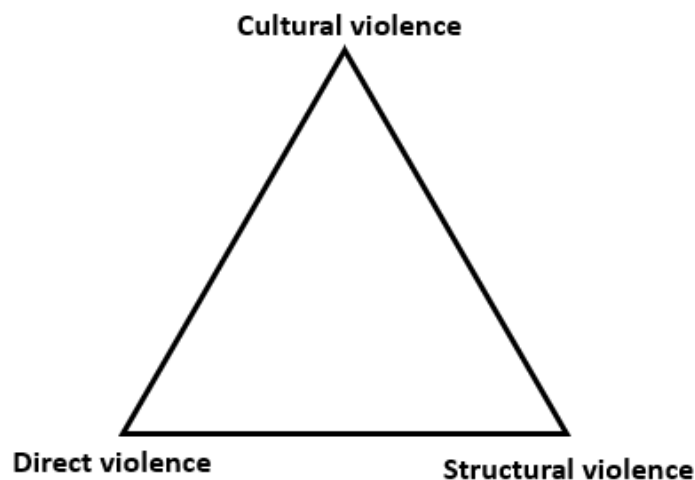
Figure IV: Galtung's triangle of violence - graphic interpretation of the passage. This triangle can be flipped around into six different positions, three pointing upwards and three downwards, to produce different images helpful in the visualising relationship between the three supertypes of violence (1990, 294).

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[68] Galtung's proposition of cultural violence is profound but flawed. On the one hand, Galtung underlines that there are aspects of culture that can be described as violent (not entire cultures (1990, 291)). On the other hand, however, anything in the symbolic sphere can be, at least virtually, used to justify violence (an example given is black and white thinking that is fostered by math and logic, which supposedly influences black and white thinking about human relations and help justify violence, see Galtung 1990, 301). The author only discusses how each of his examples of cultural aspects can constitute violence, so he provides no way of distinguishing violent aspects of culture from non-violent ones.

Galtung's proposition is widely influential but has been contested as well. His definition and the use of the term "structural violence" were criticized as too broad by the commentators, for example Giuliano Pontara[69] (1978, 19). According to Pontara, Galtung's definition is too broad and, therefore, unclear. This lack of clarity prevents designing the countermeasure for violence and other phenomena it supposes to capture (Pontara 1978, 20). For that reason, it would be more prudent to make a clear distinction between violence and social justice and to use separate labels for phenomena belonging to both categories (Pontara 1978, 19)[70]. A similar line has been presented by Cecil Anthony John Coady, who claims that a wide definition of violence will lead to an inadequate understanding of the various problems that are grasped under the common label of violence as homogenous and that will lead to inadequate remedies, attempt to solve those problems with "one fits all" approach (Coady 2008, 34). However, a counterpoint should also be considered here: we have many methods of countering or preventing various forms of violence, which are limited in their effectiveness partially due to the lack of understanding of how those problems and solutions interconnect.

Some arguments against Galtung require further critical discussion. Manfred B. Steger criticized Galtung's definition for deemphasizing the supposedly pivotal aspect of personal intention (Steger 2003, 13). However, a closer investigation of Steger's argument reveals that his reasoning is faulty. The author wanted to exclude specific types of action taken in the context of public and political struggle from the definition of violence that he decided do not constitute violence, before developing the definition of violence. For that reason, he included the condition of intentionality in the definition to suit those pre-set assumptions.[71] Steger defines violence in contrast to nonviolence, conceived as positive action[72] in a public political struggle (Steger 2003). For that reason, some actions are classified as non-violent before the definition of violence is coined. Therefore, his definition of violence must exclude the examples of nonviolence, even when nonviolent action produces harms: for example, a peaceful strike can have

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[69] Pontara is an Italian philosopher. He has published works on various subjects, including practical and theoretical ethics, metaethics and political philosophy and, particularly, peace research and systemic study of Mahatma Gandhi's ethic-political thought. His publications include *The rejection of violence in Gandhian ethics of conflict resolution* (1965), *The concept of violence* (1978), *L'antibarbarie: la concezione etico-politica di Gandhi e il XXI secolo* (ang. The anti-barbarism: Gandhi's ethical-political conception and the 21st century, 2019).

[70] According to Pontara the label of violence should only be applicable to the forms of struggle (Pontara 1978, 20).

[71] The definition in its conception was only supposed to be applicable to the scope of Steger's work (Steger 2003, 13).

[72] In the sense that inaction does not constitute nonviolence (Steger 2003, 13).

some harmful unintended consequences. Steger argues that even though a strike can produce harmful effects, it should be seen as nonviolent. The problem is, as established in the previous section (1.2.); it is a mistake to include the intention to harm as a necessary condition in the definition of violence. The counterexample that can be considered here is a great corporation's political inaction in the face of crisis resulting in unintended harmful consequences to the population. Both are pretty clear examples of structural violence that do not differ from the case of strikers with respect to the absence of intentions to harm. Instead, the distinction lies elsewhere. A strike is a type of political action that is a response to some unjust conditions aimed to redress those unjust conditions. If the workers do not start the strike, the injustice and the consequent perpetuation of harm will continue. In other words, the strikers take essential actions to counter structural violence. A strike may be necessary in the same way surgery may be necessary and, by the same token, does not meet the definition of violence. The onus of the blame for the unintended harmful consequences of the strike does not lay on the strikers but on the pre-existing injustice. The same cannot be said about great corporations seeking profits or inept politicians.

Galtung's concept can be criticized from a feminist standpoint as well. Catia C. Confortini[73] points out multiple shortcomings. Even though the concept of violence, which Galtung proposed, undoubtedly covers many aspects important to feminists (Conforting 2006; Dodi 2018). Nevertheless, Galtung fails to seriously conceive gender as a social construct embodying hierarchical relations of power (Confortini 2006, 333-334) and to notice the deeply gendered construction of violence (Confortini 2006, 335-336). According to Confortini, the concept presented by Galtung could be improved by including gender as a crucial category for understanding the origins of violence (Confortini 2006, 341), but also by the inclusion of the role of the language in the creation of reality underlined by many feminists (Confortini 2006, 336). Confortini praises Galtung for including positive influence in his definition, as it is something that often occurs in abusive intimate relationships (Confortini 2006, 337) and for acknowledging that threat of violence, even unspoken, *de facto* constitutes violence (Confortini 2006, 337); by recognizing latent violence (Galtung 1969, 172). On the other hand, she argues that maintaining a rigid dichotomy between direct and structural

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[73] Confortini is a feminist peace researcher, the author of *Intelligent Compassion: Feminist Critical Methodology in the Women's International League for Peace and Freedom* (2012) and the co-editor of the *Routledge handbook of feminist peace research* (2021).

violence can mystify the deeper relationship between some forms of direct violence, such as murder, and structural violence (Confortini 2006, 338). Moreover, the notion of structure expressed in the concept of structural violence invokes the image of fixed and unchanging construction (Confortini 2006, 341), therefore she proposes that violence should be seen as a process instead of a system or a structure[74]:

> Conceptualizing violence as a process allows us both to understand the complexities and contestations behind violence as a social practice and to envision possibilities of change. (Confortini 2006, 341)

In other words, Confortini claims that Galtung makes it seem like structural violence is something that exists independently of everyday practice in the sense that what humans do has no bearing on the structure. Meanwhile, structural violence is actually sustained by what humans do. In order to conceive change, violence needs to be seen as a dynamic and malleable product of human practice (Confortini 2006, 341).

For the most part, I support Confortini's critique, as it is important for the subject matter of this dissertation. The rigidity of the structuralist approach makes it ill-suited for theorizing social transformation. I think Confortini locates the problem of the involvement of individual humans in violence much better than Steger. Namely, the individuals are the ones who act to reproduce not only direct, but also structural and cultural violence, and therefore bear (some) responsibility for violence and resulting harms,[75] However, that does not mean the individuals always have to have hostile intentions (intentions to harm), as Steger insists (Steger 2003, 13).

To sum up, Galtung presented a sophisticated concept of violence and the language that is very helpful for understanding and articulating differences between guises of violence. Furthermore, the lecture of Galtung's 1969 paper helps to grasp the harm of violence as the limitation to the potential realisations of human beings that go beyond immediate injuries. On the other hand, the relationship between violence and injustice lacks a sufficient and clear distinction. According to Galtung, social injustice is the same as structural violence (Galtung 1969, 183). That supposedly makes social injustice a subcategory of violence. But the relation is unclear, given the vicious nature

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[74] This is not quite a contradiction to Galtung's position, who notes that structural violence is a process (Galtung 1990, 294), but changing emphasis transforms the understanding of the nature of violence from static to dynamic. Moreover, Galtung claims in the same place that the character of structural violence distinguishes it from direct violence conceived as an event and cultural violence, conceived as invariant (Galtung 1990, 294).

[75] It is necessary to stress that responsibility is not the same as guilt.

of the violence triangle, where the two other supertypes of violence inevitably produce injustice as well (Galtung 1990, 294). Understood in this way, injustice seems to result from violence rather than a type of it. Moreover, the definition given to violence by Galtung, namely that of avoidable occurrences that produce limiting influence on some 'realizations' of human beings (Galtung 1969, 168), can be easily taken as a definition of injustice, which does not make the distinction between those concepts any clearer.[76] The distinction between violence and injustice, to be useful for scholarship, needs to amount to more than just the language flourish.

1.3.2. Subjective and objective violence – Comparison between Johan Galtung's and Slavoj Žižek's propositions

In this section, I will discuss briefly the concept of violence presented by Slavoj Žižek,[77] an author whose concept of violence is similar to Galtung's in many ways, but who also offers different insights into the problem of violence, and who, in contrast to Galtung does not consider violence a universal 'evil' or universal 'wrong'. Moreover, I will compare Žižek's proposition to Galtung's, which is explained in the previous section. Žižek, like Galtung, distinguishes between three types of violence, which in his proposition are divided into one subjective and two objective types. Symbolic violence, the first type of objective violence, is explained in the following way:

> [symbolic] violence is not only at work in the obvious-and extensively studied-cases of incitement and of the relations of social domination reproduced in our habitual speech forms; there is a more fundamental form of violence still that pertains to language as such, to its imposition of a certain universe of meaning (Žižek 2008, 1-2).

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[76] Comp.: "If violence is violating a person or a person's rights, then every social wrong is a violent one, every crime against another a violent crime, every sin against one's neighbour an act of violence" (Betz 1997, 341). I did not include this quote earlier, because it is not a response towards Galtung, but to Garver (1968), however, it is appropriate as both Galtung's and Garver's proposition present a similar problem in this aspect.

[77] Žižek is a Slovenian philosopher, sociologist, eulogist of Marxism, and an influential thinker well-known outside academia – he is a kind of celebrity relatively well-known in popular culture for his provocative and controversial views. Žižek's work covers a vast array of subjects, including subjectivity, ideology, religion and communism. He has published dozens of books and papers, including *The Sublime Object of Ideology* (1989), *Violence: Six Sideways Reflections* (2008) and *Less than nothing: Hegel and the shadow of dialectical materialism* (2012). Žižek's philosophy is the subject of the *International Journal of Žižek Studies*.

Inferring from the quote above, symbolic violence covers three distinct forms of violence that operate on the level of language: 1) direct calls for violence[78], 2) phases that reproduce relations of social domination, 3) creation of an inescapable for the user of the language universe of meaning (Žižek 2008, 1-2). That unconsciously assumed universe of meaning makes it incredibly difficult, if not impossible, for language users to think about certain phenomena as violence.[79] Language here is defined as an instrument which forces on its users a determined universe of meaning and value. Language is indispensably violent in character. Moreover, language is *de facto* a medium enabling violence, as I ascertain from the following passage:

> When we perceive something as an act of violence, we measure it by a presupposed standard of what the "normal" non-violent situation is – and the highest form of violence is the imposition of this standard with reference to which some events appear as "violent." This is why language itself, the very medium of non-violence, of mutual recognition, involves unconditional violence (Žižek 2016, 1-2).

The symbolic (social) violence in the purest form seems to be its own antithesis as it goes under the horizon of what is commonly perceived to be violence. Symbolic violence comes into existence when it is no longer recognized as violence. In this aspect, Žižek notes, violence is akin to ideology[80] (Žižek 2008, 36), therefore:

> […] when we perceive something as an act of violence, we measure it by a presupposed standard of what the "normal" non-violent situation is-and the highest form of violence is the imposition of this standard with reference to which some events appear as "violent." (Žižek 2008, 64)

In other words, the standard against which the perceived violence is defined is itself violent. However, this standard is so pervasive that it avoids being perceived as violent. Thus, it is imposed by the universe of meaning and value adopted together with a language.

The other type of objective violence is systemic violence, described by Žižek as "the often catastrophic consequences of the smooth functioning of our economic and political systems" (Žižek 2008, 2). This concise description stands for such phenomena

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[78] In such cases, I think, symbolic violence overlaps with subjective violence in a very obvious way (see: Žižek 2008: 10). The three categories of violence: subjective, symbolic and systemic are not mutually exclusive.

[79] I assume that, according to Žižek, the very attempt to define violence is a manifestation of violence itself.

[80] Ideology in its purest and most potent form appears when certain aspects of social life cease to be seen as ideologically loaded and start to appear as neutral. Only the forms that stand out from others and appear as extreme in comparison are seen as ideological (Žižek 2008, 36).

as hunger (Žižek 2008, 20), poverty (Žižek 2008, 38), ecological degradation (Žižek 2008, 13), exploitation of employees (Žižek 2008, 22) that result from operations of large corporations and nation-states. In other words, the celebrated successes of billionaires or even the prosperity among well-off people in high-income countries are just the different sides of the same violence that produces terrible suffering for the impoverished part of the human population. Moreover, it is structural violence that creates conditions for subjective violence (Žižek 2008, 37; Supachalasai 2016, 8). In other words, subjective violence is the visible manifestation of invisible systemic violence.

Žižek takes the exemplar approach to define subjective violence by enumeration of examples, which includes: rape (Žižek 2008, 4), murder, terror (Žižek 2008, 10), torture (Žižek 2008, 42), but also prevalent racial and sexist discrimination (Žižek 2008, 10) and the like. The agent who performs those acts is clearly identifiable (Žižek 2008, 1). Subjective violence is basically what people usually understand and describe as violence, or simply violence, in the colloquial use of the word. In contrast to objective violence, which can be characterised as opaque, subjective violence stands out against the background of what appears to be a lack of violence (Žižek 2008, 2; Zirnsak 2019, 3).

As I understand Žižek's position, violence is simply a system feature. Violence reproduces a particular system of social, political and economic relations. For violence to perform its function, it is not as important who is the victim or the perpetrator. However, in the course of the analysis of Žižek's position, other, different meanings of violence can be uncovered: violence is any event that disrupts the system (Žižek 2008, 217)[81]. This is, of course, contradictory to the function ascribed earlier to violence.

Moreover, it is tough to amass enough violence to disrupt the system truly (Žižek 2008, 207). The author proposes perversely that in this sense, even insurmountable apparent violence easily turns its antithesis into a mere confirmation of the system (Žižek 2008, 209). The author claims that: "Sometimes doing nothing is the most violent thing to do" (Žižek 2008, 217) as inaction may be the most disruptive thing to the system (comp.: De Vera 2020, 112-113).

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[81] Žižek is not alone in pointing out this apparent contradiction of violence (See section 5 of this chapter and Fanon 1961/2004).

According to Žižek, condemnation of violence in itself is an ideological manoeuvre that makes societal violence invisible (Žižek 2008, 206). Therefore, the practice of denouncing all violence altogether is by itself a manifestation of symbolic violence. Since violence is inherent to human society (as the existence of a society is only possible through the use of language and Žižek insists language is inherently violent, see: Žižek 2016, 1-2), violence cannot be morally condemnable just on the ground of being violent. In a situation of great injustice, it is justifiable or even morally required to respond to violence with violence and to respond to one type of violence with another. However, that needed violence may be just inaction and reflection[82].

On the methodological side, Žižek proposes the detached and emotionless analysis of violence, as he claims that a direct perspective on naked violence obstructs its true nature. The exciting horror of violence makes it simply impossible to think about it clearly. While he notes that the emotionless perspective is also a part of violence and sustains its reproduction and repetition (Žižek 2008, 4), he vocally criticizes the sensational approach to violence present in liberal and leftist narrations (Žižek 2008, 6). Žižek addresses the issue of violence prevention as well. The author proscribes taking a step back and some time off, particularly from concerns of subjective violence, to understand the complex interplay between those three modes of violence (Žižek 2008, 11).

Žižek uses different language for the concepts described already by Galtung. Subjective violence in his work appears to be the same as direct violence in Galtung's (1969, 170); the same can be said for symbolic and cultural violence (Galtung 199, 291-292), meanwhile, systemic violence (Žižek 2008, 2) corresponds to structural violence (Galtung 1969, 178).

While the primary relationship between the three types and their characteristics are strikingly similar for both authors, there are some notable distinctions between their concepts. The first difference lies in the inevitability of violence: for Galtung, violence is by definition avoidable; for Žižek, violence is inherent. Therefore, both authors differ in the moral qualification of violence as well. Žižek does not address the specific

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[82] It should be evident by this point that Žižek completely breaks off from the idea that the presence of excessive force is necessary to define violence. It is debatable how much Žižek condones (subjective) revolutionary violence – some criticised him for doing so (see, for example, Van der Linden 2012). However, regardless of that ambiguity, Žižek chastises the hypocritical condemnation of subjective violence and the simultaneous failure to address less obvious objective violence at play (comp. De Vera 2021).

connections and interplay between objective and subjective violence (Olkasa 2011, 475; Zirnsak 2019, 9), while Galtung at least provides a structure for explaining the connections between supertypes of violence and provides examples (Galtung 1990). Žižek does not explain what allows to define the three distinct categories of symbolic, systemic and subjective violence as violence (what is their common ground). In contrast, for Galtung, each type of violence limits the realisations of human beings (Galtung 1969).

Another fundamental difference lies in the approach to the study of violence: Žižek does not necessarily propose any fixed concept of violence.[83] He starts with one concept that becomes so wide that it stops being meaningful, and then he circles around and assigns a different meaning to violence. My conclusion is that while Galtung proposes a wide but fixed concept of violence, Žižek proposes a certain process of understanding what violence is without actually insisting on one fixed definition.[84]

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[83] Žižek is also inconsistent in his terminology regarding distinct types of objective and subjective violence across his different works (Zirnsak 2019, 5).
[84] Žižek's proposition is helpful to a degree in understanding violence, especially put into conjunction against other concepts. However, it is not very enlightening when it comes to designing strategies meant to decrease violence.

Galtung's proposition:		Žižek's proposition:		Similarities:	
direct (personal) violence		**subjective violence**		- visible, usually easily noticeable and often hard to ignore, it is dramatic or fascinating and hard to ignore; - highly variable in time, meaning that it sometimes is present and sometimes it is not, which corresponds to its visibility; - appears as an aberration; - has disruptive character; - is perpetrated by clearly identifiable agent	
indirect	structural violence	objective violence	systemic violence	- invisible, not easily noticeable, hard to perceive, a part or mundane reality, easy to ignore; - relatively stable overtime, meaning it is always present, which corresponds to the lack of visibility as it is hard to notice something that is seemingly always there; - it is difficult if not impossible to establish who is responsible	- its presence implies the threat of direct/subjective violence; - the presence of direct/ subjective violence is an indicator of structural/ systemic violence,
	cultural violence		symbolic violence		- function in the symbolic sphere; - serve to justify or normalise other types of violence

Differences:	
-All violence is by definition avoidable presence of one supertype of violence can be a reason for the other supertype coming into the horizon of observation -Violence is not justifiable even for the purpose to oppose earlier violence Clearly define effects of violence: limited realisations of human beings -A world without violence is at least logically possible -Violence has a clear and fixed definition	Violence is inherent to society and language Emancipatory violence is morally justifiable The definition of violence changes through the text as the author changes perspectives; this change is intentional and integral to the text and the process of understanding violence

Table 1: comparison between Galtung's and Žižek's concepts of violence

1.4. On relations between violence and power

1.4.1. Pierre Bourdieu's concept of symbolic violence

It is necessary to devote some more time still to broaden the understanding of the concept of symbolic violence, today widespread in humanistic scholarship, developed and popularized by Pierre Bourdieu.[85] The concept of symbolic violence was first introduced by Bourdieu with Jean-Claude Passeron[86] in *Reproduction: In Education, Society and Culture* (1970). Bourdieu defines symbolic violence by its purpose to conceal the conditions in which one class dominates all the others. This concealment has the political function of legitimizing the domination of one class over others (Bourdieu 1970/1990; 1979, 78). This purpose is fulfilled by the use of evaluative language, that means, through the implicit value systems present in the language imposed by its users and on its users by the practice of evaluation (Bourdieu 1998, 65). Symbolic violence is essentially synonymous with linguistic domination and effectively obscures the understanding that the 'enchanted submission' of some groups results from the very relations of domination (Bourdieu 1998/2001, 41; Hammarén 2022, 43).[87] To expand that notion, Bourdieu defines political violence as an instrument of domination (Bourdieu 1979, 78), whose arbitrary character is not recognized (Bourdieu 1979, 81).

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[85] Pierre Bourdieu, a French sociologist, anthropologist and philosopher, was undoubtedly one of the most prominent and influential social thinkers of the twentieth century. Influenced by his field experience, Bourdieu departed from his original intent to study philosophy and devoted his work to the field of sociology instead (Hussey 2010, 41). His body of works is an important contribution to the subjects of the general theory of practice, maintenance of power relations and domination of culture, concepts of habitus, symbolic power, and fields of production and cultural capital. His major publications include *Outline of a Theory of Practice* (1977), *Distinction: A Social Critique of the Judgement of Taste* (1979), *The state nobility: Elite schools in the field of power* (1989) and *Masculine domination* (1998).

[86] Jean-Claude Passeron is a French sociologist who worked with Bourdieu on the sociology of education; his works on the subject include *Les Héritiers* (with Bourdieu, 1964), *La Réforme de l'Université* (with Gérald Antoine, 1966) and *La Reproduction* (with Bourdieu, 1970).

[87] Some examples of symbolic violence: 1) Certain topics are excluded from education curricula and sources on those topics are absent from school libraries; for instance, a class can be on human sexuality and reproduction and not include LGBT+ subjects, and that does not even need to be a conscious choice or policy, but a result of the tacit assumption that all students are heterosexual and cisgender. 2) On the discussion on religion: the term 'religion' is to imply a general concept but often only really reflects features of Christianity; a more specific term 'Abrahamic religions' is supposed to represent Judaism and Islam as Christianity; however, often the speakers are not aware of the specific character of Judaism and Islam that differ them from Christianity and instead treat those religions as more conservative or extremist versions of Christianity, or use of the term 'Christianity' but in a way that only reflects one specific denomination the speaker is most familiar with. 3) Absence of gender-neutral language in addressing reproductive issues, both in grammar and terminology. 4) Use of gendered terms like a fireman, policeman etc., to denote different professions, 19th century British scientific community insistence on the term 'man of science' instead of 'scientist'.

The concept of symbolic violence describes hidden ways in which structures of domination are maintained and reproduced, placing some people in subordinated positions. Symbolic violence may include the imposition of ideologies and beliefs that effectively limit freedom of thought and intellectual development,[88] but also legal allowance or leeway of practices that benefit actors who already hold significant political or economic power, such as great corporations, Churches, politicians or political parties, elites, to the detriment of the others and/or disruption of the integrity of democratic process (Colaguori 2010, 389). In other words, symbolic violence is a "soft" power that allows members of dominant groups to maintain authority and influence the behaviours of the members of subordinated groups without direct coercion or direct violence (Hammarén 2022, 43).

In *Distinction: A Social Critique of the Judgement of Taste* (1979/1984), in contrast to symbolic violence, Bourdieu discusses physical and verbal violence. Physical violence is connected to the strength of the body, manifested as a breach of the threshold of tolerance for normally accepted social relations, a physical act or a verbal utterance which breaches social boundaries and therefore possesses a disruptive character. Expression of physical violence can be anesthetised and serve as a status symbol and bonding activity for the group members (Bourdieu 1979/1984, 213).[89] Such acts may still favour dominant classes by allowing members to claim some cultural goods through the appropriation of objects[90], which would be unobtainable through conventionally established ways (comp. Bourdieu 1979/1984, 77). In other words, the acts of physical and verbal violence can perform the function of symbolic violence by reinforcing the values of dominant groups (comp. Barratt 2018, 17; Hammarén 2022, 46).

Symbolic violence, described by Bourdieu as "gentle violence", is invisible both to perpetrators and to victims. He cautions, however, that while it operates through communication and cognition (Bourdieu 1998/2001, 1-2), it does not have effects only

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[88] For example, the idea that certain subjects are "dirty" or "impure" (for instance, anything connected to sexuality and body) or that beliefs and ideas of outgroup members are mere superstitions and getting to know them is not worth the investment of time and energy.

[89] Violence not only, and not primarily, serves to infringe upon the integrity of another but also, and more importantly, serves to establish boundaries between particular groups and their surroundings (Bowman 2001, 28).

[90] "[…] Appropriated objects, of all sorts, are objectified social (class) relations in order" (Bourdieu 1979/1984, 564) – physical manifestations of the relation of domination, for example, collections of European museums that hold appropriated artefacts from various parts of the world are a testimony of violent colonial past, but also a physical proof of persisting unequal relations.

in the form of 'spiritual' experiences. For an individual to maintain or advance their position within a group, they need to embrace forms of symbolic domination, e.g., women need to adhere to certain standards of appearance and body that are fashionable among members of a privileged group and affirm those standards by disparaging women, who do not meet those (see: McRobbie 2004). [91] It is important to remember not to minimalize its correlation with the physical violence that is often exercised on real bodies (Bourdieu 1998/2001, 34-38). Bourdieu explains that the effects of symbolic violence are durable and impressed on the body and its disposition, therefore impossible to overcome by sheer will or attaining awareness (Bourdieu 1998/2001, 39). Symbolic violence is defined as domination, while, in contrast, physical violence is defined as the use of force (against someone). However, there exists a relation between domination and physical violence, namely the former manifests itself in the form of the latter, and the invisible symbolic violence will be matched by the corresponding visible and dramatic violence in everyday life (Bourdieu 1998/2001, 116; Hammarén 2022, 46).[92]

To Bourdieu, violence maintains certain social reality, the positions of groups vis a vis others. Even seeming disruptive, physical violence serves the purpose of maintaining relations of domination. This approach is very helpful in understanding the problem of violence in the context of gender. Moreover, it is generally consistent with the understanding of violence as injustice, which has been discussed in the previous section (1.3.). Although Bourdieu does not articulate a definition of violence that would encompass symbolic violence and other forms of violence, such as physical or verbal violence, at the same time, he offers insights into the relationship between them.

1.4.2. Violence as the antithesis of power in the thought of Hannah Arendt

Now I will turn to the account of violence presented by Hannah Arendt[93] in her essay *On Violence* (1970) to examine the distinction between power and violence she

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[91] Men are subjected to this practice as well, but not to the same extent as women.

[92] Violence is not an anomalous occurrence. It always happens within the wider context of the relationship between the parties. Further, the victim is never a random target, however, they may be chosen as a substitute *for* or as the representative *of* a larger part of the population (Schmidt & Schröder 2001, 3).

[93] Hannah Arendt, an American philosopher of Jewish-German origin, was one of the most influential thinkers of the twentieth century. Her writing on violence was prompted by political events at the time, notably the students' movement and growing dissent towards racial segregation. Moreover, her work on violence is a response to Franz Fanon and Jean-Paul Sartre (Arendt 1969).

provided. In her writing, Arendt expressed a surprise about how rarely violence is given separate attention in philosophical considerations, given the widespread influence of violence throughout history. The existing literature mainly dealt with warfare and the implementation of violence, not violence as such (Arendt 1970, 8). Therefore, she addresses the problem by clearly distinguishing between crucial terms such as power, violence, authority,[94] force[95] and strength[96] (ibid., 43). She "exaggerates" the concepts in a way that enables the theoretical grasp on social phenomena corresponding to those terms. Still, Arendt herself remains aware of the fact that her ideas are not reflected in the empirical world (Bernstein 2011, 25). She is cognizant that, in reality, power and violence are intertwined (Whealen 2019, 45).

> Nothing […] is more common than the combination of violence and power, nothing less frequent than to find them in their pure and extreme form (Arendt 1970, 47).

Arendt challenges the limited conception of power as power over, which entails equating violence with an extreme form of power.[97] Instead in her view power and violence are antithetical in their nature (Arendt 1970; Bernstein 2011, 6).

Violence, according to Arendt, is defined by its instrumental character. For that reason, violence is similar to strength, which is also instrumental in nature (Arendt 1970, 46). This instrumental character entails that violence requires justification (Arendt 1969, 11). In contrast, power has a more communicative character; it is based on deliberation and inclusion and therefore is safeguarded against violence.[98] Power exists for itself as the essence of all government and does not require justification (Arendt 1969, 11). When people are in danger of losing power, violence appears.

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[94] Arendt characterises authority in the following way: "its hallmark is unquestioning recognition by those who are asked to obey; neither coercion nor persuasion is needed" (1970, 43). It follows that acts of violence result in the inevitable dissolution of authority.

[95] Arendt reserves the term "force" for ""forces of nature" or the "force of circumstances" (*la force des choses),* that is, to indicate the energy released by physical or social movements." (1970, 42).

[96] She designates strength as "something in the singular, an individual entity; it is the property inherent in an object or person and belongs to its character, which may prove itself in relation to other things or persons, but is essentially independent of them" (Arendt 1970, 42).

[97] It's worth noting that much has changed in the scholarship since Arendt's times, and power is one of the most contested concepts in modern philosophy and social and political sciences, with multiple diverse definitions (Avelino 2021, 426).

[98] Arendt writes: "Power comes into being only if and when men join themselves together for the purpose of action, and it will disappear when, for whatever reason, they disperse and desert one another. Hence, binding and promising, combining and covenanting are the means by which power is kept in existence; where and when men succeed in keeping intact power which sprang up between them during the course of any particular act or deed, they are already in the process of foundation, of constituting a stable worldly structure to house, as it were, their combined power of action" (Arendt 1970, 175). Arendt's concept of power can be characterised as collective and consensual (Avelino 2021, 431).

Therefore, violence functions as a substitute for power despite being its antithesis (Arendt 1969, 13). However, violence can only grow obedience but never power. On the contrary, violence can destroy power. Meanwhile, sheer power cannot effectively oppose violence – a totalitarian regime sending tanks to destroy an assembly of people is a model example of violence destroying power (Arendt 1969, 12).[99]

Arendt denies violence any claims for legitimacy, however, she notes that in some cases it can be justifiable. She distinguishes between legitimacy and justification in the following way:

> Legitimacy, when challenged, bases itself on an appeal to the past, while justification relates to an end that lies in the future (Arendt 1970, 52).

In some types of contexts, violence is permissible if given strong enough justification. Violence can be plausibly justified in immediate and clear situations and less so when it is supposed to be justified by some goal in the far future (Arendt 1970, 52). In other words, the use of violence is justified when one side is pressed with immediate violence from the other side and violence is employed as means of defence. However, violence should not be as easily justified as means for pursuing even admirable goals. For example, starting a violent revolution to install a utopian regime would not be justified.[100] On the other hand, power does not necessarily require justification in the form of expected future outcomes. Instead, power derives its legitimacy from getting people together, not from the accomplishment of their goals (Arendt 1970, 52). Therefore, power can be legalised by invoking tradition, custom, historical events or even religious practice of a community.[101] Meanwhile, neither tradition, custom, historical events, nor the religious practice of a community can legitimise violence because violence has a purely instrumental character; violence is merely a means to an end.[102] When violence comes into play, people are treated instrumentally.

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[99] Violence essentially destroys political dimension, and civil power, is that public sphere deliberative space can only develop due to nonviolent interactions. Arendt's views on power and violence have become foundational for much of the philosophical scholarship on publicity, social movements and democratic struggle in modern society, influencing such prominent thinkers as Jürgen Habermas and Sheila Benhabib (Reed 2019, 286).

[100] Arendt is critical towards the tradition of thinking about revolutionary violence and she is also writing towards Franz Fanon, and, especially, towards Fanon's admirers (Arendt 1970, 14; Whelan 2019, 42), although there is a degree of appreciation towards Fanon's position in Arendt's work: "manages to stay closer to reality than most" (Arendt 1970, 20).

[101] The fact that power is legitimate does not mean it is fair or that it is not oppressive.

[102] The notion that violence lacks legitimacy and cannot, out of definition, be made legitimate is highly contested in anthropology. The specific character of violence that distinguishes it from a harmful event lies in this legitimacy, at least in the eyes of its perpetrator and some witnesses (Riches 1986, 8). As I

Arendt's distinction between violence and power and her account of the relationship between the two is insightful. Undoubtedly, the perceived loss of power is often a reason that spurs violence to manifest (see: Renzetti 1992, 46-47; Cross et al. 2019). However, Arendt only takes into consideration dramatic manifestations of violence, therefore, it is too narrow. Moreover, the distinction between power and violence is too idealised. Thus, a definition built on this foundation would have little application for the research on women's experiences with violence and for the proposition for violence prevention. Additionally, even if only the dramatic, overt forms of direct violence were to be considered, many, if not all of them, are, or had been at some point in time, deemed legitimate. Many forms of direct violence are recognised by social and/or formal institutional agents as proper ways to act in certain types of context in reference to pre-established social norms, traditions, laws, and historical or religious narratives (comp. Girard 1979; Riches 1986; Schmidt & Schröder 2001; Galtung 1990; Žižek 2008). For instance, violence against women in a marital relationship used to be legitimate (see Dobash & Dobash 1979), even if it is losing legitimacy today.[103]

1.5. Violence as oppressive and emancipatory – examining the concept of violence in *The Wretched of the Earth* by Franz Fanon

Most authors I have discussed so far treat violence as disruptive/destructive outbursts of force, a violation of some kind or, on the contrary, a kind of mechanism that maintain social relation, no matter how unfair those relations may be. A different perspective on violence is offered by Franz Fanon[104] in the hallmark text in the field of postcolonial studies, *The Wretched of the Earth* (1961), which explores violence in the context of

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understand, the audience does not need to be physically present at the event when violence manifests itself. It can be an imagined audience. For example, a man may beat up his wife and imagine other men would surely approve of his behaviour. Furthermore, he may assume that they would secretly approve of this behaviour even if they would outwardly condemn him motivated by a fear of the law or public opinion. If not all, then at least some violence is legitimate and socially sanctioned to contain a more chaotic cycle of violence and revenge (Girard 1979, 24).

Likewise, and contra Arendt, violence's very purpose and meaning is staging the performance of mainlining power and legitimacy (Schmidt & Schröder 2001, 5-6).

[103] Some instances of overt violence against women represent attempts to re-establish the dwindling legitimacy of the practice.

[104] Fanon, a black man born in French Colony Martinique, was psychiatrist, philosopher and political activist who worked in Algeria during independence war (1954-1962). Through his work he became a towering figure in post-colonial studies. Besides *The Wretched of the Earth* (1961), Fanon's important works include *Black Skin, White Mask* (1952) and *Dying Colonialism* (1959).

decolonization[105]. In Fanon's view, the process of decolonization, that is, redressing the unjust state of colonial domination, is always necessarily violent (Fanon 1961/2004, 1). Violence is one of the means for the colonized to gain the upper hand over the colonialists. For Fanon, therefore, violence has emancipatory potential (Fanon 1961/2004, 21). He conceives violence as a pivotal aspect of the process of decolonisation and emancipation. It is violence that makes the process legible for ordinary people. The colonized believe only violence can remove their constraints (Fanon 1961/2004, 3; Supachalasai 2016, 5). Moreover, the general populace (not only the elites) can participate in this process through violence. Self-understanding and self-realisation of the colonial subject occur through violence (Fanon 1961/2004).[106] That does not mean Fanon promotes violence, rather he acknowledges it as a necessity (Whealan 2019, 47).

On the other hand, there is also violence used by the colonial elites. Those elites are calling for "peace" and "peaceful resolutions," but they are not ready to forgo the use of violence themselves.[107] Their cries for peace have an instrumental purpose. They are in fact an attempt to "disarm" their opponents, and as such, they constitute an intrinsic part of the colonial violence (Fanon 1961/2004, 22).[108] Colonial powers use both concealed and open violence against the colonized.[109] In the minds of the colonized, the colonial order itself is naked violence and it can only be countered by even greater violence (Fanon 1961/2004, 23), given that violence lays at the origin of colonial order and pervades all interactions between the colonists and the colonized

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[105] Decolonization here should be understood as a historical process of a bottom-up change of the social and the replacement of the colonizers by the colonized on the crucial political, administrative and cultural positions as well as their respective language and cultural practices' structure (Fanon 1961/2004, 1). In the narrow sense, decolonization means releasing from being a colony to grant independence (Rothermund 2006, 1). In this case, African countries were released from the colonial domination of Europeans. Conceived more broadly, the process of decolonisation, brought by the global movement of peoples aimed at ending colonial rule and changing global development trends, stems from imperialism and globalisation themselves (Rothermund 2006, 1-2).

[106] "Violence alone, perpetrated by the people, violence organized and guided by the leadership, provides the key for the masses to decipher social reality." (Fanon 1961/2004, 96)

[107] Comp: section 3.1; Žižek 2008, 206.

[108] From this observation it should be clear Fanon presents a wide concept of violence (see section 1.2.), although he concentrates on dramatic direct violence.

[109] Violence "completes the colonist logic" (Bechdad 1997, 202). The aim of the colonial violence is to close the gap between self and others (but on the conditions set by the colonizers), in other words, it is to produce a sense of continuity between the identities of the colonizer and the colonized. The cost of this practice is the robbing of the colonized of their difference. Violence "creates a sense of political continuity by subjecting the colonized to a violent process of dissolution in which he or she is subsumed in the hegemonic power of the empire" (Bechdad 1997). In the perception of the colonizer, they take the active role, simultaneously assigning the colonized a "passive" role. In this sense, violence is not limited to brutal and inhumane practices but comprises any act that brings dissolution of identity.

(Fanon 1961/2004, 2). Violence is deeply ambivalent. It is both an instrument of oppression and a necessary tool for emancipation. This dual, contradictory character is the very core of the understanding of violence presented by Fanon. This means that emancipation is impossible without turning violence against the oppressor at some point, as much as it is impossible for the oppressors to hold onto power without relying on violence. Those subjugated by violence can only free themselves through violence. To call for nonviolent emancipation is naive at best and actively supportive of the oppression at worst.

In the reading of Fanon, violence can be interpreted simultaneously as the power over and the power to, a form of enforcement, but also of violation, especially, in the case of violence perpetrated by colonial elites. For both the colonized and the colonial elites, violence is a means to achieve an end, meaning that violence is defined by its instrumental character. It can be a tool to instil unjust colonial relations, but also a tool to combat injustice, to break barriers set by those in power and to install new ones to serve those, who thus far had been disempowered. There are always going to be limitations to the project of emancipation through violence. One point is that even the violence that serves the just cause, such as decolonisation, produces trauma, and people will likely respond to that trauma with further violence (comp. Supahalasai 2016, 14). The second one is that the violence will become foundational for the newly independent community that will draw its legitimacy from this violence. If the basis for legitimacy is violence, then the need (or at least a perceived need) to reproduce that violence in one way or another to maintain legitimacy will also exist. The work to overcome that violence will be immense, and in all likelihood, it will never end. The third is that getting the community rid of one form of domination does not rid it of other forms of domination and injustice. For instance, chasing away the colonisers does not mean poverty brought by being subjected to colonial rule will also disappear (Supahalasai 2016, 14), or that the subordination of women will cease. The elites that established themselves in the process of violent emancipation may obtain unfair power over other community members. By no means do I suggest Fanon is unaware of those problems; on the contrary (comp. Whealen 2019, 42), his point is that despite all the ambiguities and problems connected to violence, there is still no alternative recourse against great violence and injustice such as colonisation.

1.7. Conclusion

Violence has a disruptive and pathological character in the concepts of violence that focus on individual behaviour or actions, particularly in more psychologically oriented concepts. However, in the more sociologically or anthropologically oriented concepts, violence appears as a feature (maybe even indispensable or inherent) that plays a role in maintaining and creating identities and holding together social order, even if that order may be unjust. In short, the core of violence lies in its role in shaping and modifying social order. Moreover, violence seems always to have antithetical character because it is both disruptive and constructive at the same time.

By examining the different concepts of violence presented in this chapter, I concluded that it is inadvisable to simply follow linguistic roots and intuitions to define violence. Even exhausted analysis and supplanting additional elements (adding to the list of necessary conditions) to the definition will not yield satisfying results, and the ensuing definition will be too narrow, too wide or even both at the same time, excluding relevant forms of violence while including non-violent behaviours, such as many forms of play (see section 1.2.). Instead, to have a comprehensive definition, it is necessary to reflexively construct it "from the ground up." However, in this case, it is essential to start with a clear concept as a basis for the definition of violence or, otherwise, the definition will end up being too broad (e.g. Galtung 1969; 1990). Any definition of violence that concentrates on singular acts, behaviours or occurrences will be insufficient and too narrow. Moreover, the key in presenting a definition of violence is to carefully examine the distinction between violence and injustice. There needs to be one standard encompassing all types of violence and a long list of conditions that may or may not qualify a phenomenon as violence. Specific necessary conditions must be posed to avoid making the definition too wide. I am prepared to develop my proposition in the next chapter with the insights learned from this exercise.

Chapter II Inquiry into Nancy Fraser's concept of injustice: in search for the refined, comprehensive definition of violence

2.1.Introduction

In the previous chapter, I have presented, analysed, and compared various definitions of violence from different disciplines. It led me to the following conclusion: The existing definitions of violence fall into one of the two pitfalls. 1) Some fail to grasp the full extent of violence because they are too narrow, therefore making the concept of violence too truncated for serious scholarly analysis. Needless to say, such a truncated concept offers little theoretical support for the inquiry of how violence functions in social relations in the broader scope. 2) Other are too wide and as a result fail to provide an adequate distinction between violence and other concepts used to address social issues, making the concept of violence essentially obsolete. Only a definition that is neither too narrow nor too wide can provide an adequate philosophical and theoretical underpinning for a concept of violence that would not only facilitate the comprehensive understanding of social phenomena but also serve to conceptualise strategies for violence prevention. Therefore, a robust, refined definition of violence needs to be constructed "from the ground up" and not from the already existing definitions.

In the previous chapter, I discussed a profound effort to self-consciously establish a comprehensive conceptual framework of violence undertaken by Johan Galtung (1969), who did not derive his concept from pre-existing ones. Unfortunately, even though Galtung's framework has and will continue to have a significant influence on the scholarship of violence, the concept he proposed is too wide, and while it offers substantial advantages for grasping social reality, it does not offer much support for the development of the strategies of violence prevention. Galtung's methodological approach to developing the concept of violence in relation to another wider concept inspired the approach I take in this chapter. And this another wide concept is injustice. Thus, the chief objective of this chapter is to provide explanation of the relationship between violence and injustice. Therefore, the starting point for defining violence will be presenting a definition of injustice.

I will take a different approach than in the previous chapter and mainly concentrate on one proposition offered by Nancy Fraser, an influential feminist scholar,

the originator of the concept of injustice I will employ. I would like to acknowledge that my thinking on violence and my interpretation of Fraser's approach have been influenced, informed and sometimes supplemented by several other prominent feminist thinkers, such as Judith Butler,[110] bell hooks,[111] Martha Nussbaum[112] and Iris Marion

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[110] Judith Butler, an influential American feminist philosopher, best known for their* work on critical gender and queer theory. They developed the concept of gender performativity. Their most famous book is *Gender Trouble: Feminism and the Subversion of Identity* (1990) and their other publications include: *Undoing Gender* (2004a), *Precarious Life: The Powers of Mourning and Violence* (2004b) and *Frames of War: When Is Life Grievable?* (2009). They contest many feminist ideas, especially underlying heterosexist assumptions and suppositions about gender that inform the feminist notion of representation of 'woman' (Schippers 2016, 28). In their works, Butler offers interesting insights into violence and bodily vulnerability (2004a & b). Moreover, they develop the category of 'unreality', a form of dehumanisation, as the perspective for analysing violence: the life that is not considered grievable becomes unreal and can be subjected to violence that is not even recognised as such (2004b). Additionally, they note that violence against another is used to erase the vulnerability of one's own body (Butler 2004a). On the other hand, Butler proposes that shared vulnerability to violence can be a basis for solidarity in social justice movements (Butler 2004a 9).
* Judith Butler goes by 'she' or 'they' pronouns (Ferber 2020). Respecting Butler's personal choice on this issue, I will refer to them with the neutral rather than feminine pronoun, as a matter of nonbinary solidarity, recognition and visibility of nonbinary identities.

[111] Gloria Jean Watkins, better known under the pen name bell hooks, African-American writer, feminist, theorist and cultural critic. Her works include: *Feminist Theory From Margin to Center* (1984), *Feminism is For Everybody* (2000), *We Real Cool: Black Men and Masculinity* (2004). hooks' main input to feminist theory is her incisive ability to explain the dynamics of patriarchal culture, and the analysis of how race, class and gender structure black experience in the United States (Florence 2016, 103). hooks aims to present a refined theory in simple words accessible to a broader (non-academic) audience. hooks understands patriarchy as an institutionalised form of sexism. Sexist ideology convinces men to interpret violence as a manifestation of their power. Consequently, men, who feel depowered in their daily lives, are prone to use it against women (hooks 1984, 75-76). However, she rejects the notion that sexism is the only root cause of violence experienced by women. She objects to the dichotomy between women-victims and men-perpetrators. Instead, patriarchal violence can be enacted by both women and men. hooks, therefore, argues that it is pivotal for the feminist movement to pursue the goal of ending all forms of violence, not to concentrate efforts only on male violence towards women. According to hooks, violence is used to maintain hierarchies: male domination interplays with race and class domination and imperial militarism (hooks 2000, 65). She claims that men are often aware that violence is wrong. However, they participate and condone it simultaneously to preserve the patriarchal order. To put it simply, men see violence as an acceptable way to maintain conditions that favour them (hooks 2000, ix). hooks considers learning non-violent parenting for parents of any gender as crucial to violence prevention (2000, 65-66).

[112] Martha C. Nussbaum is an American feminist philosopher and one of the most prominent current political thinkers. Her primary academic interests include ethics, politics, ancient philosophy and law (Malvestiti 2015, 259). Her major works include *Sex and social justice* (1999) *Women and Human Development: The Capabilities Approach* (2000). She is the most notable researcher next to Amartya Sen developing capability approach*, and the proponent of the list of human capabilities** (1999, 41-42). Within the capabilities approach, violence impedes capabilities, particularly on the bodily integrity capability (Nussbaum 2007a, 15; 2007b, 24); violence can be understood as a constant peril that hinders the realisation of capabilities (Nussbaum 2005, 167). Nussbaum presents women as an example of a group particularly vulnerable to violence. That vulnerability comes as a result of unequal obstacles to bodily integrity faced by women (Nussbaum 2007a, 74). Violence in Nussbaum's writing has primarily bodily character, including force affecting body against one's will as well as neglect and deprivation of bodily needs (Nussbaum 2005, 167). However, when considering, for example, violence against women, numerous practices that seem non-violent lacking a direct effect on the body should also be included in the definition of violence due to the impact on women's capabilities.
* "the capabilities approach holds that we should focus on the question: What are the people of the group or country in question actually able to do and to be? Unlike a focus on opulence (say, GNP per capita), this approach asks about the distribution of resources and opportunities. In principle, it asks how each and every individual is doing with respect to all the functions deemed important" (Nussbaum 1999, 34).

Young[113] whose ideas will undoubtedly appear either in this chapter or in the following ones, as their works also influenced my thinking about violence and gender even though I will not explicitly reconstruct them in this dissertation.

In the span of this chapter, I will first introduce the profile of Nancy Fraser, her academic achievements, her theoretical background and scholarly impact (section 2.1.); then, I will provide reasons why I chose her conceptual framework as the foundation for developing my proposition on the definition of violence (section 2.2.). In the next step, I will address the most relevant critical comments that have been raised against her works and the limitations of her model of justice, which are pertinent to this thesis (section 2.3.). Then, I will proceed to present my interpretation of the concepts from Fraser's work that I will employ. I will address the relationship between harm and injustice (section 3.1.), the status model of misrecognition (section 3.2.), and social practice (section 3.3.) that I will later use in my definition of violence. In particular, I offer a meticulous analysis of Fraser's status model of misrecognition, particularly as she has developed it in the series of works from 1995 to 2007 (section 3.3.). In a way, this chapter serves as an explanation and justification for the definition of violence I propose. Finally, I will unveil the following definition: violence is (1) practice, (2) results from misrecognition understood (*qua* Fraser) as a nexus of institutionalised patterns of cultural value interpretation that unfairly disadvantages some people in social interactions and (3) produces status harm (status subordination) (section 4.).

** According to Nussbaum, "the […] list of central human functional capabilities is an attempt to specify this basic notion of the good (Nussbaum 1999 40-41)," and should include the following: "1. Life. 2. Bodily health. 3. Bodily integrity. 4. Senses, imagination, thought. 5. Emotions. 6. Practical reason. 7. Affiliation, 8. Other species. 9. Play. 10. Control over one's environment (for explaining what those monikers entail, see: Nussbaum 1999 41-42).

[113] Iris Marion Young, American feminist thinker, philosopher, and activist; her works include: *Justice and the Politics of Difference* (1990), *Inclusion and Democracy* (2000), and *On Female Body Experience* (2005). Young borrows elements from various, sometimes conflicting, philosophical traditions that are useful for addressing practical issues; simultaneously, she cuts out elements she deems detrimental (Ferguson 2016, 257-258). As one of the most important political thinkers in her generation and an unorthodox socialist, she theorises the democratic process considering social injustice. She conceives violence as one of the five faces of oppression, and, significantly, for the context of this dissertation, as a practice (Young 1990); I will elaborate further on this subject in section 3.3. of this chapter. In her work, she assumes being reasonable necessitates non-violence; however, she supposes that not all disruptive actions should be understood as violence. For instance, in the situation of significant power disparity, members of the subjugated groups do not infringe upon the principle of reasonableness when they express their anger and engage in disruptive actions (Young 2000, 48-49). Another critical aspect of Young's work is the phenomenological approach she takes in works about the female body as a site of lived experiences shaped by the material reality of the body and patriarchal ideology encoded in culture (2005). This approach allows capturing corporeal differences without reifying gender identities.

2.2. The Profile of Nancy Fraser

2.2.1. An overview of theoretical background

Nancy Fraser, born in 1947, did her graduate work at City University Graduate Center in New York. She teaches at the New School[114] in New York.[115] She is a prominent American feminist thinker whose work has been translated into more than twenty languages and received worldwide recognition (Helali & Fraser 2019).[116] Fraser's scholarly approach is grounded in the feminist, neo-Marxist,[117] critical and post-structuralist theories. A significant part of her work is dedicated to establishing a pragmatic account towards a coherent analysis of social relations that would promote the transformation of those relations (Fraser & Naples 2004, Blackmore 2016, 1; Petoukhov 2012, 8). She specialises in critical social theory and political philosophy. Her work was cited by the Brazilian Supreme Court in decisions upholding marriage equality and affirmative action (Fraser 2018, 14). She is one of the most influential thinkers committed to addressing the nexus of egalitarian politics, feminism, capitalism, and social critique (Bargu & Bittici 2017, 2). The theoretical and philosophical framework developed by Fraser has been used to address a vast array of subjects like education policies and practice (Keddie 2012; Blackmore 2016), including experiences of disabled students (Vincent, Rowe & Johnson 2020), social welfare, and social services (Norberg 2015; Fauske, Kojan & Storhaug 2018; Dvoriak *et al.* 2020), sex work (Dziuban & Ratecka 2017; Katona 2020), legal recognition of non-binary and transgender identities (Aboim 2020), anti-discrimination law (Mc Manus 2020) as well as violence prevention (Bernardes 2014). Fraser is best known for her committed work on the crucial concerns of social justice – recognition, redistribution (Fraser 1995a; 1996; 2000; 2001; 2003; 2005a) and, in her later works, representation (2005b; 2005c; 2007a; 2007b; 2008). In her research work, she is interested in the changes in democracy since the second half of the twentieth century and social relations in late

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[114] The New School is a private research university in New York founded in 1919 (see: https://www.newschool.edu/).

[115] Details on positions Fraser holds within various institutions can be found on her profile on New School web page (https://www.newschool.edu/lang/faculty/nancy-fraser/).

[116] Two of her major works have been published in Polish language: *Redistribution or Recognition? A Political-Philosophical Exchange* (2003) co-authored with Axel Honneth translated as *Redystrybucja czy Uznania Debata polityczna filozoficzna* by Monika Bobako and Tomasz Dominiak in 2005, and *Fortunes of Feminism: From State-Managed Capitalism to Neoliberal Crisis* (2013) as *Drogi feminizmu. Od kapitalizmu państwowego do neoliberalnego kryzysu* translated by Agnieszka Wesek in 2014 with a foreword by Kinga Dunin.

[117] Paradoxically Fraser, a socialist feminist, rarely references Marx in her work (Ferrarese 2014, 55).

capitalism (Blackmore 2016; Bargu & Bittici 2017; Zaretsky 2017). Rainer Forst[118] describes Fraser's intellectual output as a "comprehensive critical theory of social justice" (Forst 2008, 310). Her impressive academic output can be aptly described as a theory with emancipatory intent (Zurn 2003b, 1) or by using Max Horkheimer's concept of criticism:

> […] intellectual, and eventually practical, an effort which is not satisfied to accept the prevailing ideas, actions, and social conditions unthinkingly and from mere habit; an effort which aims to coordinate the individual sides of social life with each other and with the general ideas and aims of the epoch, to deduce them genetically, to distinguish the appearance from the essence, to examine the foundations of things, in short, really to know them. (Horkheimer 1968/2002, 270).

Fraser often critically addresses progressive political and academic movements in both the implication of their ideological aspects and historical dynamics (see: Fraser 1994; 1995a; 1995c; 2001; 2005c; 2007b; 2013; 2017; Fraser & Honneth 2003; Bargu & Bittici, Zatertsky 2017). Mainly, she devotes much effort to explaining the "dangerous liaison" between feminism and neoliberalism, explaining how the neoliberalising forces have misappropriated the contribution of the feminist movement to justify capitalist exploitation and economic inequalities (Fraser 2013; Fraser 2017; Burchardt & Kirn 2017; Hocking 2017; Kennedy 2013). Unlike John Rawls, Fraser does not try to circumvent current, historically contingent social conditions. Instead, the normative framework she develops is empirically grounded in social theory, drawn from concrete injustices that plague today's societies (Mc Manus 2020, 90). In other words, her work resonates with Marx's famous quote: "The work of our time to clarify to itself the meaning of its own struggles and its own desires" (Marx 1843/1978, 15; see also Mc Manus 2020 & Zurn 2003b). Fraser aims to answer the inquiries about today's anti-capitalist feminism: why gender roles serve a crucial function in sustaining the subordination of social reproduction to the production process or, in other words, the liaison between patriarchy and capitalism, between economic and non-economic forms of domination. Moreover, she explores how sexual difference and gender domination are established upon the social order of the capitalist system and consecutively serve to

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[118] Rainer Forst is a prominent German philosopher deemed to be most notable member of the newest, forth, generation of thinkers associated with the Frankfurt School. His work in moral and political philosophy concentrates on questions of justification, justice, and toleration; his major publications include: *Toleration in Conflict* (2003/2013), *The Right to Justification* (2007/2021), and *Normativity and Power: Analysing Social Orders of Justification* (2015/2017).

maintain functioning on the global level and within social and intimate relationships (Bargu & Bottici 2017, 4-5).

Fraser presents an integrated view of humanities and social sciences, which should not be separated (speech at the Université de Liège, 2018.02.01.). Her work shows an interdisciplinary attitude (Bargu & Bittici 2017, 2). She asserts that her academic works have always been guided simultaneously by "the intellectual project of understanding the world and the political project of changing it". Both the theoretical and practical aims are inseparable for her (Fraser & Naples 2004, 1106). Fraser has devoted her philosophical and theoretical efforts to develop a progressive alternative to disengaged academic feminism or, in other words, to "the impasse of feminist practice and critique" (see: Spillers's section in Lurie et al. 2001; Fraser & Naples 2004).

Fraser cites the positive influence of French thinkers Michel Foucault and Pierre Bourdieu on her work (Fraser 1981; 1885; 1989; 1990 b). The critical reading, particularly of Foucault, informed her concept of power (Fraser 1981; 1989; 2003b; Blackmore 2016, 6). Meanwhile, the sociological foundation for many of Fraser's ideas comes from the work of Bourdieu (Fraser 1985; Lowell 2007: 3). On the other hand, she is much more critical towards Jacques Derrida (Fraser 1984; 1900b) Jacques Lacan, Julia Kristeva[119] (Fraser 1900b). Moreover, Fraser critically approached the works of Charles Taylor on the subject of recognition (1989; 1992/1994), arguing that Taylor's conceptualisation of recognition is not a suitable basis for pursuing goals of progressive politics (Fraser 1995b; 1996; 2001; Fraser & Honneth 2003). Nonetheless, Taylor's work significantly influences Fraser's subsequent endeavours to develop her own concept of recognition.

Fraser particularly underlines the Frankfurt School's formative influence on her work (Fraser & Naples 2004, 1107). In the late '80s and early '90s of XX century, she worked on the questions of social welfare, politics of needs, and dependency with Linda Gordon[120] (Fraser & Gordon 1992; 1994a; 1994b; Fraser 1989; 1994), that provided her

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[119] Julia Kristeva is one of the most prominent contemporary French thinkers associated with French feminism. She authored multiple books dealing with different fields: philosophy, theology, psychoanalysis, linguistics, semiotics, and anthropology (Jardine 2020); her most notable titles include (initially published in French): *Revolution in Poetic Language* (1974/1984), *Strangers to Ourselves* (1988/1991), and *Passions of Our Time* (2013/2019).

[120] Linda Gordon is an American feminist and historian, prominently interested in the history of women's movement, family and sexual violence as well as welfare, some of her notable publications on those subjects are: *Heroes of Their Own Lives: The Politics and History of Family Violence* (1988), *Pitied But*

with a robust understanding of actual circumstances people live in and how those circumstances came about to be. She is known to dispute with Richard Rorty about the political project of the left (Fraser 1988; 2000; 2010b; Rorty 2008). In the last decade, she explored the works of Karl Marks and Karl Polanyi and attempted to synergise them (2012a; **2017**b; & c). In the most recent years, she theorises the nexus of imperialism and racism in global capitalism and post-colonial order crediting the influence of Black Marxist and anti-imperialist critical theory (Fraser 2018, 16).

Fraser develops her ideas in ongoing discussions with other high-profile feminist thinkers, such as Iris Marion Young (Young 1997a; Young 2009; Fraser 1995b; Fraser 1997b), Anne Phillips[121] (Philips 1997; 2003), Judith Butler (Butler 1997; Fraser 1995c; Fraser 1997c) and Seyla Benhabib[122] (Fraser 1986; Benhabib 1993; Fraser 1995; Butler, Benhabib, Cornell, & Fraser, N. 1995; Benhabib 1996; Blackmore 2016, 2). Moreover, she also engages in critical debates with the most prominent Frankfurt School thinkers: Jürgen Habermas (Fraser 1985; 1990a; Habermas 1992/1996), Axel Honneth[123] (Fraser & Honneth 2003) and Rainer Forst (Forst 2008; Fraser 2008c, Forst 2017). Fraser's famous constructive criticism of the first Habermasian model of the public sphere (Fraser 1990a) resulted in the so-called second model presented by him in *Between Facts and Norms* (Habermas 1992/1996, 307-315; Cern 2014, 59-60). Taking the broader historical scope of Fraser's academic work reveals that it is one of many instances in her career where she criticises progressive politics and academic theories.

In her critical response to Habermas, Fraser introduced the concept of 'subaltern counterpublics' (Fraser 1990a), which is of paramount importance for the development of the paradigm of deliberative democracy and the public spheres (Mansbridge 2017, 101, 105). She called in question the bourgeois liberal model of the public sphere, insisting that despite the same standards of formal access for everyone, the disparity of resources (wealth, power, influence and information) makes the public sphere more

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Not Entitled: Single Mothers and the History of Welfare (1994) and *The Moral Property of Women* (2002).

[121] Anne Philips is a British feminist political thinker, her major publications include: *Democracy and Difference* (1993), *The Politics Of Presence* (1995) and *Which Equalities Matter* (1999).

[122] Seyla Benhabib is a Turkish-American Philosopher of Jewish origin, one of the most acclaimed political thinkers of our time interested in cosmopolitanism, democracy, citizenship; her works include: *Democracy and Difference* (1996), *The Rights of Others* (2004), *Dignity in Adversity: Human Rights in Troubled Times* (2011).

[123] A well-known German thinker, Axel Honneth focuses on socio-political and moral theory, his most important works include *The Struggle for Recognition: The Moral Grammar of Social Conflicts* (1995), *Pathologies of Reason: On the Legacy of Critical Theory* (2007/2009), and *Freedom's Right: The Social Foundations of Democratic Life* (2011/2014).

accessible to the privileged. Consequently, the public sphere is dominated by more privileged groups, both in ideas and in the execution of those ideas (Fraser 1900a, 59-60, 64-65). However, the members of subordinated social groups, for example, women, members of ethnic or racial minorities or low-wage employees, organise their associational activities in a way that it creates spaces for the members of those groups to discuss issues and make strategic decisions among themselves. Such spaces are the 'subaltern counterpublics' (Fraser 1990a, 62, 64; see also: Young 2000, 171; Mansbridge 2017, 105-106). Jane J. Mansbridge[124] asserts the significance of this concept for inspiring critical theorists to conceive the public sphere as a plurality of contesting publics instead of a monolith.[125] Fraser further contributed to the development of the deliberative democracy theory by describing public discourse, e.g. by distinguishing between strong and weak public spheres. She defines weak publics as "publics whose deliberative practice consists exclusively in opinion-formation and does not also encompass decision-making", whereas the strong publics, are "publics whose discourse encompasses both opinion-formation and decision-making" (Fraser 1990a, 75), therefore constituting the arena of public deliberation that leads to legally binding decisions or laws (ibid.). The distinction can be summed up in the following way: strong publics are firmly entrenched in formal institutions, while weak publics are not (Cern 2012, 344). Fraser's considerations of the public sphere and deliberative practice have a bearing on her ideas on how political reform should be conducted and the role of the public discussion in that process (see: Fraser & Honneth 2003).

Fraser's interest in critically exploring the pitfalls of feminism and other progressive movements already present in the earlier work has only been broadened in recent decades. To address this question, she introduced a triple movement: marketisation, protection, and emancipation – a concept that she is now well renowned for – which was inspired by Polanyi's concept of double movement (Fraser 2012a; 2013; 2015; 2017a; 2017c; Polanyi 2001/1944). She claims to emphasise that one of the poles of the triple movement usually comes at the cost of the others. Developing this

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[124] Jane J. Mansbridge is one of the most influential political scientists theorising deliberative democracy; her works include: *Beyond Adversary Democracy* (1983), *Beyond Self-Interest* (1990) and *Deliberative Systems: Deliberative Democracy at the Large Scale* (2012) co-edited with John Parkinson..

[125] Moreover, Fraser was one of the most prominent feminist thinkers questioning the rigid separation of public and private assumed by the proponents of deliberative democracy at the time (Mansbridge 2017, 108-109). It is worth noting that the two theorists are discussing with one another. Fraser also cites Mansbridge in the same paper where she developed the concepts of subaltern counter-publics and weak and strong public (1990a).

concept provided her with a framework for criticising social movements of the 1930s and 1940s for overemphasising protection to the detriment of emancipation and second-wave feminism for foregoing protection and instead aligning themselves with marketisation (Fraser 2013; Zaretsky 2017, 274). Exploring Polanyi's thought allowed Fraser to approach the demands for recognition from a more historical and anthropological perspective (Zaretsky 2017, 273). The endeavour provided Fraser with theoretical underpinning for understanding transformations of second-wave feminism, which in turn helped to grasp the problems the movement faces and therefore discuss prospects of feminism in the current conditions of late capitalism (Fraser 2013; Bernstein 2017, 31). Those considerations also bear fruits in her recent book with Cinzia Arruzza[126] and Tithi Bhattacharya[127]: *Feminism for the 99 Percent: A Manifesto* (2019).

From the perspective of this dissertation, the most interesting concept Fraser explores as a philosopher is (in)justice. Originally her concept was two-dimensional, based on redistribution and recognition, and explained through the approach Fraser called 'perspectival dualism' (1996; 1997c; Fraser & Honneth 2003), but in more recent incarnations, the third dimension of political representation has been added (Fraser 2008d; 2009; 2010a; 2011).[128] Fraser's ideas regarding redistribution and recognition as key dimensions of justice have been developed over the years and presented in multiple publications (Fraser 1995a; 1995c; 1996; 2000; 2003b; 2005a; 2005b; 2007a; 2008d; 2009; 2010a; 2011) but most prominently in discussion with Axel Honneth (Fraser & Honneth 2003; Blackmore 2016, 4). Reiner Forst claims that their debate, published under the title *Redistribution or Recognition?: A Political Philosophical Exchange*, presents the two most advanced attempts to create what he calls a comprehensive critical theory of justice (Forst 2008, 310). During the course of the debate, both authors examined the concept of recognition in its relation to redistribution. They both employ the category of recognition inspired by Hegelian thought to unpack modern conflicts. They both agree that recognition serves as a normative basis for political claims in the

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[126] Cinzia Arruzza is an Italian philosopher, Fraser's colleague from the New School, and the author of *Dangerous Liaisons, Marriages and Divorces of Marxism and Feminism* (2013) and *A Wolf in the City. Tyranny and the Tyrant in Plato's "Republic"* (2018).

[127] Tithi Bhattacharya, an American historian and a prominent feminist Marxist, specialises in South Asian history, colonialism, imperialism and gender, the author of *The Sentinels of Culture: Class, Education, and the Colonial Intellectual in Bengal (1848–85)* (2005), and the editor of *Social reproduction theory: Remapping class, recentering oppression* (2017)

[128] It is probably not a coincidence that at the period where she starts to theorise the representation, she moves to theorise global politico-economic frame.

globalising world, while redistribution functions as the paradigm of distributive justice. In the scope of their intellectual exchange, Fraser and Honneth inspire one another to clarify and expand their respective positions on the central problems of moral, social, and political theory, providing the readers with a clearer insight into arguments and ideas shaping the present-day politico-moral debate (Ohlström at al. 2011, 205). The critical difference between Fraser's and Honneth's positions is that Honneth proposes "recognition-theoretical 'monism'"[129], an approach in which the claims for redistributions can be reduced to the claims for recognition, while Fraser favours 'perspectival dualism,' arguing that the two dimensions are mutually irreducible (Fraser & Honneth 2003). Perspectival dualism is a socio-theoretical approach to the problem of injustice (Fraser 1996a, 38), constituting one of the main ideas present in Fraser's work (Zaretsky 2012, 267). Perspectival dualism is different from 'substantive dualism' in that it does not treat the two dimensions: cultural and economic, as ontologically separate; this does not reinforce the dichotomy between them (Fraser 1996a, Figueroa 2001, 35).[130]

Fraser initially introduces 'redistribution' and 'recognition' as the two competing paradigms of justice present in the social justice movements and scholarship of the late twentieth century (Fraser 1995a; 1996; 1997a; 2000; 2001; Fraser & Honneth 2003). She starts her analysis by reconstructing what she eventually calls 'folk paradigms of social justice.' for both redistribution and recognition. Folk paradigms of social justice are arrays of interlocked notions about the causes of and remedies for the injustice that inform current struggles in civil society (Fraser & Honneth 2003, 11). The

[129] Honneth's position is labelled as 'normative monism' in the introduction to the debate (Fraser & Honneth 2003, 2). However, the position is not referred to in the following text. Fraser later aptly describes her position as normatively monist (Fraser 2008b, 337), as she employs a single normative principle of participatory parity. So, her position is a normatively monist perspectival dualism (later called the three-dimensional theory of justice or perspectival trialism). Meanwhile, she calls Honneth's approach 'recognition monism' rather than 'normative monism' (Fraser & Honneth 2003, 2001), while Honneth himself uses the term "recognition-theoretical 'monism'" (Fraser & Honneth 2003, 238 with the quotation marks). It is questionable if this approach can adequately be described as 'normative monism' as Honneth employs three principles of recognition.

[130] Employing perspectival dualism in the critical analysis of injustice helps uncover the economic aspects of injustice previously assumed to be cultural and, likewise, cultural aspects of injustice previously considered economic (Figueroa 2001, 35). Moreover: "[Perspectival dualism] operates to keep the two paradigms active, non-reducible, and mutually critical. A focus on one paradigm does not mean that the other paradigm is at any time "turned off" in the analysis" (Figueroa 2001, 36).

In sum, perspectival dualism offers: a non-reductive approach that helps address complex justice issues, takes both aspects into account, and explains their interplay, but also allows one to focus on one aspect without assuming or signalling to the reader that the other is not important. Even though Fraser introduced the three-dimensional theory of justice in her later works, she does not dismiss her earlier two-dimensional analysis; however, outside what Fraser calls the "Keynesian-Westphalian frame," the third political dimension has to be addressed (Bernstein 2017, 25).

reconstruction of folk paradigms serves as the departure point for further philosophical accounts of the concept of injustice. Fraser notes that 'redistribution' comes from egalitarian and socialist traditions, and its proponents seek to redress injustice by fairer allocation of resources and goods. This paradigm has been a foundation for theocratising social justice claims for over 150 years (Fraser 2001; Fraser & Honneth 2003). Meanwhile, 'recognition' is associated with the new vision of a 'difference-friendly' world, a society that does not require assimilation to the dominant culture as a price for equal respect. Fraser claims that the significant interest in recognition in political sciences is relatively new.[131]

Moreover, she claims that redistribution and recognition are pitted against one another, obscuring injustice's true scope. Fraser argues against this polarisation. She insists both paradigms are needed for theorising different dimensions of injustice and complete understanding of the relation between one and the other (Fraser 1995a; 1996; 1997a; 2000; 2001; Fraser & Honneth 2003).

Fraser introduces the concept of participatory parity[132] to provide the normative basis and common framework for the dispersed dimensions of justice (Fraser 2001; Fraser & Honneth 2003). Participatory parity (also referred to as parity of partition) is a deontological, universal principle for the claims of justice. Participatory parity has a double origin in classical liberalism and the New Left's idea of participatory democracy (Zaretsky 2017, 267).[133]

> According to this norm, justice requires social arrangements that permit all (adult) members of society to interact with one another as peers. For participatory parity to be possible, I claim, at least two conditions must be satisfied. First, the distribution of material resources must be such as to ensure participants' independence and "voice." This I shall call the *objective condition* of participatory parity. [...] The second condition requires that institutionalized patterns of cultural value express equal respect

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[131] This claim is contested by Honneth in his debate with Fraser (Fraser & Honneth 2003).

[132] Fraser already employed the concept of participatory parity in *Rethinking the Public Sphere* (1990a). There is some inconsistency in how she uses (or fails to use) this term – she seemingly abandoned the term 'participatory parity' for 'equal participation' to denote the same basic concept as in at least one of her later papers (1995a).
For Polish readers, 'parity' for Fraser does not invoke the same concept as the term 'parytet' as usually used in Polish. Fraser herself explains that 'parity' came to mean "strict numerical gender equality in political representation," particularly in the context of French political feminism. However, she understands parity as "the condition of being a *peer,* of being on a *par* with others, of standing on an equal footing." (Fraser & Honneth 2003, 101).

[133] Fraser herself describes participatory parity as a "radical democratic interpretation of the principle of equal moral worth" (Fraser 2008d, 16).

for all participants and ensure equal opportunity for achieving social esteem. This I shall call the *intersubjective condition* of participatory parity (Fraser & Honneth 2003, 36).

The objective and the intersubjective conditions of participatory parity translate to redistribution and recognition, respectively. Moreover, there are two corresponding types of injustice: maldistribution when the first condition is not met and misrecognition when the second condition is not met.

To develop an account of recognition compatible with the concept of participatory parity, Fraser developed the so-called 'status model of recognition' (Fraser 1996a; 2001; Fraser & Honneth 2003), which I will discuss in-depth in the following sections (2.2. and 3.2.). The status model of recognition has a very notable advantage over identitarian approaches to recognition like that of Taylor and, to a certain extent Honneth, for pursuing political goals:

> The status model offers a way of pursuing distributive and recognitive justice simultaneously through a focus on overcoming status subordination. Rather than adopting a politics of recognition that begins with group identity, this approach begins with a critical analysis of the concrete arrangements - the structures and relations of economic and cultural oppression that impede parity. It targets precisely what subordinated parties need to be able to participate as peers in social life (Keddie 2012, 272).

Consequently, Fraser stresses that the remedies for the injustice need to cut across the redistribution–recognition divide as well (Fraser 1995a, 82). Fraser distinguishes between 'affirmative' and 'transformative' remedies (Fraser 1995; Fraser & Honneth 2003; see Norberg 2015). The aim of affirmative approaches is to redress the unfair effects of social arrangements. In the dimension of recognition, it means valorising depreciated identities. Transformative approaches aim to reshape the social order that generates inequalities or, in other words, to address the underlying cause of the unfair outcomes (Fraser 1995, 82; Norberg 2015, 92; see also Newman & Clarke 2009). Fraser favours transformative approaches over affirmative ones, however, she notes that they are often not possible to implement in the conditions of the real world, therefore, she proposes to develop a middle way between transformative approaches and more feasible, yet flawed affirmative ones (Fraser & Honneth 2003, 79; Armstrong & Thompson 2009).[134] Thus, she employs the concept of 'nonreformist reform'[135] (Fraser

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[134] In some earlier works, Fraser strongly favours transformative means based on the deconstruction of identities, at least in the case of gender and "race" (Fraser 1996a; 1997a; Armstrong and Thompson 2009). However, employing those means would "require all people to be weaned from their attachment to current cultural constructions of their interests and identities" (1997a, 31). That requirement, however,

& Honneth 2003, 78-79) – "the reforms that appear to be affirmative in the abstract can have transformative effects in some contexts, provided they are radically and consistently pursued" (Fraser & Honneth 2003, 78). The aim of nonreformist reform goes deeper than just redressing the surface-level harms, but by doing that, it sets up the possibility for a more radical future reform.[136] The nonreformist reform transforms "incentive structures and political opportunity structures", thus broadening opportunities for reforms in the future (Fraser & Honneth 2003, 79-80). Fraser's formulation of the nonreformist reform can be employed to determine the emancipatory potential of action or policy in the current postsocialist conditions[137] (Fraser 1997a; Mc Manus 2020, 90). Fraser proposes strategies to tailor an integrated approach to the measures of redressing injustice to both the dimensions of distribution and recognition. Her suggestions in that matter comprise of *cross-redressing* and *boundary awareness.* The cross-redressing refers to employing means associated with one dimension of justice to redress injustice linked to the other (Fraser & Honneth 2003, 83), while the boundary awareness denotes awareness of the effects of various measures on group boundaries – how the position of various groups towards one another will be reconfigured as a result (Fraser & Honneth 2003, 85).

In her later papers, Fraser expands her idea of justice on the third dimension – political representation.[138] To address claims for justice in this dimension, Fraser introduces the categories of 'misrepresentation' and 'misframing' to her concept of injustice as a new space of the radical critique (Fraser 2008a; 2013; 2015; Lara 2017, 127). Misrepresentation occurs when people are "impeded from full participation by decision rules that deny them equal voice in public deliberations and democratic

cannot be practically met (not to mention it raises tough moral questions), therefore, via *modus ponens*, it can be concluded that fully deconstructive transformative strategies are not possible either.

[135] Fraser borrows this term from Andre Gorz (1964/1967, see: Fraser and Honneth 2003, 108). I employed the spelling without hyphen as used in Fraser's debate with Honneth (2003).

[136] Fraser writes: "These would be policies with a double face: on the one hand, they engage people's identities and satisfy some of their needs as interpreted within existing frameworks of recognition and distribution; on the other hand, they set in motion a trajectory of change in which more radical reforms become practicable over time. When successful, nonreformist reforms change more than the specific institutional features, they explicitly target." (Fraser & Honneth 2003, 79).

[137] Fraser employs the term "postsocialist" in some of her works (with quotation marks and without hyphen; Fraser 1997a, 94; Fraser 2013; respectively Fraser 2005c; Fraser & Honneth 2003). The term "postscocialist' represents post-1989 horizon of political thought. "Postsocialist" condition stands for "the current state of social justice struggles that decouple redistributive politics from politics of recognition and that lack any overarching socialist project of transformation." (Mc Manus 2020, 104; comp. Fraser 1997a, 1-3). Moreover "postscocialist" condition can be characterised by "a decentering of claims for equality in the face of aggressive marketization and sharply rising material inequality" (Fraser, 1997a,. 3; Mc Manus 2020, 104).

[138] Fraser's approach can now be also called 'perspectival trialism' (Mc Manus 2020, 91).

decision making" (Fraser 2008a, 306). Redistribution, recognition and representation are now conceived as first-order questions of justice (Fraser 2008a, 396) while the category of misframing serves to address the questions who and how is included/excluded from those first-order claims (Fraser 2008a, 402).

2.2.2. Reasons for employing Fraser's framework

Nancy Fraser does not explicitly focus on the concept of violence in her writing,[139] however, she offers a comprehensive model of injustice, which I need to develop in my definition of violence. Two elements of this concept are particularly significant for this dissertation: an analytically distinct perspective and the status-based concept of misrecognition.

1) Her two-dimensional model[140] of justice facilitates developing a perspective for analysing violence through one of those dimensions, namely recognition. The category of violence is not absent from Fraser's writing, and the link between violence and misrecognition is well established (see: Fraser 1995a; 1996; Fraser & Honneth 2003). That perspective allows me to make a first distinction between the concepts of violence and injustice, although the relationship between those two still needs to be further explored and specified. This preliminary distinction would not be possible within a monistic concept of (in)justice.

An employment of the analytical distinction of the concept of injustice into different dimensions provides a framework for making the complex problem of violence more transparent. On the one hand, the framework of perspectival dualism (or trialism) allows us to grasp misrecognition as central for defining violence, but at the same time, it acknowledges the effects of violence across other dimensions, particularly the economic consequences of violence. By that, I mean that Fraser's approach provides a broader perspective on economic consequences of violence, which is not limited either

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[139] There is an exception to that general statement in form of a paper titled *The Force of Law: Metaphysical or Political* (1991). I will address it later in this chapter (sections 2.3. and 3.2.).
[140] Or at least two dimensions make up the focal research area for Fraser in the works I am mainly interested in (Fraser 1995a; 1996a; 2000; 2001; 2007b; Fraser & Honneth 2003). As in the scope of this dissertation, I concentrate on the two dimensions: explaining violence through the concept of misrecognition and, to some extent, the effects it has on distribution. I devote comparatively less time to the questions about violence's impact on political representation. Reflecting on how Fraser developed her three-dimensional model over time and how to address the effects of violence on political representation using Fraser's framework would be an exciting topic for future research.

to the plight of individuals directly affected by violent conduct in particular interactions,[141] or to the sum of financial costs of violence in any given period.[142] Fraser's approach offers the framework for understanding how consequences of violence for particular social groups (for example, women) become entrenched features of social relations in their economic aspects.[143] In other words, the material and institutional consequences of violence cannot be reduced to the dimension of recognition. Lastly, perspectival dualism and understanding of social groups as bivalent collectives is a theoretical underpinning for the strategy of cross-redressing (Fraser & Honneth 2003, 83), therefore they provide a theoretical framework for explaining and justifying how redistributive means can be used to limit violence.[144]

2) Status model of misrecognition lets Fraser capture misrecognition as not merely ethical but instead as a moral issue, providing the deontological standard for the recognition-based claims of justice (see section 2.2.1). Therefore, if I adopt her model for understanding violence, I can likewise frame violence and, by extension, violence prevention as justice issues. Moreover, the status model of misrecognition helps explore how cultural patterns and institutions influence and enable violence, therefore seeking remedies to violence (for more on the status model, see: section 2.2.2). Another important point is that the status model provides a foundation for pursuing the political goals of recognition, redistribution, and representation as a solid basis for theorising organised and long-term violence prevention strategies simultaneously. Mainly, the allocation of economic means is directly linked to women's experiences with violence in their personal lives, which entails that redistribution can be employed as an effective countermeasure for gender-based violence (comp.: Bernardes 2014, 120-121; Dutka 2014, 195).

The advantages of Fraser's concept of injustice do not exhaust the reasons I have decided to employ her framework for my dissertation. She does not merely analyse

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[141] For example, a woman, who has to flee from abusive marriage is more likely to fall in poverty as a result (see chapter III).

[142] Here I mean the total spendings on healthcare, social services and judiciary processing of cases of violence, but also losses incurred by permanent or temporal inability/limited ability of persons afflicted with violence in productive labour.

[143] In other words, Fraser provides a framework to address different ways in which violence, which is recognition based, produces economic subordination – by destruction of the body, the personal property, limiting access to resources, employment, housing, spaces (comp. Loyay 2014).

[144] Consequently, since Fraser introduced the third dimension of political representation to her concept of injustice, possible future research into understanding how changes in that dimension can influence violence and how the concept of cross-redressing can be employed to develop strategies, based on political representation, with the long-term aim (or intended consequences) to counter violence.

social conditions because she does it with the specific purpose of seeking remedies to injustice. As a pragmatically oriented thinker, she often employs the category of social practice relevant to my definition of violence. Another reason is that I am inspired by the underlying idea behind the strategies of nonreformist reform and cross-redressing, which entails that the remedies to counter injustice can be located not in tackling the particular forms of injustice directly but elsewhere. That means that, at least sometimes, social transformation can most feasibly be achieved by indirect methods. I believe it to be a very productive approach for long-term violence prevention strategies. Additionally, violence is a complex and multifaced problem. Addressing it requires taking an interdisciplinary attitude, sensitive to a social context, and Nancy Fraser is known for employing such an attitude in her works (Bargu & Bittici 2017).

2.2.3. Criticism and limitations – discussion

In the following sections of this chapter, I will explore some aspects of Fraser's concept of (in)justice, particularly regarding misrecognition. However, first I would like to discuss shortly the critique that Fraser's works have encountered over the years. I think it would prove insightful in understanding her conceptual framework.

Fraser has been criticised for oversimplifying and misreading some theories of justice, such as John Rawls's (Robeyns 2003, 538) and Jürgen Habermas' (Blackmore 2016, 16). Moreover, she neglects to adequately address Amartya Sen's capability approach,[145] an influential conception of distributive justice that both builds on and critically addresses Rawlsian theory (Robeyns 2003, 538; Van den Brink et al. 2020, 204; comp. Sen 2000). The latter is better suited to address some morally relevant inequalities while still providing the deontological framework for the recognition issues (Robeyns 2003, 538; Van den Brink et al. 2020, 204; Yamamori 2021). This oversight on Fraser's part allegedly leads to her theory of justice being oversimplified in its distributive aspect (Robeyns 2003, 543). The thorough comparison between the capability approach and Fraser's concept of justice established on the deontological

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[145] Fraser mentions Sens's capabilities approach in some of her works alongside Rawl's theory of justice (see for instance: Fraser 1995 A, 71; Fraser & Honneth 2003, 34, 100), however she does not delve any deeper into it. She claims that even though both Rawls and Sen acknowledge the importance of recognition in some, ??? the understood more or less as conditions to develop self-esteem (Fraser 1995 A, 71; Fraser & Honneth 2003, 100). I will explain why Fraser finds this approach unsatisfying in section 3.2. of this chapter.

principle of participatory parity goes beyond the scope of this dissertation, although it could be an interesting subject for future research.[146] It is true to some extent that the recognition aspect of Fraser's theory is better developed than the distributive aspect as the consequence of the fact that she primarily engages in discussions with thinkers mainly interested in recognition (see: Butler 1997; Young 1997a/2008; Fraser 1997c; Fraser & Honneth 2003).

Another more pertaining argument raised against Fraser's ideas is that the deontological principle of participatory parity implicitly assumes a sort of a "normal" subject, capable of participating with others on par under suitable conditions. However, not all people can do that, e.g., some individuals have severe mental disabilities, which makes it impossible for them to participate on par with others, no matter what accommodations are provided. That leaves open the question of how to address issues of justice in regard to those people. In contrast, Sen's capability approach does not have this problem, as Sen's framework does not require any assumption on "normal" human functioning (Robeyns 2003, 548-549). Another group that does not fall under this category of "normal" subjects are children[147] (Vatsov 2016). When Fraser has been asked about this issue in an interview, she discussed the temporal, impermanent nature of the state of childhood and that there are institutions designed to secure the children's rights and wellbeing of the children (Vatsov 2016, 325-326). [148] That does not really answer the question of how the universal principles of justice apply to the situation of this particular group. Therefore, exploring the possibilities of reformulating or

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[146] Fraser's concept of justice bears some resemblance to the capability approach. Both explore individuals' freedoms in society (Sen 2000, 18). Both apply to people with various concepts of good and do not have any particular metaphysical foundation (Nussbaum 2000, 5). Moreover, the capability approach provides a standard for the empirical measurement of the quality of life (Nussbaum 2000, 6). Similarly, Fraser's ideas offer a basis for evaluating the fairness of the institutions and policies conscious of actual living standards (Fraser 2008b, 339-341). The capability approach and participatory parity offer deontological normative standards for justice claims (Nussbaum 2000, 6).

[147] Fraser writes: "According to this norm, justice requires social arrangements that permit all (adult) members of society to interact with one another as peers" (Fraser 2001, 29; see also Fraser & Honneth 2003, 36). Fraser's proposition of participatory parity only considers justice for adults. Yet, children are more than any other group subjected to the power of others, which makes them particularly susceptible to various forms of violence and injustice.

[148] In the interview, Fraser says: "So, of course, it is not absolute parity, but the assumption is that there are good reasons for these kinds of temporary, time-limited, and open to scrutiny and response arrangements. These are not counter-examples to me" (Vatsov 2016, 326). I do not think it is a thoroughly satisfying answer. A person can be subjected to many injustices in a temporal, time-limited relationship, especially if the term 'time-limited' can refer to nearly 20 years of someone's life, or it can even cover a whole life-span or the rest of someone's life. The temporal nature of such asymmetrical relations, like the relations between parent and child, is no reason to exclude people placed in such relation from the questions of justice and emancipation. Therefore, theorising such relationships' moral grammar and political placement also requires a clear deontological standard of fairness.

expanding Fraser's concept of justice to account for children fully is an interesting question for future academic work. Let me assume for now that it is possible to formulate a deontological principle of participatory parity so that it would include children as well.

Honneth argues that Fraser's analysis of social movements is USA-centric and that her observations cannot be readily applied to other areas of the world (Fraser & Honneth 2003, 118). Moreover, methodologically, he disagrees with theorising only those forms of social suffering that social justice movements have already acknowledged, as Fraser seems to do (Fraser & Honneth 2003, 125). Honneth suggests that Fraser's chronology of emergent identity politics had been influenced by Taylor's erroneous reconstruction of thereof (Fraser & Honneth 2003, 122-123; comp Taylor 1992/1994). Meanwhile, Iris Marion Young points out that although there is some kernel of truth in the distinction Fraser makes between social movements oriented towards economic equality and those focused on cultural identity, still, it is greatly exaggerated (Young 1997a/2008, 90). She suggests that Fraser's analysis misrepresents and needlessly polarises feminist, anti-racist, and gay liberation movements (Young 1997a/2008, 91).

Moreover, Young asks why Fraser proposes only two dimensions of justice and not more, which seems to be an arbitrary number[149] (Young 1997a/2008, 93). Fraser's redistribution/recognition distinction is supposed to be an analytical construct aimed to help feminist politics to become more reflective and effective by explaining the shifts in the underlying grammar of social conflicts, and as such, it does not mean to seize (and indeed it does not[150]) the self-understanding of feminist and other progressive social activists (Naples 2004, 1112). Young, therefore, questions, if the distinction does not reflect reality, what is its purpose? She claims that Fraser fails to convincingly justify her proposition (Young 1997a/2008, 93-94)[151]. Young basically accuses Fraser of inventing the problem she describes, namely the tension between distribution and recognition claims in the social justice movements (Young 1997a/2008, 96). Despite

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[149] Note that this paper had been written before Fraser introduced the political dimension of the representation to her theory, however, adding the new dimension to the theory does not explicitly answer the question Young poses. What is important here is not the number of analytical categories (dimensions of injustice) but if they have explanatory power (Blackmore 2016, 18).

[150] Fraser's interviewer notes this in her own research: "Most of the activists whose struggles I've chronicled in my research on women's community activism don't organize around a distinction between recognition and redistribution" (Naples 1998; Naples 2004, 1112).

[151] Ann Phillips poses a similar question (Phillips 2008, 112).

this fact, Fraser stresses the mutual interpenetration between the two (and later three) different dimensions of justice. The allegation that the theoretical tool she developed has a polarising effect on the strategies of justice seems to be the comment line of criticism among feminist thinkers (Young 1997a/2008; Butler 1997/2008; Keddie 2012, 265).

Young claims that Fraser treats cultural issues of recognition and economic matters of distribution as separate while they are inextricably connected (Young 1997a/2008, 98-100). Fraser, however, does not separate the dimensions of justice; she analytically distinguishes them (*per analogiam* geographical longitude and altitude can be distinguished but are not necessarily separated). Distribution and recognition constitute two analytical perspectives that can be applied to the inquiry of all of the different social and institutional domains (Fraser 2008b, 109). Distribution and recognition in Fraser's model are not so much mutually exclusive, as Young claims that they are mutually irreducible (Young 1997a/2008, 93). That means that economic conditions in which human beings function cannot be reduced to the cultural conditions that regulate social conduct and vice versa.

Mending injustice of maldistribution by improving economic conditions and the material standing of the people affected does not automatically affect the patterns of cultural interpretation that dictate their subordinated status. On the other hand, making the patterns of cultural interpretation fairer for the misrecognised groups will change how other people interact with them but it does not automatically mean their material situation will improve. In the best-case scenario, at least some time will have to pass until a substantial change along the other dimension happens, during which the effects of injustice would still be affecting the lives of the members of those groups. In the worst-case scenario, improvement along one dimension will contribute to the increase of injustice in the other dimension, for example, in the case of welfare recipients, who can be stigmatised as irresponsible, passive, dependent, a burden on society and other hard-working people. So, even when their economic situation improves, their status can still suffer (see: Fraser & Honneth 2004, 64).[152] Granted, all the real world injustice can

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[152] Fraser does not claim it is a reason to withdraw financial support. She merely points out that in the absence of a more holistic countermeasure to injustice, welfare programs can have unforeseen negative consequences for the recipients (Fraser & Honneth 2003, 65). A historical example Fraser investigates with Linda Gordon is the case of welfare in the United States. Once welfare programs included single mothers and non-white individuals and families (redistribution remedy), the category of welfare recipients became increasingly stigmatised (unintended negative effect in the dimension of recognition) (Fraser &

be characterised through both dimensions simultaneously – they are analytic properties, not separate phenomena. As I understand this proposition, distribution and recognition constitute the most basic, fundamental level of categories that can be used to analyse (in)justice. It is not possible to reduce the analysis to even more fundamental categories. However, there may be other, equally fundamental categories. Fraser expands her theory by adding the third category: that of political representation (Fraser & Honneth 2003, 68; Fraser 2008a; 2013; 2015).

Young and Butler accuse Fraser of treating queer struggles as 'merely cultural', meaning that Fraser supposedly claims any distributive injustice that affects queer people is simply a by-product of homophobic misrecognition (Butler 1997/2008, 48-49; Young 1997 A/2008, 101).[153] Meanwhile, Butler points out that the modes of production and procreation (re-production) are intrinsically related to the material and economic level (Butler 1997/2008, 49-50).[154] They note that the very material sphere of sexual reproduction is (and has been treated as such in the 1970s and 1980s scholarship) indispensable for the political economy (Butler 1997/2008, 50). Therefore, they claim the analysis only sufferers when queer issues are treated as regulated by culture only. They note that the order of normative heterosexuality is fundamental for producing gender (Butler 1997/2008, 52).

Gordon 1994a & b). Of course, those negative consequences are not always immediately apparent and therefore are not necessarily directly experienced.

In contrast, financial support produces immediate and direct effects. Additionally, it is worth noting that whole groups of people associated with welfare recipients, such as the working poor, the disabled, the single mothers (so-called "welfare mothers" or "welfare queens,") can suffer status harm as a result (ibid, 64-65). From the "other end," the example when recognition-related measures negatively affected distribution – would be women's emancipation, particularly the admission of women to the job market and the demise of the family wage. In this case, positive change in women's status negatively affected economic relations. With the assumption that both men and women of the family are supposed to participate in wage labour, the individual pays dropped (Fraser 1994/1997, 42).

[153] Fraser sets up the sexual minorities as a paradigmatic example of a group suffering recognition-based injustice. However, in later steps, she acknowledges that all groups effectively suffer from recognition and distribution-based injustices that are not reducible to one another (Fraser 1997a; Fraser & Honneth 2003, 18-19, 24-25; Fraser 1997c /2008, 60). The idea is already present in her *Tanner Lecture*: "What, then, of sexuality? Is it also a bivalent category? Here, too, the ideal-type I sketched earlier for heuristic purposes is inadequate for real-world complexities. To be sure, the ultimate cause of heterosexist injustice is the status order, not the economic structure of capitalist society. But the resulting harms include maldistribution as well as misrecognition" (Fraser 1996a, 21). The initial premise was merely a rhetorical tool explaining the basics of Fraser's concept and had explicitly been countered later.

[154] Butler brings up the works of Karl Marx, *The German Ideology* (1846), and Frederic Engels, *The Origin of Family, Private Property and State* (1884), to make this point (Butler 1997/2008, 49-50). They state that many feminist thinkers understood "the production of human beings themselves" along the heteronormative family norms as a part of the production of gender (Butler 1997/2008, 50).

Consequently, it is impossible to properly grasp gender as the bivalent order of subordination without fully understanding the position of divergent, non-heteronormative, sexualities and/or divergent forms of gender identities, trans and non-binary genders as well as non-conforming forms of gender expression, both in the cultural and economic dimensions. Claiming that the sexual exchange blurs lines between distribution and recognition, Butler calls into question the validity of this distinction (Butler 1997/2008, 54-55). Instead, they underline the shared aim of queer studies as well as gay and lesbian studies to decouple kinship and sexual reproduction as well as sexual reproduction and sexuality as a possible remedy for unjust gender order produced through heteronormative construction of family as the unit of both the material and the cultural reproduction of human beings (Butler 1997/2008, 55).

Butler's underlying (and erroneous) assumption is that Fraser's proposition is a form of Marxism economic monism (Fraser 1997c/2008, 59). Fraser defends herself against Butler's accusations stressing that she rejects the orthodox Marxist distinction between the base and superstructure or the primary and secondary forms of subordination (Fraser 1997c/2008, 58), and the division she proposes between economic and cultural injustice does not have this character. Moreover, Fraser explains that the injustice suffered by queer people that Butler focuses on can be very well addressed by employing perspectival dualism (Fraser 1997c/2008, 63). If anything, Bulter's argument illustrates what Fraser has in mind with her proposition of two dimensions of justice. I want to underline that does not Fraser sufficiently covers queer issues in her works that does not necessarily mean the theoretical framework she developed is inadequate or unworkable for understanding queer-related issues. Some scholars have found Fraser's framework helpful for addressing queer-related problems and/or employed categories she developed in their own research on queer issues (Oksala 2017; Kováts 2019; Aboim 2020). It is merely the case that one scholar of social reality cannot adequately cover all its aspects.

Young also criticises Fraser for reducing the political sphere to culture (Young 1997a/2008, 94-95). Fraser has often been criticised for the absence of a political dimension in her 1990s and early 2000s works (Olson 2008, Blackmore 2016, 16); however, this critique seems less pertaining since Fraser answered by expanding her theory and adding the political dimension.

The most well-known critique of Fraser's approach originates from Axel Honneth. In contrast to Fraser, Honneth claims that a comprehensive theory of recognition provides a better normative basis for answering the questions of fair distribution than perspectival dualism proposed by Fraser (Fraser & Honneth 2003, 126). According to him, Fraser, in her analysis, neglects the legal recognition (Fraser & Honneth 2003, 136),[155] the absence of which indicates an underlying problem, namely, a truncated "culturalist" outlook of recognition (Fraser & Honneth 2003, 136; Scheuerman 2017, 148). Honneth's sophisticated critique is brought about by the fact that, in contrast to Fraser, he distinguishes separate spheres of recognition ruled by different principles[156] (Fraser & Honneth 2003, 137-138). That supposedly prevents her from fully understanding various aspects of recognition and allows her to exaggerate cultural and symbolic aspects resulting in the (allegedly) distorted concept of recognition. According to this line of critique the construction of the binary between distribution and recognition depends on this distorted concept of recognition (Scheuerman 2017, 148).

In turn, Fraser argues that the fact that she does not distinguish law as a separate sphere does not mean she overlooks it:

> Rather, it conceives law as pertaining to both dimensions of justice, distribution and recognition, where it is liable to serve at once as a vehicle of, and a remedy for, subordination. On the recognition side, some legal struggles aim to undo expressly juridified status subordination – witness campaigns to legalize gay marriage; others resort to law to redress *nonjuridified* status subordination – witness campaigns to outlaw racial profiling or to mandate handicapped access. Far from being localized in a special sphere, such struggles target parity-impeding norms wherever they appear, across the whole of the status order, from family to occupational practice to the built environment. On the distribution side, meanwhile, efforts to change class-biased tax and inheritance laws seek to mitigate legally sanctioned economic inequality, while struggles to enact new laws that would curtail corporate property rights, control international currency speculation, and establish a universal, unconditional Basic Income seek a more fundamental transformation. Aimed at restructuring the political economy, these struggles, too, confound efforts to compartmentalize law (Fraser & Honneth 2003, 220-221).

According to Fraser, status cannot be reduced to any of the three separate spheres of recognition as it cuts across them all. She believes the status order in modern societies is

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[155] This "neglect critique" (Mc Manus 2020, 93) has been raised by multiple authors besides Honneth, including Feldman (2002), McCarthy (2005), Zurn (2008) and Scheurman (2017); this line of critique has also been contested (Mc Manus 2020).

[156] Inspired by Hegels's *Philosophy of Right* Honneth distinguishes three spheres of recognition: love, law and achievement (Fraser & Honneth 2003, 138; see also: Byczyński 2014).

too complex and dynamic to be adequately captured by such divisions (Fraser & Honneth 2003, 219). She foregoes distinguishing the types of misrecognition and the type of specific identity-based harm they produce, and concentrates on the consequences they all have in common. Unlike Honneth, she does not consider separate principles for different kinds of claims for recognition, but instead, she employs the overarching principle of participatory parity (Fraser & Honneth 2003, 221).[157]

William E. Sheuerman[158] accuses Fraser of treating law as a mere instrument. Presumably, this implicitly theoretical assumption has prevented her from engaging the problem of law in a meaningful philosophical manner (Sheuerman 2017, 141). Sheuerman claims Fraser neglects to explore the specific normative character of law and legal rights (2017, 142):

> Fraser's view downplays how modern law and modern subjective rights are intimately linked to basic intersubjective structures of recognition, structures that not only serve more than instrumental or functional purposes but without which individual autonomy and the modern constitutional state would ultimately be unthinkable (Scheuerman 2017, 151).

The main point of Sheuerman's critique is that Fraser is only interested in law as a tool that, depending on who wields it, either helps to entrench or serves to tackle illegitimate power and injustice (Scheuerman 2017, 142-143, 151). Thus, while she underlines the crucial role of social rights and laws in the struggle for justice, she fails to justify the need for the law beyond reaching strategic goals, as she does not explore "law's distinctive normative merits" (Scheuerman 2017, 143). Scheuerman asks if it is possible to understand the nuances of modern law through the framework based on participatory parity and considers several examples where said framework could potentially be inadequate for the task. However, he does not demonstrate why it would be impossible (2017, 153). Indeed, Fraser does not devote much space to the subject of law, not counting the instances when she analyses how law facilitates injustice or, alternatively, how law can be used in the strategies to remedy injustice.

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[157] The question if it would be justified to add law as additional nonreducible perspective to the three that Fraser has already established, is a possible topic for future research. Fraser's reasons for not treating law as additional perspective on (in)justice may warrant further examination that are allowed within the constraints of this dissertation.

[158] Scheuerman is a political scientist interested in twentieth-century European political and social thought, legal theory and the rule of law as well as democratic theory; some of his notable works include: *Between the Norm and the Exception: The Frankfurt School and the Rule of Law* (1997), *Liberal Democracy and the Social Acceleration of Time* (2004) and *Frankfurt School Perspectives on Globalization, Democracy and the Law* (2008).

Fraser reflects on law in a short paper, often overlooked by her critics, *The Force Of Law: Metaphysical Or Political?* (1991), where she disputes explicitly with Derrida's *Force of Law: The "Mystical Foundations of Authority"* (1990/1992; see also: Mc Manus 2020, 94). It needs to be noted that the aforementioned paper had been written before Fraser fully articulated her concept of justice with the normative basis of participatory parity and perspectival dualism (later trialism) and would perhaps need some reconciliation with the conceptual framework she later employs. On the other hand, Scheuerman argues that in such a short paper she barely touched the subject of law: she merely explained what she expects from the critical study of law rather how she conceptualises law itself and its normative weight (Fraser 1991; Scheuerman 2017, 142). Fraser is certainly not oblivious to normative aspects of legal institutions and practices. For instance, she points out the normative lacuna in Foucault's critique of modern power that led to legal oversights on his part. Namely, the absence of Weberian distinction in Foucault's thought "between such notions as authority, force, violence, domination, and legitimation" (Fraser 1981, 286;[159] Scheuerman 2017, 144; com Foucault 1975/1995; 1972-1977/1980). However, according to Scheuerman, she stops short of developing an alternative approach to modern law (Scheuerman 2017).

In the 1991 paper, Fraser rejects the notion that the normative basis of the law lies in some distinctive quasi-transcendental qualities. Instead, she claims, the philosophical scholarship of law should focus on its political and social roots and consequences (Fraser 1991, 1330-1331). Both Derrida's (1990/1992) and Fraser's (1991) papers deal with the idea of violence as a necessary condition for justice. Moreover, both authors consider the possibility of employing critique and/or deconstruction to understand violence in law in relation to the question of justice. However, Fraser takes fundamentally different stance towards this problem than Derrida does. She argues that the quasi-transcendental approach to deconstruction favoured by Derrida in the aforementioned paper does not provide any basis for distinguishing between possible legal institutions and practices that are morally defensible and those that are not (Fraser 1991, 1326). She notes that Derrida's quasi-transcendental premise presupposes a very peculiar, but paradigmatically ethical disposition, namely a commitment to ungrounded normative judgments (ibid.).

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[159] Fraser credits her colleague from the New School, political and social theorist, Andrew Arato, for his contribution to the formulation of this problem.

According to Fraser, the problem lies in Derrida's understanding of how decisions are made (Fraser 1991). In short, she criticises his claim that decisions[160] are always undetermined, ungrounded, "leaps of madness," expressions of radical freedom, and can only be justified convincingly *ex post facto* (Fraser 1991, 1327). In Derrida's account, the legality or legitimacy of the judge's decision lay in conformity to established general law but is not a result of a simple calculation[161] (1990/1992, 22-24). Moreover, free and responsible decisions must reinvent and justify the law (ibid, 23), which means the judge becomes the founder of the law. All those conditions cannot be simultaneously fulfilled in the moment of deciding, so the decision cannot be fully considered just, yet it must be enforceable to constitute law.[162] In so far as judging involves deciding, it indispensably involves violence. Therefore, for Derrida, violence is intrinsic in the law as it is intrinsic in judging (Fraser 1991, 1327; comp. Derrida 1990/1992). Consequently, violence must be an indispensable feature of "any legal institution in any possible society" (Fraser 1991, 1325; Derrida 1990/1992). It entails that it is impossible to detach violence from law, legal institutions and practices, and any endeavours to do so are naïve and ultimately pointless (ibid.; Scheuerman 2017, 141). Fraser agrees that judgments cannot be subsumed as mere calculations, but she disputes that judging can only be understood as fundamentally ungrounded "leaps of madness" (comp. Derrida 1990/1992, 26). She claims that Derrida's failure to consider other possible positions[163] means his assumption about the nature of judgments is unfounded (Fraser 1991, 1327). For Fraser, violence in law comes instead from historically contingent social relations and institutionalisations of power (Fraser 1991, 1328- 1329). So instead of focusing on violence supposedly inherent in law, it is more productive to develop conceptual and normative tools for identifying unnecessary violence in law, legal institutions and practices (Fraser 1991, 1330; see also: Mc Manus 2020, 95). Political critique of the force of law lets Fraser understand the role of law in

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[160] 'Decisions' here do not only refer to the final verdict or sentence but also to decisions on which principle to choose in the following process of making a judgment and/or how to understand the rules and the decision on what method to use to at the final verdict. Even if that chosen method does not go beyond calculation the choice to employ calculation is still a decision (Derrida 1990/1992, 24).

[161] Only acts performed by free and responsible subjects can be considered just (or unjust) and therefore such acts cannot be dictated by rules external to the subject (Derrida 1990/1992, 22). A simple calculation would not fulfil those conditions. As I understand Derrida, the judge is responsible for the decision as the de facto author of law and there is an inherent contradiction between following law and being its author.

[162] Derrida claims "there is no law without enforceability" (1990/1992, 6) and it is that enforceability that is de facto the source of law's authority (ibid., 12). In this case what is enforced is the decisions of the judge (interpreter of the law).

[163] Fraser invokes here Aristotelean notion of phronesis (1991, 1327). Unfortunately, she does not elaborate it any further.

creating spaces for feminist movements to flourish by engaging in struggles in legal arenas, redefining legal terms that were formerly interpreted along the lines of hegemonic position, as well as demanding recognition of depreciated identities legal discourses (Fraser 1989, 183; Mc Manus 2020, 95).

As I interpret it, Fraser's conception of law is located in and can be reduced to the interplay of distribution, recognition and political representation in later works.[164] Law does not warrant framing as a distinct dimension on its own, not even as a significantly distinct subcategory of recognition. Law would be a (relatively) comprehensive collection of the patterns of cultural value interpretation that is codified and institutionalised in a very specific way by states and organised bodies of states and that deals with the sphere of recognition, distribution and (and as of later works) political representation. That means law cannot be reduced to a mere instrument for gaining and denying recognition or redistribution, although it undoubtedly fulfils the function.[165]

Fraser notes that social movements adopt legal discourse to promote their understanding of justice either by redressing nonjuridified forms of status subordination or subordination implicit in the law (Fraser 2003b), thus, although Fraser devotes little place to the subject, law becomes the focal point of analysis of social movements (Mc Manus 2020, 94). Crucially, law provides a space for social struggles to take place. Contrary to Scheuerman's assumption, Fraser conceives law not only as instrumental but also as constitutive of social relations (Mc Manus 2020, 96; comp. Fraser 2008c).

The analysis of Fraser's discussion with her critics leads me to a following conclusion: Fraser did not sufficiently explain what she means by 'cultural' when she discusses recognition in her earlier works. For that reason, many of her critics interpret 'cultural' in the context of Fraser's works in a way that is misaligned with the intended meaning. As a result, they misconstructed her position as more skewed towards symbolic aspects than she intended. This problem is especially visible in her discussion with Butler and Honneth (Butler 1997/2008; Fraser & Honneth 2003). Essentially the

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[164] As opposed to the dimensions of distribution, recognition and representation are mutually irreducible to one another.

[165] Mc Manus (2020) arrived at a similar conclusion regarding Fraser's outlook on law, which he puts in the following way: "We should remember that Fraser's 'perspectival trialism' conceives of law as pertaining to the three above-mentioned domains of justice (redistribution, recognition and representation), 'where it is liable to serve at once as a vehicle of, and a remedy for, subordination'" (Fraser & Honneth 2003, 220; Mc Manus 2020, 95)

critics accuse Fraser of divorcing what is cultural, understood as symbolic system of meaning, from what is material (Butler 1997/2008; Philips 1997, 147; Fraser & Honneth 2003, 113). In this understanding, misrecognition would only affect social relations through the communication of symbolic meaning. It does not help that Fraser often discusses together examples of the social problems attributed to cultural struggles that carry very different gravity and that work through very different venues. Moreover, she does so without fully explaining why such problems are coupled together e. g.: "the display of the Christian cross in Bavarian schools, the US police practice of racial profiling, and a built environment that disadvantages people with disabilities" (Fraser & Honneth 2003, 220) and that leaves the reader guessing how such diapered problems are connected. The display of Christian crosses in schools, for instance, is purely symbolic and any further consequences of such practice are indirect. Therefore, a reader may understandably look at other examples and assume the common denominator to be the symbolic aspect as well. Meanwhile, the symbolic aspect is much less important for the practice of racial profiling (although it does not completely disappear), which is likewise categorised by Fraser as a cultural. Both are instances of institutionalised practice that produces and reproduces certain order of statuses in a particular context, but through very different venues. Granted, status is what Fraser underlines, but because she does not explain in depth the particular mechanisms in each instance, she cites that it is difficult to grasp how it should be understood. The order of status subordination is established through institutionalised patterns affecting directly different spheres of human existence and are often directly enacted on human bodies or otherwise directly shape the space human beings inhabit. This cannot be understood as merely symbolic. Instead, institutionalised cultural patterns reach beyond merely communicating symbolic meaning. Cultural norms govern interpersonal physical interactions that directly affect people's bodies. Hence, misrecognition may lead to the gravest injuries or even death (comp. Fraser & Honneth 2003, 67).

It is worth noting that Fraser is likewise guilty of misconstructing Taylor's and especially Honneth's concepts of recognition by overemphasising psychological aspects of Taylor's and Honneth's theories and also by framing the ideas of recognition politics of those two authors as identity politics understood as merely cultural (comp. Taylor 1994; Honneth 1995; Ikäheimo 2017, 578). In other words, Fraser commits the same

mistake when discussing and criticising the works of others as her critics do in regard to her own writing.

2.3. Basic terms

2.3.1. Harm and injustice in Nancy Fraser's works

In this section, I take a closer look at some terms and concepts that will later be helpful for the construction of a definition of violence I propose. First, I will address the concepts of injustice and harm in Nancy Fraser's work, responding to the chief question: Is there a difference between harm and injustice? If so, how can it be grasped? Then, I will explore the status model of recognition and its deontological basis, the notion of the 'institutionalised patterns of cultural value interpretation' and the relationship between status and identity, to at least address the concept of social practice.

In the previous chapter, I closely discussed an intent to inflict harm, the potential harm, the presence of harm, and its close equivalents like injury or violation as a necessary prospective condition for defining violence. Harm was revealed as the most common aspect introduced in the discussed concepts of violence, because it plays either a role of an outcome or a reason for violence (see: Garver 1968; Galtung 1969; Audi 1971; Harris 1980; Honderich 2002; Steger 2003; Buffaci 2005). Harm remained a significant aspect of violence even in concepts that did not pin direct harm as a necessary condition for defining violence (comp: Galtung 1969). Even if concepts seem to decouple violence from harm, harm often remains as a hidden consequence of what violence is "meant" to do (comp. Bourdieu 1979; 1998/2001; Žižek 2008). However, different authors presented different understandings of the sort of harm that is relevant in the context of defining violence.[166] Because the concept of violence is defined in relation to harm so often in the existing scholarship, I need to explain why I decided that injustice and not simply harm is a better starting point for developing a comprehensive definition of violence. The previous chapter laid the groundwork, where I discussed the shortcomings of defining violence as harm.

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[166] For example does the harm need to be intentional or not?, is it enough for harm to occur potentially or does it need to be realised?, does the harm need to be direct result of some action in order to consider the action violence or can indirect violence determine harm as well? And so on.

As explained in the previous sections of this chapter, Fraser's justice equates to fulfilling objective and intersubjective conditions that enable participatory parity (Fraser 1995a; 1996; 2000; 2001; 2007b; Fraser & Honneth 2003). Therefore, it can be inferred that injustice occurs when those conditions are not fulfilled or when the fulfilment of participatory parity is in some way impeded. Fraser's definition of injustice is clear in the sense that no matter how many conditions are considered at any given time, there is always the deontological basis, which is the idea of justice and the basic principle of social arrangements.[167] Fraser notes that: "justice is never actually experienced directly, [...] we do experience injustice, and it is only through this that we form an idea of justice" (Fraser 2012c, 43). It can be said that the idea of justice and the concept of injustice are complementary and have to be grasped together. The idea of justice serves to define injustice, but it is the injustice located in the social relations we can experience.

On the other hand, the meaning of the term 'harm', as distinct from injustice, is not, paradoxically, directly explained in none of the referenced texts (Fraser 1995a; 1996; 2000; 2001; 2007b; Fraser & Honneth 2003). Although the concept of harm is closely linked to the concept of injustice, Fraser does not clearly distinguish between harm and injustice. At the same time, violence is simply listed as harm (Fraser 1995a, 76). Thus, before I proceed further, it is necessary to clarify the relationship between the concepts of harm and injustice in Fraser's works to establish which of those concepts is more appropriate as a starting point for constructing a definition of violence.

In the referenced texts, the term 'harm' appears most often as a noun in plural form, suggesting the plurality of harms and their character is heterogenous – multiple and diverse harms can stem from injustice (Fraser 1995a; 1996; 2001; 2007b; Fraser, Honneth 2003).[168] Another use of the word 'harm' takes a form of a verb. When Fraser

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[167] Fraser's ideas about justice align closely with her interpretation of Rawls in that part. Fraser writes: "by this [Rawls] did not mean that justice is the highest virtue [of social arrangements], but rather that it is the fundamental one, the one that secures the basis for developing all of the rest. In principle, social arrangements can display any number of virtues—for example; they might be efficient, orderly, harmonious, caring or ennobling. But the realisation of those possibilities depends on a prior, enabling condition, namely, that the social arrangements in question be just. Thus, justice is the first virtue in the following sense: it is only by overcoming institutionalised injustice that we can create the ground on which other virtues, both societal and individual, can flourish" (Fraser 2012c, 41).

[168] Likely, as discussed in the previous chapter, not all harms are rooted in social relations. Some may be caused by accidents or natural occurrences. Such harms in themselves do not constitute injustice. However, it should be noted that naturally occurring harms can undoubtedly be interwoven into the fabric of social relations and be mitigated or amplified through social mechanisms (for more on this subject, see: Galtung 1969, 170-173). Fraser herself is much more interested in harms rooted in social relations, be it

uses the word 'harm' as a verb, it means diminishing social standing, causing obstacles to participatory parity, and causing disadvantage (Fraser 1996a, 48, 51; 2007b, 32-33). An act or a process of harming makes existing relations more unjust.[169] Hence, harming is dynamic.

In several places, Fraser enumerates examples of the range of harms that she also considers as injustices, particularly, *injustices* of recognition (Fraser 1995a, 76, 81; 199, 13-14, 18-19; 2007b, 26; Fraser, Honneth 2003, 18, 23;). For instance, she lists examples of such harms, related respectively to gender and racial misrecognition, in the following passages:

> Sexual assault, sexual exploitation, and pervasive domestic violence; trivializing, objectifying, and demeaning stereotypical depictions in the media; harassment and disparagement in all spheres of everyday life; subjection to androcentric norms about which women appear lesser or deviant and which work to disadvantage them, even in the absence of any intention to discriminate; attitudinal discrimination; exclusion or marginalization in public spheres and deliberative bodies; and denial of full legal rights and equal protections (Fraser 1995a, 76).[170]

> (And) demeaning stereotypical depictions in the media as criminal, bestial, primitive, stupid, and so on; violence, harassment, and dissing in all spheres of everyday life; subjection to Eurocentric norms[171] in relation to which people of colour appear lesser or deviant and which work to disadvantage them, even in the absence of any intention to discriminate; attitudinal discrimination; exclusion from and/or marginalization in public spheres and deliberative bodies; and denial of full legal rights and equal protections (Fraser 1995a, 81)

As it is presented above, the term 'harm' grasps a range of very diverse phenomena that belong to different dimensions of social life and have very other effects on individual and collective lives.[172]

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economic relations, relations of recognition (Fraser 1995a, 76) and, in later works, political relations (Fraser 2007a; 2008a; 2013). It should be noted that because of humans' impact on the environment, the distinction between social and extra-social harms becomes increasingly unclear.

[169] American philosopher and feminist Judith J. Thomson notes that causing a person to suffer harm is not necessarily the same as harming the person (a firefighter breaks the arm of a person trapped in a fire in order to save them. The person is still in the harmed state (suffers harm), having their arm broken, but the firefighter did not harm them (Thomson 2011, 439). This example does not pertain to unjust harm; instead, being in fire is accidental harm (unless the fire was a result of purposeful action or negligence), while having one's arm broken, in this case, was necessary to avoid greater harm.

[170] A similar list of examples can be found in her other works (Fraser 2007a, 26). Misrecognition harms related to queerness (Fraser & Honneth 2003, 18) and to race or ethnicity (Fraser & Honneth 2003, 23).

[171] As I understand the term, "Eurocentric" may reference Euro-Americans or people and cultures of European descent. The socially relevant divisions between ethnic and racial groups are different in Europe and America, not to mention different across different countries and regions.

[172] Matthew Hanser addresses the plurality of the concepts of harm, providing a typology for them (2008). The author writes, "A full account of harm should (a) tell us what it is to suffer harm, (b) explain why it is

In both cases (harm as a noun and harm as a verb), violence appears as one of the harms. In the latter of the quoted passages (Fraser 1995a, 81), the term 'violence' seems to denote the physical use of force against another person rather than some generalised concept. In the first passage, she refers exclusively to 'domestic violence' (Fraser 1995a, 76). Other phenomena listed in the passages above (demeaning depiction in media, harassment, disparagement in all spheres of everyday life) can also be described as particular guises of violence, that are usually addressed in the literature by such concepts as soft violence, symbolic violence and verbal/psychological violence. I will not discuss this terminology any further, given that providing the typology of concepts of violence or the typology of different types of violence is beyond the scope of this dissertation. From this perspective, Fraser does not appear helpful in informing a refined concept of violence. But there is more to be uncovered from her works that I will address in the following sections.

Fraser claims that some harms stem from the quintessential qualities of a particular type of injustice, so they are products of injustice. The nature of this injustice decides how those harms should be remedied (Fraser 1996a, 18-19). The complexity of social relations makes it difficult to pinpoint the sources of harms (comp. Fraser 1996a, 21). Harm can mean both an economic disadvantage and/or a status injury. Therefore, harms can encompass maldistribution and misrecognition (Fraser 1995a, 22; Fraser 1996a, 19). In other words, injustice is the root cause of the harm. The harm can be located either *in* the dimension or *regardless of* the dimension of injustice it originated from. The harms that were originally by-products of an economic structure may develop new aspects in the dimension of recognition (Fraser 1996a, 19, Fraser & Honneth 2003, 23).

On the other hand, harms that result from status order may produce economic harms. The harms resulting from the status order may influence the economic structure, which is irreducible to the initial status-based injustice (Fraser 1996a, 21). However, the harms in a particular dimension of justice may be challenging to conceptualise from the perspective of other dimensions (Fraser 2007b, 24).

I infer that while 'harms' in the most general sense employed in Fraser's works denote obstacles to participatory parity (Fraser 1996a, 33), 'injustice' refers to a state of

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bad to suffer harm, and (c) give us some idea how to measure the relative seriousness of different harms." (Hanser 2008, 421-422).

social relations in which participatory parity is not realised due to a particular obstacle or a particular set of obstacles resulting from social arrangements. Furthermore, participatory parity means "standing on an equal footing" with others and indicates conditions under which everyone/anyone who wishes to do so can/is enabled to participate in a broadly defined social life as a peer with others without unfair disadvantages (Fraser & Honneth 2003, 101).

That means that the concept of harm is not limited to individual psychological or physical experiences. For example, Fraser argues that the understanding of harms resulting from misrecognition should be reduced neither to the distorted relation to the self (of the subject who experiences misrecognition) nor to the damage made to the sense of the self. The understanding of harms should also refer to all the forms of inhibitions to participate as peers with other members of society (Fraser 2001, 24). The distorted relation to the self-experienced by an individual, results in inhibitions to participate in political and social relationships and institutions and, thus, should be acknowledged as a harm. That means some harms do not have a concrete shape that is easy to grasp. It is not always possible to point to some particular object or state of being and say: "look, this is the harm". Harm can go beyond personal suffering and subjective experiences.[173] Some harms have dispersed character (comp. Galtung 1969). While this notion of harm may seem counterintuitive, it provides a valuable perspective on constructing the conception of violence. I looked through the perspective of injustice for the answer to the question of how to distinguish between the relevant and irrelevant kinds of harm for defining violence. The solution I propose is that the kind of pertinent harm for defining violence is unjust harm, meaning the harm resulting from injustice.

Conversely, one can have an experience subjectively perceived as the harm that does not result from injustice (comp. Fraser & Honneth 2003, 38). People with certain advantages over others may experience losing those advantages or a portion of those advantages as harmful, even if the initial advantage was unfair and the loss does not impede their ability to participate on par with others. For example, men may subjectively feel harmed when reproached for sexist behaviour towards women. In case

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[173] Suffering harm is not necessarily related to any conscious, subjective experiences. Compare this with the scholarship on the subject: "Suffering harm may, of course, be accompanied by suffering, and may cause it, but is not an instance of it" (Thomson 2011, 437), or "And I take it that to suffer harm is simply to be its subject: connotations of pain and anguish should be ignored. Similarly, when I write, for the sake of variety, of someone's experiencing harm, this should be taken to imply nothing about the subject's conscious experiences" (Hanser 2008, 421).

of misrecognition, the status (meaning the standing of one individual or group in relation to other individual or groups) harms influence to a great degree what an individual can and cannot do within the society. It needs to be emphasised that the harms of misrecognition are not merely symbolic, as they impact individuals in tangible ways (Fraser 2007b, 33). The unjust depreciation of particular groups and qualities associated with those groups results in various harms that members of those groups can be subjected to (Fraser 1995, 81).[174]

It is important to note that the harms do not need to be inflicted intentionally to be unjust; they can be perpetrated, for example, through everyday use of language devoid of any hostile intentions (Fraser 1995a, 81). This means that individual perpetrators can intentionally inflict harm but may also contribute unwittingly.[175] The fact that some harms occur "by design," as they are unintended but inherent consequences of features imbued into institutions, does not mean there is a conscious intention of harming (Fraser 1995a, 76). Intentionality is not a necessary quality of injustice. Therefore, it does not need to be considered the necessary quality of violence.[176] On the other hand, I assume that the requirement for defining injustice is avoidability. I would like to recall the concept of Galtung (1969, 12) that I discussed in

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[174] For instance, women are often treated unfairly in society. Moreover, various qualities culturally understood as feminine are devalued as well, which extends to characterological features but also to interests, roles and skills typically associated with "women's jobs." An interesting example analysed by Fraser and Gordon is "dependency" in political discussions in the USA, particularly around welfare reform (Fraser & Gordon 1994a, 4). Dependency is feminised both in the sense that women, as a result of socio-cultural-economico-political-legal-conditions, are more financially and often socially dependent on their male partners (or state social support) and in the sense that dependency framed an inherent characterological feature (or rather a flaw) is attributed to women more than to men (Fraser & Gordon 1994b, 318). The meaning of dependency as a psychological (pathological) characteristic or even a moral flaw gain prominence in the postindustrial condition, particularly in the 1980' (Fraser & Gordon 1994a, 16-17). Meanwhile, the ways in which men depend on women and various support networks, including the network of state institutions, are hidden and obscured through specific patterns of cultural understanding. That makes dependency a quality both depreciated and associated with the specific depreciated group, or in more profound, intersectional analysis, multiple depreciated groups, as dependency is not only feminised, but also racialised and associated with poverty (Fraser & Gordon 1994a, 4-5, 9-10; Fraser & Gordon 1994b, 3019). As a result, anyone perceived as dependent, including men who do not display an "appropriate" degree of independence, is depreciated (Fraser & Gordon 1994a, 16).

[175] On the same page, Fraser writes in the footnote the following: "In a previous draft of this paper, I used the term 'denigration'. The ironic consequence was that I unintentionally perpetrated the exact sort of harm I aimed to criticise—in the very act of describing it. 'Denigration,' from the Latin *nigrare* (to blacken), figures disparagement as blackening, a racist valuation. I am grateful to the Saint Louis University student who called my attention to this point" (Fraser 1995a, 81). This is an example of how the quality associated with a certain group is used with very negative connotations, therefore institutionalising unfavourable attitudes towards that quality and subsequently the group of people who possess that quality through language.

[176] This is a counterclaim to some authors referenced in chapter I, who proposed the intention to harm (Steger 2003) or at least the awareness that the action may be harmful to someone (Harris 1980) as a necessary condition for defining violence in the context of the framework I employ to define violence.

Chapter I. It entails that negligence in mitigating harms that stem from accidental and/or "natural" causes, constitutes injustice if there are technical means to do so. Meanwhile, unavoidable harms should not be regarded as injustices.

The distinction between harms and injustice(s) in the referenced texts seems somewhat fluid. Therefore, after a careful analysis, I resolved to conceptualise the relationship between the two based on my interpretation of Nancy Fraser's works (particularly Fraser 1995a; 1996; 2000; 2001; 2007b; Fraser & Honneth 2003) without necessarily ascribing the exact same understanding of those terms to her. Namely, *harms* are phenomena we can observe, appearing in every sphere of human existence (like social, political, legal, psychological, physical or economic). At the same time, *injustice* can be conceived as a nexus of unfair relationships that underpins social life and have a stifling effect on participatory parity. Harms may function as both the products and/or manifestations of injustice, while at the same time, they reinforce unjust relationships. Moreover, I suggest the reason Fraser refers to particular harms, derived from unjust social relations, as *injustices*, is that not only they do have a source in injustice, understood as nexus of relationships cutting across all spheres of human existence, but also serve to reinforce it. Therefore, those harms can rightly be called injustices as they are in themselves unjust. The concepts of harms and injustice are intrinsically linked and can be conceived as distinct aspects of some parts of social life rather than separate phenomena.

I assume the following understanding of the terms 'injustice' and 'injustices' in the dissertation from now on: *injustice* (singular) as a nexus of social relations, while *injustices* (plural) as unjust harms (plural).

A)

B)
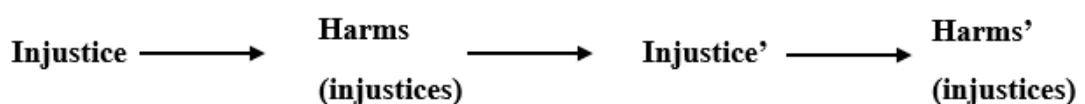
Figure V: Relation between the concepts of injustice and harms. If I could properly graphically demonstrate my idea, it would be in the form of a three-dimensional corkscrew with A) and B) parts overlapping with one another. This graph serves as an attempt to translate this image into two dimensions.

The circularity between the concepts of harm and injustice I use is not incidental. It originates in the framework I am employing, namely Fraser's use of participatory parity as a yardstick to evaluate both the political process aiming at more just arrangements and the outcome of that process, which have been pointed out and questioned by Reiner Forst (Forst 2008, 316; Fraser 2008c, 340). In application, the principle of participatory parity is both (1) procedural and (2) substantive as it serves both to (1) evaluate the procedural fairness of the deliberative process by examining the underpinning nexus of social relations and (2) the outcome of this process (Fraser 2008c, 340).

To conclude this section, I propose the following understanding of harm, partially inspired by Galtung's definition of violence,[177] as impediments to human beings' potential somatic, mental and/or social realisations. Understanding that the social aspect should be included in the definition of harm comes from the works of Nancy Fraser. Meanwhile, injustices are a class of harms that: 1) emerge in the society; 2) are either preventable and/or their effects are experienced unevenly in a way that is determined by social relation; and therefore, 3) constitute an impediment to participatory parity. *Injustice* (singular) essentially refers to the nexus of unjust social relations from which *injustices (avoidable societal harms)* result. I propose to use injustice rather than harm for defining violence, because injustice already implies the social and avoidable character of violence and makes it easier to conceptualise less tangible, indirect effects of violence that influence relationships rather than individual wellbeing. Therefore, to the extent it interests me in this dissertation, injustice is a more precise concept than harm. Further, I propose that the necessary condition for defining violence are status harms (status injustices) that can be analysed by employing the perspective misrecognition, a concept I will discuss next.

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[177] See (Galtung 1969) and chapter I of this dissertation section 2.3. – the definition of violence that Galtung has proposed was too wide, but I reckon its elements can be refashioned to fit the concept of harm and injustice.

2.3.2. (Mis)recognition – the status model of recognition

Now, when the relationship between harm and injustice in the framework I employ is clarified, I will proceed to the next problem, namely explaining Fraser's concept of misrecognition, which is crucial for defining violence. I will concentrate on a series of texts in which Fraser develops the concept of recognition and redistribution as the two dimensions of justice (Fraser 1995a; 1996; 2000; 2001; 2003; 2005a; 2007b; Fraser & Honneth 2003).

In the philosophical tradition, the category of recognition is associated foremost with the thought of G. W. F. Hegel. However, it had been anticipated by earlier philosophers such as Jean-Jacques Rousseau (Zurn 2010, 12). Recognition understood as Hegelian 'Anerkennung,' is fundamental for developing "human animals into free and rational beings or persons" (Ikäheimo 2017, 568). In contemporary scholarship, the recognition category is employed across various academic fields ranging from moral and political philosophy, social theory, legal philosophy, and philosophical anthropology, to ontology and epistemology (Zurn 2010, 1). In particular, it has been used to address and normatively unpack various problems about a multicultural and pluralist society, such as justifying human rights (Wojciechowski 2014). Fraser's status model of recognition has a sociological character as she takes an external rather than internal perspective – she is interested in human behaviour towards one another, human interactions, mechanisms that guide those interactions and their effects in various spheres of social life rather than subjectivity and inner psychological states and in that differs from the account given by her most notable contemporaries Axel Honneth and Charles Taylor (Zurn 2003b, 8). Fraser conceptualises misrecognition as one of the dimensions of injustice that can be best grasped as an 'institutionalized relation of subordination' based on status (Fraser & Honneth 2003, 29).

In Fraser's works, violence is presented as the denial of recognition (comp. Fraser 1995a, 77), status injury (1996, 16), (specific form of) status subordination (Fraser & Honneth 2003, 21; Fraser 2007b, 26) or status harm (Fraser & Honneth 2003, 84). The referenced works have no precise definition of violence (Fraser 1995a, 1996; 2007b; Fraser & Honneth 2003). However, Fraser seems to employ a narrow and intuitive understanding of violence, including physical harm as a definitive feature. As I

established before, such a definition is too narrow to help guide integrated violence prevention strategies, because it ascribes incidental character to violence.

Of course, Fraser is not the only notable scholar who associates violence with misrecognition in their work. Among others, Judith Butler (2004a; b; 2009) and Axel Honneth (1992; 1995; Anderson & Honneth 2004), Fraser's partners in academic discussion, also significantly contributed to the subject. On Butler's part, recognition is an intrinsic and explicit aspect in the notions of grievable life, mourning and unreality they employ to address violence (2004a; b; 2009). To illustrate those notions, Butler discusses various examples, including violence against transgender people. They note that violence against a transgender subject, which crosses the lines of expected gender presentation, is not recognized as violence (2004a, 30). Butler maintains that for violence to be recognized as real, the subject must also be recognized as fully human, and legible in their humanity in the eyes of the public. It is for "the norms of recognition function to produce and deproduce very notion of the human" (ibid. 31-32). Some people, like "transgender individuals, are made into others, against which the notion of human is demarcated" (ibid. 30). As a consequence, violence towards those "unreal humans" cannot be recognised as violence. That means protection from violence, indeed protection of every human life and the ability to persist in oneself, depends on the norms of recognition (ibid. 33). Meanwhile, within Honneth's conceptual framework, violence[178] in various guises should be considered as a form of disrespect and humiliation that bears significantly on identity formation (1994; Anderson & Honneth 2004). On the other hand, recognition, particularly its legal form, safeguards against violence (Honneth 1995, 177).

Conversely, in one of her earlier papers, Fraser uses the notion of "forms of *masked, structural* violence"[179] (Fraser 1991, 1328). Masked, structural violence is understood here in opposition to overt, 'punctual' violence,[180] as an array of social structural processes that produce a range of colossal harms that often have deadly effects, including "malnutrition, medical neglect, and environmental toxicity" (Fraser

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[178] Although Honneth employs violation in this context rather than violence, violence is implicit in the reasoning.

[179] Emphasis after the original text. The notion of structural violence presented in the paper is not novel; it is closely aligned with earlier works on the subject (see: Galtung 1969, chapter I, section 2.3 of the dissertation]

[180] As I understand, 'punctual' violence (quotation marks inserted by myself do not appear in the original text) would essentially denote what Galtung (1969) referred to as direct violence and Žižek (2008) as subjective violence (here chapter I, section 2.3 and 2.4 respectively).

1991, 1328). Additionally, it is impossible to identify individual agents responsible for those processes. Fraser acknowledges masked, structural violence as more important (and complex) to understand than 'punctual' violence (ibid.). Fraser understands structural violence as processes rather than effects, which indicates dynamic rather than static character, which implies the forms of structural violence change depending on conditions (comp.: Confortini 2006). The possibility of change means that structural violence is contingent on the social system rather than a necessary feature (1991, 1325; also: Mc Manus 2020, 94). This, in turn, entails the possibility of reducing structural violence by transforming the social system.

In the 1991 paper recalled above, Fraser addresses Derrida's account of the "force of law" that, according to Derrida, is an inherent feature of the judge's judgment. In Derrida's view, the "force of law" is independent of historically and socially contingent institutions and instead is engrossed in the deep structure of judgment. Therefore, the "force of law" refers to that aspect of the judging process that is intrinsically ungrounded and can only be justified ex post facto (Derrida 1990/1992, 23; Fraser 1991, 1327). In other words, the "force of law" is where layers of arbitrariness are in the legal process. Moreover, because enforceability is a necessary feature of law and judges' judgment is intrinsically arbitrary, a "leap of madness" (Derrida 1990/1992, 26), thus the arbitrariness of law enforcement is also an intrinsic feature of law. As arbitrary enforcement is a form of violence, law is inherently violent (Derrida 1990/1992, 6, 10, 22; Fraser 1991, 1328). Fraser disagrees with this account. She argues that the aim of political critique of the "force of law" is the identification of the ways in which masked, structural violence penetrates institutionalised practices of the legal process of formulating judgment (Fraser 1991, 1328). To explore where the forms of structural violence are located and how those forms of violence become institutionalised in the legal system, Fraser proposes three levels of political critique of the "force of law" 1) the level of basic constitutional principles that delimit the interpretation of the law (ibid., 1328); 2) the level of 'deep grammar' of legal reasoning – the individualistic character of legal reasoning and the subsequent difficulty of legally redressing the harms related to belonging to certain social groups (ibid., 1329); 3) the level of cultural background related to "[…] assumptions – for example, about human nature, the causes of poverty, what counts as work, and proper gender roles [that] constitute the inescapable horizon of any judgment" (ibid., 1330).

Unfortunately, despite that Fraser asserts the importance of the impact structural violence has on social relations and the necessity of understanding structural violence for the sake of political theorising (Fraser 1991, 1328), she does not explore the concept of structural violence any further and rarely employs it in her writing. This is because, although Fraser draws some of her assumptions and implications from the structuralist theoretical tradition (Fraser & Honneth 2003; Fraser 2013), she is not a structuralist herself. Fraser, like structuralist and post-structuralist thinkers, is interested in the social process of meaning-making and meaning-reproduction. Her interest is not merely theoretical, as she primarily concerns the socio-political consequences of the everchanging nexus of meaning. According to Fraser, the structural critique of capitalist society can reveal how and why gender asymmetry is built into capitalist society (Helali & Fraser 2019, 14) and provide "a kind of map" for various sorts of social movements and struggles that would allow members of those movements see their relationships to other current struggles (Vatsov & Fraser 2014, 333). However, she is critical of structuralist thinking for its inflexibility, failure to grasp identities, social groups and hegemonies changing over time. For those reasons, the structuralist theory of discourse has limited potential for developing a theoretical understanding of social relations that could function as a guideline for transformative political practice (1990b).

The analyses of Fraser's account of masked, structural violence confirm that her theoretical framework can accommodate a broad concept of violence. Note that this section's purpose is not to define violence from different instances of using the term in Fraser's works using inductive reasoning. Instead, it is to determine how violence can fit within Fraser's concept of (mis)recognition. To do that, I must explain the meaning of 'misrecognition' and 'status' in her works. Therefore, in the next step, I will delve deeper into the status model of recognition. Some groundwork for that has already been laid down in the previous sections of this chapter.

2.3.2.1. Deontological standard

The status model responds to the need to reconcile the struggles for fair distribution and recognition within one theoretical framework (Fraser 1995a; 1996; 2000; 2001; 2007b; Fraser & Honneth 2003). For this purpose, Fraser proposed to develop an understanding of recognition that shares a *common deontological standard* with claims of distribution. This common deontological standard is *participatory parity,* which has already been introduced in the previous sections of this chapter (Fraser 1996a; 2000; 2001; 2007b;

Fraser & Honneth 2003). She argues that we should try to grasp recognition in a manner that would not require answering the question of the good. Instead, we should look for a universal principle behind the recognition claims (Fraser 2001; Fraser & Honneth 2003). Therefore, Fraser champions the idea that the claims of recognition should be considered a matter of justice, a moral issue, instead of being relegated as matters of ethics or the *good life*.[181] Fraser rejects the notion that the recognition has to be conceived as either a "non-universalizable issue of the good" (specific assumed order of values) or that, on the contrary, universalistic justice theories are too disengaged with lived reality to deal with harms to identity (Zurn 2003a, 524). Fraser argues for careful examination of all options of deontological reasoning before seeking solutions. She does not rule out the possibility that some problems would also require ethical considerations. However, she cautions that many problems may appear at face value as necessitating ethical evaluation, while careful examination reveals they can be resolved by deontological approach (Fraser 2001, 37). [182]

Essentially, Fraser believes that the (moral) right takes precedence over the (ethical) good. Since Kantian post-metaphysical turn, practical questions can be divided into two: moral – asking about justice and demanding reasons; and ethical – asking about the good life, which is comprehensible for a given individual or community (Cern 2013, 274). Ethical and moral norms have distinct foundations. Ethical norms regulate ethical actions. Ethical norms find their basis in values, which can be understood as "intersubjectively shared preferences" (Habermas 1992/1996, 255) as "standard, generalised interpretations of needs" (Cern 2014, 166). Values are therefore grounded in the process of generalisation; the recognition of *shared* values provides their ethical justification as far as they are transparent for the given circle of addressees. The relation between values and ethical norms is clear for the particular circle of addressees, who share a self-understanding of the forms of the good life and hence recognise the said

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[181]She states: "It is now standard practice in moral philosophy to distinguish questions of justice from questions of the good life. Construing the first as a matter of 'the right' and the second as a matter of 'the good', most philosophers align distributive justice with Kantian *Moralität* (morality) and recognition with Hegelian *Sittlichkeit* (ethics). In part, this contrast is a matter of scope. Norms of justice are thought to be universally binding; they hold independently of actors' commitments to specific values. Claims for the recognition of difference, in contrast, are more restricted. Involving qualitative assessments of the relative worth of various cultural practices, traits and identities, they depend on historically specific horizons of value, which cannot be universalised." (Fraser 2001, 22)

[182] Fraser's account of the split between ethical and moral and the primacy of moral over ethical when seeking solutions for justice issues fits in with the Habermasian interpretation of Kant's works (comp. Cern 2014, 169-170). Habermas writes: "Without the priority of life over good, one cannot have an ethically neutral conception of justice" (Habermas 1996/1998, 28).

norms as legitimate (Habermas 1981/1984, 89; Cern 2014, 160/161). Whenever different evaluative horizons meet, a dispute is inevitable (Fraser 2001, 37), which means:

> As long as each idea of justice is inseparably permeated by a particular conception of the good, then even when we judge justice questions, we cannot escape the given horizon of our self-interpretation and understanding of the world (Habermas 1998, 388).

Therefore, justice should be understood beyond a particular group's ethical self-understanding. Here in recourse comes the concept of morality (ger. *Moralität*). Moral norms apply to a specific moral domain of social life. Namely, said norms address the problems that arise from particular forms of life but cannot be impartially resolved based solely on the lifeworld of their origin (Cern 2014, 162-163). Thus, the validity of moral norms outside of the specific lifeworld context they originated from is based on the fact that they are not simply sourced from the lifeworld and accepted in the form they originally appeared in. Instead, they are constructed in a reflexive process that demands impartiality and inclusion of the perspective of the other as a participant in the procedure of formulating the moral norm (Cern 2014, 165). Construction and reconstruction of said norms require a hypothetical attitude towards justifying normative judgments. The universality of the norms is guaranteed by the procedure. As a result, moral norms lose the direct reference to specific values (Cern 2014, 164-165). Norms can be justified based on principles, which are higher-level norms, and deontological in character; in contrast, values are teleological (Habermas 1992/1996, 555).

Various parties can embrace the same standards of solutions to conflicts for different reasons. Therefore, it is not necessary to take the values of one party over the other nor for both parties to subscribe to the same sets of values (Habermas 1998, 388). The deontological character gives the norms and principles a greater justificatory force than values (Habermas 1992/1996, 257). Habermas affirms that "the distinction between moral and ethical questions [that] maintains the priority of justice over the good" (Habermas 1998, 388).

Honneth remarks that Fraser's idea of participatory parity is a Habermasian conception of "the public procedure by means of which autonomous subjects are to coordinate their individual freedom in a fair way" (Fraser & Honneth 2003, 178). Fraser, on her part, does not entirely agree with this assertion; she sees her approach as notably distinct from Habermasian procedural liberalism:

Thus, this approach attests to a possibility overlooked by Honneth. Rejecting both teleological sectarianism and proceduralist formalism, justice as participatory parity exemplifies a third genre of moral philosophy, which could be called *thick deontological liberalism* (Fraser & Honneth 2003, 230).

Instead of the process of formulating norms through appropriate procedures, she proposes that the norms should be constructed in a way that fulfils the standard of participatory parity (to the most significant possible degree) in a particular socio-historical context and that requires the process of inclusive public debate (see: Fraser & Honneth 2003, 43, 45, 72). This proposition is perhaps philosophically less refined than Habermas's, but more accessible to an average person. She presents two arguments for her position: conceptual and historical. The first one is that:

> The basic idea is that equal autonomy, properly understood, entails the real freedom to participate on a par with others in social life. […] participatory parity simply is the meaning of equal respect for the equal autonomy of human beings qua social actors (Fraser & Honneth 2003, 231).

The second argument refers to various historical struggles, like the suffrage movement, labour movement, multiculturalism, feminism, gay and lesbian liberation and so on, that contributed and enriched to the expansion of the idea of liberal identity over time, making it more and more substantive across time (Fraser & Honneth 2003, 231-232):

> No longer restricted to formal rights but also encompassing the social conditions for their exercise, equality is coming to mean participatory parity. Participatory parity, then, is the emergent historical "truth" of the liberal norm of the equal autonomy and moral worth of human beings (Fraser & Honneth 2003, 232).

Unlike Habermas, Fraser does not require a universalisation procedure to justify the validity of norms; instead, she references achievements of the emancipation movements as a source of legitimation for the principle she articulated as participatory parity:

> […] status hierarchy is illegitimate in modern society. The most basic principle of legitimacy in this society is liberal equality, as expressed both in market ideals, such as equal exchange, the career open to talents, and meritocratic competition, and in democratic ideals, such as equal citizenship and status equality (Fraser & Honneth 2003, 56).

Fraser's proposition is bereft of teleological assumptions about the good life (Zurn 2003b, 13). This point differentiates Fraser's theory from other contemporary accounts of recognition like that of her most important interlocutors, Axel Honneth:

> I will formulate a counter-thesis to Fraser's: I would like to demonstrate that without anticipating a conception of the good life, it is impossible to adequately criticize any of

the contemporary injustices she tries to conceive in Marxist fashion, and I in terms of a theory of recognition. (Fraser & Honneth 2003, 114)

According to Honneth, critical theory should assume the values and the concepts of the good already present in a given society. In one of his most prominent recent publications, *Freedom's Right* (2011/2014), the author presents the following explanation, drawing out his reasoning from the works of Hegel:

> what it means to 'render everyone his due' can only be derived from the internal meaning of previously established practices. And because this meaning derives solely from the ethical value prevailing in a given sphere within the ideal overall structure of society, the criterion for determining what counts as just can ultimately only be judged in terms of the ideals actually institutionalized in that society (Honneth 2011/2014, 5).

In Honneth's method of normative reconstruction, the normative basis for social analysis is expounded from the preselected values already present in a given society through the empirical analysis of social practices and institutions (Honneth 2011/2014, 7; Byczyński 2017, 63), namely those "practices and institutions whose normative character serves to realise socially institutionalised values" (Honneth 2014, 7),[183] which allow the researcher to produce an outline of what Hegel called 'ethical life' (*Sittlichkeit*) (ibid.). Ethical norms correspond to the shared conception of the good. Honneth insists justice cannot be grasped outside those social values, which means practices and institutions can only be considered just when they are suited for the realisation of generally accepted values (Honneth 2011/2014, 10).[184]

Honneth claims that social criticism that assumes universal criteria transcending local contingent social conditions departs from the normative expectations of the community members. For the community members, such universal critique is too detached from the lifeworlds and ideas of the good life and self-realisation it should address (Honneth 2007/2009, 44; Byczyński 2017, 55). Criticism conceived in this has an elitist, paternalistic and exclusionary character as it prevents the majority of the

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[183] Marcin Byczyński (2017) rightly notices that this analysis's result, and therefore emancipatory potential, depends on which values would be preselected. As I understand it, the author does not see it as an inherent fault of Honneth's approach but as advice for caution for those who would like to implement the method proposed by Honneth (Byczyński 2017).

[184] On the other hand, the author claims that the method of normative reconstruction can reveal those practices and institutions that do not sufficiently realise generally accepted values and how they fall short (Honneth 2011/2014, 10). There lies the emancipatory potential of the method and its ability to guide reflexive transformation: using the method can indicate how the institutions and practices can embody the generally accepted values to a greater extent. For example: If a particular society acknowledges equality as an important value, the method of normative reconstruction allows us to identify if and how different institutions and practices of this society fall short of achieving that value.

population from self-understanding and participating in the self-aware social transformation (Honneth 2007/2009, 44-45; Byczyński 2017, 55).

This line of thinking, however, reveals an underlying assumption that an average person is unable to grasp universal moral principles or understand that the institutions should be designed to realise those principles. However, there is no proof that complex, arcane philosophical knowledge is required for post-conventional moral reasoning,[185] conducting judgments and actions based on principles rather than "mere" values.[186] The fact that someone does not use sophisticated philosophic language does not mean they lack the fundamental comprehension of the universal standards of justice. Is it not elitist and paternalistic to make such an assumption? Habermas notes that the basic principles that justify the norms are not disputed (1992/1996, 115). Instead, the problem lies in the application of such generalised norms.

Fraser, like Honneth, believes it is more critical for institutions and practices to realise (universal) principles than to embody (always particular) values. However, that does not necessarily mean that the concerns of various models of the good life should be automatically completely dropped from public debates.[187] After all, the claims for recognition are often about people wanting to pursue various visions of a good life without being unfairly disadvantaged.[188] Appropriate application of universal principles in a particular context requires understanding the values the involved parties profess. Therefore, the universality of moral judgments does not so much reject particularity as it goes beyond it.

Identitarian concepts of recognition, like that of Honneth, consider undistorted subjectivity as a value. The theory of the subject assumes that the individual identity develops "through stages of socially standardised recognition responses" (Fraser & Honneth 2003, 176). Therefore, the individual suffers harms in the form of impaired and/or distorted self-identity resulting from depreciation and disregard conditioned by skewed patterns of communication. The wrong of misrecognition, understood as

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[185] I will explain this term in chapter IV.

[186] Lind (2016) points to the evidence that the opposite may be true; the orientation towards universal principle is accessible to virtually any human being, even young children. Another matter is how competent people are in applying those principles to actual conflicts and decisions.

[187] The questions what is good and what is right "take on *different roles in the process of justification*" (see Habermas 1992/1996, 257, emphasis as in the original).

[188] The often-discussed example of this problem in feminist literature is the issue of the hijab (see, for instance: Fraser & Honneth 2003, 42-42; Benhabib 2004, 181-198; Armstrong & Thompson 2009, 8).

humiliation and disrespect, can be expressed in various forms, including economic deprivation. Honneth sees the experience of humiliation and disrespect as the root cause for various social justice movements of the last centuries, including movements for just redistribution:

> […] what is needed is a basic conceptual shift to the normative premises of a theory of recognition that locates the core of all experiences of injustice in the withdrawal of social recognition, in the phenomena of humiliation and disrespect (Fraser & Honneth 2003, 134).

> The justice or well-being of a society is proportionate to its ability to secure conditions of mutual recognition under which personal identity-formation, hence individual self-realization, can proceed adequately (Fraser & Honneth 2003, 174).

The basis for justice in Honneth's view is an ethical concern, that of undistorted identity facilitating self-realisation. Therefore, justice entails achieving conditions where the good of undistorted identity formation can be realised.

Another major, influential thinker, whose concept of recognition Fraser argues against is Charles Taylor (Fraser 1996a; Fraser & Honneth 2003). Discussing the harms of misrecognition Taylor writes:

> Within these perspectives, misrecognition shows not just a lack of due respect. It can inflict a grievous wound, saddling its victims with a crippling self-hatred. Due recognition is not just a courtesy we owe people. It is a vital human need (Taylor 1992/1994, 26).

Alas, this difference in opinions failed to produce the kind of intellectual debate between the two thinkers of the same fashion as the one between Fraser and Honneth.[189] Fraser, in some places, addresses both Honneth's and Taylor's concepts jointly (for examples, see: Fraser 1996a, 24, 34; Fraser & Honneth 2003, 10, 28, 30, 32) and therefore, her reading of Honneth's concept of recognition may be underlined by ascribing to him some of Taylor's views.

Fraser objects to framing recognition as an issue of "merely" generic human need in the context of justice. In her view, recognition should be understood as akin to a primary right that justifies claims for other rights and entitlement of individuals and groups. Concentrating on psychological needs can obscure understanding of social functioning. She argues that humiliation or disrespect can be a very subjective

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[189] This is one of the reasons why references to Taylor are discussed so briefly in this dissertation. Fraser admits she is less interested in Taylor's conception than in Honneth's because Taylor does not address the issue of distributive justice in his works (Dahl et al. 2004, 376).

experience – people who see themselves as superior to others can very well experience humiliation when those others assert their well-deserved rights. Therefore, it is ill-advised to treat that subjective feeling as a basis for differentiating between justified and unjustified claims for justice (Fraser & Honneth 2003, 38). It does not mean subjective feelings should be disregarded, but public reasoning needs to support any calls for social change.

On the other hand, according to Fraser, the wrongs of misrecognition are not limited to such individual psychological suffering (Fraser & Honneth 2003, 29). The misconstruction of the struggles of a particular group as limited to the subjective self-image of the individuals is itself a form of misrecognition:

> When misrecognition is identified with internal distortions in the structure of the self-consciousness of the oppressed, it is but a short step to blaming the victim, as imputing psychic damage to those subject to racism, for example, seems to add insult to injury (Fraser & Honneth 2003, 31).

In the status model, the injustice of misrecognition is located in social relations rather than in the individual psyche:[190] neither in the distorted self of the oppressed nor in the prejudiced mind of the oppressor (Fraser & Honneth 2003, 31; see also Zurn 2003a, 522). Fraser rejects the idea that everyone is entitled to high self-esteem and that entitlement justifies all the claims to anything that enhances that self-esteem. First, not every aspect of individual identity should be affirmed (like the identity of white supremacists), second, the lack of standards for distinguishing between legitimate and illegitimate claims for esteem (the assumption that every claim is equally legitimate) would lead to unresolvable conflict (Fraser & Honneth 2003, 37-38). Honneth agrees that not all the claims for recognition are legitimate and acceptable, however, he sees the standard for distinguishing between legitimate and illegitimate claims elsewhere:

> […] we generally only judge the objectives of such struggles positively when they point in the direction of social development that we can understand as approximating our ideas of a good or just society (Fraser & Honneth 2003 171-172).

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[190] Honneth contests Fraser's assumptions on the significance that mental wellbeing and undistorted identity play in his model: "It should have become clear that moral-psychological considerations about the function of recognition play a role in the conception of justice only insofar as they are to support the social-theoretical thesis that social integration works through forms of mutual recognition. Since subjects depend on stable patterns of recognition to develop their personal identity, it is not implausible to suspect that, for them, the normative legitimacy and quality of the society depends upon the social guarantee of such relations" (Fraser & Honneth 2003, 258).

That means the standard directly references a particular idea of the good life, which is doubly worrisome when we do not know who is included in the "we."[191]

Specific forms of psychological harm of distorted identity may make it difficult to participate as a peer by impeding individuals' ability to engage in interactions and relationships with others[192]. Therefore, the standard of participatory parity can serve as the foundation for claims for justice related to those kinds of harms. Namely, participatory parity requires the inclusion of protection from psychological violence and ongoing abuse and safeguards against hermeneutical injustice[193]. In that way, misrecognition does not necessarily cause a subjective feeling of disrespect but the deprivation of opportunities for essential abilities or knowledge. Within Fraser's framework, there is no need to separately consider the value of undistorted subjectivity as a basis for the standard of participatory parity because conditions, which allow each individual to develop the kind of personal identity capable of participating as peers with others, are already included. Setting the standards of justice based on an aspect that shows such a tremendous individual variance and is difficult to intersubjectively assess may be a bit of a problem.[194] Hence, I find Honneth's critical commentary on the absence of "self-respect with reference to individual achievements or ego strength acquired through socialization" (Fraser & Honneth 2003, 179) as a condition of justice in Fraser's conception unwarranted. Fraser does not consider self-respect or self-esteem as fundamental goals of justice claims because it cannot be reliably assessed (see: Fraser & Honneth 2003, 33-38), meanwhile minimum conditions for fair opportunities to

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[191] For more on who (which individuals and/or groups) is included in the questions of justice, see Fraser 2005b and 2007a.

[192] Fraser does not deny the significance of the identity model for understanding how those kinds of harm develop "Without doubt, this identity model contains some genuine insights concerning the psychological effects of racism, sexism, colonisation, and cultural imperialism" (Fraser 200a, 446), which is something that her model is not so well equipped to do as it is not its aim.

[193] The hermeneutical injustice refers to the inaccessibility of knowledge and language pertaining to one's own particular situation and/or communicative experiences with other members of a community or social group (see also Fricker 2013).

[194] The relation between experiences of humiliation and the formation of an undistorted personal identity capable of self-realisation is not so simple. Many people have a pretty well-developed sense of personal identity and undistorted subjectivity, despite facing humiliation and disrespect. Consider that history is full of such women, famous examples being Christine de Pisan or Sor Juana Inés de la Cruz, and in modern times Malala Yousafzai. Those women developed a great personal potential for freedom and self-realisation, which does not mean they did not experience disrespect or humiliation. The fact that people are able to develop an undistorted personal identity does not indicate that they do not experience misrecognition. It is essential to understand that the fact that someone has ample opportunities for personal growth and development does not yet mean they do not face unfair obstacles in other areas of social functioning. On the other hand, freedom from disrespect and humiliation, although undoubtedly a favourable condition, does not guarantee undistorted identity formation.

develop self-respect, self-esteem and also self-knowledge and personal cognitive-affective competences are already guaranteed by the principle of participatory parity.

2.3.2.2. Status, institutions, and practices

Fraser's model of recognition does not require ontologizing social groups (Mc Manus 2020, 99). The concern of reification of identities, which Fraser aims to avoid, is one of the reasons for her rejection of identitarian model (Fraser & Honneth 2003, 76; Zurn 2003b, 259). Conceptualising misrecognition as a matter of specifically understood status subordination, constrained by institutionalised patterns of value interpretation, avoids the reification of identities (Zurn 2003b; Aboim 2020, 293) and can be a sound foundation for politics of recognition that does not lead to cultural essentialism or enclavism (Benhabib 2002, 68). On the one hand, when misrecognition is understood as status subordination, then it is possible to grasp how misrecognition may occur not only across different social groups but also within groups sharing a common social identity (Zurn 2008, 153). Fraser notes that identity politics oriented towards affirming previously depreciated group identity results in attempts to maintain artificial homogeneity, separatism and intra groups domination, issues for which she seeks justified countermeasures (Fraser & Honneth 2003, 87).[195] Status model of recognition does not assume "authentic character which all members should seek to emulate and foster" (Zurn 2003b, 259), therefore, it acknowledges in-group diversity and does not encourage intra-group pressure toward conformity. Thus, status model of recognition does not support the imposition of artificial homogeneity within the groups as an element of strategy for gaining recognition in the wider society.

Sofia Aboim[196] argues that reification of identities may result in serious consequences in the form of misrecognition. Intra-group troubles described above notwithstanding, legal and institutional remedies that aim at ensuring recognition of minorities can paradoxically lead to misrecognition when they assume reified collective identity. Heterogeneous group becomes fixed and homogeneous in the legal and institutional lens:

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[195] This view is not universally acknowledged by the theorist of recognition. Philosophers agree that imposed authenticity is a problem; however, some contest the view that it is an unavoidable consequence of identity politics, e. g.: "Identity politics should not be seen as struggles for the definitive recognition of an authentic, autonomous or self-realizing identity […]. Rather […] [its aim] is to ensure that any form of public recognition is not a fixed and unchangeable structure of domination but is open to question, contestation, and change over time, as the identities of the participants change" (Tully 2008, 183-184).

[196] Sofia Aboim is a Portuguese sociologist, author of multiple articles on social inequalities, minority inclusions and gender struggles for recognition.

> […] identity recognition model tends to impose a norm rather than recognizing diversity, thereby compromising the politics of respectful difference initially sought after (Aboim 2020, 232).

As a result, the politics of recognition may have both enabling and disabling effects (Aboim 2020, 239). However, the framework provided by Fraser offers a solution by concentrating on deinstitutionalisation of unfair patterns rather than affirming (or deconstructing) identities:

> […] one potential way out would imply redressing recognition and shifting from the identity model of recognition to practice. In this way, recognizing shared conditions of subalternity (as in Fraser's status model) could be more promising. The prioritization of shared conditions of oppression could eventually ensure that political umbrella-terms were malleable enough to embrace different identities and claims (Aboim 2020, 239).

In the status model, misrecognition denotes the denial of peers' status to individuals or groups in social interactions due to the consequences of institutionalised but unfair patterns of cultural value. The term 'status' corresponds to the socially constituted order of subordination and should be understood here as the 'relative standing of social actors', which results from institutionalised patterns of interpretation of value and meaning entrenched in culture (Fraser & Honneth 2003; 2003, 49). Therefore, the dimension of recognition is oftentimes described as cultural[197]. Meanwhile, Fraser treats 'status injustice' as synonymous with 'misrecognition'. Using the terminology developed in section 2. 1., the 'status injustice', understood as the nexus of institutional patterns of cultural value interpretation, leads to 'status harm'. At the same time, both of them belong to the recognition dimension.[198] Additionally, in Fraser's bivalent (later trivalent) model status, injustice can lead to the harms in the distributive dimension (and, as acknowledged in her later works, in the dimension of political representation, too).

The aforementioned institutionalised patterns of cultural value interpretation dictate derogatory interpretations of distinctive characteristics that an individual or a group possesses or that have been attributed to them. The existence of institutionalised patterns of value interpretation pertaining to group identities does not always imply status-related injustice, whereas there may be circumstances in which any pattern is

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[197] As discussed in section 1.2 of this chapter the loose usage of this term leads to misunderstanding between Fraser and her critics.

[198] The phrase belonging to the 'recognition dimension' should be understood as it can be most adequately described and understood through the lens of recognition. It does not imply confinement to the recognition dimension.

enmeshed in a package of such patterns that support status injustice. Any pattern can potentially become unjust, but not all patterns are unjust. A distinction can be made between intrinsically unjust patterns and those that can become unjust under certain conditions. It is important to remember that the individuals and groups affected by those patterns of cultural value have not participated on equal terms in constructing those patterns via communicative structures. Individuals and groups participate in the construction of cultural value interpretations that constitute different identities, but they do so on equal and often unfair terms. Members of dominant groups are more likely to impose their interpretation of values that are unfavourable towards members of subordinated groups, and maintain the high status of members of the dominant groups onto the nexus of shared patterns of value, meaning those patterns are more prolific and have more social impact.[199] However, the nexus of cultural patterns of value interpretation is never under dominant groups' complete control. Therefore, recognition stands as a normative foundation for political claims (Fraser 2001). Fraser believes that overcoming institutionalised injustice should be considered a first aim of recognition policies, not necessarily because it is the highest good that recognition can achieve, but because it is the foundation, that safeguards the enabling conditions for the realisation of other goods (Fraser 2008c, 333).

Fraser described her model of status and status groups she employs as Weberian[200] (Fraser & Honneth 2003, 17, 96, 105) and distinct from the concepts of prestige[201] or social esteem[202]. Still, she conceives prestige and social esteem as closely

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[199] Such imposition is advantageous for maintaining the status of dominant it does not mean it is necessarily beneficial for members of dominant groups as human beings. For example, adhering to maintaining patterns that favourably evaluate masculinity can be harmful to men "Male privilege is also a trap, and it has its negative side in the permanent tension and contention, sometimes verging on the absurd, imposed on every man by the duty to assert his manliness in all circumstances" (Bourdieu 1998/2002, 50)

[200] "[In Weberian understanding] social status refers to (…) an aspect of hierarchical location in the social order derived from established cultural conventions (traditional beliefs and popular creeds)" (Pakulski 2006, 585). In Weber's own words: "'Status' *(ständische Lage)* shall mean an effective claim to social esteem in terms of positive or negative privileges […] A 'status group' means a plurality of persons who, within a larger group, successfully claim a) a special social esteem, and possibly also b) status monopolies" (Weber 1978, 305-306). There is, however, the notable distinction between Weber's and Fraser's concepts of the status group as Zurn noted it: "Fraser shares with Weber the view that status groupings are essentially about the distribution of power in society, and thus she should likewise be committed to the view that status groups disappear as such once the differential relations of power between them have been equalised. Fraser's model does not require that the members of a status group share any sense or feeling of belonging together, that they undertake collective action based on that shared feeling of solidarity, or that they establish and maintain themselves as a group through differential judgments of comparative worth or honour vis-a-vis outsiders" (Zurn 2003a, 523).

[201] She explains that she does not "conceive status as a prestige quotient that is ascribable to an individual and compounded of quantitatively measurable factors, including economic indices such as income"

connected to the recognition dimension (Fraser & Honneth 2003, 14). In Fraser's understanding, the status is closely aligned with social position[203]. I interpret it in the following way: prestige and esteem are among the social goods that people can achieve and strive for in society. Whereas the status order (that belongs to the dimension of recognition) corresponds to a subset of the conditions under which those goods can be obtained[204] (Fraser 1996a, 26, 51, 54; Fraser & Honneth 2003, 32). The status of an individual or a particular group is a position (or a set of positions) in status order in relation to the positions of other individuals and groups[205] that facilitate or hinder opportunities for pursuing and obtaining desired social goods (or at least in those aspects that are primarily dependent on the perception by others[206]). However, in some cases prestige and esteem accorded or achieved can influence individual status.[207]

(Fraser & Honneth 2003, 49). The concepts of status and prestige had become almost synonymous in American sociology (see Scott 2015, 998), which is probably why Fraser needs to clarify that distinction. Esteem corresponds to the sphere of recognition regulated by the achievement principle in Honneth's model (Fraser & Honneth 2003: 138), which is described as social solidarity dimension that deals with the recognition of individual features and abilities, which constitutes the distinguished value of a particular person in a given community (Byczyński 2014, 171-172).

[202] Understood here as "[…] accorded differentially on the basis of persons' specific traits, accomplishments, or contributions" (Fraser & Honneth 2003, 99).

[203] Giddens defines social position as: "the social identity an individual has in a given group or society. Social positions may be general in nature (those associated with gender roles) or may be more specific (occupational positions)" (2009, 1113).

[204] Let's imagine an example of Betty, a wheelchair user and a mother, who strives for esteem in her chosen field, space shuttle engineering. The esteem will be the acknowledgement and appreciation she gains from others for her academic input and teamwork. Meanwhile, Fraser's understanding will refer to the whole set of conditions that allow her to gain that acknowledgement and appreciation without encountering unfair setbacks. It is next to impossible to meet all the necessary conditions, so I will give some examples when the conditions are realised: she does not need a separate permit to apply for the job other than the proof of her qualification and the ability to perform the job (e. g. she does not need to get her husband's permission), she has the same chances of getting hired as others with same qualifications and abilities to perform a given job (so she will not be turned down because she is a woman, a mother or disabled person, the potential employer will not try to add unnecessary tasks to job description to bypass the laws that protect the disabled against discrimination, for example, the potential employer will not reject Betty's application for a job that only requires computer modelling because she is unable to lift heavy objects), while at work Betty's colleagues listen to her input during discussions on the projects.

[205] Status can be very complex, as everyone belongs to multiple social groups, which implies multiple identities, and identity can take a vastly different meaning depending on the context. For instance, a black man belongs to a group of black people, but that means very different things depending on where this man finds himself: in USA, Nigeria or Poland.
Furthermore, as a dimension of recognition is interpenetrated by the dimensions of distribution and political representation, status order is influenced by economic and political conditions. Both status order as a whole and the statuses of groups and individuals are dynamic in character.

[206] It must be noted that the perception of individual people and especially the perception of groups is relevant here because 1) it depends on the institutional patterns of cultural value interpretation; 2) it regulates conduct.

[207] If someone gains esteem in their professional life or prestige through, for example, accomplishments, their status changes to reflect that. Newly achieved esteem or prestige can help an individual avoid unequal treatment associated with depreciated identity. For example, imagine a woman engineer, who, at the start of her work, had to suffer from prejudices her male peers did not encounter; for instance, she was deemed more incompetent than her male peers, even though she graduated technological university with

Furthermore, social esteem comes in the two variants as esteem in the positive sense and in form of *disesteem*.[208] Therefore Fraser distinguishes the claims for recognition from the claims for social esteem. The party that presents the claim for recognition merely requests to being given a chance to pursue esteem with others under fair and equal conditions, without impediments stemming from institutionalized cultural patterns of value interpretation (Fraser, Honneth 2003, 32).

> On the status model, then, misrecognition is relayed not through deprecatory attitudes or free-standing discourses, but rather through social institutions. It arises, more precisely, when institutions structure interaction according to cultural norms that impede parity of participation. Examples include marriage laws that exclude same-sex partnerships as illegitimate and perverse, social-welfare policies that stigmatize single mothers as sexually irresponsible scroungers, and policing practices such as "racial profiling" that associate racialized persons with criminality. In each of these cases, interaction is regulated by an institutionalized pattern of cultural value that constitutes some categories of social actors as normative and others as deficient or inferior: straight is normal, gay is perverse; "male-headed households" are proper, "female headed households" are not; "whites" are law-abiding, "blacks" are dangerous. (Fraser & Honneth 2003, 29-30).

I fear that Fraser does not give due explanations for examples she has chosen to illustrate her thesis. For that reason, it may be unclear how those three different issues can be grasped and explained through the same framework. Therefore, now I will examine how participatory parity is impedimented in each case.

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much better grades, she was always expected to do unwanted and menial tasks for others (e. g. machining coffee for everyone, sorting out files after other's finished working on them, disposing of discarded files and so on), when the same was not expected from her male peers, who joined the team at the same time she did, etc. But after proving herself to the rest of the team, she is treated fairly. At least in the workplace context, this woman's status changed when she obtained esteem from her peers. However, that does not mean the broader context of institutionalised sexism changed.

It is more complicated in the case of esteem accorded to a group of people. Thousands of female engineers could achieve the esteem of their peers and therefore raise their own individual status without making any notable changes for women as a group. Women gaining esteem through professional or academic careers may be helpful but is not sufficient for changing the status of an entire group of women. Some additional conditions need to be fulfilled to ensure that the status of women rises to be on par with men and not that the status of people working in particular professions does not drop, because it became common for women to succeed in those professions.

On the other hand, losing an opportunity to achieve esteem may negatively impact the whole group, even for reasons unrelated to group status. For example, historically, the rise of the textile industry deprived women of achieving the esteem that came from their work as spinsters and weavers, which also used to be a cornerstone of women's economic power and lessened the value of specialised skills associated with the textile industry. The reasons for those changes were technological advancement and conditions pertaining more to the distributive dimension than to recognition. Still, the effects were not only on the economic situation of women but also on their opportunities to achieve esteem for their work.

[208] Fraser credits Rainer Forst with the following contribution that came out of the personal conversation: "although no one has a right to equal social esteem in the positive sense, everyone has a right not to be *disesteemed* on the basis of institutionalised group classifications that undermine her or his standing as a full partner in social interaction." (Fraser & Honneth 2003, 99). However, the notion of disesteem is already present in her *Tannar Lecture* (1996a).

First, the lack of official, legal acknowledgement of same-gender unions is an impediment to forming meaningful, long-standing intimate and familial relationships. Intimate and familial relationships do not exist in a social vacuum. People who wish to form intimate relationships with a person of the same gender and those already involved in such relationships face obstacles their heterosexual counterparts do not, or in other words, they experience unequal treatment. Being barred from marriage makes starting and maintaining a family more difficult. Legal marriage as an institution stabilises and confirms patterns of cultural interpretation that value marriage above other relationships by granting certain privileges to married couples.[209] If some people are barred from entering marriage with their person of choice, then more favourable options for taxation accorded to married couples are an example of unfair treatment. Likewise, married people have different options for entering legal agreements and contracts. In some cases, widows/widowers are entitled to pension following their spouses' demise.

Moreover, Fraser notes that the exclusion of same-gender couples from laws regulating marriage is stigmatising.[210] It is in itself a kind of statement that conveys that same-gender relationships are less worthy of protection, and, as a result of culturally embedded patterns of association and value interpretation, that erotic love between people of the same gender is of lesser value than that between their heterosexual counterparts. LGBT+ struggle for marital equality is not only a struggle for the same kind of formal entitlements, but also a political strategy to change the social perception of same-gender intimate relationships and, subsequently, anyone who may want to enter such relationship.[211] The lack of legal options for same-gender marriage is a cornerstone of the nexus of formal and informal arrangements that constitutes people who enter into same-gender intimate relationships perverse or deviant.

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[209] That in itself is not necessarily unfair as marriage puts certain formal responsibilities and demands on the married partners, that unmarried partners are not legally required to fulfil. For example, married people may decide if they want to settle taxes together or separately depending on what is more favourable for them, while people engaged in relationships that lack such recognition have no such option. Essentially, entering a legal marriage is a way of informing state institutions about starting a family, so the institutions can respond to this new reality.

[210] It is worth noting to better understand the context of Fraser's work that consensual sexual activities between two adult men had been only fully decriminalised in the USA in 2003 (Lawrence v. Texas), the same year Fraser's debate with Honneth, quoted here, has been published.

[211] It is not universally agreed within the LGBT+ movement that the struggle for marriage equality is the best strategy or most likely to bring the most favourable outcome (there is disagreement on what the most favourable outcome would be). Nonetheless, it is a well-established and broadly theorised strategy (see: Clarke 2003). The dispute hinges upon the question of whether or not marriage equality has the desired transformative potential.

In everyday life, the fact that same gender couple is not formally married means that they and their family are not treated as family in formal settings and often informal situations as well. The problem of legal standards regarding same-gender relationships is a problem of the right to have a family of one's own choice. It is also interlocked with a multitude of other issues with far-reaching repercussions. In some cases, the lack of legal options for same-gender marriage (or at least some other form of formally recognised partnership) becomes the problem of citizenship.[212]

The pattern of cultural value interpretation "same-gender intimate relationships are of lesser worth than heterosexual relationships" is institutionalised through laws that permit people of different (legal) gender to marry each other, but not people of the same gender. The consequences are the unequal treatment of those who experience a desire to form same-gender intimate relationships in many spheres of life and social interactions. Therefore, in this case we have institutionalized the pattern of cultural value that depreciates a category of social actors and regulates social interactions in such a way that social actors who belong to this category (or, in other words, share the same status along one of the axes of social subordination) experience unfair disadvantages.

Second, let me have a closer look at the issue of single mothers. Understanding it requires knowledge of the context in which Fraser writes.[213] The problem of single

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[212] Butler had given poignant testimony consequences of systemic prejudice against gays and lesbians: "In those instances in which lesbians and gays are excluded from state-sanctioned notions of the family (which is, according to both tax and property law, an economic unit); stopped at the border, deemed inadmissible to citizenship; selectively denied the status of freedom of speech and freedom of assembly; are denied the right (as members of the military) to speak his or her desire; or are deauthorized by law to make emergency medical decisions about one's dying lover, to receive the property of one's dead lover, to receive from the hospital the body of one's dead lover" (Butler 1997/2008). Since the time Butler wrote those words, legislation changed in many countries and the situation of gays and lesbians in those countries has improved. However, even in countries that legalised same-gender marriage some of those issues persist. For instance, the issue of immigration and citizenship still affects families of same-gender couples, that have children who have been born abroad (Higdon 2019). In Poland, where neither same-gender marriage nor civil unions have not been legalised up to this date, the children of same-gender couples born abroad are refused transcription of birth certificates. This is particularly a problem because in practice the lack of the transcribed birth certificate prevents children from getting further documents confirming the child's identity and in practice means the children are prevented from accessing entitlements and protections of Polish citizenship. The Supreme Administrative Court of the Republic of Poland ruled out that the children of those couples should receive all the necessary documents without having to present a transcribed birth certificate. Unfortunately, the institutions responsible for providing the documents for the children do not always follow this ruling as civil servants in practice show negative attitudes towards same-gender couples and subsequently their families (Zachariasiewicz 2019; Sevastanowicz 2020).

[213] From a present-day Polish perspective, prejudice against single mothers appears to be an issue of largely outdated social mores, that hold little sway over the lives of modern women, at least in urban areas. However, prejudice against welfare recipients is still present and politicised in the public debate. For instance, the governmental program "Rodzina 500+" (lit. "Family 500+" in reference to the amount

mothers is a heavily politicised social issue in the USA. It does not necessarily consider all single mothers, but those single mothers who are welfare recipients or at least who fit the stereotype of "welfare mother," namely, who are non-white, and especially black (Fraser & Gordon 1994a, 17-18; Freeman & Dodson 2020, 1741).[214] Fraser worked with Linda Gordon exploring the genealogy of attitudes towards welfare among Americans and the question of why the figure of single black mothers dominates imaginations and public debate on the subject in the USA (Fraser & Gordon 1992, 1994a & b).

Fraser and Gordon note that the organisation of welfare public assistance programs in the USA, as opposed to social security programs, had been stigmatising to the recipients. Historically, racial minorities and women had been excluded from social security programs, and recipients were viewed as respected contributors. In contrast, recipients of welfare public assistance were infantilised and often humiliated, and their lives were subjected to unfair, invasive and unnecessary scrutiny and control (Fraser & Gordon 1994a, 13). Welfare recipients, particularly "welfare mothers," were and still are assigned negative psychological and moral qualities (Fraser & Gordon 1994a, 16). Most predominant stereotype assumes parents, who are welfare recipients, are irresponsible in their lives, especially sexual lives, and are a bad influence on their children, while the quality of parental care they provide is lacking. Meanwhile, low-income working mothers (single mother welfare recipients in the USA usually belong to this group) are subjected to negative stereotypes at the workplace, such as the assumption that they are lazy and lack commitment when they prioritise their children, for example, by asking to change work schedule or only being willing to work part-time (Freeman & Dodson 2020, 1740-1741). Single mothers are depicted as parasites who make sexually irresponsible decisions because they count on money from the government (Fraser & Gordon 1994b, 309). Policies based on those negative stereotypes about single mothers affect how welfare assistance is administrated. As a result, administrative demands placed on single mothers often effectively keep them in poverty and prevent them from getting better education (Freeman & Dodson 2020, 1754-1755).

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of money given to families for each child) was deemed demoralising by some of the opponents of the party, that introduced it and used in conjunction with the figure the "lazy" poor, unwilling to put effort towards improving their situation (Kostecki 2018).

[214] While it is true that non-white single mothers are disproportionately represented among welfare recipients, it is a result of sociohistorical conditions.

Therefore, in the case of single mothers too, there is also a pattern of cultural value interpretation, institutionalised through welfare policies and practices of institutions providing social assistance, that depreciates single mothers and that has consequences in the form of unfair disadvantages for this group.

The unfairness of racial profiling is self-evident, so I will not explain this issue in greater depth. The conduct of institutions, in this case, police, is regulated by cultural patterns of value, in this case, the assumption that racial minority people are more likely to be criminal, unfairly disadvantages members of those groups. Moreover, as this practice of racial profiling is perpetrated, the pattern of cultural interpretation that says "non-white people are more crime-prone" is further reproduced and maintained.

To sum up, in all three cases, a particular group that shares social identity (a status group) experiences unfair treatment, that stems from patterns of cultural value interpretation that depreciate members of those groups. Moreover, those patterns of cultural value interpretation are ingrained in working institutions and reproduced through those institutions. In other words, conduct towards members of those groups sharing the same status, that prevents them from enjoying participatory parity, is regulated by the institutionalised patterns of cultural value interpretation.

The argument is not that all intersubjective impediments to participatory parity hold equal weight or equal negative influence over the rights of depreciated groups. Some instances of impediments to participatory parity are easier to overcome than others. Some produce more serious direct harms than others. For instance, considering racism in the USA, being subjected to harsher sentencing due to racial bias, is a different sort of impediment than experiencing microaggression in a workplace.[215] Similarly, withdrawing medical equipment from the use of disabled patients during the recent Covid-19 pandemic in order to give it to able-bodied patients on the basis of the "quality of life" argument (Chen & McNamara 2020) is a different and more severe problem than disabled people being treated as helpless and infantile in public. The claim here is, of course, not that those cases are interchangeable, but that each of those cases is an example of practices resulting from unfair patterns of cultural interpretation of

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[215] Let me propose a metaphor to illustrate this notion: a pebble in one's shoe may not be the same kind of impediment in progressing along the road as a boulder in the middle of the path, and still a different impediment would be to be made to carry a heavy rock during the journey. Each is still a stone that impedes one's progress. One pebble may not seem like much of a problem, but having to remove a pebble form one's shoe every ten paces is really detrimental to the speed of one's journey.

value that have long been entrenched in the institutions. Now, some are direct effects of the work of formal institutions, while others are indirectly influenced by patterns of cultural value interpretation rooted in those institutions, while also constituting typified patterns of interaction.

Fraser postulates that the main concern of claims for recognition is to overcome subordination or "to deinstitutionalize patterns of cultural value that impede parity of participation and to replace them with patterns that foster it" (Fraser & Honneth 2003, 30). As indicated above, this order is rooted in patterns of interpretation of cultural value, which constitute certain individuals or groups based on their identities (or features associated with those identities)[216], as less than peers in social interactions. Patterns of interpretation of cultural value serve a pivotal role to the status order structuring social interaction (Fraser & Honneth 2003, 20-21). Those patterns dictate what is perceived to be a norm and a deviation.[217] They are often explicitly codified in legal regulations, present in governmental policies and professional practices, popular culture and everyday interactions (Fraser & Honneth 2003, 19). Moreover, they devalue features associated with disadvantaged groups while privileging traits associated with the dominant group (Fraser & Honneth 2003, 20-21). Therefore, the patterns of cultural value constitute the 'order of intersubjective subordination', that is, the *status hierarchy* (Fraser & Honneth 2003, 49). Misrecognition, understood as status subordination, showcases that misrecognition occurs not only across different groups but within groups as well (Zurn 2003b, 15-16).

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[216] Fraser writes: "And such conditions do not obtain when institutionalised patterns of cultural value pervasively downgrade, for example, femininity, "non-whiteness," homosexuality, and everything culturally associated with them. When that is the case, women and/or people of color and/or gays and lesbians face obstacles in the quest for esteem that are not encountered by others. And everyone, including straight white men, faces further obstacles when opting to pursue projects and cultivate traits that are culturally coded as feminine, homosexual, or "non-white" (Fraser & Honneth 2003, 32-33). For example, because women are treated as lesser than men, "effeminate" men, the men who have features associated with femininity, are also treated as lesser than the men who do not; for example, they can be subjected to ridicule or even physical violence.

[217] Judith Butler makes even bolder claim: "[…] norms of recognition function to produce and deproduce the notion of human" (Butler 2004a, 32) and therefore determine who is morally meaningful and worthy of protection: "In this sense, our very lives, and the persistence of our desire, depend on there being norms of recognition that produce and sustain our viability as human. Thus, when we speak about sexual rights, we are not merely talking about rights that pertain to our individual desires but to the norms on which our very individuality depends" (Butler 2004a, 33).

An important function of status hierarchies is the distribution of power that can be grasped broadly in this context, both as 'power over' and a 'power to'[218], situating an individual or a group on the axes of domination and subordination. Status, in a sense, is a relation to power, delimiting how much of it an individual or a collective can access. Michel Foucault explains that:

> Power is employed and exercised through a net-like organisation. And not only do individuals circulate between its threads; they are always in the position of simultaneously undergoing and exercising this power (Foucault 1980, 98).

Fraser's understanding of power relations is derived from Foucault, even though she takes a rather critical attitude towards his works in general. Foucault is undoubtedly an inspirational thinker for her, but she does not passively adapt his ideas to her own works. The main point of Fraser's critique of Foucault's account of power is the lack of distinction between legitimate and illegitimate power, therefore, normative criteria for deciding when the exercise of power is permissible or even required (Fraser 1981; Deveaux 1994, 232).[219] Power, *qua* Foucault, has a "productive" character; it does not merely negate or repress (Foucault 1980, 118- 119; Fraser 1981, 272), but instead produces social reality. Fraser agrees with Foucault that power operates through everyday social practices (Fraser 1981, 272). Power can be roughly grasped as a sphere of possible action-taking facilitated and delimited by others' willingness to cooperate.[220] Everyone has some degree of power that realises in what can be understood "as a complex, shifting field of relations in which everyone is an element" (Fraser 1981, 283). Here Fraser's understanding departs from Foucault. Eventually, she developed the framework that distinguishes between legitimate and illegitimate forms of power. For instance, it provides an answer to the question why domination is an unfair form of power, that she claims Foucault would not be able to develop (Fraser 1981, 283). In short, domination could be understood as an unfair position that is not only advantageous in terms of *power to* but also grants a certain amount of *power over* others, that is, an ability to make and have fulfilled demands that are not justified by

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[218] The distinction was discussed by Hannah Arendt in *On Violence* (1970) and presented in the previous chapter.
[219] According to Fraser, Foucault contradicts himself: he employs "normative-sounding terminology" (Fraser 1981, 283) like 'domination' and 'submission', then claims those terms do not have normative meaning in his works. However, he also calls for resistance to domination, without providing a normative basis to answer why domination should be opposed (ibid.)
[220] The ability to gain others' willingness to cooperate or at least not obstruct an agent's actions largely depends on status.

fair, reasonable expectations within a horizon of interaction[221]. In turn, status subordination would entail being expected to fulfil unfair demands, while having an unjustly limited ability to secure cooperation from others.[222] I draw this understanding from Fraser's definition of intersubjective obstacles to participatory parity.

If misrecognition denotes the institutionalised patterns of cultural value interpretation responsible for social subordination, which prevent certain people from participating as peers in social interactions, then I need to clarify what the phrase 'institutionalised patterns of cultural value interpretation' mean in this context. Fraser, at least when she is diagnosing misrecognition, employees the broad definition of institutions, that includes: kinship and law (Fraser & Honneth 2003, 51) as well as education (ibid, 57) and media (ibid, 219) in that list. She even states outright that: "redressing misrecognition means changing social institutions" (Fraser 2003b, 28). The problem here lies in the fact that Fraser gives little attention to the distinction between different kinds of institutions (such as formal state institutions, quasi-public institutions or social institutions)[223] and not necessarily in the fact that she includes different kinds of institutions.[224] Without making these distinctions, it is difficult to conceptualise the interplay between those different kinds of institutions. Generally, institutionalised patterns are the patterns that are entrenched in the institutions. On the one hand, those patterns can be entrenched in the formal institutions by being codified in the explicit

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[221] It is reasonable to expect that a person hired to clean the house will indeed clean the house; it is not reasonable for a man to expect his wife to take a double shift as a domestic servant in their own home (instead of sharing house care between the spouses).

[222] For comparison, Young addresses the relations of power in the following way: "[…] a hierarchical model of social relations in which, by virtue of institutional structures and relations of power, some persons are vulnerable with respect to the actions of others, a different basis for obligation emerges. In relations of inequality, some persons are potentially subject to coercion, to being taken advantage of because they are needy" (Young 1994, 42)

[223] This approach is somewhat of a feature of American sociology. American sociologists use the term 'social institutions' to describe a truly vast array of phenomena and sometimes neglect to justify why (Martin 2004, 1249). Unfortunately, a bulk of the institutional analysis is developed without methodological or philosophical insight, while different authors quite freely combine a wide variety of phenomena under the label of institutions (Raburski 2012, 79-80). Generally speaking, different fields of study and different theoretical approaches have different definitions of what is an institution.

[224] For comparison, in the new institutionalism approach, the focus is on both formal and informal institutions; however, scholars working within new institutionalism do not necessarily argue for ascribing the same theoretical, empirical and methodological position to formal and informal institutions (Mackay et al. 2010, 576). Institutionalism here denotes: "a general approach to the study of political institutions, a set of theoretical ideas and hypotheses concerning the relations between institutional characteristics and political agency, performance, and change. Institutionalism emphasizes the endogenous nature and social construction of political institutions" (March & Olsen 2005, 160). Within this approach, an institution can be defined as: "a relatively enduring collection of rules and organized practices, embedded in structures of meaning and resources that are relatively invariant in the face of turnover of individuals and relatively resilient to the idiosyncratic preferences and expectations of individuals and changing external circumstances" (March & Olsen 2005, 159).

rules that are supposed to guide the conduct of formal institutions. However, patterns, that come from social and cultural experiences of the members of the institutions and enter everyday practice of social institutions (the ones that lack formal organisation) also become embedded in those institutions. This is in line with the understanding of the institutionalisation presented by Peter L. Berger[225] and Thomas Luckmann[226]:

> Institutionalization occurs whenever there is a reciprocal typification of habitualized[227] actions by types of actors. Put differently, any such typification is an institution (Berger & Luckmann 1966, 72).

While Fraser does not provide a distinction, or hard line between institutionalised and non-institutionalised (free-floating) patterns of cultural value interpretation, the significance of institutionalisation of those patterns lies in the fact that they guide social interactions on all levels. In Fraser's philosophical output, misrecognition should not be considered purely symbolical (Zurn 2003b, 9). Fraser, following Habermas, employs a bifocal understanding of institutions:

> From one perspective, political institutions (in state-regulated capitalist societies) belong with the economy as part of the 'system' that produces distributive socioeconomic injustices; in Rawlsian terms, they are part of 'the basic structure' of society. From another perspective, however, such institutions belong with 'the lifeworld' as part of the cultural structure that produces injustices of recognition; for example, the array of citizenship entitlements and participation rights conveys powerful implicit and explicit messages about the relative moral worth of various persons. 'Primary political concerns' could thus be treated as matters either of economic justice or cultural justice, depending on the context and perspective in play" (Fraser 1995a, 72).

From a certain point of view, formal institutions can be understood as a medium linking system to lifeworld[228], facilitating system's influence on lifeworld. Habermas explains

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[225] Peter Berger was an Austrian-born sociologist working in the United States. He is known for working on religion and secularisation, and championed the phenomenological approach in sociology and pragmatic interest in everyday life. Berger co-authored with Thomas Luckmann the highly influential *The Social Construction of Reality* (1966) (Dillon 2006, 35).

[226] Thomas Luckmann was an American-Austrian sociologist of German and Slovene origin who worked mainly in Germany. He was interested in modernity and secularisation; employed a phenomenological approach for sociological research; his works together with Peter Berger helped make phenomenology more accessible to sociologists; he put emphasis on everyday experience, and the role lived, reflexive intersubjectivity played in everyday communication influenced Jürgen Habermas theory of the communicative action (Dillon 2006, 342-343).

[227] The authors explain habitualization in the following way: „Any action that is repeated frequently becomes cast into a pattern, which can then be reproduced with an economy of effort and which, ipso facto, is apprehended by its performer as that pattern. Habitualization further implies that the action in question may be performed again in the future in the same manner and with the same economic effort. This is true of non-social as well as of social activity. Even the solitary individual on the proverbial deserted island habitualizes his activity" (Berger & Luckmann 1966, 70-71).

[228] The concept of the system was popularised in social sciences by Talcott Parsons and later further developed, most prominently by Niklas Luhmann (Sztompka 2002, 29; Scott 2012, 971-972). Lifeworld is a concept that comes from phenomenology and was popularised by Edmund Husserl and has since been

that the lifeworld can be thought of "as represented by a culturally transmitted and linguistically organized stock of interpretive patterns" (1981/1987, 124). Granted, informal, social institutions are, of course, created and reproduced through the interactions of people who belong to the lifeworlds. Ultimately, so are formal institutions. Habermas notes, that lifeworld defines patterns of the social system as a whole. Despite the split between system and lifeworld, systemic mechanisms are not completely independent, they have to be institutionalised in order to be anchored in the lifeworld (Habermas 1981/1987, 154). Therefore, certain features or aspects from the lifeworlds, particularly, certain patterns, enter formal institutions via formal or informal channels.[229] Once the patterns originating in the lifeworld enter formal institutions, then, through the operation of that institution in the society, they start organising lifeworld and the informal, cultural patterns that guide people's everyday interactions (Fraser 2003b, 28). Fundamentally formal institutions have different ways of enforcing chosen patterns than informal institutions. The horizon of influence of formal institutions is also greater than the influence of interactions of people communicating with lifeworld. However, everyday interactions are just as profound for possibilities of social participation as the working of formal institutions.[230]

Fraser presents the understanding of culture clearly against the assumption of a single pattern of cultural values, that is shared by everyone and guides all social practices and institutions. Such an assumption, which can be described as 'unitarian' or

employed by social scientists. Habermas understands lifeworld in the most rudimentary as a sociocultural framework for everyday activities: subjects are able to act in a coordinated way, directed towards mutual understanding based on their shared understanding of the situation (Habermas 1981/1987, 119). In modern times, systems have been disconnected from the lifeworld. (Habermas 1981/1987, 154). A notable distinction between lifeworld and system is that lifeworld is grasped hermeneutically from the perspective of the members of the lifeworld (Habermas 1981/1987, 137). Meanwhile, a system in modern society escapes the intuitive knowledge of lifeworld members and can only be grasped through counterintuitive knowledge developed in social sciences (Habermas 1981/1987, 173).

[229] Analysing the interplay between formal and informal institutions within political institutions, Gretchen Helmke and Steven Levitsky propose the following definitions: "*formal* institutions are rules and procedures that are created, communicated, and enforced through channels widely accepted as official" (Helmke & Levitsky 2004, 727 – emphasis as in the original), while "informal institutions as socially shared rules, usually unwritten, that are created, communicated and enforced outside of officially sanctioned channels" (ibid.). The authors explain the need for employment of informal institutions: "Formal rules set general parameters for behavior, but they cannot cover all contingencies" – need to supplement with informal institutions" (Helmke & Levitsky 2004, 730). Therefore, when actors cannot achieve their goals via formal institutions, they employ informal ones.

[230] One example Fraser makes about status disparity is a black man on Wall Street who cannot get a taxi (1996a, 28; Fraser & Honneth 2003, 34). If an example was to be understood as a case of misrecognition, as Fraser intended, then there is an underlying assumption that institutionalised patterns of cultural value interpretation also guide this informal interaction; hence the institutionalisation in Fraser's works presents a very broad understanding of institutions.

'Durkheimian,' is overly simplistic and does not adequately describe social mechanisms, least of all in contemporary times (Fraser & Honneth 2003, 59, 100). The cultural order of modern society does not have sharp boundaries as the multiple cultures are internally hybridised (Fraser & Honneth 2003, 55). Moreover, there are multiple institutions with no fixed overarching hierarchy between them (Fraser & Honneth 2003, 55). Some institutions may be far more reaching and organised than others or be formally subjected to other institutions. Still, the relations between institutions are fluid and depend on the situation to a considerable degree. For example, a criminal justice system and family are two different institutional orders and, in some cases, a criminal justice system trumps family, but it does not mean that a criminal justice system is permanently fixed as a dominant order in everyday life.[231] Moreover, the different institutional orders and corresponding different patterns of cultural value interpretation are often incompatible[232] (Fraser & Honneth 2003, 55-56). In contemporary society, the cultural patterns of value interpretation are constantly contested, which only adds to the complexity of already highly differentiated and hybridised institutions (Fraser & Honneth 2003, 56).[233]

> Cultural contradiction and complexity notwithstanding, parity-impeding value patterns continue to regulate interactions in most important social institutions – witness religion, education, and law. To be sure, such value patterns do not comprise a seamless, coherent, all-encompassing, and unbreachable web, as in the fully kin governed society; and they no longer go without saying (Fraser & Honneth 2003, 57).

Individuals or groups are often disadvantaged along some axes of status subordination but simultaneously have advantages alongside others (Fraser & Honneth 2003, 57). Which of those axes trumps over others is highly contextual.[234] Nevertheless, patterns that favour certain groups and disadvantage others are prevalent and common. Men,

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[231] This example is mine – I derived it from my understanding of Fraser's work on the issue of the multitude of social institutions.

[232] Fraser posits the following example: "the schema for interpreting and evaluating sexuality that organizes mass culture, for example, diverges from that institutionalized in the laws governing marriage" (Fraser in Fraser & Honneth 2003, 55-56)

[233] Marketisation and market institutions are one of the major agents that prevent the formulation of singular order of status subordination. Processes of migration and cultural exchange have always existed but only seemed to grow in the globalising world (see: Fraser & Honneth 2003, 55, 58).

[234] To understand this contextuality, let me discuss the example of custody cases between divorcing parents. Generally, women occupy a lower position in the status order than men, but in the context of custody cases, the identity of 'mother' and 'father' comes into play additionally. The mother is seen as a part of the primary responsibility for the child's wellbeing. This often creates a disparity between the parents in which the mother is unfairly burdened with childcare duties, in the sense that she has to perform all the work necessary to meet children's needs with little assistance from the father. But in the case of a custody dispute, the same patterns of interpretation work to her advantage because now she is automatically seen as the more qualified for meeting the child's needs.

white people, and heterosexual people are generally favoured over those who do not belong to those groups (Fraser & Honneth 2003, 57). The intricate threads of particular patterns that intersect and interfere with one another and permeate each other, reinforcing (or sometimes diminishing) each other, still give a clear picture of the overall tendencies.

The heterogeneous, inconsistent character of social institutions and the patterns of cultural value interpretation are crucial for grasping the roots of misrecognition in Fraser's model. This entails that institutions designed as a remedy for particular forms of status subordination do not preclude the continued existence of unfavourable patterns of cultural interpretation firmly rooted elsewhere.

I believe institutions' complexity and inconsistency are of key importance in understanding Fraser's model properly. To clarify the issue, I will now discuss an example, I have found in the polemic with Fraser. The author of said polemic presents very different, from my own, understanding of how to apply Fraser's theoretical framework to real-life cases. Christopher F. Zurn presented the example I will now discuss in depth in 2003's paper for Society for Phenomenology and Existential Philosophy Scholar's Session on Nancy Fraser titled *Arguing Over Participatory Parity: On Nancy Fraser's Conception of Social Justice*.[235] Let me just recall one of them:

> Consider a physically disabled person whose interest in removing barriers to mobility is in fact secured by a high level of compliance with anti-discrimination legislation, but who is regularly subject to overly solicitous attempts to help her with physical tasks, attempts that tend to infantilize her because of her physical disability (Zurn 2003b, 22-23).

Zurn's claim that the only "wrong" of unsolicited, patronising help towards a disabled individual is the worsening psychological wellbeing and the sense of self-identity of this

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[235] Christopher F. Zurn is an American philosopher, who specialises in social and political philosophy, philosophy of law, contemporary European philosophy, has written several papers on recognition, including Fraser's and Honneth's concepts (2003a & b, 2005). The 2003 paper containing selected examples was then reprinted in 2008, *Adding Insult to Injury. Nancy Fraser Debates Her Critics* by Kevin Olson. I feel it is essential to devote someplace in this work to address this issue, to show how Fraser's proposition can be applied to understand social problems, which is more controversial than I initially thought. It is justified for me to discuss this example in this dissertation. Because it pertains to the subject of my work, considering that the protagonist of the example is a woman.
Moreover, half of the disabled people are women; even non-disabled women have similar experiences of unsolicited help. Women are another social group that is often subjected to unwanted patronising attempts of help and interpersonally penalised for refusing it. However, research shows that gender is not a relevant factor when the disabled person is judged for refusing help, even though gender is significant in other aspects of oppression faced by the disabled (Wang et al. 2019).

individual,[236] and that it is the only reason the patronising help is ever harmful. Zurn claims that the presented example shows the shortcomings of the status model. He alleges status model cannot address this situation, and neither provides the theoretical framework to understand harms coming from unsolicited, patronising attempts of help nor the deontological basis for proposing countermeasures. This is demonstrably false. Examples proposed by Zurn may surprise given that the author faithfully reconstructed Fraser's assumption of the heterogenous and inconsistent character of the institutions earlier in the same paper (Zurn 2003b, 11). However, when applying Fraser's framework to an example, Zurn erroneously assumes that:

a) Realisation of some of the postulates of minority groups equals deinstitutionalisation of the whole nexus of patterns of cultural value interpretation responsible for the status subordination of this group. It is not so. Fair treatment in some areas of social life does not imply fair treatment in all areas. Fair treatment in some of the formal institutions' conduct, for instance, the institutions responsible for city planning and architectural regulations, does not necessarily translate to fair treatment in other formal institutions, for example, ones responsible for family social support, healthcare, education, policing, etc. Even if the postulates that demand fair treatment are realised in some aspects of formal institutions, for example, in official policies, it does not mean the same principles are realised in other aspects like training of the new civil assistants or everyday interactions between civil assistants and clients.

b) There is no relevant relation between formal institutional conduct and everyday social practice of ordinary citizens – typified modes of interactions. Again, this is not true. Formal institutions have significant, if not always straightforward, influence on everyday conduct, moreover, the patterns of conduct from everyday life enter back into formal institutional context carrying the patterns of cultural value interpretation. In this vein, everyday examples of unfair treatment, in this case, patronising attempts of unsolicited help, are both a symptom of the persistence of institutionalised patterns of cultural value interpretation and vehicle through which those patterns are maintained.

Just as different manifestations of sexism can be apprehended as benevolent, hostile and ambivalent (Glick & Fiske 1997), with ableism too, such a distinction can be made (Nario-Redmond et al. 2019). Disabled people being pestered with unsolicited and

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[236] To be perfectly clear, Zurn's claim that unsolicited help worsens mental wellbeing of disabled individuals is supported by empirical research (see: footnote 74; Braithwaite & Eckstein 2003).

paternalistic attempts of help in public spaces is clearly an example of 'benevolent' ableism. Just as both benevolent and hostile, sexism is a product of institutionalised patterns of cultural value interpretation that puts women in a subordinated position. And just as both benevolent and hostile, sexism helps to maintain gender-based subordination and disadvantage, benevolent and hostile ableism is a product of institutionalised patterns of cultural value interpretation that puts the disabled in the subordinated position and hostile ableism helps to maintain subordination and disadvantage of the disabled.[237]

Unsolicited paternalistic attempts to help occupy one end of the spectrum of diverse practices that come from an institutionalised nexus of cultural patterns of value interpretation that depreciate disabled individuals. The other end of the spectrum is occupied by hate crimes, including acts of physical violence and continuous psychological, physical and sexual abuse in care facilities (Nario-Redmond 2019, 57-59). What those practices have in common, outside originating from the same nexus of patterns, is not the severity of the impact those practices have on disabled lives, but that they further disparage disabled individuals and contribute to the proliferation of patterns of cultural value interpretation that frame disabled people as lesser than their able-bodied counterparts.

Because the purpose of this chapter is to propose a definition of violence that would be wide enough to encompass a variety of women's experiences, it is necessary to address "benign" forms of violence as well. Therefore, it is only prudent to analyse examples of practices that may seem innocuous to outsiders, but ones that stem from "benevolent" prejudice, with the understanding that even "benevolent" prejudice is a product of institutionalised patterns of cultural value understanding that treat members of certain groups as lesser, consequently contributing to status subordination and impediments to parity of participation. The "benevolent" prejudice can be understood as any pattern (or set of patterns) of cultural value interpretation that is maintained through

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[237] It must be noted that in many places hostile ableism used to be blatantly and explicitly encoded in the laws. So-called "Ugly Laws" were common in American cities even 50-60 years ago, for instance: "No person who is diseased, maimed, mutilated or in any way deformed so as to be an unsightly or disgusting object or improper person to be allowed in or on the public ways or other public places in this city, or shall therein or thereon expose himself to public view." (CHICAGO, ILL. MUN. CODE §36-34 1966, after Schweik 2011, 3) Putting it into perspective, this passage had been added to the municipal code two years after Civil Rights Act, which outlawed discrimination based on race, colour, religion, sex and national origin. Modern laws do not permit such overt discrimination but that does not mean that more subtle forms of discrimination are absent from the body of law, policies and much less everyday conduct of formal institutions.

institutional makeup and conduct and constitutes an impediment to participatory parity. The harm of seemingly innocuous practices is not only negative psychological effects directly experienced by affected individuals but also the maintenance of unfair patterns, which means maintaining intersubjective conditions in which participatory parity cannot be realised.

Obviously, widespread cultural patterns of value interpretation are entrenched in more than one institution. Meanwhile, the anti-discriminatory changes in some of those institutions do not yet mean the unfair patterns disappear from others. The patterns that dictate people to pester the disabled woman from the example with "help" on every turn did not appear from thin air. There is no reason to assume cultural patterns spurring this type of conduct can be characterised as "free-floating" symbolical patterns (comp. Zurn 2003b, 9), instead, they regulate interpersonal conduct in a predictable way. Moreover, being met with unsolicited assistance not only impacts how disabled people subjectively see themselves but also impacts how they can function socially and navigate public spaces (Braithwaite & Eckstein 2003).

Hypothetically, if we were to investigate a network of institutions organising social and public life in the setting, where the woman from Zurn's example lives, we would perhaps find out that the cultural patterns, which unfairly disadvantage the disabled population, are entrenched in educational institutions, media and/or religious associations. This example actually illustrates very well what Fraser means by status subordination. The disabled woman from the example is regarded as less than a full peer in social interactions, and that makes her life more difficult. The fact that someone routinely experiences the infantilising attempts of assistance also means that in everyday life, disabled citizens of this hypothetical city, are either too hesitant to correct able-bodied counterparts on the inappropriate attempts to "help" out of fear of hostile, otherwise negative reactions[238], or that their opinions are simply disregarded. Such attempts are not the same as polite offers of help and often involve ignoring feedback about the type of assistance that would be appreciated from disabled people they are directed to or even touching or moving disabled persons and/or their mobility devices without their consent. Rather than simply being a problem on its own, it is also the

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[238] This assumption is supported by empirical research: "Many respondents expressed a great deal of concern about hurt feelings on the part of nondisabled people. Most importantly, they did not want another disabled person to be denied assistance in the future because they or someone else turned down the nondisabled persons' offer of assistance" (Braithwaite & Eckstein 2003, 16).

symptom of the problem that lies in formal institutions as well. Either of those cases clearly reveals the existence of patterns guiding everyday conduct that unfairly disadvantage disabled people. What I mean is not necessarily that people with disabilities should always be treated in the exact same way as non-disabled people, but that not treating them as autonomous people who know their needs and have their own goals while failing to maintain basic principles of good manners in interactions with them has consequences not only in the form of a distorted sense of self-identity worsening psychological wellbeing[239] but also has a tangible impact on disabled people's opportunities to interact with the social world. Such misguided attempts to "help" are an impediment to the functioning of disabled people in public spaces,[240] therefore, they constitute what Fraser calls the intersubjective obstacle to participatory parity (Fraser & Honneth 2003, 36). A thoughtful examination of Zurn's example shows that studying only some institutions and not others gives us biased results.

Furthermore, it is worth considering that patterns do not have to be particularly "targeted" at disabled people to have especially adverse effects for this group.[241] For example, cultural patterns may valorise positively (elevate) people, who help at the cost of depreciating people, who are being helped[242]. As a consequence, a perceived helper

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[239] It may manifest in the internal feelings of powerlessness and lack of trust in one's own abilities and subsequent refusal to participate in various activities, but in some cases, it may also mean making unjustified demands of others, requesting preferential treatment when it is not warranted by specific needs created by particular disability, refusing to meet justified expectations, e. g. expecting that one is given better grades in school/at university than one could earn with one's effort skills and knowledge; refusing the accountability of one's own misdoings.

[240] The issue of help is a very real problem for the disabled community: "Interestingly, the disabled respondents were about evenly divided on the issue, with some saying that offering or providing help was fine with them, while others were adamant that help should not be offered or provided unless requested." (Braithwaite & Eckstein 2003, 6) However: "Researchers found that people with disabilities often receive assistance that is unsolicited, unneeded, or unwanted (Braithwaite, 1987; Cunningham & Coombs, 1997). Amazingly, interviews with persons with disabilities revealed it was not uncommon for nondisabled persons to give assistance, even when the person with the disability had explicitly refused assistance, for example, pushing someone's wheelchair immediately after being told that help was not needed (Braithwaite, 1987). Unwanted help comes with a price for the person with a disability, ranging from feelings of inferiority or loss of face (Schneider, Major, Luhtanen, & Crocker, 1996; Soule & Roloff, 2000) to physical danger, if help is given improperly or unexpectedly (Braithwaite, 1987). These costs often outweigh the benefits of receiving assistance." (Braithwaite & Eckstein 2003, 6) As a mobility device constitutes an extension of a body of a disabled person, touching it without a person consent infringes on their bodily integrity – it is an example of non-hostile physical violence. Having that in mind, it is hardly surprising that most interviewees reported they either prefer to be the ones asking for help, with some respondents being adamant they only accept the help that they themselves asked for and reject any second party offer (Braithwaite & Eckstein 2003, 12).

[241] What I mean here is that the cultural patterns that dictate this behaviour do not need to be explicitly disablist to have particularly negative consequences for the disabled in comparison to the able bodied (or the visibly disabled to everyone else). Still, they simply result in more disadvantages for disabled people.

[242] For instance, consider ultrarich people donating to charities to create a positive image and elevate their reputation. In this way, they provide much-needed assistance to those who need it by redistributing some

may rise in status and get an advantage over the one who is being helped within some horizons of interaction (Braithwaite & Eckstein 2003, 6). Other cultural patterns may designate that the person who provides help/assistance "knows better" than the person to whom the help/assistance is provided and that the provider of help/assistance is more qualified to make the decisions even without communicating and establishing consent.[243] So even seemingly "neutral" patterns of cultural value interpretation can have unequal consequences; in the discussed example, in the form of particular disadvantage for the disabled. Worse yet, in cultures where being dependent on others is interpreted negatively, the frequent recipients of help are also interpreted negatively, even if that "help" is unneeded and unwanted. As a result, the practice of overhelping, especially in the form of improper, paternalistic styles of helping, contributes to establishing the status of disabled persons. Moreover, trying to refuse the "help" may be seen as a transgression against the established status order,[244] and that may have a range of negative consequences for the individuals, who refuse such help. In general, a refusal

of the resources (albeit without actually redressing the underlying problems of maldistribution). The clients of charities are not necessarily perceived favourably and being in the position to receive charity from others may be even perceived as shameful. Fraser and Gordon underline that the relationship between the giver and taker of charity is seen as fundamentally unequal. They write: "in the modern conception of charity the giver got moral credit, while the taker was increasingly stigmatised. This distribution of value was inherently unstable, since the devaluation of recipients naturally spawned doubts about the merits of giving" (Fraser & Gordon 1992, 59).

[243] Such a pattern may be institutionalised in the medical and social support services and education and religion. The idea that the provider of the assistance "knows better" than the recipient is prevalent in medical services. Such practices have been frequently experienced by disabled patients and explored in disability state-of-the-art (see: Greer 2021). Moreover, much of the disability advocacy is done on behalf of disabled people and in many organisations non-disabled people hold authority in deciding what kind of assistance is needed (Nario-Redmond 2019, 339). Fraser herself partnered with Linda Gordon to examine the issue of control the providers of assistance in the social services have over those they help, and how is welfare assistance perceived. It turns out that how people see providers and recipients of help is to some extent structured by the formal institutions responsible for providing assistance and how the discussion around those issues are framed in media and the public discourse. Patterns that stigmatise dependency on assistance as a moral and psychological failure, and those who need assistance as passive, incompetent or helpless while simultaneously those who provide help as good and charitable are entrenched in the formal institutions. Essentially, those who require help are often put in a subordinated position towards those who provide it (Fraser & Gordon, 1992, 1994a & b). The institutions that aim to assist those in need are often founded on sexist, classist, disablist, and, in some places of the world, racist assumptions and such assumptions and the corresponding patterns of cultural value interpretation are conveyed and reproduced through practices of those institutions.

[244] This premise is supported by the findings of empirical research: "Specifically, individual interviews and focus groups with disabled individuals revealed that they are often accused of being ungrateful, rude, and hyper-sensitive when declining patronizing help and that attitudes toward people with disabilities tend to become more negative when they violate the stereotype of incompetence and dependency (Braithwaite & Eckstein, 2003; Nario-Redmond et al., 2019; Olkin et al., 2019). Additionally, Wang et al. (2015) showed that a blind female target was perceived as less warm, ruder, and generally less likeable when she declined patronizing help from a sighted pedestrian than when she accepted such assistance. It is worth noting that this backlash associated with refusing patronizing help is not limited to people with disabilities. For example, Becker, Glick, Ilic, and Bohner (2011) found that a female target was perceived as less warm when she refused, rather than accepted, patronizing help from a male colleague." (Wang et al., 20019).

of assistance may be perceived as an anti-social attitude, regardless of the identity of the person refusing assistance. However, in some cases refusal of help may be going more against social expectations than in others and the perception of refuser's negative qualities may be influenced by their identity – one person refusing help may be seen simply as capable other may be seen as overconfident and rude based on factors such as gender or disability. Additionally, able-bodied people often cannot identify an inappropriate attempt to help when they witness one (Wang et al. 2019). Physically disabled people indeed need more help with physical tasks than able-bodied people, but the problem is that they are perceived as needing need more help than they actually do. Again, how often they need help depends on the individual. In addition, the type of needed help may often be different from what is presumed by able-bodied. Consequently, people who try to "help" disabled people with various tasks may be responsible for (most likely) unconsciously sabotaging their ability to accomplish tasks independently (see: Braithwaite & Eckstein 2003). While hypothetically, the example does not require the presence of institutionalised cultural patterns that are explicitly disablist (at least not at the outset), however, in all likelihood, the able-bodied part of the population would also carry some disablist notions that influence their conduct. The behaviour of fellow citizens, who do not know how to show basic courtesy to their disabled peers is evidence of that.[245]

Disablist patterns are re-enacted and re-established in everyday life, and when they persist in everyday conduct, then from that context, they re-enter the more formalised institutions. For example, consider social services: the patterns of value that come from everyday experience, socialisation and former encounters with formal institutions are expressed in the practice of individual employees that de facto shape the usual working of the institutions. Subsequently, the patterns of value interpretation can spread and get entrenched via formal training and informal learning process of the new recruits. The patterns of cultural value are expressed and maintained not only in the laws, rules and guidelines that, on paper, are supposed to organise institutional conduct, but also in the usual way in which the institution actually works. And that depends to an

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[245] Able-bodied people that offer patronising or otherwise inappropriate help probably do not consciously want to demean their disabled counterparts, possibly only a small fraction consciously uses "help" as a means for getting some kind of advantage (at least outside of the context of familial relationships). Probably, most of them genuinely want to help or only simply to feel good about themselves for showing helpfulness. However, the individual motives do not necessarily have any bearings on the overall disadvantaging effects of this pattern of interaction.

extent on what people, who work there, bring in with them. The daily work of institutions does not only reflect the values of individual employees but also impresses those values on the wider society.

The individual people's actions are regulated by a shared nexus of cultural patterns of value interpretation that frame disabled people as less than peers (less competent, more passive, less worthy of the same courtesies shown to able-bodied people, such as the respect of bodily autonomy), and in turn result in further disadvantages for the disabled people.[246] The problem of unwanted help stems from institutionalised patterns of cultural value interpretation and establishes and maintains the lower status of disabled citizens. As Fraser proposes, we do not need to consider the individual psychological experiences of disabled people resulting from the inappropriate attempts of help in their everyday lives to understand that it constitutes injustice.[247]

The example of a disabled woman navigating both the city space and human interactions, like the unwanted attempts of help, reveals something very interesting: understanding the social problems as moral rather than merely ethical issues requires a deeper understanding of those problems and that entails communication with those, who are affected by those problems (not just in everyday interpersonal communication and everyday interactions but also through surveys, interviews and research that can give us a more comprehensive understanding of those problems). In other words, understanding problems as moral requires an effort to ask others about their standpoint and not merely

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[246] Obviously, there is nothing inherently wrong in helping the disabled; in fact, relying on assistance is an indispensable part of everyone's life, not just the lives of the disabled. Because everyone needs help sometimes, requiring it does not have to have stigmatising effects, even for people who statistically need it more often than others. Instead, that effect is produced by how the help is initiated and delivered in everyday interpersonal encounters and formal institutions. Asking for help is more active than being offered it—people who initiate help by requesting it have more control over the assistance they receive. The research shows that "the ability to provide appropriate help that supports the autonomy of people with disabilities without patronisation or presuming incompetence was identified as one of the most important qualities of effective allies" (Wang et al. 2019). The prevalence of inappropriate help in the everyday life of disabled people is a clear example of an institutional failure to meet the needs of disabled citizens.

[247] It does not mean that the concern for mental well-being and positive self-image of disabled people does not constitute value on its own. From the perspective of particular individuals, mental well-being and positive self-image may be more important and urgent than which patterns are perpetrated in the institutions. The most essential concern of justice lies elsewhere, not in helping with individual mental well-being and positive self-image, but in establishing fair conditions for everyday life and social participation. The perspective of justice realises that the good of mental well-being cannot be secured without addressing the institutions first.

assuming one. This means engaging with problems on the moral level rather than the ethical level is more cognitively challenging.[248]

On the other hand, if the researchers were to concentrate only on the damages to the subjective image of self of a disabled woman subjected to constant infantilising attempts of "help", they would fail to realise how much time and effort she is putting in managing or avoiding those attempts and how much they practically inconvenience her. Moreover, it would impede the examination of the underlying roots of such widespread behaviour and how such behaviour affects the status of a particular group. If we could not understand either of those issues, we would not be able to come up with adequate countermeasures for this injustice.

My analysis revealed the following important features of status order: relative stability[249] coupled with heterogeneity and inconsistency.[250] The relative stability of this order is paradoxically internally dynamic. The complexity of the status order[251] poses a significant difficulty for the political strategy proposed by Fraser, namely the non-reformist reform funded on the normative principle of participatory parity (Armstrong & Thompson 2009, 110). It is necessary to consider the effect on the distributive dimension and the interplay of various pathways of institutionalised status order. The

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[248] Iris Marion Young makes an interesting point about this issue in response to Seyla Benhabib (1992, 52) about the reversibility of standpoints "To recognise the other person is to acknowledge that she is an 'I' to herself just as I am an 'I' to myself and that I am an 'other' to her just as she is an 'other' to me. This structure of reciprocal recognition is indeed a condition of communicative action. But this structure neither describes nor presupposes a reversibility of standpoints. In fact, it precludes such reversibility because it describes how each standpoint is constituted by its internal relations to other standpoints" (Young 1997b, 348).

[249] The status order has become more fluid in modern times. Still, it is hard to deny that men, white people and heteronormative people are in more advantageous positions than their respective counterparts, as they were twenty, fifty and a hundred years ago.

[250] It can be argued that Fraser is wrong in conceiving a single status order (a) and instead, there are multiple status orders (b) that overlap in some points but at the same time remain separate to a degree (Armstrong & Thompson 2009, 15). However, it seems to be just a slightly different description of the same picture of social reality. It is possible to make analytical distinctions between various sub-orders. Still, in fact, none of them operates in a vacuum, and empirically, it is only possible to assess how those sub-orders operate within the context of others. The conception of a single heterogeneous and complex status order (a) emphasises the interconnectedness of society's various aspects and elements more than that of multiple overlapping status orders (b), while the latter emphasises fragmentation. From the psychological standpoint, that distinction certainly has some consequences for the perception of social reality, but does it have significant theoretical implications? Is it possible to grasp some aspects of social reality with the conception (a) but not (b) and vice versa?

[251] The complexity of status order can be distinguished on two levels: (1) *horizontal complexity*, which refers to multiple status sub-orders (Armstrong & Thompson 2009, 114) and (2) *vertical complexity*, which can be understood as the distinction "between the outcomes produced by the status order, and its 'underlying generative framework'" (Armstrong & Thompson 2009, 118; comp. Fraser 1997a, 23)). I propose that the latter could be understood as a distinction between formal and informal processes of institutionalisation.

outcomes of any reform aimed at redressing status order by deinstitutionalising the unfair patterns of cultural value interpretation are hard to determine.[252] This is not a problem specific to Fraser's theoretical framework but to any theoretical framework that aims to reform society. However, the model proposed by Frasers and the stress she puts on the complexity of the status order as multidimensionality of social reality is very helpful in clarifying that problem.

The heterogeneity, inconstancy and internal dynamics of the status order leave open more possibilities for change but, simultaneously, make it difficult for reflexive transformation and reform of social conditions. Despite being entrenched in the institutions, value patterns are constantly interpreted and reinterpreted in everyday practice.[253] Therefore, everyday practices maintain or transform the status order. The complexity of the status order does not rule out a possibility of a successful democratic reform oriented towards the increase of participatory parity in the institutions. Everyday practice can be influenced by the work of formal institutions, even though it cannot be directly reflexively reformed. Obviously, the transformation of interpretation patterns and related practices does not happen overnight. Everyday practice, can very well lag behind new legislation and practices of formal institutions, and simultaneously formal institutions may not always keep up with the widespread change of everyday practices.[254]

Deinstitutionalization of unjust patterns requires the change of practices not only within the work of formal institutions but also in everyday life. There is feedback between patterns of value interpretation expressed in formal institutions and the patterns of value interpretation in broader society. And there is the simple fact that change happens over time, no matter how it is brought up. That means the unfair patterns can be reintroduced to the reformed (by the principle of participatory parity) institutions. Misogynistic police officers, controlling and patronising social service employees, and

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[252] This difficulty had been addressed by Fraser's critics: "Fraser underestimates the problems that this hybridity, multi-dimensionality and contestation pose for the task of specifying or identifying the prerequisites of participatory parity" (Armstrong & Thompson 2009, 14).

[253] Perhaps this premise could be best explained metaphorically: imagine a vehicle driving in the wheel tracks on the road; it is easier for the vehicle to stay in the wheel tracks, but it is not impossible to leave them. However, as long as the wheel tracks are there, vehicles will likely fall back inside them.

[254] Those changes can occur spontaneously with changing conditions (see: Inglehart & Norris 2003) but can also be brought up by public discussions when there is a widespread transformation of dominant opinions. I think the concept of opinion formation at length discussed by Habermas (1981/1987) and Fraser's concept of weak publics and the counter publics (Fraser 1990a) would help explain that process in depth.

teachers, who do not respect their students, can, through their practices, reintroduce unfair patterns of cultural value interpretation to the institutions they work in.

What is more, they can declare the belief in equal moral values for all individuals and outwardly oppose various unfair hierarchies, but still perpetuate unfair patterns in their everyday conduct by repeating patterns they learned earlier in life. Therefore, no matter how progressive formal rules and guidelines for those institutions are, in reality, the daily conduct of average employees will influence the process of patterns institutionalisation.[255] And *vice versa*, new legislation that, in an articulated way, contradicts the principle of participatory parity may demand the perpetuation of unfair patterns in the institutional practice from employees who are/were otherwise willing and prepared to implement fairer patterns. Consequently, such legislation influences everyday practice even outside formal institutions, to which it directly applies through the articulation of unfair patterns and the interaction between formal institutions and their clients.

Anticipating chapter IV of this dissertation, I propose fostering moral competence in the necessary countermeasures to recognition-based injustice as a response to the abovementioned problem.

2.3.2.3. Status, Social Identity and Social Groups

I still have to discuss the relationship between status and identity, especially group identity. The reasons are twofold. Firstly, even though Fraser's concept of (mis)recognition is status-based, not identity-based, still status in our society is anchored to identities one way or another. Secondly, the issue of identity and violence as a tool for distinguishing, establishing and maintaining identities or social groups is featured in the previous chapter. Especially, when violence was considered from an anthropological or sociological perspective (Bowman 2001; Bourdieu 1979; 1998/2001; Fearon & Laitin 2008). Based on the theoretical framework developed by Nancy Fraser, I propose to interpret violence in such a way that it not only shapes group or individual identities but, moreover, ties them to places in status hierarchies.[256] Given the subject of

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[255] For example, how misogynistic attitudes influence policing of domestic violence (see: Muftić & Cruze 2014).

[256] I do not deny that violence can give meaning to identities, but the meaning-bestowing function does not need to be fulfilled to define violence.

this dissertation, I will be particularly interested in how to conceive gender as particular construction of identity and frame for status.

In her 1990 paper, *The Uses and Abuses of French Discourse Theories for Feminist Politics,* Fraser explores the notion of social identity as that of a man or a woman (Fraser 1900b). She writes: "to have a social identity […] is to live and to act under a set of descriptions" (Fraser 1990b, 83). Those descriptions do not emanate from an individual's body or psyche (ibid). Although they are often ascribed based on the body or mental characteristics, they come from the "fund of interpretive possibilities available to agents in specific societies" (Fraser 1990b, 83). Identity is not simply derived from the material reality of a body nor the psyche (ibid.).[257] Identities are relational – they can be described by the place in relation to others and understood as meanings given to one's placement in the nexus of relations with others. Important aspects of identities Fraser underlines are the plurality the complexity:

> They are knit from a plurality of different descriptions arising from a plurality of different signifying practices. Thus, no one is simply a woman; one is, rather, for example, a white, Jewish, middle-class woman, a philosopher, a lesbian, a socialist, and a mother. Moreover, since everyone acts in a plurality of social contexts, the different descriptions comprising any individual's social identity fade in and out of focus. Thus, one is not always a woman in the same degree; in some contexts, one's womanhood figures centrally in the set of descriptions under which one acts; in others, it is peripheral or latent (Fraser 1990b, 84).

As I understand, identities are constructed in the process of cultural interpretation of meaning. Everyone has multiple social identities that gain or lose prominence over time in different horizons or interactions. Identity is socially constructed in the discourse specific to a socio-historical context, but it is not fictitious (see below: Fraser 1990b, 84; Young 2005, 22). Social identities are malleable; they are not permanently fixed, instead, they are in the constant process of forming and reforming.[258] Relevantly, that process happens in the relation to social power. Gender as an identity can be characterised in the following way:

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[257] The material reality of the body and the psyche are products of a socio-cultural process as much as biological development (Berger & Luckmann 1966, 66-69). Fraser's account of identities is not particularly original, and a similar understanding has been employed in social sciences for some time (see, for example, ibid., 194). She is more interested in assessing political possibilities brought by theoretical concepts of identity than in developing a new and original concept herself.

[258] It needs to be noted that some identities may be more stable over time than others and some aspects of those identities may also be long enduring even when other aspects change (Risse 2010, 34).

> It follows that in order to understand anyone's feminine or masculine gender identity, it does not suffice to study biology or psychology. Instead, one must study the historically specific social practices through which cultural descriptions of gender are produced and circulated (Fraser 1990b, 83).

A very similar understanding of gender has been proposed by Iris Marion Young, one of Fraser's more notable partners in academic discussions:

> Gender, I suggest there, is best understood as a particular form of the social positioning of lived bodies in relation to one another within historically and socially specific institutions and processes that have material effects on the environment in which people act and reproduce relations of power and privilege among them (Young 2005, 22).

Neither of those philosophers rejects the importance of the material human body with all its particulates and mental life. However, it would be a mistake to try to understand gender by the study of the body and psyche alone. Neither a physical characteristic of the body nor any mental features determine gender. We never encounter the human body in a purely biological state; therefore, it is impossible to study the biological sex of human beings outside of gender relations. Even the bodies of young children are already influenced and gendered through social practice.[259] A critical implication here is that the presence or absence of specific physical or biological attributes typically associated with gender is not necessarily a prerequisite for determining a given gender identity.[260] Fraser explains that one can be, for example, a woman in different ways and how one is a woman changes over time (Fraser 1990b, 84). The same is also true for men and people of other genders. Gender is constructed through historically grounded social practices and institutions, including the practices of description. Those practices and institutions are not value-neutral. They shape and reproduce, as Young puts it, "relations

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[259] Gender signifiers in clothing or haircuts are put on the bodies of young children; often, children are given different toys based on the perceived gender and are steered towards other modes of play; therefore, children's life experiences start to differ very early on. Some parents consciously want to induce gendered behaviour. But even parents, who do not wish to induce particular play behaviour, subconsciously underestimate their infant daughters' motor skills and overestimate their sons' abilities at the age before the difference in performance by gender starts to emerge. By this token, boys may be permitted to undertake more demanding tasks than girls, creating ever so slight differences in opportunities for physical development (Mondschein et at. 2000). Starting from a very young age, the body of girls and boys develop differently depending on the interactions they have with adults and activities in which they are permitted to partake.

In some circumstances, the impact of gender on children's physical development is even more significant. Gender discrimination in some lower-income regions may contribute to increased chances of malnourishment among women and girls compared to men and boys and all subsequent problems from dysnutrition (Delise 2008). Globally, the health of female children is more negatively affected by poverty than that of male children, especially in regions with higher gender inequality (Iqubal et al., 2018).

[260] A woman whose womanhood is denied by others based on some features of her body and who is seen and treated as a man is in different relations to others than a man is. She fundamentally occupies a different place in the status hierarchy than a man. And that distinctiveness of relations is there even when that woman, for some reason (like personal safety), does not outwardly proclaim her womanhood.)

of power and privilege among them" (2005, 22) and, in Fraser's terms, conditions of injustice primarily through the status order.

Fraser does not apply an ontological lens for group identities (Mc Manus 2020; 99) and avoids essentialism. Some authors consider her approach a form of post-identity politics (Herkman 2000, 304). However, she is conscious that identities are essential to how people self-understand themselves and self-organise.[261] Social identities and social groups (people who share social identity) play an important part in her framework. The key concept for her analysis of social groups is bivalent collectives, which entails that their sufferings are rooted in two kinds of injustice: misrecognition and maldistribution (Fraser 1995a; 1996; Fraser & Honneth 2003):[262]

> I call such a collectivity "bivalent". What differentiates it as a collectivity is both the economic structure and the status order of society. When oppressed or subordinated, therefore, it will suffer injustices that are traceable to both political economy and culture simultaneously. Bivalent collectivities, in sum, may suffer both socioeconomic maldistribution and cultural misrecognition *in forms where neither of these injustices is an indirect effect of the other, but where both are primary and co-original.* In their case, neither the politics of redistribution alone nor the politics of recognition alone will suffice (Fraser 1996a, 15).

Gender is, according to Fraser, a paradigmatic model of a bivalent collective; however, she arrives at the view that all types of social groups she considered: race, class and sexuality are, in fact, bivalent (Fraser 1996a, 16, 22).[263] Social groups are heterogenous, meaning that they comprise multiple subgroups. The links between them may not be apparent from the perspective of just one dimension of justice, but are revealed when

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[261] Lois McNay, political theorist and critic of recognition, says on this subject: "On the one hand, we should not, as some thinkers claim, move towards a post-identity politics because issues of the marginalisation and exclusion of minorities still remain central political problems of our time. Yet, on the other hand, feminist theory needs to think carefully about its investment in a certain idea of resistant identity politics in an era when flexible structures of commodification are capable of depoliticising the most radical of practices" (Husso, Hirvonen & McNay 2009, 53). It is worth noting here that McNay considers Fraser's model compatible with her approach, although she thinks Fraser undertheorized social suffering.

[262] In the previous sections, I explained that Fraser introduces the third dimension in her later works. Still, in the scope of this work, I cannot thoroughly analyse the third dimension of political representation in relation to violence satisfyingly. This would be a good topic for future research.

[263] The bivalent character of gender has been substantiated by reference to empirical data with the caveat that the intersection of many collectivities strongly affects the disadvantages suffered by members of different groups (Vlachanoni 2019; 27). Moreover, according to the definition inferred from Fraser's work, "whereby bivalent collectivities are composed of individuals whose social positions and experiences are independently shaped by economic structure and social status orders", age groups (e.g. children, adults, elderly) and groups related through health status/disability (e.g. the chronically ill, people with auto-immune disorders) should be considered as bivalent collectievises (Rosenfeld et al. 2019, 217). Children are another group Fraser omits, whose situation can be conceptualised through this conceptual lens (Minujin & Ferrer 2016, 99).

both are analysed together. For example, understanding groups as bivalent helps us grasp what upper-class and lower-class women have in common (De Miguel Álvarez 2017, 215). Understanding collective (social groups) as bivalent helps to grasp the relationship between misrecognition and maldistribution.

2.3.3. Patterns and Practices

There is one other issue I will address before presenting the definition of violence I will employ later in this dissertation. It is the concept of practice, already anticipated in the previous sections, and how it relates to previously discussed institutionalised cultural patterns of value interpretation. What I need and expect from introducing the practice category is breaching the gap between what is systemic and what is individual, which allows us to acknowledge the agency[264] of individual and collective subjects and simultaneously avoid incidentalism. On the other hand, a response to the too-wide concepts of violence discussed in chapter I,[265] I aim to provide, requires an explanation and justification of why not every aspect of our culture constitutes violence. Moreover, employing the concept of practice fits in with Fraser's framework presented above and allows an analytical distinction between violence and misrecognition.

It is not a novel notion in feminist literature to conceive violence as practice. In the previous chapter, I already introduced this idea when I cited Confortini's (2006, 341) commentary on Galtung's concept of violence (1969, 1990) in the previous chapter. Notably, Iris Marion Young also defined violence as social practice,[266] institutionalised and systemic in character (Young 1990, 62). Young notes that the more overt forms of violence come to us as seemingly disjointed acts (they appear incidental). For that reason, the theories of justice had long neglected violence:

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[264] I use agency here, even though it is a concept I did not introduce earlier in this chapter, to signal that violence is not outside the control of those who perpetrate it. I have had no opportunity to introduce agency earlier because Nancy Fraser rarely employs this concept in her works. However, her theoretical framework is open to that concept (Husso, Hirvonen & McNay 2009, 53). Fraser herself, when she fell under criticism for supposedly obscuring the issue of agency in her earlier works with Linda Gordon (Zylan 1996), states that: "Our aim was not to deny or downplay agency but, rather, to interrogate the discursive material out of which it was made" (Fraser 1996b, 553). While the agency is not a concept she is particularly interested in her academic works, she does not deem it unimportant or incompatible with the theoretical approach she develops.

[265] E. g. the concepts presented by Galtung (1969 and 1990) or Žižek (2008).

[266] On the broader scope, Young conceives violence as one of the five categories or "faces" of oppression. The remaining four are: exploitation, marginalization, powerlessness, cultural imperialism (Young 1990, 40).

> But unless all immoralities are injustices, they might wonder, why should such acts be interpreted as symptoms of social injustice? Acts of violence or petty harrassment are committed by particular individuals, often extremists, deviants, or the mentally unsound. How then can they be said to involve the sorts of institutional issues I have said arc properly the subject of justice? (Young 1990, 61).

The systemic character of violence lies in the fact that that group membership is a sufficient reason to subject group members to violence (Young 1990, 62). Young characterises violence as oppressive not only because of direct victimisation, but also, perhaps primarily, because of the shared knowledge among the group members that they are open to violation solely on account of group membership or group identity. Simply the continuous threat of attack against oneself or family or friend significantly impacts the lives of members of groups. Young describes it as pressing, forcing them to expand their time and energy to manage the threat needlessly; thus, it "deprives the oppressed of freedom and dignity" (Young 1990, 62).

Moreover, the underlying link between violence and practice is present in the works of such notable scholars in the field of gender-based domestic violence as Rebecca Emerson Dobash and Russell P. Dobash. Even in their earlier works, such as the seminal *Violence Against Wives* (1979), the authors use the term "practice of wife beating" (ibid. 12).[267] In the work, the authors consider the roots of legal (in the past) and cultural (still present) legitimacy of such practice:

> It is impossible to say who first declared that wives could and should be beaten by their husbands or when this practice began; it is equally difficult to find any historical period in which there were no formulas stating the form such beatings should take and specifying the conditions under which a wife was deserving of a good clout (Dobash & Dobash 1979, 31).

Even though the idea that violence can or should be defined as a practice is established in the existing scholarship, I still need to explain why it is appropriate and necessary to include it in my proposal. Under a closer examination of the text recalled earlier, Confortini primarily defines violence as a process, and practices are just parts of that process:

> I propose that, similarly, violence can be seen as a process that involves different, at times contradictory, practices, at different but coexisting and interdependent levels (Confortini 2006, 357).

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[267] Violent conduct towards children, like smacking and slapping, is also a practice and one that had been in the time this work had been written (and in some social circles still is) seen as normal (Dobash & Dobash 1979, 10).

I do not think defining violence as a process would produce too broad a definition. It can be said that practice has a processual character. The process entails dynamism and the possibility of change, and that is necessary for defining violence.[268] From an "external" perspective, that is, from the perspective of someone, who attempts to process information, as if they are removed from social context, it may indeed make sense to understand violence as a process, to chart out a coherent series of actions, practices or events, that carry out this process. However, the term 'process' has some misleading linguistic connotations that I wish to avoid.[269] Namely, process can be understood as something that happens "naturally" or at least occurs by forces entirely outside of anyone's agency.[270] In other words, practice automatically implies a degree of agency, while process does not.

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[268] I agree with Confortini that violence should be characterised as dynamic: "Violence is not a static entity: it involves constant change and adaptation to society's new requirements. Violence is aided, sustained, and reproduced through institutions, practices, and discourses" (2006, 357).

[269] The Free Dictionary by Farlex offers the following definition: "1. A series of actions, changes, or functions bringing about a result" (https://www.thefreedictionary.com/process, access date: 29.10.2021). It is one of the multiple meanings, but others do not interest me in this context, whereas practice is defined as: "1. A habitual or customary action or way of doing something" (https://www.thefreedictionary.com/practice, access date: 29.10.2021).

Likewise, I reject other terms: 'behaviour' has more psychological character and does not necessitate social or cultural aspects or even a conscious purpose. 'Act' may be understood as an isolated incident, and, as I mentioned, I aim to avoid incidental. 'Action', meanwhile, occupies a prominent place among concepts in philosophy and social sciences, and perhaps the concept of action would also fit my concept of violence. The term 'action' could be misleading to those readers of my work and those researchers interested in employing my definition of violence who do not have a background in philosophy. The important reasons I chose to avoid those terms as 'behaviour,' 'act,' and 'action' may not necessarily fit the framework I have established so far as neither belongs to the language Fraser usually employs (at least not in works that have been of the primary focus of this dissertation Fraser 1995a; 1996a; 2000; 2001; 2003b; Fraser & Honneth 2003). To be precise, there are instances of Fraser invoking the concepts of action and behaviour and distinguishing between them, for example:

"[…] human actions, as opposed to mere behaviours, always occur under descriptions. The goals, intentions, and interests constitutive of social action are discursively structured even when the significations remain tacit. The same is true of every other element and condition of social action, including identity of the actors, personal identity and collective identifications, her (and others') implicit definition(s) of the action situation, the norms governing the social practice(s) that make her action what it is, and the justificatory rationales she might advance if and when it is challenged. No action, indeed no essential element of action, is simply given prediscursively" (Fraser 1996b, 531-532). This is from the text where Fraser explicitly addresses agency, a concept that is rather implied and not addressed directly in her other works.

Fraser does employ both 'practice' and 'process' in her works. However, 'process' mostly appears as a 'historical process,' 'democratic process' or similar contexts (Fraser & Honneth 2003). She also uses the phrase "process of fighting for redistribution/recognition" (Fraser & Honneth 2003, 24 and 25 respectively), which is the closest process that could be conceived in direct relation to violence (given that 'fighting' should not be understood literally in this context). So, if I were to employ a concept of the process instead of practice for my definition of violence, I would need to depart from Fraser at this point and make some augmentations with a conceptual framework from some other scholar.

[270] I do not wish to imply this is not the understanding Confortini presents (2006). Still, it is something that has to be accounted for before attempting to grasp violence as a process and something one needs to be conscious of avoiding when thinking about violence as a process to understand it properly.

More importantly, conceptualising violence as a process is inadequate to establish the theoretical foundation for my proposed violence prevention strategies (see: chapter IV). Violence as a process may be useful for a scholar, who has conceptual tools to grasp how this process works in a broader, outside perspective, and from that standpoint, can devise strategies and policies for violence prevention, implying that reform from the above. In that case, participation in violence prevention, understood as a transformation of society to be less violent, would presuppose specialised knowledge of the subject. The top-down approach, however, excludes people not well versed in progressive social theories from participating in those endeavours,[271] undercutting them as a result. The thorough transformation requires a change in everyday interactions and everyday working of formal institutions that cannot be accomplished from the above. That can only be done by people, who participate in those interactions and those institutions, who usually do not have degrees in sociology or philosophy. Therefore, I am interested in a theoretical approach to violence that can inform violence prevention strategies based on empowering ordinary people. I have a very simple premise here: the chances that you[272] can somehow change the larger trajectory of a social process that you participate in are very small; however, you have the power to change practices you do yourself.

Practices have heterogeneous characters. Therefore, it is difficult to define a specific practice or a group of practices without essentialising it (Olson 2015, 7-8). Despite the definition that seems to stress regularities, patterns or routines, and organise the way that distinguishes practices from other activities, the pattern of practice can manifest in the array of seemingly particular and unique actions that reproduce the practice (Reckwitz 2002, 250). That does not mean everyone has internalised the same set of patterns guiding their doings. Still, those sets of patterns overlap to a degree, making typifying interactions possible. The regularities of practice may not necessarily be seen from the standpoint of the ones who are 'doing' the practice, and the connection between the practice and the social framework it stems from may be obscured to them.

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[271] To be clear, I do not intend to imply that any new and improved policies are unnecessary, that there is no need for more comprehensive education on the subject, or that our education system should not support more egalitarian views, more diverse gender models, acceptance of otherness and so on. Nor am I opposed to expert voices in policy-making.
[272] The "you" here included both individual and collective agents, for example, employees of some particular formal institution like a specific hospital or particular police station.

Therefore, grasping some actions, some 'doings' as the practice may seem counterintuitive.

Practices can be hard to recognize because they change and evolve over time despite irregularities. The temporal aspect is essential for understanding the dynamism of practice and the 'doing' as a practice at all. In an attempt to "grasp the interplay between the singularity and patterned character of practices" (Olson 2015 433), Pierre Bourdieu proposed the concept of a 'field of practice', which is a nexus of objective positions in social struggles (Bourdieu 1994/1998, Olsson 2015) that "shapes and limits the collective practices that its agents might display" (Olson 2015, 433). Notably, the dispositions of each individual actor operating within that field allow for agency on their part and, therefore, the possibility of transformations of the field (Bourdieu 1984; Olsson 2015).[273] I propose that the 'field of practice' can be understood in Fraser's terms as delimited by the nexus of cultural patterns of value interpretation.

Heterogeneity of practice mirrors the heterogeneity of status orders and patterns of value interpretation in modern society (see section 2.2.2 of this chapter). The notion of practice features prominently in Fraser's work in relation to the process of institutionalising/deinstitutionalising misrecognition (Fraser 2003b, 28): institutionalized patterns of cultural value interpretation are entrenched through a vast array of practices such as "representational, communicative and interpretative practice" (Fraser & Honneth 2003, 13; see also Fraser 1996a, 7), policing practices (ibid. 29; Fraser 2000, 24), standard professional practice as a special case practice of medicine and psychotherapy (Fraser & Honneth 2003, 18, 20; Fraser 1996a, 13, 16; 2000, 24) cultural and religious practices (ibid., 40) and generally social practices (ibid., 45; Fraser 1996a, 13, 26).[274] The focus on practice is in line with Fraser's ideas:

> […] misrecognition is not purveyed primarily through prejudice, if by that we mean derogatory attitudes and beliefs. Rather, it is relayed through institutions and practices that regulate social interaction according to norms that impede parity. Since these often operate below the threshold of consciousness, only an effort aimed at changing such institutions and practices can remedy the injustice (Fraser 2000, 26).

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[273] This entails that whenever individual dispositions of subjects/agents change, so do the possibilities of transformation they bring in. I will develop this idea further in chapter VI of this dissertation.

[274] Representational, communicative, interpretative practice, standard professional practices, policing practices, cultural and religious practices can all be grasped under a general umbrella as particular kinds of social practice (comp, Fraser 1996a, 37).

Fraser established this premise much earlier in her work, notably within her reading of Foucault. She maintained that critique and understanding of practice are more important than that of ideology or beliefs:

> Foucault's picture of a distinctively modern power which functions at the capillary level via a plurality of everyday micropractices has a number of significant political implications. Some of these are strategic and some are normative.
>
> Consider that Foucault's analysis entails that modern power touches individuals via the various forms of constraint constitutive of their social practices, rather than primarily via the distortion of their beliefs. Foucault dramatizes this point by claiming that power is in our bodies, not in our heads. Put less paradoxically, he means that practices are more fundamental than belief systems when it comes to understanding the hold that power has on us. (Fraser 1981, 279).

It entails the endeavours for social transformation should also concentrate on social practice, including everyday micropractices[275], to a greater extent than on ideologies, worldviews or the symbolic order. It follows that practice plays a key role in the efforts to deinstitutionalise unfair patterns of cultural value interpretation. Specific patterns of cultural value interpretation guide practices and either have the prescriptive (or proscriptive) aspect or, by invoking value, imply certain prescriptions or proscriptions. Therefore, I propose that patterns of cultural value interpretation can be translated into norms in an understanding offered by Judith Butler:

> A norm is not the same as a rule, and it is not the same as a law. A norm operates within social practices as the implicit standard of *normalization*. Although a norm may be analytically separable from the practices in which it is embedded, it may also prove to be recalcitrant to any effort to decontextualize its operation. Norms may or may not be explicit, and when they operate as the normalizing principle in social practice, they usually remain implicit, difficult to read, discernible most clearly and dramatically in the effects that they produce (Butler 2004a, 41).

Additionally, I can support this claim because Fraser employs expressions like 'cultural norms' (for example of such use, see: Fraser & Honneth 2003, 29-30). Drawing from that, I infer it is possible to make an analytical distinction between patterns and practices. Even within Fraser's framework, cultural patterns of value interpretation can encompass both social practices and symbolic order. In this context, the term 'practice' is more precise than pattern (a practice can be understood as a kind of pattern). Furthermore, someone not well acquainted with Fraser's theoretic framework may

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[275] "Foucault enables us to understand power very broadly, and yet very finely, as anchored in the multiplicity of what he calls "micropractices", the social practices which comprise everyday life in modern society" (Fraser 1981, 272).

assume "cultural patterns of value interpretation" to be merely symbolic, pertaining to ideologies or worldviews against Fraser's intent. Thus, it emphasises the importance of practice for understanding Fraser's theoretical approach and my argument in the part in which I use the theoretical tools she developed.

Including practice in my argument allows me to distinguish between the concepts of violence and misrecognition analytically. I understand misrecognition as a more general term to denote intersubjective obstacles to justice or, in other words, status injustice derived from the complex nexus of the social relationships of different levels[276] between groups and individuals enjoying different statuses conceded to their individual and group identities when the assigned statuses unfairly put members of some groups in the position of unjustified disadvantage and subordination to the members of other groups. Moreover, this nexus of social relationships is on a feedback loop with the nexus of unfair institutionalised patterns of value interpretation. I understand violence as the practice corresponding to those patterns.

There is a further problem in attributing violence to the patterns (understood as elements of symbolical order) themselves revealed during the close inspection of Galtung's concept of cultural violence: virtually any pattern of cultural value interpretation is potentially violent (*qua* Galtung potential violence is violence),[277] including those patterns that we do not usually consciously apply to human beings. In a 1990 paper, Galtung discussed the violent consequences of binary, "black and white" thinking present in mathematics and formal logic, concluding that even such seemingly innocuous pattern constitutes cultural violence since they serve to legitimize interpersonal and structural violence (Galtung 1990, 301). And to be clear, this is an example of an institutional pattern, as this pattern plays a part in decision-making in various institutionalised forms of social conduct; meanwhile, scientific disciplines should be understood as a particular part of the culture. However, the fact that a pattern of cultural value interpretation is institutionalised and, in some cases, may lead to violence does not mean that it would inevitably lead to violence.

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[276] Examples of such levels would be the level of interpersonal relations and the level of political relations.

[277] Consequently, if violence were conceived as laying in patterns of cultural value interpretation themselves would be impossible to imagine just society.
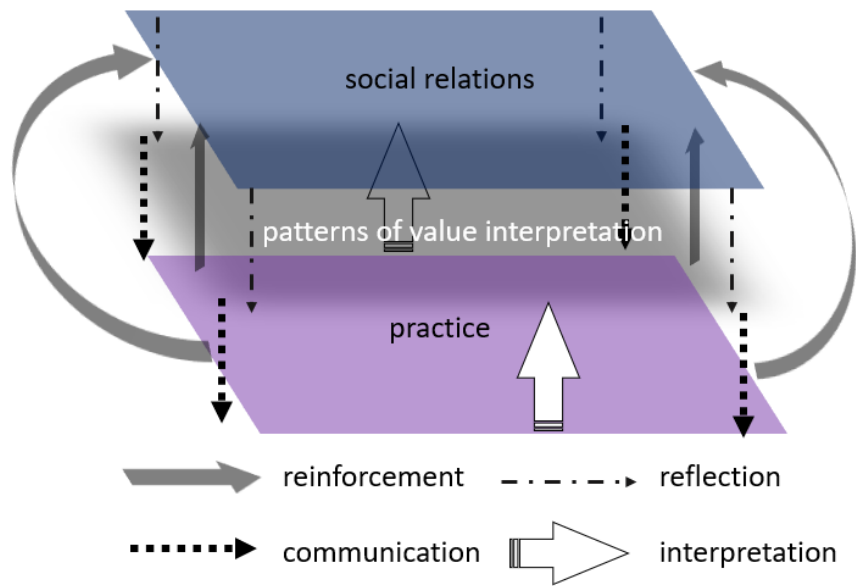
Figure VI: the analytical distinction between social relations, patterns of value interpretation and practice
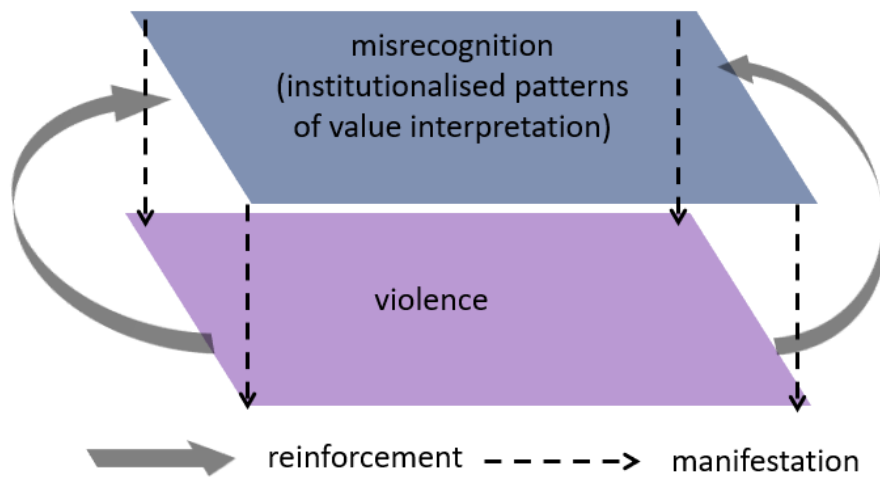
Figure VII: the relationship between misrecognition understood as institutional patterns of value interpretation and violence

Out of context, some patterns of cultural interpretation can be neutral or positive but, in certain contexts, lead to status harm. For example, consider the following thematically appropriate statements: (1) "dedicated mothers are good" or (2) "mothering is an important role of women." Both are grounded in our cultural understanding of the world and have evaluative purposes, and they also play a role in organising the social institution of the family. The first can be read as an appreciative interpretation of the efforts of every dedicated mother, the second as an empirical description of certain social arrangements: in this society, women often provide childcare, and this fact is very significant to how society functions. But now try to couple the first statement with the

kind of binary thinking: (3) "what is not good is bad"[278] and add more or less arbitrary standards or criteria a dedicated mother must fulfil to be deemed a dedicated mother. Note that the second statement can be read as prescriptive instead of descriptive: mothering is a role women ought to embrace, implying that the women who do not become mothers are failing a vital duty. The ideas of good mothering and the imposition of motherhood on women are technically distinct but at the same time are closely entangled together in the web of patterns of cultural value interpretation. The imposition of motherhood depends on cultural ideas of good womanhood, which in turn are connected to the idea of motherhood. Considering the heterogenous character of society there are contexts in which this entanglement of patterns of interpretation, which is neither fair nor reasonable, appears as obsolete, but it is not absent and still has significant influence. If a statement (1) and (2) are paired together and are additionally augmented by the underlying (3) we get something that can be summarised as (4) "every woman who is not a dedicated mother is bad" and that in itself influences both how women themselves act – "if I want to be considered good by others I must fulfil those criteria" – and how they are treated because at this point it is worth out another popular pattern: (5) "bad people are less worthy of respect." Together those patterns can significantly influence everyday interactions and formal institutions' functioning and can be explicated in legal codes and/or judiciary sentencing.

Any of the patterns discussed in the paragraph above can potentially be put in a net of meaning that serves to legitimise violence. But not all of those patterns on their own inherently do. The conclusion here is that the simple existence of an institutionalised pattern of cultural value interpretation, which under some sets of circumstances, but not always, leads to violence, does not automatically meet the definition of violence. An individual or a group may lose status and be subjected to deesteem as a result of practice but not necessarily from the existence of each and every particular cultural pattern guiding this practice. The cultural patterns of interpretation that always have violent consequences in practice exist and are already included in the more general definition of misrecognition. I propose that potential violence (Galtung 1969) can be a meaningful category, but only when it is understood that violence is located in the potential of practice to affect negatively status and not in the potential of a certain pattern to be in some way at some point realised as violent practice.

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[278] I conceive this as an example of the consequences of "black and white" thinking fostered by mathematics and formal logic discussed by Galtung (1990, 301).

2.4. Conclusion: What is Violence

The definition comprises the three aspects discussed extensively in this chapter: violence is (1) practice, (2) results from misrecognition, understood (*qua* Fraser) as a nexus of institutionalised patterns of cultural value interpretation that unfairly disadvantages some people in social interactions and (3) produces status harm (status subordination). Those three aspects are complementary to one another. In other words, violence is the practice of misrecognition. It is important to remember that the word 'harm' in the term 'status harm' denotes a kind of injustice (as per section 3.1), as one of many *injustices* (plural), and I use it in that way in order to not confuse it with *injustice* (singular). Distinctive for status harm is that it (potentially) maintains or produces status subordination.

Misrecognition depends on violence, but is not synonymous with violence. Misrecognition cannot be fully grasped only as a nexus of practices. A practice can be understood as a kind of pattern, but not all patterns are practices. The nexus of institutionalised patterns of cultural value interpretation does not exist independently of practice, but that does not mean each pattern is always put into practice. The pool of available institutionalised patterns of cultural value interpretation is bigger than the set of practices enacted at a given time. Just because a pattern of cultural value interpretation is not put into practice at the given time does not mean it disappears from the pool. Patterns of value interpretation in the form of ideas and beliefs persist in the memory of representatives of institutions and their clients alike. Moreover, codified patterns of value interpretation exist in the material form of legal codes and official guidelines and are only put into practice when relevant circumstances arise.[279] Institutionalised patterns of cultural value interpretation can endure even when the corresponding practices are not taking place.

Therefore, to categorise some act/action/deed or social phenomenon as violence, it is necessary and sufficient to positively answer the questions: if it can be classified as practice?; where is the status harm located? and are there unfair patterns of cultural interpretation at play? Status harm (3) as a result of practice (1) is not enough to define

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[279] To recall an example previously made: public offices do not reject the request to transcribe the birth certificate of a child of same-gender couples born abroad every day (because such a request is not made daily). Yet, records of previous court cases that allow public offices to refuse such a request still exist.

violence; the misrecognition (2) as a cause needs to be present, because there needs to be a relationship (not necessarily intended) between the patterns organising the practice and the status harm. Status harm in the definition is necessary, because it is easier to discern than the underlying patterns of value interpretation especially given that some patterns of value interpretation only constitute misrecognition in a particular context and practice is usually guided by the whole nexus of them. Only more articulated patterns can be grasped at first glance and may not appear unfair until further examination.

In sum, practice (1) implies a certain level of continuity beyond an event or incident when it is observed, and some shared but heterogeneous cultural interpretation of meaning and value connects it. Moreover, practice is dynamic; it can change or be transfused. The notion of practice helps to grasp that people involved (subject/agents) have agency, their behaviour is not simply determined by the interpretation patterns that come from outside (from culture-society). Subject/agents actually do have some degree of power to influence practice.

Grasping violence as practice lets me narrow down the definition of violence to only some aspects of sociocultural life (I understand politics as included in the category of society, as one of the aspects of social life) that can be analytically distinguished from other aspects. Simultaneously, understanding violence as practice leaves many possibilities for developing theoretical background for violence prevention.

Of course, it is still appropriate to speak of violent acts, actions, or behaviour or deeds as long as the understanding that they correspond to some practice is retained. I consider the violent practice to be synonymous with violence.

Conceiving violence through the (mis)recognition perspective (2), on the other hand, lets me catch under a common denominator very different social phenomena or classes of phenomena that so far have been described with different, sometimes overlapping, concepts such as symbolic violence, cultural violence, direct violence, physical violence, structural violence, economic violence, psychological violence and so on (see chapter I). All those categories share a relevant aspect in misrecognition. Misrecognition is necessarily present as a condition of violence, but does not need to be the only cause; there usually are different underlying causes current together with misrecognition. Moreover, misrecognition should not be misconceived as motivation for violent practice, as violence is not necessarily motivated by misrecognition

(institutionalised cultural patterns), but instead, it is organised or guided by it. The motives behind violence can be located elsewhere. Of course, some unfair patterns of cultural value interpretation can motivate violence or may organise the factors that motivate violence.[280]

On the other hand, the misrecognition perspective on violence lets me exclude other phenomena, such as various types of sports and/or play, thus ensuring the definition stays appropriately narrow. It is important to distinguish between violence and non-violent practices that nonetheless use physical force. To define such practices as violence would be detrimental because it would be discontinued in attempts to create a just society or at least a less violent society. I do not consider such sports as box, rugby or judo, nor different forms of "rough" (superficially aggressive) play[281] as violence. The participants may compete for positive esteem, but they are not supposed to suffer status harm or deesteem. Granted, violence in various forms can occur in the context of sports or play, but it is not inherent to those practices. Taking a misrecognition perspective on violence would still make it possible to address violence in sports without decrying whole sports disciplines as inherently violent.

For a different reason, I do not consider self-defence in the face of immediate bodily danger as a practice (at least not necessarily a practice). It does not stem from misrecognition, and therefore it does not fit the definition of violence. If someone physically attacks me, my defence comes from the desire to protect my life and bodily integrity and can be completely unrelated to any patterns of cultural value interpretation. In fact, it can be my purely instinctive response to danger.[282]

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[280] To illustrate what I mean consider the following example a man may use violence towards his wife and other family members because he wants to feel more in control over his life but that desire is filtered through his understanding of a pattern that a man is a head of the family and other family members are subservient to him if they do not show him enough respect he is entitled to punish them at his discretion. The unfair patterns of interpretation of gender and family relationships are not necessarily what motivates this man to use violence, but instead organise his motivation (desire to feel more in control) into a certain kind of practice. There may also be other underlying factors that contribute to violence, like the outside conditions that make this man feel powerless in the first place or his lack of personal competences that makes him unable to process his needs and wants in a fair and pro-social way, but neither of those factors is definitive for violence.

[281] Such as people purposefully crashing into one another during heavy metal concerts. Likewise, superficially aggressive language may be an acceptable form of interpersonal communication in specific groups; such language may shock outsiders but does not demean communication partners. Additionally, I would include consensual and informed BDMS practices as forms of play.

[282] Self-defence does not need to be regulated by patterns of cultural value interpretation but it can be regulated by such patterns. For example, a degree of force I use can be influenced by my perception of the danger posed by the attacker (or my expectations how others may later evaluate my actions) and may very well be entrenched in the institutional patterns of cultural value interpretation.

Status harm (3) can be present in practice itself, located in the very perpetration of unfair patterns of cultural value interpretation. The practice does not need any additional harmful effects to constitute status harm. Granted, violence may and often does result in vast array of other harms, but it is the status harm that is distinct from violence. Likewise, status harm can encompass more than just the enactment of practice.

Moreover, the purposively harmful acts against a body of a person should always be considered as violence, because such acts always have the character of practice stemming from misrecognition and status harm is inherent to any such practice. In an unjust society such acts can be morally justifiable under certain conditions, when not engaging in violence would result in greater injustice and violence and when there are no other venues available. Violence usually serves to maintain the status hierarchy, but under certain conditions can destabilise it. Hence, there is some emancipatory potential to violence, that had been discussed in the previous chapter (see: Fanon 1961/2004). And this is particularly a feature of direct, physical violence that stems from the fact that everybody has a vulnerable physical body, and that fact is to a certain extent equalising. Of course, the equalising potential only comes at play when the dominated and downtrodden employ violence against those in the dominant position in the status hierarchy. However, the long-term consequences of such violence are hard to predict, and can be very unjust, by entrenching violent means as an appropriate strategy to resolve conflicts, glorifying and romanticising those who used violence. Meanwhile, even though violence can, to a certain extent, counter injustice and for that reason may be necessary in some cases, that we can see even today, it cannot produce just social conditions.

Employing a status model of recognition with its deontological basis in participatory parity has an important advantage, particularly relevant for the understanding of violence in multicultural conditions because the assumptions of particular versions of the good life pose a problem for scholars who try to define violence and violence prevention in a multicultural context (comp.: Dobash & Dobash 1998, 5). It opens the possibility between the kind of cultural imperialism that imposes the standards of the hegemonic group and the attitude of cultural relativism (anything goes as long as it is an established custom of some particular group), both of which have negative consequences. The status model of recognition respects both the groups and

the individuals by acknowledging the specificity of social groups without demanding internal homogeneity.

Now that I have presented the general definition of violence and explained it based on the framework developed on the interpretation of Nancy Fraser's model of injustice, I will proceed to employ it to analyse violence in society, particularly in women's experiences. The general concept of violence I have developed is the foundation for a narrower, more precise concept of direct physical violence, which will be the main focus in the next chapter.

PART B: PRACTICING VIOLENCE

Chapter III Violence In Women's Experiences

3.1. Introduction

In this chapter I will test the applicability of the definition of violence., as proposed in the previous chapter, to women's experiences with violence. According to the aforementioned definition, violence is (1) practice, (2) results from misrecognition, understood (*qua* Fraser) as a nexus of institutionalised patterns of cultural value interpretation that unfairly disadvantage some people in social interactions, and (3) produces status harm (status subordination). Of course, this definition is very general and basic and therefore does not provide much information about a more particular forms that violence take in society.

Because women's experiences with violence are too broad of a category to address, I had to narrow the scope of the research to a specific context. The aspects of experiences I want to concentrate on in this work are especially the social context of the experience, the interactions and processes through which violence is typified as a pattern of interactions and institutionalised, and not necessarily the obvious ones: physical or mental pain or injury (although these are profound and their impact is long-term). The focus of this chapter and the following one is direct violence against the physical human body in the context of intimate relationships. Furthermore, I devote this chapter to violence perpetrated by men towards women, while the problem of violence perpetrated by women towards men and violence between women will be addressed in the next chapter. I will elaborate more on the reasoning behind the choice of the subject matter in the following section, where I will also address the terminology I will be using in the chapter and some methodological problems connected to the research on violence (section 3.2.). Next, I will address the prevalence of violence in intimate relationships, the conditions in which it occurs and the consequences it bears. I will examine not only the immediate context of relationships in which violence occurs, but I will also take into account interactions in a broader social context (section 3.3).

Over the course of this chapter, I will explore the following premises drawn from the reasoning presented in the previous chapter: the cultural patterns of value interpretation are conveyed through practice. Moreover, practice is guided both by the patterns of value interpretation that are explicit and have been articulated and/or codified as well as the ones that have been implied or tacitly communicated. Therefore, the cultural patterns of interpretation can be tacitly communicated and reinforced through practice and do not require articulation. Additionally, the cultural patterns of interpretation do not need to be articulated and/or codified to be institutionalised – a certain prevalence of practices resulting from a tacit cultural pattern of interpretation is sufficient for this pattern to be institutionalised. It would be a mistake to treat institutionalisation and deinstitutionalisation of certain cultural patterns of interpretation in binary terms. Institutionalisation and deinstitutionalisation can be conceived as an ongoing process that can happen simultaneously in the same or interchangeable context.

In regard to the focal problem of this chapter, there are further presuppositions to consider: The institutionalised patterns of cultural value interpretation of femininity affect how women experience violence. This is because violence is a key factor in (re)production of gender relations and identities, as well as patterns of interpretation of femininity and masculinity. Moreover, it is necessary to take into account the fact that there are multiple different femininities and women occupy different axes of social subordination (race, class, disability etc), therefore, gender-based violence cannot be understood in a vacuum.

The premises set out above in the light of reasoning presented in the previous chapter entail the following: Violence prevention requires undoing the injustice of misrecognition, which means deinstitutionalising cultural patterns of value interpretation that unfairly disadvantage certain groups of people. Long-lasting violence prevention strategies require a focus on change within practice, i.e. conducting various forms of social interactions. The process of deinstitutionalisation of unfair cultural patterns of value interpretation requires a change of practices. My point is that it is not possible to change unfair cultural patterns of value interpretation by merely changing already articulated opinions and beliefs. It is also necessary to change those practices which tacitly transmit unfair value patterns.

The mere fact that a practice is not supported by existing laws and codes of conduct, or is even illegal, does not mean that it is not institutionalised. De-legalisation

is not the same as deinstitutionalisation. The practice may be outlawed but still remain strongly socially entrenched. It is even more difficult to directly deinstitutionalise patterns responsible for guiding illegal practice, as such patterns may be conveyed through practices that are not illegal.

3.2. On methodology and vocabulary employed in IPV and VAW-related scholarship

Before I proceed any further, I need to clarify the most basic vocabulary I am going to use in this chapter. First, let me explain what is the difference between violence against women and gender-based violence.

Gender-based violence is not synonymous with violence against women (and girls). There are, in fact, other genders than women, of which men are the most well-known example, therefore, gender-based violence cannot be limited to violence against women. Notably, sexual and gender minorities or queer people that can be conceived as "gender rebels" are often subjected to gender-based violence for transgressing gender norms. That includes anyone who strayed from dominant heterosexuality, as sexuality is intertwined with gender to the degree that those two categories cannot be disconnected from one another (see Chapter IV section 4.3.1.). Furthermore, anyone non-conforming to the gender norms of femininity and masculinity can be subjected to gender-based violence, including men, who can be subjected to various forms of violence when they fail to meet the cultural standards of hegemonic masculinity. Very often, the perpetrators in those cases are their peers – other men and boys (comp. Bourdieu 1998/2002, 52). However, it should be noted that the perpetrators can also be women. Moreover, men can be subjected to gender-based cultural or emotional violence, for example, in the form of a statement that devalues their masculinity.[283] Essentially, gender-based violence is a broader term than violence against women. The employment of the specific term is not without consequences. The term ' gender-based violence' is

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[283] An example may be a widespread assumption that adult men, who display interest in interacting with children (especially children that are not their own) are likely to be paedophiles when a similar assumption is not made about adult women. As a result, men's participation in the particular sphere of life that has to do with interacting with children is impeded: a man may have trouble getting hired as a preschool teacher or experience harassment when he gets that job. It needs to be noted that the same pattern of cultural interpretation of manhood dictates that men should not take interest in children and childcare puts the onus of childcare squarely on women's shoulders. So, while it undercuts men's parity in one area ultimately, it disadvantages women more than men. While men are undoubtedly more privileged than women, that privilege comes at a cost.

more inclusive, enabling one to grasp the vast array of social phenomena that are often overlooked. However, the use of this term runs the risk of enforcing false neutrality, erroneous perception of gender symmetry and diminishes the social significance of violence against women.[284] In other words, the use of the term 'gender-based violence' introduces false neutrality on the level of language within the sphere of social experiences that are fundamentally coloured by the disparity between men and women.

Violence against women, in the narrow sense, is violence against all the people who share one common thing: their identity as women. Furthermore, I would also count violence against women as a group, or violence towards anyone who possesses qualities associated with femininity. So, practices that devalue femininity and features commonly understood as feminine arise from and/or reinforce violence against women, even if those features do not occur in the individuals who are women.[285] Gender-based violence is entangled with violence against women because gender-based violence is very often violence against culturally understood signifiers of femininity, even if those signifiers appear outside of the groups of women. Gender-based violence is permanently embedded in the system of patriarchal control. Unsurprisingly, the patriarchal gender order co-opts and co-founds homophobia, transphobia, and devaluation of queer identities and non-heteronormative sexual practices. If someone is subjected to violence for having feminine qualities, then in practice these qualities are devalued; therefore, the

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[284] The use of the term gender-based violence often obscures (or is purposefully employed to obscure) how women are disproportionately affected. The effect is undermining the political agenda of the feminist movement against violence (DeKeseredy 2021, 8). A similar assertion can be made about other gender-neutral terms referencing violence e. g. 'domestic violence,' 'spousal violence,' and intimate partner violence.

[285] For instance, violence against a trans man based on his reproductive organs is undoubtedly a case of violence against trans people – transphobic violence – and this fact should never escape our notice. But it is also violence against women – sexist violence – in the sense that it devalues and belittles what is understood as feminine. Moreover, cis men can also be subjected to sexist violence for behaviours or features that are considered feminine. Not all violence is direct violence. An assault on a singular woman, let us say her name is Kathy, based on her gender, is an example of violence against women, even though only one woman and not all of the women have been subjected to this act. There is something going on here deeper than this act of assault simply representing or belonging to a class of similar acts that makes violence against women a meaningful category of sociological or philosophical analysis. Kathy had been attacked because she is a member of a group of people, who are similar in some way. A singular act or the same practice can subject many different groups to violence at the same time. Maybe Kathy had been attacked because she is transgender or disabled, in those cases, the attack on Kathy would not only be a case of violence against women but also violence against transgender or disabled people. Let us get back to the example of a trans man. Kathy's cousin Tomek suffered an assault in an unrelated incident. His attackers assaulted him because he possesses features that mark him as a woman to them and also he blends the features of a man and a woman in his person. Even though he does not belong to a group of women, he was subjected to the assault partially based on (mis)attributed membership in the group.

status of the group to which these qualities are attributed is also devalued, and as a result, the group suffers status harm.

The next issue is the following: who is to be understood as a woman (or a girl) in the scope of this work? Here I can give a short answer: a woman (or a girl) is any person who identifies as a woman (or a girl).[286] Everyone has an epistemically privileged position in relation to their own experiences, their relationships to the world and other people and, hence, they are most likely to understand their own gender. No one else is with oneself twenty-four hours a day, seven days a week, no one else feels being in one's body, no one else experiences others looking at oneself. No one else feels one's pleasures, one's sorrows and one's ambiguities in the same way one experiences them. No one else dreams one's dreams and fantasies. Moreover, one's understanding may be delimited by knowledge and language available to oneself. Without those experiences, it is impossible to authoritatively define one's gender. A person may, for some reason, be mistaken about their gender, however, there is no one else, who can authoritatively contradict them. For that reason, the person is the most reliable source of information about their gender. The self-identification should be treated as authoritative in deciding who counts as a woman.[287] Deciding the meaning of what it is to be a woman is a prerogative of each woman herself (see: Bettcher 2013, 247). Understanding what sex and gender are differs depending on culture,[288] so imposing one universal set

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[286] This presents a methodological problem: namely, not everyone, who identifies as a woman, can safely disclose this fact, so some persons' true gender is unknown to others. Another issue is that some people lack the knowledge or vocabulary to adequately self-identify. It may present a problem in gathering accurate data about experiences with violence. However, this problem lies mainly in the process of gathering data and estimating the prevalence of violence affecting particular demographic groups. There is no reason to demand that all the people would be clearly divided into two groups: women and non-women. Gender as a phenomenon is also dynamic, so someone who is a woman now, may not be a woman in the future or may have not been a woman in the past and *vice versa*.

[287] My proposition here is compatible with the model of public life Seyla Benhabib advocated democratic societies should move towards, namely "public life in which narratives of self-identification would be more determinant of one's status in public life than would designators and indices imposed upon one by others" (Benhabib 2002, 80).

[288] In English, the distinction between the terms sex and gender was first solidified in the 1950s and 1960s among medical personnel working with intersexed and transgender patients (Derra 2017; Moi 1999/2001, 21). Feminists in the 1970s saw the distinction between sex and gender as liberating for both theory and practice; however soon the distinction was subjected to critique by feminist and queer theorists (Derra 2017; Young 2005, 12). Butler notes that sex is not given prediscursively and sexed body in its materiality is a product of gender norms (1990). Rubin writes: "Sex is sex, but what counts as sex is equally culturally determined and obtained. Every society also has a sex/gender system— a set of arrangements by which the biological raw material of human sex and procreation is shaped by human, social intervention and satisfied in a conventional manner, no matter how bizarre some of the conventions may be" (Rubin 1975, 165). Cultures may have different concepts of gender that change over time, and even within one culture, there may be many concepts of gender at the same time (Hale 1996, 95), although at

of standards for defining womanhood is counterproductive and would unavoidably unfairly exclude some women. Meanwhile, Toril Moi rightly notices that being a woman is more than just being sexed and gendered in a particular way.[289]

Moreover, the only other decisive way to distinguish between women and non-women is legal gender, considering how sociocultural concepts of womanhood are so diverse and not necessarily consistent. Even different people living in the same city would give different answers to the question of what it means to be a woman. And then, of course, the questions, whose standard should be chosen and why. Another popular proposition is to define a woman as a human being, who is biologically female, but aside from this definition being potentially unfairly exclusionary, the category of a biological female is not unproblematic either (see Derra 2017). Additionally, using a biological concept to define a concept studied from the point of view of social and cultural sciences would require further justification. That leaves legal gender – that is person's gender according to the legal documents. While legal gender is a decisive standard, it is also a very dubious one from a philosophical perspective. In many countries, including Poland, legal gender is assigned by the look of a person's genitals shortly after birth. It can be contested and changed later on, but in Poland, at least, the procedures are needlessly complicated.[290] Hence, accepting legal gender as a standard of womanhood would result in a definition looking something along these lines: A woman is a person, whose genitals looked in a certain way during infancy or a person, who went through particular complicated legal and medical procedures to ensure that the information about her gender in her documents have changed to say she is a woman.

Focus issue in this chapter will be direct, interpersonal, and physical violence. Direct violence has already been comprehensively defined by Galtung.[291] I will

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least some scholars claim it is possible to determine "a set of dominant cultural concepts of gender" (Hale 1996, 96).

[289] "[…] sexed human being (man or woman) is more than sex and gender, and that race, age, class, sexual orientation, nationality, and idiosyncratic personal experience are other categories that always shape the experience of being of one sex or another […] Whether I consider a woman to be the sum of sex plus gender, to be nothing but sex, or nothing but gender, I reduce her to her sexual difference" (Moi 1999/2001, 35).

[290] Comp. Ziemińska 2020a & b.

[291] We can speak about direct violence when a violent action can be easily observed when violence manifests itself with a clear subject-object relation, and therefore it is perceived as dramatic (Galtung 1969, 171; see: Chapter I, section 1.3.1.).

understand physical violence as violence against the body and particularly concentrate on intimate partner violence (IPV).[292]

The definition of IPV I employ in this dissertation is, of course, violence, understood (in accordance with the concept presented in chapter II) as (1) practice, (2) results from misrecognition, understood (*qua* Fraser) as a nexus of institutionalised patterns of cultural value interpretation that unfairly disadvantages some people in social interactions and (3) produces status harm (status subordination) and that occurs between intimate partners.

My interest in IPV as the focus of this chapter is not arbitrary. The proposition examined in this chapter is that the institutionalised patterns of cultural value interpretation of femininity affect how women experience violence. Moreover, gender-based violence is a key factor in (re)production of gender relations and identities as well as patterns of interpretation of femininity and masculinity. Therefore, a family, as a primary site of (re)production of patterns of interpretation gender, requires special attention. The identities of men and women, and interpretations of femininity and masculinity are produced in everyday interactions within family. Family relations are obviously not limited to intimate partner relations, nor are the configurations in which family violence happens. In order to further narrow down the scope of the research, I will employ the following idea. While not all families are built around the relationship between intimate partners, in the society we live in, the so-called normative family is built around an intimate heterosexual dyad (understood here as a certain cultural idea group of adult people voluntarily entering familial relationships "should" look like).[293] In modern capitalist society, a heterosexual dyad is responsible for the reproduction of

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[292] The World Health Organization (WHO) proposes the following definition of IPV: "[…] any behavior within an intimate relationship that causes physical, psychological or sexual harm to those in the relationship" (WHO, 2012, 1). However, it must be noted that there are multiple definitions of IPV and that they display some significant discrepancies (Williams et al. 2008). Additionally, "The term 'domestic violence' is used in many countries to refer to partner violence but the term can also encompass child or elder abuse, or abuse by any member of a household. 'Battering' refers to a severe and escalating form of partner violence characterized by multiple forms of abuse, terrorization and threats, and increasingly possessive and controlling behaviour on the part of the abuser." (WHO, 2012, 1).

[293] Historically, the normative family and the relations of kinship were not always organised around a heterosexual dyad or even around sexually intimate relationships. For example, families were organised along matrilinear or patrilinear kinship in some cultures or periods. Historically, marriage took multiple forms in different cultures and often was a union of two families rather than two individuals. It was not based on love or heterosexual desire but on economic and political considerations or duty to produce progenies. Love-based marriage with a male breadwinner, today conceived as traditional, is a relatively recent invention specific to certain classes and ethnicities (Brake 2012, 9-10). It is still a dominant form of marriage in the sense that it is a normative form of marriage in our society.

human beings and, crucially, the workers (comp. Butler 1997/2008; Fraser 1997c). Therefore, I will also concentrate on intimate dyadic relationships. However, I will also include non-heterosexual relationships to showcase better the pervasiveness of the pattern of cultural interpretation responsible for IPV as well as to illustrate how occupying an additional axis of social subordination affects women's experiences with IPV.

Constructed within informal and formal institutions, the heterosexual dyad is a cornerstone of gender in our society. An ideal form of the heterosexual dyad favoured by the law,[294] is life-long monogamous marriage.[295] However, heterosexual couples that do not fulfil the formal requirements of marriage – concubinage, betrothals or a dating couple – are still easily recognised in the practice of formal institutions and everyday social interactions. An unfair gender order is founded on the disparity between the partners within that heterosexual dyad. IPV is both a product of that disparity and a key mechanism to maintain it. Maintaining disparity within intimate relationships is one of the main factors for gender inequality, a primal feature of the patriarchal order. Deinstitutionalising the patriarchal order, therefore, requires ending IPV. This is not easy because a wide range of institutionalised conducts supports IPV.

The patriarchal order of institutionalised sexism[296] de developed throughout history, often alongside and through other orders of subjugation heteronormative, racial and ableist orders, as well as alongside the economic system of production that is today's capitalism (see: Butler 1997/2008; Fraser & Honneth 2002, 20, 22; hooks 1984; 2000, 64). The patriarchy can be understood as a hierarchical arrangement of social relations, ideas and social institutions that favour men in the aspect that permits them to maintain a status advantage over women and others deemed non-men (or not true men,

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[294] As of 2023, since the beginning of this century, 33 United Nations member states have legalised same-gender marriage (Middleton 2023). Poland has not legalised same-gender marriage yet, and there is an ongoing debate if the Polish constitution allows for the existence of a same-gender marriage or if it just grants heterosexual monogamous marriage special privileges over other possible forms of marriage (Grabowska-Moroz & Wójcik 2021, 87), since 2016 same-gender partnerships are legally considered a cohabitation in criminal law matters (ibid.).

[295] Marriage is culturally imbued with moral qualities and considered an ideal form of relationship that holds a special moral quality even among people who do not hold religious views (Brake 2012, 2).

[296] According to hooks, patriarchy is another way to refer to the order of institutionalised sexism (hooks 2000, ix). She characterised sexism in the following way: "a system of domination is institutionalised but it has never determined in an absolute way the fate of all women in this society. Being oppressed means the absence of choices. It is the primary point of contact between the oppressed and the oppressor. Many women in this society do have choices (as inadequate as they are) therefore, exploitation and discrimination are words that more accurately describe a lot of women collectively in the United States" (hooks 1984, 5).

neither men nor women), privileges, positions of power and leadership in society. The ideological system of patriarchy is rationalised by creating incentives for acceptance of subordination even amongst those who are placed in subordinated positions (Dobash & Dobash 1979, 7; DeKeseredy 2021, 8; comp. Bourdieu 1998/2002, 38). One of the mechanisms through which the patriarchal order of gender subordination is maintained is the set of ideas about the nature of family and intimate relationships (Dobash & Dobash 1979, 7; hooks 2000, 64). The patriarchal family has a hierarchical organisation: the power disparity between men and women corresponds to the relation between adults and children (Dobash & Dobash 1979, 10; Bourdieu 1998/2002, 86). Additionally, patriarchal ideas, until very recently, provided a degree of protection from the forces that can potentially bring transformation to family relations (and in some contexts, they still may do so): the family is a closed entity, and the political agendas, civil society and state institutions should not intervene (comp. Dobash & Dobash 1979, 7).

Family is one of the primary institutions within which gender is reproduced and maintained, particularly in which subjugation of women and masculine domination is reproduced (Bourdieu 1998/2002, 85). Therefore, political struggles over maintaining a particular family structure are so intensive and pervasive (see Butler 2004a). Fundamentally family is constructed within the network of interactions with various institutions that vastly range in formality. Laws and policies, divorce, child support, social and medical services, schooling, academic discourses, media images and churches. The main problem is that the family is built around hierarchical structures in which dominant parties are entitled to use various forms of violence whenever that structure is threatened (hooks 2000, 64).[297] This problem is particularly pertaining because both gender hierarchy and the ideas of family relationships (that permits or even encourages coercive use of force) pose a significant threat not only to individuals but also to the democratic society as a whole:

> *Children learn how to be good citizens in families; what they see in the demeanor of those closest to them shapes their citizenship powerfully for* good or for ill. At present, [Mill] argues, the family is "a school of despotism," where male children learn that just in virtue of being born male, they are the superiors of one half of the human race. This cannot be a good preparation for political equality in the rest of life. "The family, justly

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[297] Family violence, not only violence against women but also violence against children, elderly or disabled family members and even women's violence against men, serves to maintain the hierarchical organisation of the family.

constituted," he concludes, "would be the real school of the virtues of freedom." But the just constitution of the family requires a reform of moral education on a large scale, and this reform must be facilitated by at least some changes in laws and institutions, especially those concerning marital rape, domestic violence, and women's legal rights over children" (Nussbaum 1999, 13).

The other venue for maintaining patriarchal power is the production of gendered bodies. Even though the members of specific social groups are no longer explicitly defined as possessing specific nature, their symbolic associations link members of particular social groups to particular kinds of bodies (Young 1990, 148). This is not only true for sexed and gendered bodies but for racialised bodies, queer bodies, disabled bodies, bodies of a specific age and so on. Moreover, it is not only that symbolic patterns are dictating specific associations (or in other words, there are cultural patterns of interpretation) but the bodies in question are produced through the practice of social and formal institutions. That includes how those bodies are nourished, shaped through work, play and training, and how are they protected from the environment and other bodies (Berger & Luckmann 1966, 66-67; Butler 2004a; Young 2005).

Physical violence is one of the fundamental ways of producing distinction between bodies, including the production of a gendered body. In intimate relationships between men and women, women's bodies are exposed to an injury in the home site, which is supposed to be safe for a man.[298] A woman's body is perceived as potentially exposed to the danger of injury from violence at home. Meanwhile, a man's body is perceived as strong and safe from injury, at least at the hands of a woman in the home – home is a man's castle. Of course, to maintain that image, women's potential for violence, for causing an injury, must be kept unacknowledged. The perception of women's vulnerability in intimate relationships contributes to the imbalance of power between men and women. Women's bodies are perceived as inherently vulnerable in the sphere that is supposed to be their domain and that they are seen as responsible for maintaining – the sphere of domestic and intimate relationships.[299] It is not necessary for all men or even the majority to engage in violence against their partners to maintain that perception. It is sufficient for only some men to do so, enough for the problem to be

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[298] The family and the home space are considered safe from outside dangers and internally peaceful (Dobash & Dobash 1979, 7). At the same time, women are perceived as universal victims of family violence and indeed the most likely context for women to experience violence is within the family (ibid., 7).

[299] Domestic space is traditionally conceived as women's space, while public space as men's space. Therefore, women are seen as responsible and naturally predisposed to domestic tasks, including reproduction, and caring for family members' emotional well-being (Bourdieu 1999/2001, 94).

visible and persistent. Likewise, it is not necessary for each and every woman to be subjected to a particular type of violence for women as a group to be subjected to certain kinds of systemic violent practices (comp. Young 1990, 62; Butler 2004a, 18).

The effects of physical violence on gender relations are not limited to the perception of vulnerability. There are practical consequences for the injured bodies and limitations on the actions injured, or threatened bodies can take. One cannot freely act when one's body is physically damaged or physically threatened. Often injuries carry financial and social costs as well. Bodies can be directly controlled through physical violence. In this way, violence may be conceived as a way of gaining and/or maintaining control and power over others. Getting power over another puts them in a position of status disadvantage while elevating oneself onto a status advantage or, in other words, creating the relations of status subordination. I will discuss the effects of physical violence more extensively in the next section of this chapter.

Another reason why I believe direct physical violence is important to analyse is the dramatism of this kind of violence (comp. Galtung 1969). The general consensus in the feminist IPV research is that more subtle forms of coercive control have a greater impact on the lives of women subjected to violence, and I do not contest that (comp. Westmarland & Kelly 2013; 2015). But the dramatic forms of violence may be more impactful when it comes to reproducing and reinforcing patterns of cultural value interpretation. When revealed, those kinds of dramatic situations draw attention and may influence much more shared cultural understanding than less dramatic ones.

Physical violence is important in the order of cultural interpretation and understanding of gender.[300] With violence, a man displays qualities associated with hegemonic masculinity, such as being domineering and strong. Moreover, hegemonic masculinity maintains a privileged status of men through the practice of violence (Cannon et al. 2015, 676). Even in "progressive" societies, men are permitted or at least expected to be more violent than women and can frequently be excused for violent behaviour. Additionally, aggression (within given boundaries) is one of a few forms of commonly accepted male emotional expression (Wemrell et al. 2019, 13). On the other

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[300] In general, physical violence has a pivotal importance in a symbolic order; it often appears in our stories and imaginaries. That importance may be attributed to many factors, but one of those factors is that violence is seen as masculine activity (com. Bourdieu 1998/2002, 49-53, 60).

hand, women are typically characterised as non-violent, powerless and vulnerable, needing male protection to obtain security (Abrams 2010, 717).

In that view, intimate partner violence against women (IPVAW) should be conceived as a product of social norms regarding masculinity, femininity and marriage[301]. Norms are encoded within formal institutions and present in the daily conduct of personnel of these institutions. Even though in the present-day mainstream cultural discourses, violence towards women is not framed as acceptable, men are still urged to aspire to be strong, independent and capable of providing for the family. In turn, it is understood that women are supposed to grant men access to their bodies in exchange. (Hydén 1992; Wemrell et al. 2019, 13). This view is steeped in disparity: men are in the implicitly dominant position, and as a reward for their strength and capability, they are rewarded with the entitlement to control women's bodies.

Moreover, ideals of maleness or masculinity that emphasise and positively evaluate male violence are not merely free-floating representations of shared cultural understanding; instead, they are a product of formal institutions:

> Institutionalized valuations of particular associations of maleness or masculinity condition hierarchies of power in ways that constrain the possible actions of many people seem quite resistant to change. Positions and practices of institutionalized and organized violence are most important here—military and police forces, prison systems, etc. (Young 2005a, 24).

The idea here is that people do not learn violent conduct and acceptance towards violence solely through verbal communication of beliefs and ideas, but instead, and in some cases primarily, those patterns of cultural interpretation regulating violent practice spread tacitly through everyday typified social interaction, but foremost within the context of (informal) social institutions as well as formal institutions. For instance, the military is often brought up by feminist thinkers as the institution that teaches men the use of "legitimate" violence and ties the use of force to masculinity (hooks 1984; Butler 2004b; Abrams 2010; Wemrell et al. 2019, 13).[302] The ideas of male control in intimate relationships and positive valuation of male violence provide ample support for the practice of intimate violence against women.

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[301] Marriage is understood here as a culturally embedded model of an intimate relationship, a legally codified institution, which has an attached package of cultural patterns of interpretation.
[302] By pointing to military feminists underline the connection between patriarchy and imperialism (hooks 1984; Butler 2004b).

There are multiple typologies of what is widely known as domestic or family violence or, more narrowly, intimate partner violence (IPV) (Friend et al. 2011).[303] Over the years IPV have been studied from multiple standpoints and perspectives.[304] It is only to be expected as family violence includes a vast array of conduct starting from a one-off slap or shove to methodical ongoing physical, emotional and verbal abuse, intimidation and even homicide, and includes sexual violence as well (Dobash & Dobash 1992, Dobash & Dobash 1998, 4; 1-2 Meyersfeld 2016, 185). Violence is a broader term than abuse. In the text of this dissertation, abuse in the context of IPV is understood as a recurring and long-lasting pattern of violent practices within a relationship.[305] Physical and sexual abuse had often been studied separately, despite the fact that there is no theoretical basis for disengaging one from the other (Graham-Kevin & Archer 2003, 1255-1266). Here I focus on the violence that operates through the acts of coercion or harm directed towards the body of the victim(s). This type of violence in close relationships can be described as physical abuse. However, it is impossible to divorce this physical violence from non-physical violence that typically co-occur with physical abuse.

I believe the term 'spousal/marital violence' is inadequate to describe an array of phenomena I mean to explore in this chapter as it excludes violence in an unmarried couple (Dobash & Dobash 1992 39). Meanwhile, the term 'domestic violence' is misleading because IPV is not limited to home sites. I presume the term 'family violence' is more adequate than either 'spousal violence' or 'domestic violence.' However, rather than defining family violence as violence within a family or between family members, I propose to understand family violence as violence stemming from

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[303] Here I encounter a substantial methodological problem, namely, the fact that different researchers use different definitions of violence and sometimes those definitions are no more than aggregations of acts of bodily force. Language is also a problem here because some researchers do not distinguish between violence and aggression or substitute one with the other. For instance, generally shoving is included in the questionnaires aimed to determine the presence of violence (see e. g. FRA 2015.), but contextually shoving may not necessarily constitute violence. For example, a person who is having a panic attack may shove the other away from themselves simply to indicate they want some space and at the moment are incapable to communicate it otherwise (as opposed to shoving someone as a way of attack). Such an act is aggressive, but not necessarily constitutes violence. However, in a different context, the same kind of physical action may be indeed violent. Physical aggression and physical violence are overlapping categories however the designs of the studies may obscure the difference.

[304] Johnson distinguished two main streams of sociological scholarship regarding IPV: the family violence perspective and the feminist perspective (1995, 283-284).

[305] The problem with the term 'abuse' is similar to the one with the term 'violence' (see Chapter I, section 1.1.) – it is often used without a precise definition (the difference is 'violence' is used in a greater variety of context and it more often comes to the attention of philosophers than 'abuse'). I employ one of the possible meanings for the purpose of this dissertation.

and shaping familial relationships. In that way, violence between divorced parties can still be grasped as family violence, even though the involved parties are formally no longer recognised as family and most likely explicitly do no longer understand themselves as members of the same family. On the other hand, violence between dating couples can, in some respects, qualify as family violence, violence in the dating stage may shape future familial relationships between this couple, and even if that does not happen, in all likelihood, those experiences will shape how both parties will interact with future partners. Of course, 'family violence' denotes more than violence in relationships between intimately involved adults, including violence between parents and children, which means both violence against children and violence against parents (especially towards elderly and disabled parents), violence between siblings and virtually between any other members of extended and diverse families and even violence towards family's or family members' companion animals. So, unlike 'spousal/marital' or 'domestic violence', the term family violence is not misleading or too narrow, but 'family violence' may be too wide to indicate a particular class of phenomena in many contexts, so a more precise term is also needed. For those cases, the term "intimate partner violence" (IPV) is employed.

In the literature, IPV, particularly IPV against women (IPVAW), the main focus for this dissertation, is referred to as battery or battering, which gives rise to the term "battered women" (for examples of use, see: Dobash & Dobash 1992; Dobash et al. 2002; Pence & Paymar 1993; Johnson & Kelly 2008) which can be for this dissertation understood as types of violence. Bonita Meyersfeld[306] proposed that certain forms of IPV should be grasped as systemic intimate violence (Meyersfeld 2016).[307] More widespread terms such as 'domestic violence,' 'family violence,' or 'violence at home' simply do not reflect the danger and extent of such violence fully as well as they limit abuse to the home site falsely (comp. Dobash & Dobash 1992 39). Mayersfeld

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[306] Bonita Meyersfeld is a human rights lawyer specialising in gender-based violence and international law, associate professor at Wits School of Law in Johannesburg, activist, and one of the founders of Lawyers against Abuse. She is the author of *Domestic Violence and International Law* (2010).

[307] Meyersfeld defines systemic intimate violence in the following way: "Systemic intimate violence also is a narrower subset of violence than 'domestic violence' generally. I define "systemic intimate violence" as meaning repetitive emotional or physical harm, or the threat thereof, committed between intimates, which forms a continuum of violence from which the victim, due to his or her isolation and/or incapacitation, is unable to procure traditional legal assistance. It therefore has the following characteristics: the existence of an intimate relationship between adults; severe harm, physical or emotional or the threat thereof; a continuum of violence; and, the absence of effective state assistance. The combination of these factors creates a severe form of harm, which, in the face of endorsed impunity by the state, results in its systemic nature" (Meyersfeld 2016, 19-20).

underlines that the violence she addresses is characterised by the failure of the state to provide adequate means of protection (Meyersfeld 2016, 19).

Some researchers state that IPV can come in the form of common couple violence (CCV) as distinct from violence that falls under the rubric of patriarchal terrorism (Johnson 1995; Belknap and Melton 2005); or speaking more broadly: intimate terrorism (Johnson & Ferraro 2000; Graham-Kevin & Archer 2003), as this term can refer to women's violence towards men as well as violence between women in intimate relationships (ibid., 949; Johnson & Kelly 2008, 479).[308] IPV typology developed by Michael P. Johnson[309] include: Coercive Controlling Violence (CCV)[310] also referred as intimate terrorism (IT) (Johnson & Kelly 2008, 478), Violent Resistance (VR) (ibid., 479) [311], Situational Couple Violence (SCV) (ibid., 479), and Separation-Instigated Violence (SIV) (ibid., 479-480),[312] Mutual Violent Control (MVC) (ibid., 477), that cannot be grasp fully without an understanding of distinct motivations of the

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[308] I would not discard the concept of patriarchal terrorism in its entirety. The concept of patriarchal terrorism gives us insight into phenomena caught under an umbrella term of IPV that are not only unequally experienced by men and women; they are also always happening within the logic of the patriarchal system of institutionalized sexism. This notion has brilliantly been explained by bell hooks: "Patriarchal violence in the home is based on the belief that it is acceptable for a more powerful individual to control others through various forms of coercive force. This expanded definition of domestic violence includes male violence against women, same-sex violence, and adult violence against children. The term "patriarchal violence" is useful because unlike the more accepted phrase "domestic violence", it continually reminds the listener that violence in the home is connected to sexism and sexist thinking, to male domination" (hooks 2000 61-62).

[309] Michael P. Johnson is an American sociologist, and veteran researcher, working in the field of gender-based violence and intimate partner violence. He is well known for his typology for IPV, presented in multiple papers and monograph *A Typology of Domestic Violence: Intimate Terrorism, Violent Resistance, and Situational Couple Violence* (2008). As Johnson's typology has been reworked several times based on the growing body of empirical research (Johnson 1995; Johnson & Ferraro 2000). The extended version of this typology cited in the paragraph above has been presented in Johnson's 2008 paper with Joan B. Kelly.

[310] Coercive Controlling Violence and intimate terrorism are virtually overlapping terms. Note of clarification: in some papers on IPV acronym CCV denotes "Common Couple Violence" (e. g. see: Johnson 1995; Graham-Kevin & Archer 2003), overtime the vocabulary changed to better reflect particular types of violence dynamics and "Common Couple Violence" has been replaced with Situational Couple Violence (SCV).

[311] Johnson and Kelly justify the choice of the term in the following way: "Although in the early literature, such violence was generally referred to as "self-defense," we prefer the term Violent Resistance because self-defense is a legal concept that has very specific meanings that are subject to change as the law changes and because there are varieties of violent resistance that have little to do with these legal meanings of self-defense" (2008, 484).

[312] It is essential to distinguish this type of violence from CCV that usually intensifies post-separation as: "Of special relevance to those working with separating and divorcing families is violence instigated by the separation where there was no prior history of violence in the intimate partner relationship or in other settings" (Johnson & Kelly 2008, 487).

perpetrators, broader cultural context and social positions of the perpetrator vis a vis the victim (Johnson & Ferraro 2000, 948).[313]

Johnson and researchers, who employ his typology, claim that situational couple violence (SCV) significantly differs in character from coercive controlling violence (CCV) in terms of causes and consequences because it is not enmeshed into patterns of power, coercion and control that pervade the totality of the relationship (Johnson 1995; Johnson & Ferraro 2000; Graham-Kevin & Archer 2003; Belknap & Melton 2005; Johnson & Kelly 2008). Instead, the typical contexts for the occurrence of SCV are arguments or similar situations that sometimes escalate into physical violence. In contrast to perpetrators of CCV, male perpetrators of SCV usually do not display more misogynistic attitudes than non-violent men (Johnson & Kelly 2008, 485). Additionally, SCV is less likely to escalate or produce serious injury to the victim than CCV (Graham-Kevin & Archer 2003, 1257). Conversely, as per the definition I proposed in the previous chapter, I would argue that does not necessarily mean that SCV is not embedded in the broader institutionalised patterns of cultural value nor in the struggles for status between the partners.

Coercive Controlling Violence is established through such strategies as emotional abuse, intimidation, isolation, economic abuse, minimizing, denying, and blaming; use of children; asserting male privilege; and coercion and threats (Pence & Paymar 1993, 3; Johnson & Kelly 2008, 481). It should be noted that coercive control is not exclusively male perpetrated phenomenon as women can exude employ it as well (Stark 2010). In the case of a female abuser, asserting male privilege is substituted by the "use of the system" (Johnson & Kelly 2008, 482).

I will use the term 'victim' as a synonym for a 'person subjected to violence.' However, it is important to understand that feminist scholars are concerned about over-emphasizing women's suffering and victimisation under patriarchal domination and

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[313]Introducing those different types of dynamics of IPV, I do not mean to suggest that the authors quoted above arrived at the only correct way to conceive and distinguish between different types of IPV, nor do wish I to support some universal standard of IPV typology. Instead, my goal is to signal that there are different phenomena grasped under the same umbrella of IPV and that different socio-cultural factors may produce various forms of IPV dynamics. I believe the typology proposed by Johnson reveals more about violence dynamics than dividing violence by types of violent acts, e. g. pushing, shoving, punching, kicking, hitting with an object or even dividing violence by particular spheres of existence violence affect like: physical, sexual, psychological, economic and so on. For example, Johnson's typology had been contested based on data collected in New Zealand (Gulliver & Fanslow 2015). The authors of that study claim their results show there are no mutually exclusive types of violent dynamics in intimate relationships in women's experiences.

inadvertently confining women to the "powerless position of universal victims." (Thapar-Björkert & Morgan 2010, 49-50; McNay 2014, 102).[314] The word 'victim' has multiple negative associations and indicates a person's subjugation, helplessness, pitifulness, and lack of self-sufficiency or agency (Meyersfeld 2016, 104). For that reason, some family violence researchers prefer to avoid it and invoke the category of 'survivor' instead. 'Survivor' is supposed to have more positive connotations of resilience, agency, healing, and overcoming violence. The employment of the term, embedded in the cultural *Zeitgeist* of our epoch, is, however, not without problems:

> a gendered expectation emerging from the individualizing tendencies of late modernity is that women are expected to be autonomous in the sense that, confronted with harassment, they should be able to stick up for themselves without making a fuss or construing themselves as victims (McNay 2014, 120-121).

The category of the 'survivor' carries evaluative and normative implications. People subjected to violence are pressured to perform survivorhood and perform it in a specific, expected way. Failure to meet those expectations may often mean revictimization and refusal of help for the person subjected to violence. Access to resources is granted to survivors under the assumption that they are victims "worthy" of help (Sweet 2019, 212).

Moreover, not every victim becomes a survivor. The term 'survivor' implies that the violence is over. However, not every person subjected to violence lives through the experience and not every victim successfully escapes violence. For that reason, referring to the collective of people subjected to violence as 'survivors' is simply inaccurate (Meyersfeld 2016, 31).

There are numerous methodological problems with reliably collecting and assessing data regarding IPV prevalence, perpetration and victimisation rates, as well as differences between various populations. There are notable differences in findings between studies.[315] Size of the study,[316] contexts[317] and the way in which data is

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[314] It is necessary to note that the women who are more likely to embrace the victim's identity are otherwise situated in more advantageous social positions compared to the women who readily reject it. Women, who are daily oppressed and exploited alongside other axes of social subordination, feel a more vital need to believe they are in control over their lives, at least in some areas. Therefore they establish bonds with other women not based on shared victimisation but on shared strengths (hooks 1984, 45). Many women do not identify either as a survivor or the victim despite detailed histories of violence suffered at the hands of their partners (Larance & Rousson 2016, 882).

[315] The differences are drastic: "Depending on the survey and what was asked about, between 9.6 % and 67.8 % of women reported having been subject to some form of physical or sexual violence in their lifetime, by either an intimate partner or another person" (FRA 2015, 15).

obtained[318] as well as statistical tools employed[319] have a bearing on the final results. Comparison between different populations is difficult because studies conducted on those populations used different methodologies.[320]

An important question in the context of this dissertation is whether Intimate Partner Violence is symmetrical between and affects men and women to the same degree i.e. are women subjected to IPV more often than men while perpetrating less often or is the rate of victimisation and perpetration similar to both men and women (Dobash et al. 1992; Johnson 1995; Stark 2010; Belknap & Melton 2005; Johnson & Kelly 2008; Stark 2010; Allen 2011). The results differ depending on the research methodology employed in the studies and the chosen sample – the results in terms of severity of violence and types of strategies employed vary between the population in shelters, IPV perpetrator programs, and the general population (Graham-Kevin & Archer 2003). Importantly the prevalence of different dynamics of violence depends on the character of the sample. Moreover, most academics and activists who champion the thesis of IPV symmetry and insist on the gender-neutral language are anti-feminist.[321]

The studies that report asymmetry between genders tend to concentrate on victimisation only, while studies that indicate gender symmetry tend to focus on victimisation as well as perpetration (Belknap & Melton 2005). Specifically, while both men and women agree on who perpetrated "minor acts of violence" as well as the frequency and severity of women's acts of violence, their reports do not agree about severe acts of violence perpetrated by men. In other words, women report more frequent and severer victimisation at the hands of men than men care to admit (Graham-Kevin & Archer 2003, 1250; Johnson & Kelly 2008, 489). This discrepancy may be connected to

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[316] "Generally, large-scale, international surveys, such as the WHO multi-country study, tend to report prevalence rates lower than those found in smaller studies." (DeKeseredy 2019, 319)

[317] Perhaps unsurprisingly: "The highest rates of IPV victimization are also documented in samples evidencing higher levels of IPV risk factors (e.g., clinical and criminal justice system samples)" (Edwards et al 2015, 113).

[318] Some researchers claim that discrepancies prevalence of IPV between Nordic countries and the rest of Europe in FRA's EU-VAW survey can be attributed to the fact that interviews in Denmark, Norway, Sweden and Finland had been conducted via phone, while in the remaining 25 countries interviewers approached the respondents in face-to-face situations (Walby et al 2017).

[319] Comp.: Henry et al. 2018/2021.

[320] The researchers working on the field are well aware of those problems: "Despite the publication of thousands of research monographs on domestic violence since the mid-70's, there is still no consensus on the prevalence of abuse, who commits it, the principal causes and dynamics involved, and what types of assistance are required or effective." (Stark 2010, 302-303).

[321] Johnson (2011) and DeKeseredy (2021) discuss this problem (e.g., Dutton, 2006; Dutton et al. 2010; Straus, 2014).

the fact that men tend to minimalize the extent of their own abuse, while women are usually more forthcoming (Belknap & Melton 2005; Wemrell et al. 2019, 12). Additionally, when mutual violence occurs in a relationship, it may be difficult to prove who uses violence offensively and who is on the defence (Graham-Kevin & Archer 2003, 1255-1266). There are some more methodological issues in the constructions of the studies that can result in the appearance of symmetrical rates of victimisation and perpetration, like fragmenting the abuse into discrete acts instead of grasping the dynamic over time and lack of clarity of survey questions (Stark 2010, 203).

In addition, the character of IPV is gendered as men are more likely to employ severer forms of violence and more likely to perpetrate intimate terrorism, while women adopt a greater diversity of violent conduct (Belknap & Melton 2005, 5; Graham-Kevin & Archer 2003, 1255-1257; Johnson & Kelly 2008; Stark 2010, 205). However, the ratio of male to female perpetrators of intimate terrorism differs depending on research (Graham-Kevin & Archer 2003, 1255). In contrast, violent resistance is largely perpetrated by women only, and male victims of IPV are less likely to employ it in comparison to female victims (Johnson 1995; Graham-Kevin & Archer 2003; Belknap & Melton 2005, 5). Some studies indicate SCV, which is supposed to be perpetrated by women as often or even more often as by men, is the most common type of IPV (Johnson 1995; Graham-Kevin & Archer 2003). However, this view is often contested as other studies indicate a high prevalence of controlling violence (Dobash et al., 1992; Rennison & Welchans, 2000; Tjaden & Thoennes, 2000). It is also possible that CCV is underreported, especially in general population samples by victims or perpetrators out of sham, fear or desire to avoid dealing with the criminal justice system (Johnson & Kelly 2008, 481).

It is important to note that in a society built on gender disparity, even the same prevalence of IPV victimisation would still have a greater impact on women than men, both in the form of influence group status and often in the form of negative effects on particular individuals subjected to violence. Even if the supporters of the gender symmetry thesis are right, which is highly doubtful, the effects of violence would still be non-symmetrical.

In this dissertation, I concentrated on scholarship on intimate partner violence (IPV) covering modern capitalist democracies of Europe and the Anglosphere. The literature I used for the dissertation skewed towards research conducted in North

America and the United Kingdom. On the other hand, there is simply a greater abundance of research on IPV conducted in English-speaking countries than anywhere else. However, I tried to include some literature from European Union, including Poland. Regardless of the majority of gender stereotypes described by researchers in the USA and Western Europe, they also function in Polish society. (Helios & Jedlecka 2016, 11). [322] In this and the two following chapters, I devote considerable attention to the research from Northern America and Western Europe, particularly Britain and Nordic Countries, because IPV there has a longer history of academic interest than it has in Poland, which also contributes to the fact that more diverse aspects of IPV have been researched there that are yet to be studied in the Polish context. I hope the examination of the data from abroad will be illuminating for future research on IPV in Poland. It is essential to take a broad scope to examine how IPV looks across borders and in different types of contexts to grasp general trends about violence. However, taking a broad scope means I can only paint the picture in broad strokes without getting deeper into specific details, so I just signal certain aspects of the problem.

3.3. Intimate partner violence towards women perpetrated by men

Intimate partner violence (IPV) is the most common type of direct interpersonal violence carried out against women worldwide (Meyersfeld 2016, 16). IPV carries extensive consequences for their living standards and general well-being (Malgesini et al. 2018, 5). The practice of intimate partner violence against women is pervasive. Even though violence against women has existed for at least as long as there are written records (DeKeseredy et al. 2017, 29), the problem came into public and academic focus thanks to the women's movement in the '60s and '70s of the twentieth century[323] (Dobash & Dobash 1992, 15), since then:

> For the women who have been physically abused in the home by the men with whom they live, the past two decades have seen both radical change and no change at all. (Dobash & Dobash 1992, 1)

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[322] There are of course some notable differences, particularly the interplay between race and gender works different in USA, Western Europe and Poland, there are also notable differences withing legislation particularly regarding same-gender marriage and changing legal gender, which are very significant for the construction of gender.

[323] It was not the first instance of battery being "discovered" by the public. The problem had been acknowledged at least two times: in the late nineteenth and early twentieth century (Dobash & Dobash 1979, 3; Wiener 2004).

Three decades after Rebecca Emerson Dobash and Russell P. Dobash expressed this assessment and their words still rings true.[324] However, the problem had been visible even centuries ago, as it can be evidenced by the words of Christine de Pizan[325] put into the mouth of Lady Rectitude in de Pizan's most famous work, *The Book of the City of Ladies*:

> How many harsh beatings—without cause and without reason - how many injuries, how many cruelties, insults, humiliations, and outrages have so many upright women suffered, none of whom cried for help? And consider all the women who die of hunger and grief with a home full of children, while their husbands carouse dissolutely or go on binges in every tavern all over town, and still the poor women are beaten by their husbands when they return, and *that* is their supper! (de Pizan ca, 1405/1982, 119)[326]

The abuse of female partners is not only a long-standing social problem but widespread as well. Women are more likely to be subjected to IPV than any other social group of adults (Meyersfeld 2016, 16),[327] save for the disabled, but even within that group of disabled people, women are more likely to experience violence than men (Balderstone 2013, 21; Ballan et al. 2017; 1436).

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[324] When the movement started in the 1960s and 1970s, society saw it as a personal problem, not social or political. Now elimination of family violence has been accepted as an important goal of social politics (Epstein 1999, 3). The idea that violence between intimates is culturally rooted in unfair gender relations has been accepted by most researchers and has found its way to the acts of international law. Moreover, the number of studies has been increasingly rising and more diverse aspects had been studied (DeKeseredy & Schwartz 2011; 3). In other words, the social perception of the problem has changed noticeably. A comprehensive analysis of legal provisions and policies that directly address or indirectly affect the situation of individuals and families seeking IPV relief is way beyond the scope of this dissertation, but suffice it to say there are now more formal venues for escaping violent relationships than they were fifty or even thirty years before. On the other hand, the rise of new digital technologies provided the victims/survivors of violence new venues for seeking assistance, but at the same time provided abusers with new ways to control their partners. It is difficult to estimate how prevalence changed due to the lack of data from earlier periods.

[325] Christine de Pizan (Cristina da Pizzano; ca. 1364-1430) was an Italian born writer at the court of king Charles VI of France. She is considered by many today a protofeminist.

[326] It should to be noted that de Pisan has nuanced views on the subject of marriage. She acknowledges that there are happy marriages in which both partners act considerately and respectfully towards one another (ibid.,). She also notes that there are unreasonable, "evil" women, who she sees as beings "alienated from their own nature" (ibid. 120).

[327] The data gathered in the 2014 EU-wide survey by European Union Agency for Fundamental Rights (FRA) shows that one in three women has experienced physical violence and/or sexual abuse since the age of 15. Data collected in Poland by the police, social services and other formal institutions that come into first contact with the victim show that in over 73% of cases of family violence, for which the so-called *Niebieska Karta* (Blue Card) had been issued, the victims were women (Gierszewski 2019, 186) For about 50 women every week domestic violence tragically ends with death. (FRA 2015, Christofi et al. 2017, 14), about 60 per cent of homicides involving female victims are related to IPV (Mayer 2012, 180). Domestic violence is the most common cause of death for women between 15 and 44 years old (Helios & Jedlecka 2016, 92). Those killings are usually proceeded by a history of arguments typically regarding sexual jealousy and "ownership" of the victim by the abuser, controlling behaviour and often assault (Dobash & Dobash 1992, 9; Johnson & Kelly 2008, 483).

According to data from 2004, almost one in three women in Poland has been subjected to physical violence in their adult life, albeit only one in six women experience violence from her intimate partner. Meanwhile, one in six women experienced sexual abuse in their adult lives (Helios & Jedlecka 2016, 92). Other European countries with similar rates of intimate partner violence, estimated at about 13%, are Austria, Croatia, Slovenia and Spain. At the same time, Finland, Denmark and Latvia show rates of about 30 %–32 % (FRA 2015, 30).[328] However, it is very likely that the difference in results is at least partly influenced by what the respondents were willing to disclose to the survey (ibid., 64). European Agency of Fundamental Rights (FRA) research indicates that in some EU Member States, comparatively low rates of reported IPV correlate with a high prevalence of incidents that come to the attention of the police. Taking into account the fact that, generally, incidents that come to the attention of the police are comparatively more serious (more likely to result in injury) than the incidents that do not, FRA authors propose that the result may reflect an unwillingness to disclosed less serious incidents to the interviewers in those countries rather than actual lower rates of violence. IPV researchers speculate that rather than lower violence rates in countries like Poland, the respondents were less likely to identify partners' actions as violent (Gruszczyńska 2006, 187; FRA 2015, 63).

Data gathered in the United States show that the most common type of physical IPV against women consists of minor assaults conducted frequently over an extended period. Cumulatively those acts significantly affect the health of afflicted women (Stark 2010, 203). Meanwhile, abuse in the form of isolated incidents is sporadic. Typically, the abusers employ other tactics to intimidate, isolate or otherwise violate the victim's dignity and autonomy (Johnson 1995, 284; Jewks 2002, 1425 Stark 2010, 203; Meyersfeld 2016). In one study, six out of ten men arrested for partner violence admitted to taking away the victim's money and restricting them in three or more additional ways (Buzawa et al. 1999). The aspect often absent from the research on violence is the number of perpetrators, and as a result, little is known about the phenomenon of multi-perpetrator domestic violence (Salter 2014, 103). Ideas of male honour in some communities exacerbate the prevalence of multi-perpetrator violence (ibid., 103).

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[328]Interestingly, FRA study shows that "The rates of partner and non-partner violence are positively correlated, meaning that countries with a higher prevalence of partner violence also, in most cases, display higher rates of non-partner violence" (2015, 30).

The "minor," ongoing abuse has significant consequences in the form of medical, psychological and behavioural issues such as excessive rates of alcohol and drug abuse, homelessness, depression, attempted suicide, heightened risk of unwanted pregnancies and fear of child abuse, an elevated risk SDTs including HIV, that are showcased in comparison between battered women and their non-battered counterparts (Stark 2010, 203). Some of those effects contribute to the vulnerability of women to their abusers and can serve as leverage for gaining more control over the victim. Likewise, many of those consequences directly or indirectly affect the relative status of the afflicted women. By that, I mean the women acquire "new" identities of disabled, mentally ill or homeless that suffer a certain level of de-esteem.[329]

The reason why men are more likely to employ coercive control in relationships is not that men share some qualities that women do not, which would make them more prone to some behaviours, but because social inequality limits women's options in relationships regardless of such factors as socialisation, psychological state, physical strength or intellectual capabilities (Johnson 1995; Belknap & Melton 2005; Johnson & Kelly 2008; Stark 2010, 208).

> It is not social disorganization that frees up a few so-called deviants to commit a crime, but forms of collective efficacy or social organization that allow individuals to learn about and behave in ways that sustain and reinforce their offending (DeKeseredy 2019, 318)

In other words, IPV against women as a form of hegemonic patriarchy is supported by a network of men sharing a similar enough worldview (DeKeseredy 2019, 318). IPVAW is an expression of the patriarchal domination of men over women and the prevalent idea of "hierarchical rule and coercive authority" (hooks 1984, 118). According to the framework developed in the previous chapter, those men organise their conduct around a set of overlapping patterns of cultural value interpretation that place women in a

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[329] The psychological effects of Coercive Controlling Violence are more devastating than those of Situational Couple Violence (Johnson & Kelly 2008, 483). While individual psychological outcomes of violence pertain to the framework I developed in the previous chapter, there is no denying that IPV, particularly intimate terrorism, erodes victims' self-esteem, which is of pivotal importance to IPV research and violence prevention in general. Perhaps a theoretical framework inspired by the works of Taylor or Honneth would be more adequate to address this particular aspect of IPV. Battered women often experience a particular problem known as learned helplessness (Walker 2009; Sussman 2008, 15; Helios & Jedlecka 2017, 36), which significantly undermines a person's ability to get out of the abusive relationship as well as hinder any other form of social participation a person may want to engage in. The concept of learned helplessness came under the criticism of feminist thinkers for oversimplifying the diverse experiences of abused women and overemphasising helplessness over agency and practical implication in the form of favouring individual remedies in the form of therapy over various forms of structural support (Sussman 2008, 15; Walker 2009, xvi).

disadvantaged position. Moreover, various forms of contact, communication and interactions between those men reinforce those patterns that result in closely aligned practices.

IPV is not only sustained by the cultural patterns of interpretation that directly compel men to act violently. Permissive attitudes send the message that violence is an acceptable, normal form of conduct. Lack of institutional support towards the victims of IPV constitutes *de facto* support for the perpetrators.

Women are not passive objects on which violence is exercised. They are participants in these practices, however unwilling they may be. If you consider the institution of marriage, it is constituted primarily by the everyday interactions of the spouses (of course, that conduct may be delimited by state law and interaction with various formally organised institutions). They are not necessarily in a position where they can easily leave. Often the partners of abusive men are in some way coerced to stay. For instance, abusive men can exploit socio-economic conditions and their partners' financial dependence (economic violence) or use outright threats to force the women to stay. However, the practice of IPV relies on women's compliance brought by a whole array of cultural patterns of gender interpretation that compels women to act in a certain way including engaging in the practice of justification of male violence. They act in a typified way in response to abuse that is influenced by gendered expectations. By that, I do not mean abused women as individuals who are in any way to be blamed for the violence they suffer, after all, they are often faced with a Hobson's choice, but their collective practice creates the conditions in which IPV can be sustained.[330] Women who submit to their partner's violence perpetuate the practices of submission to violence. Let me be clear: I do not blame women for doing this, there may be reasons they cannot do otherwise, but it is not a question of individual fault. However, their response to violence will necessarily create or reinforce expectations of how a woman acts in a certain situation within an intimate relationship, which will future influence how others, who interact with them (e. g. partner, children) interpret gender relations and therefore how they will respond in the future.

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[330] It is essential to understand that abused women can and do challenge IPV on individual and collective levels. The battered women movement is one of the leading forces, if not the main force responsible for deinstitutionalising IPV (Dobash & Dobash 1992).

People who were subjected to domestic violence as children and those who witnessed IPV between parents are more likely to commit IPV in their adult lives (Renzetti 1992, 68-69; Mihalic & Elliott 1997; Jewkes 2002, 1426; Abbassi 2008, 680; Zavala et al. 2015, 52, 65).[331] Additionally, former child victims are also much more likely to report perpetrating violence against their partners (Renzetti 1992, 69; Jewkes 2002, 1426; Zavala et al. 2015). The high prevalence can be explained by social learning theory, shortly summarised as a claim that people are likely to emulate the behaviour of others, especially role models. Moreover, observing violence between parents during childhood may influence how a former child perceives violent behaviour as acceptable, unacceptable or at least neutral. In this case, experience influences the perception of violence as an acceptable strategy to resolve conflicts. Additionally observing violent behaviour in childhood creates expectations regarding the costs and benefits of employing violence. Former child victims and witnesses of domestic violence as a result of their experiences learn to expect that using violence will carry more benefits than costs (Abbassi 2008, 680; Zavala et al. 2015, 53-54). On the other hand, former child victims and witnesses of domestic violence also have an increased likelihood of being subjected to IPV by their partners (Jewkes 2002, 1426; Gulliver & Fanslow 2015, 41). Past experiences of violence may make the survivors believe violence is a "normal" part of a relationship or even or even an inevitable part of all relationships (Hong et al. 2015, 1075) and therefore accept violent treatment. Despite the fact that childhood exposure to family violence is the most common predictor for perpetration in adult life, there is no simple relation proven between childhood exposure to violence and perpetration in adult life (Johnson et al. 2005, 5). In these cases, a certain pattern of practice can be observed, where one of the partners in the relationship, usually the woman, or family member(s), who is typically in a socially more disadvantaged position, often dependent on others (due to age or ability) is subjected to physical force (and usually at the same time other accompanying forms of violence). Such practice tacitly communicates the culturally understood value of certain family members and their hierarchical relationship with one another. The next generation emulates a similar pattern of practices due to exposure without necessarily articulating

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[331] It must be noted that the increased likelihood of violence perpetration also applies to women (Renzetti 1992, 69-70).

the pattern of cultural value interpretation. As cultural patterns of value interpretation are tacitly communicated and reinforced through practice.[332]

Dobash & Dobash (1992) list four main direct causes for men's violent attacks against women as following: possessiveness and jealousy, expectations concerning women's domestic work, self-entitlement to chastise "their" women for perceived wrongdoing, and the need to maintain or exercise their position of authority (Dobash & Dobash 1992, 4; comp. hooks 1984). Male perpetrators themselves blame IPVAW on such circumstantial factors as psychological problems, unemployment, difficult childhoods, substance abuse, and brain neurochemistry. Or they seek to put the responsibility on their partners, who supposedly display provocative behaviour, are being nagging or pushy, use violence themselves, or are "bad wives" (Wemrell et al. 2019, 7). Interestingly, some authors draw a comparison between jealousy, which is a frequent trigger of IPVAW in countries like Sweden, and honour-related violence, typically associated with "foreign," usually non-European or non-white, cultures (Wemrell et al. 2019, 8).

Studies conducted among heterosexual couples indicate that violence is more likely to occur in the context of a heterosexual relationship when the relationship is characterised by a clear power imbalance[333], especially when the man believes his power within the relationship diminishes (Renzetti 1992, 46-47; comp. Cross et al. 2019). Man's feeling of inadequacy is a possible trigger for IPVAW (comp. hooks 1984, 121; Abrams 2010, 712) at least for the men who endorse hostile sexist attitudes (comp. Cross et al. 2019). Moreover, women, who are perceived as strong and thus invoking such feelings in men, are more acceptable targets of violence than women who appear weak (Wemrell et al. 2019, 13). Thus, violence becomes a strategy for re-establishing power advantage and domination within a relationship (Renzetti 1992,

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[332] Therefore, thinkers like bell hooks stress that to end patriarchal violence, it is important to stop domestic violence against children, which is often perpetrated by women, and prevent children from witnessing violence between parents (hooks 2000, 63).

[333] It is difficult to measure who has more power within a relationship. Power can be observed in who makes decisions (and of what kind), delegates, does house chores, who also possess more economic and social resources, and who both parties believe should have power (Renzetti 1992, 44-45). There are alternatives to what power means in the context of interpersonal relationships, e.g. framing dependency as a source of power or lack of power: "People possess power when they are able to control or influence another person's desired outcomes and thus when others are dependent on them" (Cross et al. 2019, 339). In a similar manner, those who lack power depend on another's decisions or actions to realise their needs and wants. Within hierarchical relationships in which one individual possesses asymmetric power over shared resources, such individual is able to act as they wish without the need to accommodate others' needs or preferences (ibid.)

47).[334] There are two conflicting patterns here, one benevolent which indicates violence is wrong, and the other is male supremacist, which dictates female subjugation should be maintained (comp. hooks 2000, ix). Maintaining a certain social order is not always an explicit motivation for IPV, however regardless of the personal motivation of the perpetrators IPV always effectively helps to maintain that order.

Building on the framework, I developed in the previous chapter I propose, that while perpetrators' and the victims' self-understanding and self-explanation of violence may differ widely, depending on the culture of any given researched population, the practice of IPV is very similar and shows greater stability over time. Therefore, efforts to change the articulated patterns of understanding and cultural interpretation that serve to guide violent conduct, while important, have limited applicability for violence prevention.

Additional factors such as alcohol or drug abuse[335] may exacerbate the problem of violence. However, the association between alcohol consumption and IPV is not consistent (Jewkes 2002, 1425). While many violent acts are committed when the perpetrator is inebriated, the abuse is not restricted to periods of intoxication (Meyersfeld 2016, 185)[336]. Intoxication may make the perpetrators more violent because they forget accountability and social consequences for their actions (Jewkes 2002, 1426; Helios & Jedlecka 2017, 32). Moreover, in some settings, the consumption of alcohol may be a deliberate strategy to diffuse inhibitions that enables men to beat their partners – some men may believe they need to act violently or chastise their partners to fulfil social expectations (Jewkes 2002, 1426). In different sets of social circumstances, where IPVAW is not seen as desirable, violence perpetrators may not recognize themselves as

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[334] Compare this with Arendt's idea that violence appears when power is in jeopardy (Arendt 1969, 13) discussed in chapter I, section 2.5. For Arendt, violence does not re-establish power but substitutes it, as power is legitimate and violence is not. I do not support Arendtian understanding of power and violence in this dissertation, but this notion may be helpful to explain what is happening in this case. Essentially, men lose the power that had been so far "legitimised" by patriarchal tradition or some consensus about the value of contributions each party made for the relationship (e.g. the man should have more power because he earns more). However, the foundational assumptions about the legitimacy of that power have been contested, both by changing ideas and by an increase of opportunities for women that let women gather more resources for themselves. Because men perceive the changing situation as a loss of power, they try to regain power over women by gaining control through violence.

[335] It needs to be noted that while alcohol and drug addiction are mental illnesses, alcohol and drug consumption does not happen in a socio-cultural vacuum but are also social practices and, like violence, are reproduced and reinforced by groups of people participating in them.

[336] Substance abuse can be conceived as an intentional component of the perpetrator's strategy due to perpetrators' awareness of his tendency towards aggressive behaviour under the influence of drugs or alcohol and can be prosecuted accordingly (Meyersfeld 2016, 185).

agents responsible for the violence. The usage of alcohol, drugs or another factor like mental illness may be used by the abuser to put a distance between self and violent actions (Wemrell et al. 2019, 10). On the other hand, violent "incidents" may represent systematic and planned actions on the part of the abuser rather than impulsive tendencies, lack of self-restraint or spur-of-the-moment behaviour (Johnson & Ferraro, 2000; Zavala & Melander 2019, 181). Women themselves may use alcohol as a way to excuse and justify their partners' abuse (Hong et al. 2015, 179; Wemrell et al. 2019, 7). Interpreting the relationship between IPV and substance abuse along the framework developed in the previous chapter, it seems that IPV is not a mere product of alcohol addiction (or other substance addiction). Violence is not simply the result of alcohol consumption. Instead, the consumption of alcohol becomes a practice that allows the perpetrators to employ violence better, for example by avoiding the negative psychological and social consequences of violence they use. The practice of alcohol consumption buttresses the practice of violence by helping the perpetrators avoid negative consequences and accountability for violence. This is part of a typical pattern of social behaviour that may be explicitly rejected and condemned in some social circles but is accepted in others. Moreover, this pattern of social behaviour may be embedded in practice within the same group that professes its rejection.[337]

Regardless of the very diverse personal motives of perpetrators, IPV should not be treated as a problem of individuals or individual families but as a social one:

> Whatever the proximate motive or dynamics of a man's abuse in a given instance, when so large a population of persons adapt a similar strategy to establish nonreciprocal relations in personal life, we should assume that a broad social logic is at work, constraining the selection of means, including violence, according to their relative efficacy (Stark 2010, 207).

IPV stems from heterogeneous but coherent "causes" and, in addition to the effects on individuals and individual families affected by violence, produces a larger social reality. Violence against women can fulfil a role of a tool for enforcing community norms and does not need to have a disruptive character (DeKeseredy 2019, 315). Practice that stems from different individual motivations carries the same (or at least overlapping) packet of social meaning and cultural patterns of interpretation of family roles that are indispensably intertwined with gender norms and patriarchal

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[337] At the same time different patterns of cultural value interpretation are communicated through different channels.

gender hierarchy. Men who endorse conservative ideas about gender hierarchy are more likely to engage in IPVAW (Jewkes 2002, 1425).To a great extent, the continuation and social prevalence of IPV depend on perpetrators' ability to keep abused women in relationships.[338] That ability is largely facilitated by social, cultural, economic, political and legal conditions. Each interpersonal, intimate relationship, including violent ones, is situated in a set of such conditions. Now I will discuss prevalent features of conditions under which violent men are able to keep their partners in the relationships. I will discuss conditions created by formal institutional practice in greater depth in the following sections (4.1.-4.3.)

The effectiveness of IPV relies upon women's subordinated status in society and shared beliefs (patterns of cultural interpretation) regarding femininity, masculinity and family present in the typified patterns of social interaction. Meyersfeld lists multiple factors that constitute women as a group particularly vulnerable to systemic intimate violence:

> (1) traditional views about male and female roles often result in distance between the abused and the public world; (2) violence tends to escalate upon separation; (3) the nature of systemic intimate violence tends to remove the abused, and signs of the abuse, from the purview of society; (4) economic difficulties restrain women's freedom; and (5) communities ignore or acquiesce to the violence (2016, 119).

In turn, the practice of IPV helps to maintain those vulnerabilities. Meanwhile, cases of domestic violence often remain unreported, because victims and witnesses are socialised to perceive violence as a private matter to be dealt with within the family or even as a normal part of domestic life (Dobash & Dobash 1992; Meyersfeld 2016, 14; Lelek-Kratiuk 2012, 91; Helios & Jedlecka 2017, 34). The conduct of formal institutions, that the victims come into contact with, confirms those beliefs, often regardless of valid laws and policies (Helios & Jedlecka 2017, 34). In other words, certain patterns of cultural interpretation, that contribute to sustaining IPV, are institutionalised through the practice of members of formal institutions (see Chapter V). The fear of retaliation, or on the other hand reconciliation with the abuser (however temporary) often causes women to withdraw the complaints (Meyersfeld 2016, 14).

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[338] Ultimately, the fault does not lay with abused women staying with the perpetrator, but with men, who are ones, unwilling to leave the violent relationship (Dobash & Dobash 1992, 9). Abusive men are the ones who would not let their victims go, therefore: "[…] there is no greater challenge in the abuse field than getting men to exit abusive relationships" (Stark 2007, 130).

Perpetration of IVP often follows a particular mechanism known as the cycle of abuse (Meyersfeld 2016, 116). The pattern of periods of mistreatment is followed by periods of apparent reconciliation, during which the perpetrator apologises, shows remorse, tries to appease the victim with presents or tries to create otherwise a positive impression (ibid; Wemrell et al. 2019, 12). The perpetrators, for various reasons rooted in individual psychology but organised and understood by perpetrators themselves alongside the lines of the patterns of cultural interpretation of value, want to maintain control over the victim. In order to maintain control, it is necessary for the victim to be motivated to stay with them.[339] he victim leaving the relationship means losing control. At the present times, women have more options to leave their partners than they did in the past, so the perpetrators who want to maintain control of them must put more effort in creating incentives for them to stay.

Frequently, perpetrators try to accustom victims to the increasingly bad treatment by progressively eroding any boundaries their victims might have set and changing victims' baseline assumptions about the treatment in the relationship they are willing to put up with (Meyersfeld 2016, 118; Helios & Jedlecka 2017, 27). The presence of controlling behaviour is one of the predictors of repeated and ongoing violence (Johnson & Kelly 2008, 483).[340] Through such proof of normalisation the victim may get used to increasingly bad treatment (Wemrell et al. 2019, 12). Sometimes the victim only understands the violent character of the relationship she shares with the perpetrator after a physical attack or only after she starts to fear for her own life (Helios & Jedlecka 2017, 27).

> […] not only is the cycle of abuse pernicious because of the almost subliminal increment of harm but also the context of the relationship masks the harm; distorts the

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[339] Their personal motivations why the perpetrators desire control may vary, and each person made have more than one factor that motivates them to act in a certain way, but it is a mistake to automatically attribute them sadistic qualities. Being in a relationship may provide emotional validation (of masculinity, of success in life), and being in control of someone may provide emotional validation as well as the feeling of self-empowerment. Men want their partners to answer their various needs (ranging from emotional to practical), but being needy and depending on someone else for the satisfaction of those needs means being vulnerable. Those may not want to acknowledge their own vulnerability, so they try to erase it by enforcing control (comp. Cross et al. 2019). Some abusers may just show remorse and give presents to maintain an illusion to manipulate victims; however, it is also possible that some of those men possess a genuine strong feeling of affection towards the victim, and nonetheless, it does not stop them from abusing their partners later on. In other words, they show remorse and pamper the victim because they believe this is what a good partner does and/or genuinely want to please the victim. The problem is even those positive feelings and beliefs do not stop them from perpetrating violence in an ongoing cycle of abuse. Whether or not they act in a genuine or purely instrumental way is less relevant in this context.

[340] This aspect of IPV shows why defining violence as merely forceful, coercive or harmful acts is woefully inadequate regarding women's experiences with violence (comp. Chapter I and Galtung 1969).

victim's and society's view of the violence; and, divorces the abused in her private world from the remedies that exist in the public one (Meyersfeld 2016, 119).

Experts may easily identify the pattern of abuse, but it may be difficult to spot for laypeople and, most of all, for the victim or potential victim herself (Meyersfeld 2016, 118). Very often, the victims do not consider incidents severe enough to warrant talking to anyone or seeking any help (Fugate et al. 2005, 298). The reasons may partially be that women see violence as a series of unrelated incidents they can deal with rather than an ongoing cycle.

A major difference between men's and women's experiences with IPV is that a partner's violence is much more likely to cause fear in the female victim than in the male victim (Belknap & Melton 2005, 6).[341] Even one severe physical or sexual attack can impact the victim so much that the mere threat of repetition gives the perpetrator considerable leverage for controlling the victim (Meyersfeld 2016, 112). The perpetrators of CCV do not need to employ physical violence as the control tactics that do not involve physical force may be very effective, particularly when there already has been a history of physical violence in the past. Therefore, CCV do not need to manifest itself with frequent or severe physical attacks (Johnson & Kelly 2008, 481).

Women rarely leave a relationship immediately after it turns violent, moreover, women who do leave often return to abusive partners multiple times (Meyer 2012, 182). An important contributing factor is that women do not expect that leaving would help them escape violence, instead, they fear retaliation against themselves, their children, other persons they provide care for (such as elderly or disabled relatives) and very often companion animals[342] (Dobash & Dobash 1992; Flynn 2000, 173; Meyer 2012, 182). This assumption is, unfortunately, rational and well-founded.[343] Women's decision to

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[341] That of course does not mean male victims of women's abuse are somehow magically free of fear, just that likelihood of experiencing fear that significantly impacts life quality and choices is greater for women than for men.

[342] The last point should not be understated. Companion animals are often the only source of psychological comfort for abused women, while institutions designed to provide help and assistance to abused victims often overlook the issue, and multiply the difficulties for women trying to leave violent relationships precisely to ensure the safety of the companion animal (Flynn 2000). The issue of providing a safe place for the companion animals of abused women recently sparked controversy in Spain as it had been seen by the public as very frivolous (Wiśniewska 2021). Taking aside animal welfare concerns, this shows a lack of recognition towards the victim and her values and the victims' autonomous decisions. Maintaining a relationship between the companion animal and the caretaker can be normatively justified, for example, within the capability approach framework. Nussbaum underlines the relationship between humans and animals as one of the core capabilities (Nussbaum 1999 41-42; 2001, 80).

[343] Research shows, that women are aware of the problems related to leaving violent relationships (Meyer 2010, 183).

return to a violent partner may be dictated by the desire to protect their children, especially when the abuser is granted the right to keep in contact (Meyer 2012, 186).

The perpetrator may employ different strategies to prevent the victim from escaping the relationship. One of the main strategies is isolating the victim, which gives the abuser a substantial degree of emotional, psychological, and physical control over her (Meyersfeld 2016, 185). Isolation is often a reported factor preventing women from talking about the abuse to someone else and accessing help (Fugate et al. 2005, 300). In some cases, the perpetrator may outright imprison the victim, but he usually employs less drastic means. Isolation may also be a result of the control the perpetrator executes over the victim's daily activities and interactions with others, mainly the contact with friends, family and neighbours as well as working or studying outside of the home (Meyersfeld 2016, 120). Victims become isolated from loved ones, family, friends, society, as well as state institutions meant to provide assistance and protection (Nielsen et al. 1992, Meyersfeld 2016, 185). Additionally, as a result of battering, the whole family becomes more isolated compared to families where battering does not occur (Nielsen et al. 1992, 58). The fear of retribution, shame, and the sense of responsibility that keeps women silent about their experiences all contribute to victims' isolation (Dobash & Dobash 1992, Meyersfeld 2016, 120; 4; Wemrell et al. 2019, 9; Øverlien 2020, 119). In other words, women are expected to silently accept what their partner does to them or face some form of punishment, be it social or at the hands of their abuser. Experiences of isolation of women who are subjected to IPV are directly related to gender-based expectations. Another tactic is control over the victim's fertility, for example by restricting (or sabotaging) the use of contraceptives (Bergmann & Stockman 2015; Meyersfeld 2016, 120).[344] Pregnancy does not protect women from physical abuse. Some research indicates it is the contrary. The severity and frequency of abuse either stay the same or increase during pregnancy or the cycle of abuse starts/restarts during pregnancy (Edin et al., 2010, 192). Pregnancy increases women's precariousness and vulnerability, and that offers the potential abusers a better bid at establishing control and status hierarchy within the relationship. Fertility control and contraception sabotage are forms of sexual violence. Ultimately the use of physical force in the relationship is also a form of sexual control even when direct coercion or

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[344] In some cases, woman's request to use a condom during an intercourse may increase a likelihood of an attack afterwards. Although, the research results that show this link may not be applicable across different populations (Bergmann & Stockman 2015).

rape does not occur, as a woman's sexual behaviour is influenced by her fear of the partner.

IPV reproduces an imbalance of power within the relationship, which extends to sexual lives. IPV is a part of the gender order in which men control women's sexuality and fertility and women's status is delimited as being sexually subjugated to men. In other words, IPV is a serious impediment to women's parity in the sphere of sexual relations. Of course, sexual violence within relationships is not limited to sabotaging contraception and control of fertility and often takes the form of coercion and rape. Their partners have raped 8,8% of women in the USA during their lifetime (Wallaby et al. 2015, 2016), and 11% of women in UE experienced some form of partner sexual violence since they turned 15 (FRA, 2015). Moreover, half of those women have been raped more than once, while 31% reported 6 or more instances of rape (FRA, 2015; Wallaby et al. 2015: 2016). Many abusive men believe their partners must always be sexually available to them.

Moreover, they see masculinity as connected to sexuality and domination during sexual intercourse (comp Bourdieu 1999/2001, 19). The failure to get sex jeopardises their masculinity. Even in progressive societies such as Sweden, where IPVAW is not otherwise easily tolerated, violent men claim the right to domination and unrestrained sexual access to "their" women and to enforce the acceptable feminine behaviour of their partners (Wemrell et al. 2019, 13). Women comply with men's demands because they fear being subjected to physical injury or because they are compelled through other means, for example, financial dependency (Boonzaier & de la Rey 2004, 456-459).

Another factor that prevents the victim from successfully escaping a violent relationship is that the violence becomes more severe after the separation from the abuser, to the point that the murder in IPV cases disproportionately often occurs when the victim tries to leave after she leaves the abuser or during separation (Johnson & Kelly 2008, 483; Helios & Jedlecka 2017, 35; Dobash & Dobash 1992, 9; 2015, 42; Stark 2010, 205). Killing the victim is the abuser's reaction to the loss of control over her (Helios & Jedlecka 2017, 35; Dobash & Dobash 2015, 39). Partners of victims of intimate partner femicide (or attempted femicide) display higher levels of controlling behaviour in comparison to abusive men who did not kill their partners (Johnson & Kelly 2008, 483). Women do not only fear for their own lives. The abuser may threaten to kill the victim's children or companion animals in a bid to coerce her to stay with

him. Some perpetrators go through with this threat if an occasion presents itself (Meyer 2010, 187). Moreover, not every abuser can be persuaded to stop by social or legal consequences or the fear of thereof, and in such cases, the victims only way to escape from violence is death, either her own or the abuser's (Meyersfeld 2016, 185).

To maintain the relationship with the perpetrator and, importantly, a semblance of safety in that relationship, the victim may have to align her narrative of violence with that of the perpetrator. That means accepting the perpetrator's excuses or submitting to the notion that violence was mutual, regardless of its actual dynamics, as a result, perpetrator's responsibility for violence is erased or downplayed (Wemrell et al. 2019, 12). Control of the narrative is one of the means for abusers to get control over victims and maintain hierarchical order in the relationship. The perpetrator's account is prioritised over the victim's, which helps to maintain the victim's subordinated position.[345]

The decision to stay with the abuser puts the woman seeking help in a disadvantaged position. In the first place, as a result of the devaluation of women and femininity in society, it is difficult for women to establish themselves as legitimate or respectable victims, ones worthy of protection. This problem is only worsened for women who possess other devalued traits or identities, such as being poor or belonging to a racial or sexual minority (Renzetti 1992, 89). Often times only the women who decided to leave violent relationships are seen as worthy of help, while women who stay are seen as passive, irrational and irresponsible, especially if children are involved, and therefore undeserving of help (Meyer 2012, 180; comp. DeKeseredy et al. 2017). For that reason, women who managed to secure some outside assistance lose it after a short while, as they are faulted for staying with the abusers (ibid.). A victim who returns to the abuser is seen as more blameworthy for the abuse than the victim who is not known to do so (Yamawaki et al. 2012, 3198). Additionally, the idea that married men can punish family members may contribute to the fact that married men were more likely to

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[345] Violence narratives of female victims/survivors can change over time. The perception of IPVAW as personal rather than social or structural problems dominates abused women's narratives (Wemrell et al. 2019, 7). Explanations for a partner's violent behaviour may focus on social situations, pathologies or substance abuse, especially for women who are still staying with the perpetrators and the ones who recently left (comp. Boonzaire & de la Ray 2004; Hong et al. 2015; Wemrell et al. 2019, 7). Self-blaming is not uncommon (Wemrell et al. 2019, 9; Øverlien 2020, 119). Themes of power and control also feature in women's explanation of their own experiences, however, abused women rarely employ broader societal or gender perspectives to narrate their experiences (Wemrell et al. 2019, 7).

be excused for violence against their wives[346] than men who acted violently towards their female acquaintances (Yamawaki et al. 2012, 3198-3199). As preposterous as it seems, there is a widespread belief that women stay with abusive partners because they actually enjoy the abuse (Dobash & Dobash 1992, 10; Boonzaire & de la Ray 2004, 444). Therefore, they either do not need or do not deserve help.[347]

Such an attitude is at odds with the experiences of women trying to deal with IPV in their lives. Help-seeking is a dynamic process, during which women made decisions about whether to stay, leave or return based on changing circumstances. Even if they are forced to or decide to stay with the abuser that does not mean they passively accepted the situation. Instead, they try to change and improve the relationship (Dobash & Dobash 1992, 224-225). During this time, a woman can build a network comprising various formal and informal sources of assistance. Essentially, she gathers resources to protect herself within the relationship and resources that could eventually enable her to leave (Dobash & Dobash 1992, 225).[348] Denying a woman's support during that time, when she (still) tries to maintain the relationship with the abuser and negotiate a non-violent relationship with him, puts her in a worse position and contributes to her suffering. Additionally, it decreases her ability to leave the relationship when she decides to move on.[349] Research on IPV shows that the response of third parties, coming from formal institutions such as police, IPV services or from the informal social circle, like family and friends, can either plays a significant part in reinforcing the cycle of violence or can helps the victim leave the abusive relationship (Renzetti 1992, 89).

The demand to perform survivorhood in a certain way, that demands the woman permanently leaves the abuser, puts women in a double bind, as they are otherwise

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[346] Some ideas that may seem incredibly outdated to a modern-day, well educated person may be remarkably enduring.

[347] The Dobashes explain abused women's inability to leave in the following way "The reasons for women failing to leave violent relationships have very little to do with some supposed set of unique psychological traits. Instead, an understanding of their patterns of help-seeking must be located in the nature and ferocity of male domination, coercion and violence; a moral order which places responsibilities for family problems on to women; inadequate, even condemning responses of legal, social and medical agencies; a financial and material dependence on men for the support of women and children; a wider social and economic order that makes it nearly impossible for women to leave and live on their own; the bleak prospects (well understood by most women) for single, female headed households; and the lack of effective intervention in the lives of violent men and abused women."(1999, 226). In other words, the factors responsible for keeping abused women with their perpetrators are largely systemic.

[348] Resources that can include sources of help, personal assets, language necessary to make sense of her victimisation (comp. Boonzaire & de la Ray 2004), and personal competencies.

[349] Typically, women try to leave their violent partner several times before they manage to succeed permanently and the process may take many years (DeKeseredy & Dragiewicz 2017, 5).

expected to maintain the relationships, and they are socially punished for the failure to do so (Danis 2003, 179; DeKeseredy et al. 2017, 90). Especially, when they are seen as the ones responsible for destroying relationships. Even professional agencies meant to help abused women have a history of asking women to meet their partners' demands or otherwise blame them for the abuse (Dobash & Dobash 1992, 225).

Typically, male perpetrators of IPVAW present excuses and justifications to minimalize the abuse in the eyes of others and make their actions seem more rational. For example, they try to construct their actions as reasonable punishment or they try to pin the blame on the victim (Boonzaire & de la Rey 2004, 451; Belknap & Melton 2005, 3; Helios & Jedlecka 2017, 34; Wemrell et al. 2019, 12). At the same time, male abusers try to paint female partner violence, often deploying a defensive strategy against male battery, as major acts of violence (Belknap & Melton 2005, 5). Male perpetrators attempt to construct and present violence as quarrels or brawls, emphasising the supposed reciprocity of violent conduct while hiding its severity (Wemrell et al. 2019, 7). If a victim displays aggression towards the perpetrator in response to violence or some "negative attitude" prior to an incident, she is more likely to be blamed for the attack (Capezza & Arriaga 2008, 848). Male perpetrators rely on societal attitudes that pose their actions as rational and justified (Thapar-Björkert & Morgan 2010, 47).

The practice of IPV is supported through the practice of victim-blaming. The latter serves to excuse perpetrators and puts the responsibility for violence on victims. Perception of gender roles is linked to attitudes towards IPVAW. People from European countries with greater adherence to traditional gender roles were noted to be more likely to victim-blaming and excuse violence in comparison to people from countries where less rigid, more egalitarian gender roles were more widespread (Serrano-Montilla et al. 2020, 12). Hostile sexism correlates with higher chances of victim-blaming (Capezza & Arriaga 2008, 840). Additionally, domestic violence myths are a major factor contributing to victim-blaming attitudes (Yamawaki et al. 2012, 3206). Victim blaming is indispensable for maintaining the role of violence as a typified pattern of behaviour within the family. Essentially, victim-blaming behaviour is a form of enforcement of traditional gender and family roles. Through such attitude women are socially punished for being perceived as unfeminine – not being nice and warm enough to accommodate men and their needs, cold and unlikable or outright belligerent and therefore deserve abuse (Capezza & Arriaga 2008, 848). Victim-blaming stems from the perception of

gender and family roles, particularly, the supposed obligations that a wife has towards her husband as well as from IPV myths that effectively buttress the established way in which gender is perceived. This assessment is further supported by the fact that on an individual level awareness of the prevalence of IPVAW among the inhabitants of European countries contributes to supportive attitudes towards IPV victims both in the form of informal help and seeking formal assistance (Serrano-Montilla et al. 2020, 11).[350] Therefore, when the unfair patterns of cultural value interpretation that spur negative attitudes towards victims of violence are deinstitutionalised through consciousness rising, IPV victims are more likely to receive appropriate assistance and are less likely to be met with behaviours that re-enforce the unfair patterns of interpretation of IPV. People can very well know they should blame the perpetrator rather than the victim, yet still act in a way that communicates that they blame the victim, because of their common sense understanding of the world, which dictates the victim did something "wrong" or "should have known better" and is therefore responsible for the violence that happened to her (Thapar-Björkert & Morgan 2010, 42). The practice differs from the articulated values and worldview.

The response of the social milieu towards IPV may act as a protective measure if it is appropriate, as IPV[351] victims are more likely to reach towards friends or family in search of support than towards any formal venue (Dobash & Dobash 1992, 224; Fugate 2005; Yamawaki et al. 2012, 3206; Serrano-Montilla et al. 2020).[352] However, the response of social milieu very often plays a pivotal role in maintaining IPV. Many women report they think their friends and family know about the abuse, but act as if nothing is amiss. Others are met with dismissive responses (Wemrell 2019, 9).

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[350] Individuals who perceive psychological and sexual violence as wrong and illegal are more likely to employ formal means of assistance if/when someone they know is subjected to it and are less likely to show negative reactions towards the victims, e. g. in the form of dismissal, victim-blaming or avoiding the subject (Serrano-Montilla et al. 2020, 11). Research on college students shows that male respondents were more likely than female respondents to endorse IPV myths. And the participants who endorsed IPV myths were more likely to blame the victim or minimalize the seriousness of the observed incident (Yamawaki et al. 2012, 3204-3205).

[351] There are multiple ways in which the community may offer assistance to the abused victim: "This may involve neighbours providing a safe place to sleep, supportive relatives, community social service agencies willing to help her set up a new home, or finding the fairly large amount of money that it takes in many cities to get an apartment and make down payments on utilities, in addition to obtaining furniture and clothes" (DeKeseredy & Dragievicz 2017, 6).

[352] Europe-based research indicates that informal forms of support are especially favoured over formal means in countries where the attitudes towards IPVAW reflected more "traditional" IPVAW myths (such as IPVAW is not a widespread social problem, but an issue of individual couples, victims are responsible for their own abuse provoking the violence and violence is to some degree or in some circumstances justified). Meanwhile, in countries where such views are more widely rejected, formal means were favoured (Serrano-Montilla et al. 2020, 11- 12).

Certain communities are more prone towards negative responses towards women subjected to IPV than others. Historically, physical violence against women had been condoned within certain boundaries of severity. It is still the case in some communities (Jewkes 2002, 1426). Walter S. DeKeseredy[353] notes that the acceptance towards male perpetrated IPV is higher in rural communities and so is the pressure to keep silent about the problem (DeKeseredy 2019, 317-318).[354] Countryside is not the only type of environment that shows more favourable attitudes towards perpetrators of IPV. Other examples are crime circles,[355] hunting subculture (Hall-Sanchez 2014) but also police officers[356]. In such communities, high levels of collective efficacy plays a significant role in reproducing violence against women and gender order of statuses.[357] Research shows such communities are characterised by strong patriarchal attitudes, and beliefs of male supremacy that legitimize men's power over women and entitle them to transgressions including breaching the expectations of traditional gender roles (Jewkes 2002, 1426).

However, "progressive" gender norms do not guarantee freedom from IPV. There are many ways in which "progressive," egalitarian, gender norms, and patterns of

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[353] Walter S. DeKeseredy is a Canadian sociologist and expert on rural criminology, victimology and violence against women; his notable publications include *Violence against women in pornography* (2015), co-authored with Marylin Corsianos, *Abusive endings. Separation and Divorce Violence against Women* (2017), written with Molly Dragiewicz and Martin D. Schwartz, and *Woman Abuse in Rural Places* (2021).

[354] DeKeseredy cites higher rates of IPVAW among rural communities in the USA and countries of the so-called Global South (2019, 314). FRA study conducted across the EU does not necessarily confirm this trend (2015, 37). It must be noted that the results may be influenced by the perception of what counts as violence in the countryside compared to big cities. Respondents to the 2010 Special Eurobarometer 344 in rural areas in Europe tended to perceive IPVAW as less severe compared to their urban counterparts (Karlsson et al. 2020, 8).

[355] Gang culture appears misogynistic with strong proprietary attitudes towards women. Women within gangs or affiliated with gang members are at elevated risk of physical and sexual violence as well as multi-perpetrator violence. Additionally, authorities are more likely to ignore violence within gang-affiliated communities, leaving women with less protection (Salter 2014: 105).

[356] There are additional risk factors for violence in police families: police officers often form closed social circles and mutual loyalty (Johnson et al. 2005, 4). That means police officers are more likely to loyally support colleagues than the victims they are supposed to protect. There is pressure on spouses of police officers who adhere to the informal norms and values of the police subculture. A breach of those unwritten rules may mean recrimination from an abusive partner and other members of the police community. As a result, the problem of violence in police families remains hidden, and the victims are comparatively even more isolated than in the families outside the law enforcement subculture. Additionally, other resources, like shelters and refuges, may not be accessible for spouses of police officers because, in those instances, the abuser is well aware of the locations of those facilities. There is, however, no conclusive proof that women in police families are subjected to higher rates of IPV than women in the general population, as different studies show different results regarding the prevalence of IPV in police families (Zavala et al. 2015).

[357] Collective efficacy is defined as "mutual trust among neighbours combined with a willingness to act on behalf of the common good, specifically to supervise children and to maintain public order" (Sampson, Raudenbush, & Earls 1998, 1).

cultural value interpretation that are supposed to serve the emancipation of women, in one way or another facilitate IPV. The patterns of practices are more persistent than the patterns of cultural value interpretation that organize those practices. Not to mention, because of the heterogeneous nature of social order, "progressive," egalitarian and "feminist" can very well operate in conjunction with "traditional," "conservative" and patriarchal, one another forming a particular, hybridised nexus of cultural value interpretations (comp. Fraser & Honneth 2003; 54-56). The result is that progressive, supposedly egalitarian, patterns of interpretation help to sustain the patriarchal practice. The demands for gender equality can cause uncertainty and tension regarding understanding femininity and masculinity. For men, especially young, that means confusion about how to act within the context of an intimate relationship and that can result in IPVAW (Edin et al. 2008; Wemrell et al. 2019, 14-15).

On the one hand, men who see themselves as progressive may not so much forgo IPV, as they may use some strategy to detach themselves from the violence they themselves enact. Progressive norms of positive masculinity in societies like Sweden may prevent men from disclosing violence perpetration. When male violence is seen as undesirable, men may want to distance themselves from their own violent conduct, for example, blaming it on some external agents (like alcohol) (Wemrell et al. 2019, 10). Rather than aid in violence prevention, patterns of cultural interpretation, that negatively judge men who commit violent acts against their partners, may serve to Otherize those groups of men who are violent, or rather those groups of men who are perceived to be more likely to use violence. The assumption that gender equality has been achieved obscures the persistent problem and thus hampers appropriate response to IPVAW, which, in turn, facilitates its perpetuation (Karlsson et al. 2020, 11). Attribution of violence to some groups of Others contributes to the denial of violence or framing it as a problem of marginalised groups (for example immigrants). The blame for violence is put on the culture of the Other, particularly on the misogynistic culture of non-White immigrants. Ascribing violence to the culture of immigrants may lead to indifference towards IPV in immigrant communities (Sokoloff & Dupont, 2005, 48-49). However, while the ideas of masculine honour, that compel men to act violently towards their partners, associated with foreign cultures, are uncommon in European countries, some argue that partner jealousy, a frequent immediate trigger for violent behaviour, is essentially no different from masculine honour (see Wemrell et al. 2019, 8-9). I believe

this similarity lies in the fact that they both are some sort of entitlement to their partner. The difference lies in interpretation and articulation. Jealousy is seen as less of a legitimate cause for action than honour, although jealousy for the partner is socially expected and to some degree socially acceptable. Expected partner jealousy takes the place of masculine honour as a cultural pattern of interpretation for organising IPV practices in some cases.

On the other hand, "progressive" and "feminist" patterns can compel women to stay in abusive relationships just as well as "traditional" or "conservative" ones. Women do not admit they have fallen victim to physical and/or sexual IPVAW because it breaks the expectations of "positive heterosexual femininity" (Wemrell et al. 2019, 14).[358] A modern, "liberated" woman should not submit to non-consensual sex or physical abuse, but at the same time a "good woman" should be kind, forgiving and maintain a positive relationship with her partner (Edin et al., 2010, 196; Wemrell et al. 2019, 14). It is no wonder that many abused women try narratively to construct violence into something else, thus allowing the practice to continue without much disruption. Expectations of gender equality make it difficult for women to recognize themselves as victims of IPVAW (Wemrell et al. 2019, 9-10). Women, who perceive themselves as independent and strong may have greater trouble dealing with violence coming from their partners due to feelings of inadequacy and shame connected to the violated image of self. In this way, "progressive" and "feminist" notions of women's strength may discourage women from seeking help or leaving relationships for fear of disclosure of this perceived inadequacy and belief that they should be able to handle themselves (Wemrell et al. 2019, 7).

Whether a woman is driven by a belief in her own strength and capabilities (and therefore "does not need" outside help or finds it too shameful to admit to victimisation) or is driven by her belief that she is obligated to submit to her husband is not as consequential as the fact she does not seek help to leave the relationship. Hiding violence, even by the victim, helps to sustain the practice of IPV by holding abusive relationships together. To a degree, the practice of hiding violence is organized by cultural patterns of interpretation of femininity, and those interpretations are not always the ones commonly perceived as traditional. Even though abused women should never

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[358] The barrier here prevents the women from acknowledging that violence is happening to them or that they are in need of help. Although once they are able to acknowledge the violence, they may more easily recognize it as something they have no obligation to put up with.

be blamed for how they deal with violence from their partners, the collective responses from abused women to violence produce a certain social reality. More importantly, women's responses to IPVAW are shaped by an institutional context. On the one hand, women respond in accordance to the internalised patterns of cultural value interpretation (recognition dimension) that dictate they should be ashamed of violence that happened to them, that they should be self-sufficient and/or keep the whole situation private. Women act based on their earlier experiences which typically were steeped with institutionalised sexism and institutional acceptance towards IPV. On the other hand, they have to act within conditions created by economic institutions that are disadvantageous for women and do not offer adequate support for IPV victims. Ultimately, the agency of abused women is negotiated and restricted both in relation to the IPV perpetrator and in the wider context of formal and informal institutions.

Furthermore, those patterns of interpretation are supported through interactions outside the family. Victim-blaming attitudes are more prevalent in Nordic countries in comparison to EU countries with lower levels of gender equality. That means women who chose to disclose violence are more likely to be met with a negative reaction. Victim-blaming (as a practice that realises itself in interpersonal conduct) may reinforce the view that victimisation is somehow a failure of positive, "feminist" femininity (Karlsson et al. 2020, 2-3) and as such a threat to self-perception and identity of abuse women.

The ambivalent nature of supposedly egalitarian patterns of interpretation may provide a possible explanation for the so-called *Nordic Paradox*[359] – the relatively higher levels of reported IPVAW in supposedly gender-equal Nordic countries in comparison to countries with lower levels of gender equality.[360]

Another possible explanation is a backlash effect (Karlsson et al. 2020, 3). While female empowerment is generally associated with lower rates of IPV, not all

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[359] The explanations discussed in this chapter are not mutually exclusive.

[360] There are considerable problems with comparing rates of IPVAW between the populations of different countries. Findings suggest, for example, in countries like Bulgaria, it may be considered inappropriate to talk about violence, perceived as a personal or family matter, with strangers, including interviewers conducting the surveys (FRA 20145 25). The apparent higher rate of IPVAW in paradigmatically gender-equal societies, for example, in Nordic Countries, in comparison to less gender-equal societies, like Central, Eastern and South-eastern Europe, does not necessarily correspond to the reality. Cases of IPVAW are reported based on perceived severity. The lower the threshold of unacceptable severity of physically forceful or controlling conduct, the more cases will be acknowledged as violence and reported (Karlsson et al. 2020, 11). The rates of IPV across EU Member States correspond to the awareness of IPV (FRA 2014, 25).

forms of female power serve to protect women against intimate partner violence equally (Jewkes 2002, 1425). Because women are gaining higher status in comparison to the one they had before, men attempt to put them "back in their place" to maintain a dwindling status advantage. In more egalitarian societies men lose the advantage of being the sole breadwinner for the family[361], or at least they lose the advantage of much higher wages[362], thus some of them see that violence is the sole remaining way to establish and maintain domination within relationship and perpetuation of patriarchal gender hierarchy (hook 2000, 65; comp. Bourdieu 1998/2002, 88-89; Renzetti 2009, 3).

Another possible explanation for the Nordic Paradox is a higher rotation of violent partners.[363] Higher levels of gender equality may enable women to leave violent partners. Countries with higher levels of gender equality provide women with better opportunities for education and employment.[364] Therefore, women in those countries are more likely to be financially and socially independent. Due to the social conditions they live in, they are simply more likely to afford to leave violent relationships. When women have means by themselves, thanks to the ability to get an education and employment, or because the state provides sufficient support, they may afford to leave.[365]

IPV exists across the socioeconomic spectrum; nevertheless, in multiple countries, the risk of IPV increases among low-income groups (Jewkes 2002, 1424). However, women living in poverty report increased levels of IPV victimisation by previous and current partners and greater fear of partner violence (Scheer, Pachankis & Bränström, 2020, 11). Poverty is an important factor in several ways contributing to high levels of IPV. On the one hand, it is a significant stressor, that amplifies the risk of

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[361] It must to be noted that not that many men held this advantage in the first place. One male breadwinner model is a myth. Regardless of actual social conditions in the past, it is more important what the men believe they should have been rather than what their historical counterparts actually were.

[362] Women, who earn more than their partner are at elevated risk of IPV (Malgesini at al. 2018, 10, 11).

[363] This mechanism influences research results in the following way: "The country rankings in terms of IPV levels change substantially when overall prevalence measures are substituted by their 'previous-partner' and 'current-partner' components, and, especially, when considering the frequency of victimisation. When comparing the traditional IPV prevalence ranking with the current partner violence repetition sensitive indicator ranking, the Nordic countries fall several positions. Our findings suggest that the prevalence of IPV tends to be higher in more gender egalitarian countries because union formation and dissolution occur more often, but not because men are necessarily more violent against their partners" (Permanyer, & Gomez-Casillas 2020, 1170).

[364] Employment is a protective factor as employed women are more likely to be financially independent but also because interactions with co-workers reduce women's isolation and provide them with psychological support (Renzetti 2009, 2-3).

[365] Additionally, in countries with higher levels of gender equality, more couples live without formalising their relationships, and overall, breakups of relationships are more permissible.

conflict and aggressive behaviour, so cause both conflicts to be more likely to arise in the first place and to be addressed in a violent manner once it appears (Jewkes 2002, 1424; Malgesini at al. 2018, 10-11). Additionally, poverty contributes to the male feelings of vulnerability and inadequacy, which are at odds with ideal manhood, spurring men to try to salvage their self-image by acting violently and controlling their partners through violence (hooks 2000, 65; Jewkes 2002, 1424; Malgesini at al. 2018, 10-11).

Poverty puts women in a situation of increased financial dependency on men (Malgesini et al. 2018, 10-11). Women are aware of the economic risk associated with leaving violent relationships (Mayer 2012, 186). Many women cannot afford to leave violent partners, or they have to return to them simply because they lack the ability to support themselves financially; they cannot or do not want to access government financial support (Goodman et al. 2009, 309; Mayer 2012, 188). Government support can be predatory, subjecting the escaped victim to unjustified control, microaggression or dehumanisation from social service workers or a source of shame and stigma (Fraser & Gordon 1994a, 19-20; Liegghio & Caragata 2016). Especially, the need for financial support is often politically wielded against women and minority groups and used to construct harmful stereotypes (Dobash & Dobash 1992, 212; Fraser & Gordon 1992; 1994a).

IPVAW is a major factor behind poverty among women. In some instances, IPV perpetrators financially sabotage women leaving directly, for example, by sabotaging their efforts to stay employed (Renzetti 2009, 3; Goodman et al. 2009, 309), or not paying rent for apartments where they used to live together[366], thus putting victims in debt and making them lose the right to the apartment (Helios & Jedlecka 2016, 120). But the influence is not limited to perpetrators' direct actions. Research shows women who suffered from IPV were more likely to lose employment stability, housing stability or even fall into homelessness (Renzetti 2009, 2-5; Goodman et al. 2009, 309-310). Moreover, statistically, women who have suffered repeated victimization by physical or sexual violence are significantly more likely to fall into poverty (Loya 2014, 1302). Regardless of the perpetrators' controlling behaviour, those women's ability to hold a job and pay bills have been compromised by the negative consequences of

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[366] Usually, it is a woman, the victim, and her children, who have to move out in IPV situations, while the perpetrator stays in the apartment they used to occupy together (Helios & Jedlecka 2016, 120).

victimisation, and furthermore, they had to navigate the breakup of the relationship with the abuser, which could involve time costly endeavours like avoiding the abuser, attending a court hearing, finding someone to care for children, finding a new place to live, etc. (Dobash & Dobash 1992; Goodman et al. 2009, 309-310).

Distribution of resources within the family especially in male-headed households is often unequal (Gordon 1994, 180; Nussbaum 1999, 63) and violence can only cement that inequality, as the abuser is the one who controls the spendings of the family, and who makes it difficult for his partner to negotiate the division of resources. Considering the prevalence of IPVAW and the effects of violence on women's financial standing, it is perhaps not surprising that 70% of people living in poverty around the world are women and girls (Helios & Jedlecka 2016, 26-27). With the decline of financial situation and the standards of living, women, whose initial income was above the poverty, gain a new identity, that of the poor, which is linked to a lower status in society. The interplay between the status of women and the status of the poor affects how they are treated by staff members of formal institutions (Liegghio & Caragata 2016). Feminisation of poverty contributes to the lowering of women's status.

3.4. Conclusion

As showcased in this chapter, there are many reasons why men use violence against their partners. They may do so because using violence gives them control over the victim or, at least, the feeling of control, especially when they perceive themselves as losing power. Alternatively, they may have internalized expectations of how they should act, derived from an understanding of masculinity, and act in a way that affirms their sense of self. They may also have expectations towards their partner and use violence to force them to fulfil those expectations. Furthermore, they may be mismanaging their response to different negative feelings, which may be caused by their partners' behaviour or arise from elsewhere. However, it can be said that negative emotions do not simply lead to violence due to mismanagement, but rather people, in this case, men, allow themselves to mismanage emotional responses in particular types of contexts that are largely conditioned by their understanding of interpersonal relationships. This understanding is shaped by patterns of cultural value interpretation. This may involve interpreting certain behaviours as appropriate in a given context,

while also interpreting others as weak or defenceless. In each case, violence is organized by unfair patterns of cultural value interpretation embedded in a patriarchal understanding of the world. These patterns are often reinforced through typified everyday interactions and responses from formal institutions regarding violence.

The fact that intimate partner violence against women (IPVAW) is most prevalent and impactful does not mean that other forms of IPV, such as women's violence against men, violence in same-gender couples, and violence against nonbinary people, should be ignored or treated as irrelevant for understanding the patriarchal nature of IPV. On the contrary, I claim that these other forms of IPV are also by-products of a patriarchal society and contribute to maintaining rigid gender norms and an unfair gender hierarchy. I will discuss these forms in the next chapter.

Chapter IV Different Perspectives on intimate partner violence

4.1. Introduction

In order to avoid creating a one-sided view of intimate partner violence, in which women are always victims, in this chapter, I will cover two topics: intimate violence perpetrated by women against men and violence in intimate relationships between two women. I devote comparatively less place to each of those subjects than I did to male violence against their intimate partners (Chapter III) because violence perpetrated by women against men and violence in queer relationships follows some of the same dynamics that IPV perpetrated by men towards women. The purpose of this chapter is to explore how they differ and in what ways they are similar.

A comprehensive picture of the mechanism of gender-based violence requires learning how femininity, masculinity and status disparities between men and women are socially and culturally constructed. To grasp the breadth of women's experiences with violence, it is necessary to consider women in positions of perpetrators and persons subjected to violence. Taking both the perspective of women as victims and as perpetrators is crucial for understanding cultural patterns of interpretation of gender, and, therefore, for understanding how gender identities are produced. Examining IPV perpetrated by women will help reveal more about the relationship between the use of violence and the production of gender than just examining IPVAW. Moreover, it will help me check if the proposed definition of violence can still work when the victim does not occupy the position of obvious social subordination.

Another context in which IPV may appear that requires further consideration is queer relationships. It should be noted that from the fact that a relationship does not meet heteronormative standards, it does not follow that heterosexist and patriarchal relationship standards do not influence or shape the dynamics of that relationship (hooks 1984, 119). Studying IPV in queer experiences may be particularly illuminating in understanding intimate violence because it provides an understanding of how the practice of intimate violence presents itself in the interplay of another axis of subordination, namely queerness. It is impossible to understand norms governing gender and gender production by looking solely at the normative gender experiences of cisgender heterosexual men and women. It is essential to look at non-normative gender

as well. For society to define femininity and masculinity, or at least the "proper" femininity and masculinity, it is essential to cast aside what "proper" femininity and masculinity are not.[367] In this section, I will investigate how violence shapes family, the primary institution responsible for the production of gender, beyond the context of a heterosexual dyad. I will explore how gender is institutionalised in the lives of those who transgress its boundaries by subverting heteronormative assumptions that are foundational for the gender order we have in present-day society, and primarily how IPV, within the same-gender relationships, plays into the construction of a gender disparity in society at large. Furthermore, queer femininity is one of many femininities affected by IPV in particular ways, and in this section, I will explore those ways.

Moreover, there are moral and political reasons to include the experiences of queer women within this dissertation, namely avoiding the erasure of queer identities from the body of academic knowledge. The erasure of queer identities and queer experiences is an example of epistemic injustice that inherently serves to buttress heteronormativity. Institutionalised heteronormativity, including heteronormativity implicit in the scholarship of IPV, contributes to the misunderstanding of IPV. Lack of understanding of IPV, outside a very narrow range of experiences of culturally defined idealised victims, has many negative consequences, including mistreating people who do not fit that ideal within the conduct of formally organised institutions. Inevitably it puts many victims in the position of further unfair disadvantage that results in revictimization in the institutions that are supposed to help them. Such conduct is part of the process through which IPV is institutionalised.

In the scope of this chapter, first, I will address the problem of violence perpetrated by women towards their male partners in intimate relationships (section 4.2.). Next, I will address violence in queer relationships between women, and I will explain shortly the concept of heteronormativity (section 4.3.1.), present the methodological issues with researching IPV in queer relationships (section 4.3.2.) and describe the specificity of queer women's experiences with IPV (section 4.3.3.).

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[367] The idea here can be described in the following way: "Any definition or category creates an inside/outside distinction, and the logic of identity seeks to keep those borders firmly drawn. In the history of Western thought the metaphysics of presence has created a vast number of such mutually exclusive oppositions that structure whole philosophies: subject/object; mind/body, culture/nature, male/female" (Young 1990, 303).

4.2. IPV Perpetrated by women towards men[368]

The use of violence by women within the family has been noted to rise since 70'ties across the globe, including in societies with relatively low rates of female violence (Helios & Jedlecka 2016, 124). As explained in the previous chapter, some surveys indicate that women in intimate relationships employ physical force against their partners about as often as men (Graham-Kevan & Archer 2008; Stark 2010, 204).[369] The debate about gender symmetry and "battered husband syndrome" was started by Steinmetz (1977/78) based on data collected through National Family Violence Surveys (NFVS) conducted in the USA (comp. Stark 2010; Alen 2011, 246). However, research that indicates gender symmetry or greater rates of female-to-male violence is criticised for methodological reasons (Alen 2011, 246). A common argument is that proponents of gender symmetry thesis ignore the context in which violence occurs (see: Johnson, 2011; Alen 2011; Scarduzio et al. 2016; DeKeseredy 2021). As noted in the section above, some researchers explain that in different types of intimate partner relationships, and different kinds of contexts, different types of violence occur with different gender dynamics (Johnson & Kelly 2008, 480).[370] Even though most academics working in the field do not seem to support the gender symmetry thesis, which implies women may employ violence less frequently than men do, it does not cancel the reality of women's violence (comp. hooks 1984, 118).

Women perpetrate IPV most often in relationships where both partners employ physical force. The majority of IPV committed by women were classified by Johnson as Situational Couple Violence (SCV) (Belknap & Melton 2005; Johnson & Kelly 2008; Williams et al. 2008). Overall rates of SCV penetration are similar for men and women as this type of violence dynamics is usually reciprocal. However, in relationships where situational violence is one-sided (non-reciprocal, perpetrated by just one partner), women are three times more likely to be the sole perpetrator. This fact indicates that the

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[368] This section is noticeably shorter than the previous one for the reason that IPV perpetrated by women against men follows some of the same dynamics that IPV perpetrated by men towards women. Otherwise, there is less research to draw from.

[369] Violence among adolescent girls and young women seems more common than among their older counterparts, and rates are still rising (Williams et al. 2008; Stark 2010, 204; Helios & Jedlecka 2016, 91). Psychological violence typically accompanies physical force (Stark 2010, 204). In fact, emotional or verbal violence is more common than physical use of force and appears to be the most prevalent type of IPV perpetrated by women (Williams et al. 2008).

[370] Still, physical aggression produces fear in male victims, and a significant portion of female-perpetrated abuse ends up with serious physical injury (Hine et al. 2022, NP5596) in addition to the well-proven impact on long-term mental health, future intimate relationships and relationships with men's children (Rhatigan et al. 2011, 875; Hine et al. 2022, NP5597).

overall dynamics of female-perpetrated IPV have a different character than IPVAW, or more precisely, that statistically different IPV dynamics are more or less likely to be employed depending on whether the perpetrator is a man or a woman (Graham-Kevin & Archer 2003). Namely, women are more likely to employ physical force to solve or gain an advantage in an immediate conflict. They are less likely to employ violence with maintaining control and hierarchy within the relationship and negotiating identity.[371] On the surface level, this assessment would contradict my claim about violence as a practice of misrecognition. Still, I hold that women's violence is embedded in the unfair order of statuses and in institutionalised patterns of interpretation that severely maintain that order. The notion that women may be less likely to use violence to gain control over their partners or to establish themselves as the dominant party in the relationship than men are, does not entail they do not do it. They very well may perceive intimate relationships as associations between unequal parties, one of which is dominant, while the other is subordinated. Even if violence is situational and not an ongoing abuse aimed at maintaining enduring power over another, the underlying understanding may be that one side of the conflict has to be on the top and that to get to be on the top, it is permissible to use whatever strategy, including violence. If one constantly sees relationships, including intimate ones, as inherently unequal, as the struggle over who gets to dominate the other,[372] one may be conditioned to think in this way. My point is not necessarily that people consciously want to occupy a dominant position, although some do, but that patterns of cultural value interpretation founded on unequal social relations organise their practices, and the result is further perpetration and maintenance of those patterns.

There are some methodological problems addressing the research on women's use of violence. Namely, research equates the use of physical force with violence[373] (although not necessarily violence with the use of physical force). However, the use of

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[371] It is necessary to distinguish between manipulation strategies employed in intimate relationships in general from the particular strategy of employing physical force and fear of physical attacks as means of manipulation. The assessment in the cited study had been made about using this specific strategy, and not about general manipulation rates among men and women. Regardless if women are or are more likely to employ different strategies of manipulation to get the upper hand in the relationship than men, they are not likely to manipulate their partner using fear of physical attack.
However, the discussed research results can be called into question by the issue of sampling (see more Graham-Kevin & Archer 2003).
[372] If the relationships are seen as inherently unequal, then there are just two options: either accept the status quo or struggle for a dominant position, or at least a dominant position in some types of contexts.
[373] The studies that indicate that women use violence equally as often as men are the wider populational studies that addressed the use of physical force within couples (Stark 2010, 305).

force is insufficient for the definition I presented in the previous chapter. Therefore, I do not have enough information that all the behaviours classified by research reference above, especially in quantitative studies as female perpetrated violence, would be classified as violence by definition I propose as well. This, I think, has more bearing on assessing the prevalence of IPV among women rather than on understanding how female-perpetrated IPV works when employed.[374]

Women are more likely than men to identify situations when they use physical force as a reaction to male violence, although the use of force is not necessarily limited to self-defence (Tjaden and Thoennes 2000; Graham-Kevan & Archer 2008; Stark 2010, 204). Women who experience violence from their partners typically respond to violence on their own. Not all abused women use this strategy, but it is more common for women to do so than not. They employ violent resistance (VR) as means of defending themselves from further harm at the hands of their abusers (Belknap & Melton 2005, 7). Some research indicates that while VR appears quickly as a response to their partner's initial use of physical force, most women soon find out that it does not prevent attacks or that it potentially makes the abuse worse, so they forgo this strategy (Johnson & Kelly 2008, 484). Other women use violence in retaliation, even after their partner stops the abuse (Belknap & Melton 2005, 7).

Meanwhile, women perpetrated homicide in the context of intimate relationships, usually in response to ongoing abuse and reoccurring attacks (Dobash & Dobash 1992, 5). Moreover, the group of women, who killed their abusive partners, is distinguished from the group of abused women, who had not, by the fact they were more likely considered or attempted suicide because they could not continue the relationship and saw no chance for escape. The murder is prompted by the intensity of the abuse, frequent and severe attacks, sexual violence and death threats, rather than any qualities attributed to the victims turned killer themselves (Johnson & Kelly 2008, 485). Conversely, situations, when women kill their male partners as a result of Situational

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[374] I assume that human communication is not limited to verbal or even language-based exchanges (that includes sign language and written conversations), but human beings also communicate using their bodies. In some situations, a person can be too emotionally overwhelmed to use words and may, for example, push the partner away (without harmful intentions) to get some space. To classify a non-harmful physical act, a deeper understanding of context is necessary, unfortunately, surveys are not always designed to reflect that.

Couple Violence or as a concluding act of the cycle of intimate terrorism they perpetrated, are rare (Dobash & Dobash 1992, 5; Johnson & Kelly 2008, 484-485).[375]

The fact that women engage in the practice of killing abusive husbands betrays the failure of state institutions to protect women, their children, and potentially other individuals (human and/or animal) women take care of, from systematic intimate partner violence. They have to resort to extreme actions because their suffering is not recognized, and their safety is interpreted as less important than the "sanctity of the family" or privacy. Many of those women are not deemed worthy of support because of their status as poor, disabled or immigrants. In this context, lethal violence becomes the only form of protection against partner violence.

To grasp the significance of violent resistance for this dissertation, it is important to understand how it is culturally interpreted and presented. VR is the type of female-perpetrated IPV that is broadly acknowledged. Particularly VR on the part of female victims sparks the most interest among media and the general public when it leads to murder (Johnson & Kelly 2008, 484-485). It is sensationalised (Dobash & Dobash 1992). Through sensationalization, women's violence resistance is presented as a part of something unusual, an exception, removed from the ordinary lives of women. Often the deed is attributed to psychological problems – a woman who killed her partner sustained as a result of victimisation – the so-called "battered woman syndrome" (Helios & Jedlecka 2016, 129). The employment of the concept of battered woman syndrome enables framing female perpetrated violence as an abnormality or as something that would be beyond or even against women's "natural" character. A woman's response to the situation is medicalised and treated as pathology. This is a denial of her agency and rationality – the rational attempt at escape is treated as a symptom of mental illness – the "battered women syndrome" is alienating for women (Meyersfeld 2016, 108).

Most instances of abused women killing their partners take place during men's violent attacks on women themselves or, in some cases, their children. It is much rarer for desperate women to plot abusive partners' murder and strike when the husband is asleep or unaware (Johnson & Kelly 2008, 485). Yet in the dominant perception and in

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[375] Research conducted in the USA indicates that female-on-male intimate homicide rates drop significantly faster than rates of male-on-female intimate homicide and rates of homicide in general (see Stark 2010, 2005).

media coverage, the issue of female-perpetrated homicide usually involves some sort of deceitful or "sneaky" tactic (ibid.). Undoubtedly this picture is embedded in the culture that sees women as weak, unable to fight their abusers on equal ground. It reinforces the idea that women do not pose a threat to men in direct confrontations and have to restore to less direct means that do not rely on physical force. Women's ability to injure men by their own power remains unacknowledged. In that way, women's and men's bodies are culturally constructed as fundamentally different – women as vulnerable to men, men as nearly invulnerable, or at least not vulnerable to women.

From my observations on the narratives regarding violence, there is yet another aspect to consider: the cultural ideas and understanding of victimhood. The notion that a victim of violence can successfully employ counter-violence and injure or even kill the perpetrator violates cultural ideas about victimhood and subverts binary opposition between victim and perpetrator. The victim's counteroffensive potential is inconvenient for maintaining the status quo. Violent resistance reveals that the victim is not passive or powerless even when she is at a significant disadvantage. The ideas of victimhood and femininity intersect and reinforce one another. Women are placed in the position of the victim, and the victim is perceived as defenceless. Meanwhile, victimhood and masculinity are at odds with one another, and for that reason, male victimisation can be easily denied acknowledgement. On the other hand, it is equally easy to deny victimisation of women who engage in successful violent resistance strategies, because the ideal victim is supposed to be defenceless.

Perception of vulnerability is important. People who are seen as more vulnerable than others, less able to defend themselves and less likely to be protected by others (including protection from formal institutions) are more likely to be targeted and harmed by others.[376] In that way, the perception of lesser vulnerability, no matter how illusory, fulfils a protective function. It is, however, not without a price. If the violence happens to someone, who is not perceived as vulnerable to this kind of violence, others are less willing to acknowledge it. The assumption that men are not vulnerable to

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[376] Examples would include disabled people being deliberately targeted by criminals because they have fewer chances of physically defending themselves. At the same time, criminals are also aware that the police see disabled individuals as less credible witnesses (Balderstone 2013, 26). Furthermore, immigrant women are more likely to be victims of partner violence when the partner is a national of the country they immigrated to (Wemrell et al. 2019, 8; Scheer, Pachankis & Bränström, 2020, 11), and the elderly are targeted for various scams.

women's violence is something abusive women can exploit to use violence with impunity.

Research data indicates that it is not as uncommon as frequently assumed for women to initiate the use of physical force as well as forms of non-physical violence that accompanies it. Such motives like jealousy, and desire to control or punish their partners are frequently reported (Tjaden & Thoennes 2000; Graham-Kevan & Archer 2008; Stark 2010, 204). Interestingly, and perhaps surprisingly, anger is a more common motivator for aggression among women who perpetrate IPV than it is among men (Graham-Kevin & Archer 2003, 1266).[377]

It is important to acknowledge that some women are the primary perpetrators of violence in intimate relationships (Johnson 1995; Belknap & Melton 2005, 6; Johnson & Kelly 2008). hooks notes that women, like men, are socialised to believe that whoever is in authority is entitled to use force to maintain authority, therefore regardless of whether the man or the woman is the one in power, they are likely to use and maintain that power whenever it is contested or threatened (hooks 1984, 118; 2000, 64). Men employing physical force are typically assigned more blame than women in comparable scenarios. [378] In the research conducted in Poland in 2010, one in five claimed that if the wife hits her husband from time to time, it does not yet count as violence (Lelek-Kratiuk 2014, 85). Female-perpetrated IPV is seen as controversial or sensational, or even funny (Helios & Jedlecka 2016, 72; Scarduzio et al. 2017, 2).

For women, engaging in violence and the projection of violent, forceful images can be a way to protect themselves from male violence. Moreover, the cult of female strength realised in violence towards a partner is a way to challenge masculine domination (Helios & Jedlecka 2016, 91). The rising levels of female perpetrated violence, SCV and intimate terrorism alike, may reflect the struggle over the meaning of

[377] The way in which women use violence in the context of relationships does not support the hypothesis of "natural" lesser aggressiveness of women. Ergo, lesser aggressiveness cannot be an explanation for lower levels of violence perpetrated by women against men.

[378] To an extent the gender of the observers plays a role in assigning the blame for violence, particularly women tend to assign more blame to male perpetrators. But it is by far not the only factor in the perception of culpability. Former victims of IPV are more likely to assign more blame to the party that employed physical force, while former perpetrators are more likely to assign less blame for the use of force. Given that women are more likely to be victims of systematic IPV, while men are more likely to be perpetrators, those results are overlapping. Conversely, former victims of child abuse are less likely to blame the perpetrator. Additionally, regardless of the gender of the perpetrator, victim and offender, if the victim confronted the perpetrator earlier, the perpetrator is seen as less blameworthy (Rhatigan et al. 2011).

female identity and women's status in relation to men. Therefore, women may be employing violence more often nowadays than they did in the past because they feel more entitled to it due to (relatively) newly gained rights and control over resources. Women employ violence to create an environment for themselves within the family in which they can enjoy equal autonomy and status as men, including fair division of labour and free time, as well as partners' appreciation and respect (Stark 2010, 208). In other words, more women try to employ violence to end status subordination and achieve parity within the relationship. However, inevitably, rather than challenging deep-seated structures of power female perpetrated IPV recreates them but in reverse. Violence produces a family as a hierarchical institution where one dominates over the other and uses force to exert their will or where the partners fight to establish that domination. Even with a woman at the head, such a family is largely compliant with the logic of patriarchal order (comp. hooks 1984, 119).

Female violence against men is subversive in that it subverts our expectations of who is the perpetrator and who is the victim. However, it is not subversive in that it still cements the hierarchical family structure indispensable to the patriarchal order. Female violence is permissible as long as it is possible to hush it up, ridicule the victim or treat it as a sensational exception. A figure of a ridiculed male victim is useful in invoking the fear of emasculation, which motivates men to maintain the order of institutionalised sexism by any means necessary.

Situational violence between partners, according to the research discussed above equally perpetrated by men and women, in contrast to persistent intimate terrorism. But it does not mean the definition proposed in Chapter II does not apply to this kind of violence. Even in cases where there is no context of abuse in the relationship, there is still a wider societal context to consider. A violent act may be not a part of the ongoing pattern of control within a relationship but still be a part of social practice regulated by the patterns of cultural interpretation. The patterns of cultural value interpretation that organise some cases of IPV do not need to be rooted in gender (or only in gender), especially if the man is a victim and the woman is the perpetrator. Many people are taught violence is a permissible way of solving problems in some situations (Stark 2010, 205; comp. hooks 2000, 64). Therefore, they use it when they see themselves as the ones in a more advantageous position or if they want to contest the advantage the others have over them. Through the practice of situational violence, this pattern is

reproduced. Moreover, situational violence helps to maintain and legitimise the practice of intimate terrorism by contributing to the perception of violence as part of normal couples' life.

Typically, abused men seeking out help report controlling behaviour from their partners. Women employ similar controlling tactics in conjunction with physical violence men do, e.g. humiliation, manipulation, isolation, limiting social activity, and personal freedom, threatening children or otherwise turning children against the partner, and threatening false allegations (Stark 2010; Tanha et al. 2010, 1851; Hine et al. 2022, NP5596). A woman can use her more advantageous position along other axes of domination and subordination to gain more power over her partner. She can use class and the access to resources it gives (economic resources, but also factors such as better education), race, being a citizen of the country the couple resides in, while the partner is an immigrant, or whatever other circumstances that put her partner in a precarious position such as partner's disability. Treating men as a homogenous group, equal in status, vulnerability, opportunity, and the ability for assistance, is an example of misrecognition (comp. Chapter II, section 2.3.2.3.). Framing the problem of IPV as binary, where men hold all the power and exert it as violence, obscures who has access to power, and how and when they wield it (Cannon et al. 2015, 671-672).

Male victims fear disclosing violence will cause their partner to retaliate with further attacks. Other common worries abused men associate with the disclosure are loss of housing, financial trouble or the loss of the custody of the children (Huntley et al. 2019, 7). The difference in controlling tactics used by male and female perpetrators of IPV is that women employ "use of the system" rather than "assertion of male privilege" (Johnson & Kelly 2008, 482).[379] Men, especially the ones who seem big and powerful, are afraid of disclosing IPV because they assume others, including formal support system, would not believe them, or worse yet, will accuse them of perpetration (Huntley et al. 2019, 7-8). Female perpetrators exploit gender stereotypes to their advantage. Due to culturally embedded ideas about male strength and the stereotype of IPV victims, men are often unable to recognise their victimisation or are at least too ashamed to admit it, hence they do not seek help (Wemrell et al. 2019, 15; Hine et al. 2022, NP5598). Internalised perception of masculinity contributes to the fear of disclosure (Huntley et al. 2019, 7). When men do disclose their victimisation, they are

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[379] Comp. Power Control Wheel (Pence & Paymar 1993, 3).

met with disbelief, ridicule and hostility from their social circle and formal institutions alike, funded on the same gender ideals, societal perception of masculinity and victim stereotypes (Huntley et al. 2019, 7; Hine et al. 2022, NP5598, NP5607).

Men experiencing IPV can expect little assistance from informal support systems due to the aforementioned gender stereotypes. Families of abused men can help them realise and acknowledge their own victimisation and seek help, but in practice, that rarely happens as the family members are often unaware of how to recognise abuse and they are unwilling to get involved (Hine et al. 2022 NP5609). Nonetheless, men generally perceive family and friends as a positive influence in dealing with violence, helpful in coming to terms with victimisation and as the source of ongoing support (Huntley et al. 2019, 9). Institutional indifference and neglect towards male victimisation help to maintain the pattern of interpretation according to which women are nonviolent.

There is little data on abused men employing violent resistance towards their female abusers, and it appears to be a rather rare phenomenon (Johnson & Kelly 2008, 484). The fact that men have means to defend themselves from partner violence more effectively (comp. Dobash et al. 1992) does not yet imply that they are willing or able to employ physical force. However, men use physical force to defend themselves at similar rates as women (Graham-Kevin & Archer 2003, 1263; Hines & Douglas 2010). The cultural assumption that the man must be the perpetrator because women are non-violent makes it more difficult for men to use violent resistance. A man who retaliates against his partner's violence would be automatically seen as the perpetrator. Female perpetrators can exploit that notion to avoid the consequences of their actions.

The particular form of IPV, which is sexual violence perpetrated by women against men, is often overlooked. The perpetration rates of sexual violence among women are difficult to estimate as different studies show different results, partially because other behaviours were included in the surveys (Williams et al. 2008). The rates of sexual victimisation of men are obscured by the language and definitions employed in the surveys and the data gathered by state institutions (Sample et al. 2016, 305; Walfield 2021, 6392-6393). According to the notions of femininity, women are sexually passive and nonviolent, however in reality, sexual assaults on men, particularly on heterosexual men, are usually committed by female perpetrators, typically by someone the victim knows, for example, in the context of dating (Davies 2002, 206; Sample et al.

2016, 305). Rape myths dictate that a man cannot get raped and that if a woman raped a man, he would not be particularly upset by that fact[380] (Davies 2002, 206; Sample et al. 2016, 304,;Javid 2018, 412-415; Walfield 2021, 6395). The identity of a victim of sexual violence is at odds with male identity, to be acknowledged as the first one is not legible as the other (Walfield 2021, 6394). Male emotions are neglected in favour of the belief that women cannot actually hurt men. The man is framed as being in control even in that situation.

Meanwhile, depicted as innocent, passive and harmless, women are denied recognition of agency (Sample et al. 2016, 304).[381] Erasure of sexual violence against men helps to maintain gender stereotypes that frame women as weak, docile, submissive and helpless. The notion that "women can be sexually manipulative, dominant, and even violent" challenges those stereotypes (Sample et al. 2016, 303). In particular, the higher levels of endorsement of the male rape myth, especially in cases, in which the perpetrator is a woman, had been observed among men and among people who more strongly adhere to "traditional" gender beliefs (Walfield 2021, 6396).

Monika Płatek[382] observes that rape allegations are too often automatically rejected, because of violation of structural power hierarchy (a child claiming to be raped by their father, a wife by her husband, a young boy by a priest, or a woman by a man). An allegation made in this way shatters the accepted order of the 'world' and the perception of appropriate relations between people. To believe the allegations, or even to give them a fair chance to be heard, is to contest and question the tacit order of subordination. It goes against socially ingrained instincts to acknowledge the voice of those whose duty it is to keep silent, listen and obey (Płatek 2018, 294). For that reason, it is relatively easier to acknowledge rape by a stranger than by a woman's husband. But how much more difficult is it to believe rape allegations when this situation is completely reversed and the man, the one who "should" be in control, is the one who is

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[380] The set of male rape myths include: (a) men cannot be raped; (b) "real" men can defend themselves against rape; (c) only gay men are victims and/or perpetrators of rape; (d) men are not affected by rape (or not as much as women); (e) a woman cannot sexually assault a man; (f) male rape only happens in prisons; (g) sexual assault by someone of the same sex causes homosexuality; (h) homosexual and bisexual individuals deserve to be sexually assaulted because they are immoral and deviant; and (i) if a victim physically responds to an assault he must have wanted it" (Turchik & Edward's 2012, 211-212).

[382] Monika Płatek is a Polish feminist and legal scholar. The author of multiple papers including *Rzecz o bezpieczeństwie kobiet w prawie karnym (The matter of women's safety in criminal law* 2007), *On the margin of Life: Women's Imprisonment in Poland, w: Harsh Punishment. International Experiences of Women's Imprisonment* (2000), *Zgwałcenie. Gdy termin nabiera nowej treści. Pozorny brak zmian i jego skutki,* (*Rape. When a term acquires new meaning. Apparent lack of change and its consequences* 2018).

raped by a woman who "should" be the one submitting? Hence such violence cannot be acknowledged and has to be erased even at the cost of individual male victims, whose suffering cannot be acknowledged and whose harm cannot be redressed.

Many feminists see female violence as too much of a taboo to address. They believe that female-perpetrated violence, at least in the form of physical force, is very rare, only appears as a reaction to pre-existing male violence and that it is always justified (Rhatigan et al. 2011, 876; Helios & Jedlecka 2016, 90). Granted, there is a legitimate fear that admission of the existence of violence perpetrated by women, and particularly the "gender symmetry thesis", can be used as political ammunition against women and the women's movement, and in turn, against female victims of IPV (comp. Stark 2010, 204). Such gender-blind claims are funded on the assumption that if women perpetrate violence against men, they do not deserve special provision for systemic assistance, disregarding both the reality of women's experiences with violence and the broader socio-cultural and economic conditions of institutionalised sexism. However, avoiding the topic of female violence is not an appropriate answer (comp. Scarduzio et al. 2016, 2). It reinforces the false and disempowering image of women as defenceless victims and maintains the divide between women always understood as potential victims and men as potential perpetrators. Ultimately, denying female violence is one of the factors blocking the rise of solidarity between genders, when the solidarity between genders is indispensable for deinstitutionalising patriarchy (comp. hooks 1984; 2000). Finally, if women are presumed harmless and non-violent as a sort of natural predisposition, then their non-violence also cannot be seen as a choice. If we do not acknowledge women's ability to harm others, we take for granted certain behaviours and attitudes, and we cannot fully appreciate when women choose to be fair and peaceful instead.

To understand the significance of the refusal to acknowledge male victims of women's violence, I will build on Butler's notion of grievable life (Butler 2004a, Butler 2004 b). For life to be seen as worthy of protection from death and injury, it must be grasped as grievable – worthy of acknowledgement through mourning and not only in a personal, intimate manner but in public or a community as well. It is a prerequisite for protecting bodily vulnerability.[383] Not all lives are grasped as worthy of mourning. For

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[383] Butler notes that vulnerability is not equally distributed among the population. Some people are more vulnerable than others depending on where they live around the globe, and which social group they

that, lives need to be apprehended as human – a person, legible as a human experience, and a life worth living. Butler notes that the intelligibility of a person depends on whether that person is a particular gender, a man or a woman, which adheres to "recognisable standards of gender intelligibility" (Butler 1990, 16). Additionally, to be apprehended as fully human, one must be seen as a "real man" or a "real woman", and for that, one must appropriately perform their assigned gender,[384] that is a socially and culturally understandable way of what it means to be a man or to be a woman. If one is not seen as fully a man or fully a woman, a "real man" or a "real woman," one cannot be seen as normatively human.[385] Violence done to the one who is not a "real man" cannot be real violence. Male victims of female IPV are ungrieveable because by "letting" themselves be victimised, they fail to perform their gender "correctly." If they "let" themselves be subjected to violence by women, and moreover by women in their own homes, they are going to be ridiculed and proclaimed "not men enough" (comp. Helios & Jedlecka 2017, 72; Wemrell et al. 2019, 15). Men who embody qualities culturally interpreted as feminine are stigmatized and devalued (Cannon et al. 2015, 678). By being subjected to female violence, men undergo forced emasculation and therefore are made to cross a gender boundary. In that cultural logic, a man who is a victim of violence performed by another man does not cross gender boundaries,[386] he is worthy of protection, and his life and injury are worthy of grieving. But a man subjected to violence by a woman is no longer worthy of protection, perceived as weak, and seen as a lost cause, his death and injury are not worthy of recognition.[387]

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belong to. Vulnerability is more broadly conceived than just vulnerability to violence. It is also about the human need for food, shelter, medicine etc. (Butler 2004a & b). A vulnerability approach is developed within social sciences to answer the questions about ways in which societal institutions produce and maintain unequal vulnerabilities for particularly embodied and socially embedded individuals and how state institutions can be designed and improved to act as countermeasures (Fineman, 2008; Bjørnholt 2019).

[384] There is some paradigmatic manhood, as there is paradigmatic womanhood, people who do not fit into those gender paradigms are only granted womanhood or manhood conditionally at best if they are not outright denied (comp. Bettcher 2013).

[385] Only certain experiences and certain kinds of embodiments fit the normative notion of the human. For example, the experiences of predominantly Muslim Arabs aren't seen as fully human by Westerners, while bodies of intersexed people must be "corrected" to fit the cultural ideas of male and female embodiment to fit that notion fully. Those lives are not considered fully real and are dehumanized as such (Butler 2004b, 32-33).

[386] Of course, violence needs to happen in an "appropriate" setting, like a war, a robbery, a terrorist attack, or a fight, not men in an intimate relationship with other men. A man in an intimate relationship with another man violates a different gender standard – heterosexuality.

[387] In this paragraph, I draw an implicit parallel between male victims of IPV and queer people. Both groups have in common that they do not expectedly fulfil gender roles and are devalued for that breach of norm. Sometimes even the existence of either group is denied or tacitly erased to maintain the perception that gender roles cannot be crossed. Obviously, being a man in a heterosexual relationship and being

Butler also notes the emancipatory potential in mourning.[388] Successful grieving means accepting the change. Grieving, the mourning practice, can facilitate transformation (Butler 2004b, 20-21). Properly mourning male victims of women's violence will hopefully transform oppressive gender norms. Grieving means recognizing and drawing attention to vulnerability, which we all share and can be a basis for solidarity and shared politics (Butler 2004a, 23; 2004b, 30). However, men do not necessarily want to recognize that they are vulnerable to women in their lives. It requires the acknowledgement of being given to the power of another, not being in total control over oneself (Butler 2004a, 24). That does not fit men's assigned gender role and perception of self that had been shaped in personal relation with gender norms.[389]

To maintain the construction of masculinity and femininity, the existence and the extent of women's violence against men must be denied. However, denying that violence takes place does not help deinstitutionalize violence. On the contrary, invisibility is one of the conditions under which violence can be institutionalized (comp. Galtung 1990, 292-993; Ch I section 2.3.). A practice can persist when it is not acknowledged because there is little possibility of doing anything to counter it. The pattern of behaviour can freely be perpetrated and spread through practice.

On the level of individual couples' the dynamics of IPV are not that different regardless if the main perpetrator is a man or a woman (comp. Graham-Kevin & Archer 2003, 1263). IPV is about establishing and maintaining or, in some cases contesting control, power, and ultimately status within a relationship, regardless if it is primarily perpetrated by men or women. Differences between men's and women's employment of violence become more apparent when the large scale in overall social tendencies is scrutinised. It is not only in the rates of dynamics of violence employed by men and

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subjected to violence by one's partner is not the same as being queer. Queer identity affects a much broader range of social experiences than being a male victim of female violence, and the lives and bodies of queer people are devalued in a much broader swatch of social contexts than the lives and bodies of male victims of female violence. The comparison is not without a basis: abusive women do use sexist and homophobic language to demean their partners for the failure to match gender norms (Wemrell et al. 2019, 15). I would propose that the state of being considered a grievable life by others is fluid and transitional rather than some rigid, immutable reality. However, for some identities, not being considered worth grieving is a much more enduring situation than for others.

[388] Something like that can now be observed in the USA with the "Black Lives Matter" movement. The activists humanized and demanded the mourning of victims of police murder. While publicly grieving those lost lives is an end in itself, it is also a political strategy to bring forth transformation.

[389] Bourdieu writes "Male privilege is also a trap, and it has its negative side in the permanent tension and contention, sometimes verging on the absurd, imposed on every man by the duty to assert his manliness in all circumstances" (Bourdieu 1998/2002, 50).

women described above. The social location of men and women provides them with different available tactics and strategies (Cannon et al. 2015, 673). The reason for the differences in the IPV dynamics employed by men and women lies in the institutionalized gender roles, disparities of status and power between men and women:

> men's greater capacity than women to deploy coercive control [is linked] to their ability to exploit persistent gender inequalities; identified women's enactment of stereotypic gender roles as the principal target of control tactics, particularity their roles as housekeepers, wives and mothers; and depicted coercive control as a "liberty" crime that caused a range of harms to women's autonomy, dignity, personhood, and capacity to fulfil their responsibilities as citizens as well as to their physical security. Because the domestic roles targeted in this form of abuse are already devalued by their default consignment to women, the micro-management of daily activities that often accompanied coercive control was typically "invisible in plain sight" (Stark 2010, 207).

When a woman uses violence against her partner, she can contest his dominant position within a relationship or even put herself in a more advantageous position in the limited horizon of that relationship. However, as long as women are the subordinated group within society, the practice of IPV that reinforces the hierarchical structure of the family helps maintain women's disadvantaged position. In other words, because women enjoy a lesser status in society than men, IPV's collective effects further support that status disparity.

The influence of male-perpetrated IPV on women is culturally boosted by emphasising male violence and aggression and overemphasising female vulnerability. Because female-perpetrated IPV against men is deemphasised and denied, it does not have the same influence on men as a group. At the same time, denial of female-perpetrated IPV puts men in more danger of their partner violence and revictimization.

Deconstruction of the binary that pins men as perpetrators and women as victims makes it possible to better grasp women's experiences with violence, both as the ones doing it and those subjected to it (Cannon et al. 2015, 672). Victimisation is too often taken as an essence of femininity or as the essence of the social experience of women (comp. McNay 2014, 107). The idea that victimisation is intrinsically linked to femininity obscures violence perpetrated by women. Meanwhile, if we take a closer look at the issue, we will find out the complexity of how women employ violence in intimate relationships. In many cases, women resort to violence because informal support and formal institutions fail to protect them. However, the use of violence is often more ambiguous in character: by using violence, women contest their place within

the status hierarchy inside the intimate relationship with a man and outside its bounds. Finally, while seemingly the percentage of women employing violence to terrorise and control their partners is relatively small, there are still numerous instances of women doing exactly that. Oftentimes women's behaviour is effectively perpetuating family in general, and the sexually intimate dyad in particular, as an institution organised by violence.

While being cast as eternal victims of male violence by cultural narrative helps abusive women hide their violence and evade social consequences, the interpretation of femininity and womanhood as related to victimhood is very detrimental to women. The victim is negatively evaluated through cultural associations as passive, pitiful, submissive, defenceless, helpless, and powerless. Because women are culturally understood as victims, those associations carry over to the interpretation of gender. Even if violence is explicitly condemned, the perpetrator is implicitly seen as agentic, dominant, capable in some way, and possessing some power. Those qualities are in line with what is culturally understood as masculine. Maybe "he" can be characterised as cruel, vicious or unreasonable, but often excuses are found to justify or romanticise his violence. By emphasizing male violence and the denial of female violence, men and women are culturally produced as bodies of a different kind. That goes beyond assigning men and women some psychological qualities. It produces the female body, vulnerable and injurable, even in the place that is understood as the safest – home, and the male body, secure, at least at home, protected from the female body by the quality of maleness itself.[390] A body that, if it wishes, may act on the female body through violence and control it. Assigning different abilities to the bodies in itself produces a certain kind of bodily materiality. A victim is an object acted upon by the subject – the perpetrator. Decoupling victimisation from femininity may help detach victimisation from the negative cultural associations. Deinstitutionalising the pattern of cultural interpretation of the gender binary that frames women as victims and men as perpetrators are only possible by acknowledging IPV against men perpetrated by women.

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[390] Compare culturally reinforced discourse on aggression with two different, seemingly complementary roles: "What emerges from these two different responses to violence are seemingly complementary roles. The man (in accordance with the masculine subject position of the dominant discourse) is confident of personal safety and the ability to protect himself and women from physical harm, a role that coexists comfortably with the female position (consistent with her subjectivity of femininity within the dominant discourse) of vulnerability and dependence on the man for protection" (Lloyd & Emery 2000, 36).

The feminist movement started the process of deinstitutionalisation of IPVAW. Despite decades of efforts, this process is far from being finished, if it ever happens. However, the process of deinstitutionalising IPV against men had barely begun. IPVAW and IPV by women against men are institutionalised in different ways in accordance with the different patterns of cultural value interpretations of femininity and masculinity. One pattern of interpretation institutionalised through typified behaviour in informal interactions, by the responses of formal institutions, depictions in media, and, in many cases, through the letter of laws and policies, is the assumption that women are non-violent. This pattern is responsible for the revictimization of men subjected to IPV and, therefore, also for the tacit institutionalisation of female-perpetrated IPV.

IPVAW perpetrated by men and IPV perpetrated by women do not yet exhaust the topic of IPV in women's experiences. To understand the full breadth of women's experiences with IPV, addressing women's experiences within queer relationships is necessary.

4.3. IPV in experiences of queer women

There is an abundance of LGBT+-related terms used in the community and the research. Queer[391] is a prominent term in scholarship, particularly in philosophy. It is an umbrella term, and it is purposely without a fixed definition. The concept of queer aims to decentre and deinstitutionalise any sort of heterosexist and cissexist norm.[392] As a moniker, queer is used by some but not all Sexual and Gender Minority persons (Renn 2010, 132). The term Sexual and Gender Minority (SGM) is a term sometimes used in scholarship to denote a person whose gender and/or sexual identity, sexual attraction, or behaviour, gender or sexual expression does not align with hegemonic gender norms or with heterosexuality. Moreover, a minority status indicates a statistical minority as well as limited access to resources and power as a result of this status (Reczek 2020). Meanwhile, LGBT+ and its variants have clear connotations with a community and

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[391] Queer theory denotes the set of theories that "critically analyzes the meaning of identity, focusing on intersections of identities and resisting oppressive social constructions of sexual orientation and gender" (Abes & Kasch, 2007, 620).

[392] Compare transformative strategies discussed in Chapter. II section 2.1. of this dissertation (see also Fraser 1995; Fraser 1996a; Fraser & Honneth 2003; Chapter II section 2.1.).

political agendas.[393] There is an overlap between the terms queer, SGM and LGBT+. Still, each of those terms emphasises different aspects of identities and experiences of a certain group of people. This group does not have clear boundaries dictating who is inside and who is outside it.

However, it is impossible to fully present experiences from across the board of queer identities in this short section. Therefore, I will concentrate on the dyadic relationship between queer women. I need to emphasise that in the context of IPV, there are notable differences between lesbian and bisexual women's experiences.[394] "Lesbian" and "bisexual" are not the only nonheterosexual identities significant in this context, however, for the sake of this work, I will concentrate on those two groups.[395] Another notable influence of inter-relationship violence dynamics is the transgender or cisgender status of the women involved.[396]

4.3.1. Explaining Heteronormativity

The term heterosexism denotes institutionalised beliefs that take heterosexual relationships as only proper or meaningful ones and non-heterosexual ones as deviant. Thus, heterosexism discredits and devalues sexual minorities. Notably, heterosexism is embedded in formal support systems, with institutions that, in their formal rules and conduct, assume a heterosexual model of relationships, provide limited or no assistance to sexual minorities and condone homophobic and queerphobic attitudes from providers (Hardesty et al. 2009, 29; comp. Fraser; comp. Butler). The term 'heteronormativity'

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[393] Compare affirmative strategies discussed in Ch. II section 2.1. of this dissertation (see also Fraser 1995; Fraser 1996a; Fraser & Honneth 2003; Chapter II section 2.1.).

[394] Bisexual women experience biphobia both inside and outside the LGBT+ community (Calton et al. 2015, 591). As they experience more negative attitudes than their lesbian counterparts and additionally those attitudes are prevalent within the community that is supposed to provide support for them, they are also more likely to internalise biphobic biases than lesbian women are to internalise homophobia. Internalised bias makes it less likely for individuals to disclose both their queer identity and violence. That means bisexual women may be less likely to seek help (Edwards et al. 2015, 114).

[395] Obviously, an important group omitted here are asexual women, but when they are not outright neglected in the research of IPV, they only appear as a very small portion of study samples. Therefore, I feel it is important to acknowledge the choice to omit asexual women and their experiences of IPV to draw the reader's attention to this issue, so it is not completely overlooked. Additionally, there may be a notable difference between the experiences of trans women and people that fall under the umbrella term of non-binary. However, the IPV experienced by non-binary individuals only gained researchers' interest very recently, so the pool of knowledge to draw from is rather limited. A similar problem arises in the research on IPV experienced by other non-normative women including intersexual women and women in polyamorous relationships. Hopefully, this problem can be more adequately addressed in future research.

[396] Transgender individuals experience more negative attitudes and more violence and harassment overall than cisgender LGB individuals (Calton et al. 2015, 591).

essentially refers to "the assumption that all individuals are heterosexual and in opposite-sex relationships" (Durfee 2017, 123). Heteronormativity, as a concept, stems from the queer theory and should be distinguished from homophobia – hostility or disregard towards "homosexuals"[397] (Chambers 2007, 657, 664-665). Heteronormativity is essential for the production of male and female as male and female are thought to desire one another.[398] Male desire female, female desire male. Therefore, the constitutive features of male and female are that female is the one who desires male, and male is the one who desires female. Heteronormativity requires equating sex with gender and the continued production of male and female (comp. Butler 1990; Chambers 2007). The bans on same-gender marriage serve to maintain a sharp binary divide between men and women (Nussbaum 1999, 2003). Historically, the women who were attracted to other women were perceived as individuals, whose gender was "inverted." They were believed to have masculine qualities and behaviours and they were thought to want to be men (Girshick 2008). Institutions are tailored to respond to people who fit that model, and they neglect those who do not; hence, they reproduce a heteronormative frame (Fraser & Honneth 2003, 18). The notion of gender produced through a heteronormative matrix supports the masculine hegemony. Violence within intimate relationships between two women often follows heteronormative scripts like the "provider is entitled to control in the relationship," the idea that the masculine partner should be aggressive and in control. In contrast, the feminine partner should be submissive, even when the partners are both the same gender. Moreover, sometimes violence occurs because one of the partners does not meet heteronormative expectations of her role in the relationship (Sanger & Lynch 2018).

Ultimately, heteronormativity is more than just a pervasive assumption of heterosexuality. It's a whole package of ideas about gender and intimate relationships. That package may be fuzzy around the edges and the exact content of the package may

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[397] It is important to note that the broadly conceived violence towards all variants of queer people, not just gay men and lesbians, stems from homophobia. People who employ this kind of violence hardly care about distinctions between different queer identities. Moreover, cis heterosexual men and women, who by no means try to subvert gender expectations, can be subjected to homophobic violence simply because they are mistaken for queer.

[398] I will not get here into the nuances of the difference between the practices of sexing and gendering as it is not strictly relevant to my dissertation. What is important, gendered bodies are also sexed bodies, as sex and gender are produced in conjunction. The problem of sexing and gendering has been addressed by multiple authors from feminism and queer studies (for example, Rubin 1975; Butler 1990; Moi 1999; Chambers 2007; Bettcher 2009).

vary depending on time and place.[399] Expectations of gender roles tacitly seeped with the hierarchical understanding of relations between these roles. Even though the idea of hierarchy between genders or roles and functions associated with genders is losing social legitimacy it is still prevalent. Heteronormativity comes in a package with rigid gender norms that need to be enforced with various kinds of structural and interpersonal violence. I need to underline the fact, that heteronormativity does not only negatively affect people who do not match heteronormative ideas of gender identity, gender expression and intimate relationships, but heterosexual, cis sexual people as well.[400] As I understand it both queer people and heterosexual people would benefit from deinstitutionalising heteronormativity.[401]

Heteronormativity tacitly presupposes cisnormativity and a sharp divide between who counts as a man and as a woman. Maintaining heteronormativity requires maintaining cisnormativity as well. Acknowledgement of transgender people, other gender rebels as well as intersex people does not only subverts cisnormativity but has an inherent potential of destabilising heteronormativity. Cisnormativity as an analogue to heteronormativity is a pervasive assumption that all people are cissexual[402] i.e. that children assigned male at birth will grow to be boys and later men, while those assigned

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[399] Sometimes, those ideas are inconsistent and conflicting. For instance, taking different genders as different species as in a famous metaphor stating that men originated from Mars, while women come from Venus. What follows is the notion of irreconcilable differences between men and women. And that leads to the idea that friendships between men and women are impossible. What follows is that what joins men and women together are romantic and sexual relations. According to this line of thinking, the relationship between men and women (or at least heterosexual men and women) will inevitably turn romantic and/or sexual at some point. This idea is still fairly widespread, even though friendships between men and women are quite common. On the other hand, the very same people, who do not believe in the possibility of friendship between people of different gender, may believe in romantic ideas of "matching the other half" that spurs them into acting like just being in love with someone gives one knowledge about someone's needs and wants without the need of communication as well as taking one another for granted. At the same time, the heteronormative package may include the idea that the differences between men and women are irreconcilable, except between romantic partners, who, moreover, tacitly understand one another and do not need to communicate. Not meeting those assumptions creates conflict or even a feeling of betrayal. Moreover, because a friendship between men and women may be seen as impossible (because of those irreconcilable differences), then it can be assumed that the woman/man who associates with members of another gender besides the romantic partner must be sexually interested in them, which unsurprisingly spurs feelings of jealously.
[400] In a similar way a privileged male position in the patriarchal status order comes with the price and can even be considered as a trap (comp. Bourdieu 1998/2002, 50).
[401] A non-heteronormative society with a non-heteronormative culture would be a society in which one can freely explore oneself and develop one own concept of gender identity and sexuality without being ridiculed, verbally harassed or physically attacked. That also means unrestricted access to information and language about gender and sexuality (epistemic justice). Moreover, a non-heteronormative society would support various diverse forms of family life, and that does not only mean queer families, but any family, that does not consist of married heterosexual couple with children.
[402] Terms 'cissexual' and 'cisgender' have been coined to denote people, who are not trans, 'cis'- comes from the Latin root meaning "on the same side " (Pyne 2011, 130-131).

female at birth will grow into girls and women (Bauer et al. 2009, 355; comp. Ziemińska 2020). Cissexuality is understood as a human attribute that should be taken for granted, a person is assumed to be cissexual unless there's evidence to the contrary, this assumption is opaque to cis people (Serano 2007, 165). Within the cisnormative framework, cis- and endosexual[403] attributes are taken for granted, and understood as natural and normal, while in contrast transgender and genderqueer bodies are understood as deviant (comp. Ziemińska 2020a & b). This reasoning is supplanted with an underlying assumption that every person can and should be easily recognised either as a man or a woman. Moreover, expectations of cissexuality are augmented by the assumption that the distinction between men and women is passive and natural and can be conducted in an objective manner. It is not so - in fact, gender is actively, subjectively and compulsively recognised based on personal ideas of masculinity and femininity of the observer and just a few visual and a few visual and auditory cues (Serano 2007, 161-163; comp. Ziemińska 2020a & b). Cisnormativity shapes policies and formal institutional practices as well as social activities such as child rearing and teaching (Bauer et al. 2009, 355). Cisnormativity influences research as well as contributes to the informational erasure of trans people[404] as well as intersex people which results in institutional erasure and faulty policies, in other words, it is an issue of epistemic injustice (comp. Fricker 2013; Ziemińska 2020b).

4.3.2. Methodological problems with the study of IPV in queer relationships

The research on IPV in same-sex couples have begun in the second half of the 1980s and the beginning of the '90s (Renzetti 1992; Badenes-Ribera et al. 2016, 284). The percentage of research on IPV in same-sex couples is relatively small, i.e. only about 3% of the studies on IPV conducted from 2000 to 2015 addressed IPV among gender minorities specifically (Edwards et al. 2015, 112). Moreover, research typically uses small samples of LGBT+ IPV victims, so the findings may not apply to the wider

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[403] 'Endosexual' (endo- from Greek ἔνδον, 'éndon' meaning 'inner; internal') is one of the terms denoting those who are not intersexual, i.e. people who match the image sex binary or features that match the sex binary ideas.

[404] "Informational erasure encompasses both a lack of knowledge regarding trans people and trans issues and the assumption that such knowledge does not exist even when it may. It is manifest in research studies, curricula, and textbooks and in the information learned by or readily accessible to health care providers and policy makers." (Bauer et al. 2009, 352). As a result of cisnormativity and informational erasure transgender people often have to rely on cisgender-centric terminology to explain trans issues (Serano 2007, 161).

LGBT+ population (Calton et al. 2015, 589). There is a special problem with assessing data concerning the prevalence of IPV among LGBT+ communities. Victims/survivors may choose not to reveal their status for fear of stigmatisation or outright danger, or members of the community may opt out of participating in the studies altogether (Calton et al. 2015, 589).

Members of sexual and gender minorities experience equal or even higher rates of IPV victimisation compared to heterosexuals, however, comprehensive and comparative data about variance in IPV prevalence around the globe is lacking (Messinger, 2017, DeKeseredy 2019, 320). Estimates based on empirical research indicate that IPV affects between one-quarter to roughly three-quarters of same-gender couples (Badenes-Ribera et al. 2016, 284; comp. Wasarhaley et al. 2015, 638 for lower range figures).[405] Moreover, bisexual women are significantly more likely to report rape, physical violence, and/or stalking by an intimate partner during their lifetimes than either lesbians or straight women, while lesbians are more likely to report those experiences than straight women. Either group of women is more likely to report IPV than gay and bisexual men, while in turn, gay and bisexual men are more likely to report violence than straight men (Walters et al., 2013; Calton et al. 2015, 587; Edwards et al. 2015, 113).[406] Likewise, rates of victimisation by severe physical violence were also higher among sexual minorities than among heterosexual couples, and higher among women than among men, with bisexual women being most likely to experience victimisation (Edwards et al. 2015, 113). Even within the LGBT+ population, trans and genderqueer people find themselves at an increased risk of IPV compared to cisgender people (Calton et al. 2015, 587). For instance, NCAVP study indicates that self-identified transgender survivors of domestic violence were three times more likely to be stalked in comparison to cisgender survivors (NCAVP; Henry et al. 2018/2021). Not only do sexual minority women report greater odds of IPV from previous and current partners alike, but they are also more worried about abuse from a previous and current partner than heterosexual women (Scheer, Pachankis & Bränström, 2020, 11).

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[405] The disparity in IPV prevalence rate may be attributed to the difference in methodologies and definitions employed by the researchers. For example, researchers may ask respondents if they identify as LGBT+ or ask if they ever lived with a same-sex partner and come up with disappeared samples (Calton et al. 2015, 589).

[406] The question of why the use of physical violence appears to be more prevalent in the relationships between two women, than two men is an interesting subject to consider for future research.

Important to note here is that the rates of victimisation are not the same as rates of perpetration.[407] Many studies operate on the erroneous assumption that sexual orientation is permanent and does not change throughout the whole life (Badenes-Ribera et al. 2016, 285; Calton et al. 2015, 589). The fluidity of LGBT+ identities and orientations makes it difficult to accurately gauge the prevalence rates of IPV for any given subset of the queer population, especially for trans and genderqueer communities (Calton et al. 2015, 589). Among the group with the highest victimisation rates – bisexual women – the majority reported they had been subjected to IPV by male perpetrators (Walters et al. 2013; Calton et al. 2015, 597; Edwards et al. 2015, 115). Even among self-identified lesbians, a non-insignificant partition of IPV occurs at the hands of male partners (Calton et al. 2015, 597; Edwards et al. 2015, 115). Most studies concentrate on victimisation and do not always indicate who the perpetrator is, and even self-identified lesbians could have been in relationships with men in the past. The research questionnaire could obscure the fact that the perpetrator was a man (Calton et al. 2015, 589; Edwards et al. 2015, 113-114).

4.3.3. Specificity of queer women's experiences with IPV

Violence in intimate relationships between lesbians or bisexual women includes sexual abuse (Girshick 2002b, 1502). Sexual violence afflicts a significant portion, possibly around half, of abusive relationships between women (Sample et al. 2016, 307). Cisgender sexual minority women are at higher risk of sexual victimisation in the context of IPV than cisgender sexual minority men as well as heterosexual men and women (Scheer et al. 2020, 141). However, trans women report sexual violence at rates three times higher than cis women (NCAVP; Henry et al. 2018/2021). Furthermore, sexual minority youths are at greater risk of sexual IPV than their heterosexual, cisgender counterparts.[408]

Trans women are disproportionately at risk of IPV-related homicide. According to the report prepared by the National Coalition of Anti-Violence Programs (NCAVP), precisely, to a study conducted from 1998 to 2015 in the USA and based on data collected from individuals seeking help from IPV services, 46% of IPV-related

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[407] Compare partner rotation hypothesises discussed above in section 3.1.
[408] as they are at greater risk of physical and psychological IPV as well (Edwards et al. 2015).

homicides committed in the LGBT+ community were trans women, all of whom were trans women of colour (NCAVP; Henry et al. 2018/2021). This exceedingly high rate of IPV homicide considering only a fraction of the LGBT+ community identifies as trans. It should be noted that those results do not necessarily reflect the situation outside of the USA due to different racial dynamics in different regions of the world.[409]

IPV among sexual and gender minorities often follows very similar patterns as IPV among the heterosexual population, with multiple factors overlapping for both populations, such as:

> interpersonal problems, greater conformity to masculine norms, less secure attachments, greater psychological distress, more substance use/abuse/dependency, general aggressiveness, suppression of emotional vulnerability, high need for control, low socioeconomic status, less education, racial minority status, low self-esteem, more stress, HIV status, unprotected sexual intercourse, child abuse, exposure to IPV as a child, disordered personality characteristics, and poor relationship quality (Edwards et al. 2015, 114).

This significant overlap between IPV dynamics observed in heterosexual and queer relationships is not surprising. Violence in a queer couple is not necessarily divorced from the heterosexist framework of understanding intimate relationships. After all, most queer people have been raised in families with heterosexual parents, with images of heterosexual couples in media all around them, with heterosexuality as an axiom in school and religious teaching, and with heterosexual couples as models of relationships in the law and formal institutions. Lori Girshick, a scholar studying violence in the intimate relationship between women, claims:

> In my opinion, because we are all socialized in a societal structure emphasizing a power-over model and because we all know that violence gets results, it is not surprising that when these other factors enter in, some women, like some men, resort to physical and sexual violence (Girshick 2002b, 1514).

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[409] Compare rates of hate crime-related homicide against trans women: "A report by the Gender Public Advocacy Coalition (Wilchins and Taylor 2006) titled *50 under 30* examines the murders of fifty people aged thirty and under who were targeted because of their gender presentation or identity in the previous ten years. The findings are significant: most victims were people of colour (85 percent Black and Latino), most victims were poor (often unemployed and/or homeless), 88 percent of the victims were from the LGBT+ communities (4 percent were heterosexual, and 8 percent of identities were unknown), 92 percent of the victims were biologically male but presenting some degree of femininity, and most cases were ignored by the media even though assailants used extreme violence and the murders typically took place in major cities. Only 46 percent of these cases have been solved (compared with 69 percent of all homicides nationally)" (Girshick 2008, 142). It seems that the intersection of race, poverty and gender is a factor that plays an overwhelming role, at least in the US context.

The actions of people involved in intimate relationships are informed by ever-present social hierarchies, not only the ones stemming from sexism and heterosexism, that encourage getting power over others (comp. hooks 2000 64). hooks underlines that same-gender violence is just one of the expressions of patriarchal violence. Overemphasising male violence towards women does not serve well the feminist agenda. Instead, the political agenda of feminism should include the aim to end all forms of violence, both direct and indirect, regardless of who is the perpetrator and who is the victim, and regardless if it is violence in a formal or informal setting.[410] For that purpose, it is necessary to acknowledge all forms of violence, including that perpetrated by women in their homes (hooks 2000, 62). It requires facing the uncomfortable fact that women may harm other women. As much as queer people in general and queer women, in particular, try to develop new positive and egalitarian ways to interact within intimate relationships, women involved in same-sex relationships are not immune to that ever-present sociocultural influence.

However, some factors directly or indirectly related to SGM status increase the vulnerability of queer people and the risk of IPV on the one hand and, on the other, contribute to the higher rates of perpetration. Examples of indirect factors are increased psychological distress and related substance abuse. The latter is greater among sexual and gender minorities than among their cis and heterosexual counterparts (Edwards et al. 2015, 115; Scheer & Moreish 2021). Rates of perpetration among SGM individuals do not seem to be directly linked to gender identity or sexuality but to stress and by-products of that stress, like increased substance abuse, related to existing in heteronormative and cisnormative society, which is often hostile to non-confirming individuals. This is not the only example of stress related to minority status serving for violence rates (see section 3.3.). On top of stress, people who face violence (not necessarily in its physical form, but as humiliation, verbal violence, or harassment) from the outside of the intimate relationship, in the public world, may re-enact it inside of it. Even if the initial external to the intimate relationship violence was not physical in character, once taken into the context of the intimate relationship, violence may become physical instead.[411]

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[410] This is, of course, a utopian goal, an ideal that can be used for examining political projects and strategies, not a rigid guideline for immediate realisation.

[411] I conceive it as similar to the "cycle of violence" described by hooks as a mechanism noted by black women and men. This cycle starts in the public world, often within the context of employment, where

Among the reasons for the perpetration of IPV between queer partners, usually absent from relationships between cis heterosexual partners, is internalised homophobia, biphobia or transphobia. In such cases, the partner perpetrating violence projects social disregard towards queer identities towards the partner (Calton et al. 2015, 590). It is important to understand that due to the heteronormative understanding of IPV that dictates men do violence against women, the victims of same-gender IPV may be unable to identify partners' behaviour as violence or abuse. Consequently, they may not seek appropriate help (Twinley 2016, 507; Øverlien 2020, 124). [412] Among the LGBT+ community, IPV is often perceived as a problem of heterosexual couples; therefore, abuse is normalised through minimalisation or denial that violence even happens. Many find it difficult to reconcile the fact of partners' own experiences of oppression and their abusive conduct. Moreover, it is difficult for the victim to find validation outside the community as the representatives of the available services lack knowledge about dynamics in same-gender relationships (Edwards et al. 2015, 117).

Additionally, false gendered assumptions about women's non-violent nature and inability to perpetrate sexual violence in particular, mixed with transphobia, transmisogyny and the dominant cultural assumptions about what makes a woman "a real woman", contribute to pinning transgender women as the sole perpetrators of violence in queer women spaces and particularly sexual violence. In this narration, transwomen must be the only perpetrators of violence between women, because they are not real women, they are men (Girshick 2008, 136). Worse, they are accused of deceiving women to get access to women-only spaces (Bettcher 2007, 51). This unfair assumption stems from transphobia within the LGBT+ community and also is employed to justify the exclusion of transwomen.

The ideas of equal power within intimate relationships and sharing responsibilities are strongly supported within the lesbian community (Renzetti 1992, 46). The relationships between two women are often seen as more egalitarian than relationships between a woman and a man (Girshick 2002a, 49). This assumption may

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men, especially poor black men, face humiliation and domination from their higher-ups, and because they must suppress the urge to resist or respond in kind due to social and employment consequences of such actions, so they turn against their partners and their families. Essentially, the use of violence restores the feeling of control over one's own life (hooks 1984, 121-122).

[412] One woman poignantly explained in an interview: "I was a counselor at the domestic violence shelter. . . and I think because there was no male component. . . I think it took me longer to accept what was really going on" (Twinley 2016, 507).

lead to a false perception of IPV in lesbian relationships, namely that violence between two women in an intimate relationship must be mutual. Consequentially, victims' accounts of violence may be rejected (Wasahaley et al. 2015, 638).

Psychologically, the denial of IPV and sexual violence between women may come from a desire to maintain the feeling of security. Understandably, women need safe spaces without a threat of violence. As that threat is commonly identified as male, particularly in the case of sexual violence, a "woman-only" space is understood as safe. The admission of victimisation by other women endangers or destroys that feeling of safety even among the women, whom themselves were not preyed upon by another woman (comp. Girshick 2002b, 1503; Sample et al. 2016, 308-309). Here, psychological motivation is mediated by a gendered cultural pattern of interpretation that codes men as dangerous and women as safe; as a result, violence is obscured. As long as violence is obscured, it can be perpetrated without interference.

The myth of lesbian utopia leads members of the lesbian and bisexual community to largely deny IPV and/or sexual violence is taking place (Girshick 2002b, 1503). In fact, women within lesbian/LGBT+ communities may be pressured to hide their victimisation or not to speak about the victimisation of other community members they know not to disrupt the idealised picture of peaceful, harmonious relationships between women and the vision of just and egalitarian lesbian/LGBT+ communities (Hardesty et al. 2009, 30). Meanwhile, despite the declared commitment to equality within a relationship, a clear power imbalance can be identified in most lesbian couples where IPV occurs. Namely, the abusive partner makes most significant decisions for the couple. Without more in-depth individual inquiries, it may be difficult to tell whether the abuser exploited pre-existing power imbalance to use violence with impunity, possibly to maintain the pre-existing advantage, or if the abuser established control and power advantage through the use of violence – if the power imbalance is a condition, from which violence originates or is it just the outcome (Renzetti 1992, 48).

Victims of IPV in relationships between women have similar reasons and motives as women in heterosexual relationships for staying with their abusers, as discussed above (Edwards et al. 2015, 116; comp. section 3.1.). However, some factors have particularly significant effects on the experiences of queer women, but not on their

cis- and heterosexual counterparts, that give the abusers more leverage for control and keeping the victim in the relationship.[413]

Women in same-gender relationships face a threat to their identity that may prevent them from leaving. This is particularly true for trans and gender non-conforming women (Henry et al. 2018/2021). Additionally, women may be motivated to stay due to a perception of lesbian feminist ideas that likely does not play a part in heterosexual women's experiences (Edwards et al. 2015, 116). Queer people, including queer women, are hesitant to disclose abuse because they highly value their connection to the LGBT+ community, and they are afraid the disclosure may cast the community in a bad light (comp. Henry et al. 2018/2021). The attempts to hide violence among lesbian and bisexual women are motivated by legitimate concerns of "backlash," the fear is that the acknowledgement of violence between women may negatively influence the image of already stigmatised relationships and identities and thus undoing decades of efforts to build acceptance among the general public (Girshick 2002b, 1512).

As discussed in the sections above, isolation is a common tactic of the abusers (comp. Dobash & Dobash 1992; Meyersfeld 2016; Woulfe & Goodman 2021, 4), but the fact that queer individuals often need to maintain secrecy regarding their identities gives the abusers additional leverage to gain control of the victim's contacts with others. It is essential to consider that to hide their identities, queer victims may avoid contact with formal institutions or seek informal support (Scheer et al. 2020, 146).

The particular vulnerability of queer victims of IPV lies in the fact that abusers may be able to limit access to the LGBT+ community – a potential source of support (Henry et al. 2018/2021). The abuser may try to restrict the victim's access to the LGBT+ community or particular groups within the community, e.g. trans woman's contacts with a trans support group (Woulfe & Goodman 2021, 4). Same-gender intimate partners often share the network of interpersonal relationships with one another, often in the form of a "family of choice" or the local LGBT+ community. It is because queer people are often cut off from their birth families and may experience ostracism regarding their sexual orientation,[414] gender identity or gender presentation

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[413] The extent to which risk factors prevalent among the LGBT+ population affected by IPV correlate or influence victimisation or perpetration among queer women is difficult to estimate as the studies often lack cis and heterosexual comparison groups (Edwards et al 2015, 115).

[414] For example, well over half of transgender individuals suffer from some form of family rejection, with around 10 to 15% either being thrown out or running away from, although fortunately, between 60 to

among cis and heterosexual peers. Many are rightly afraid to express their true selves outside the LGBT+ friendly spaces. Therefore, families of choice and the LGBT+-community are pivotal in providing social support to SGM individuals (Woulfe & Goodman 2021, 4). The lack of separate networks of informal, interpersonal support poses a significant problem because the word about the victim seeking help may get back to the abuser via a shared network (Scheer et al. 2020, 148). Additionally, victims, especially survivors of sexual abuse, may be afraid that what happened to them may become public knowledge in the LGBT+ community (Girshick 2002b, 1509).[415]

A common set of tacticity employed by violent partners against queer women in the context of intimate relationships is identity abuse (IA)[416] (Scheer et al. 2020, 142; Woulfe & Goodman 2021, 3). Such tactics include threats of disclosure of stigmatised identity – the so-called outing, discrediting or denying the victim's identity,[417] employing homophobia, transphobia, biphobia or transmisogyny against them, for example, by using slurs or derogatory vocabulary, shaming the victim for their body or gender presentation, insisting that no one else would wish a relationship with the victim for the reason of their non-normative body or non-normative identity (Calton et al. 2015, 587-588; Scheer et al. 2020, 142; Woulfe & Goodman 2021, 4). Members of minorities within the LBGT+ community, bisexual and transgender individuals, are more vulnerable to discrimination based on intracommunity biases like biphobia, transphobia and transmisogyny. Such discrimination has a structural character that can manifest on the interpersonal level or within the loose, informal association but can also extend to a formal organisation that functions within the LGBT+ community, like phone

about 90% of them (depending on the survey) report that at least some supportive family members and strong family bonds (see: Henry et al. 2018/2021)

[415] The population of hetero- and cissexual women is not affected by this issue to the same degree as they are less likely to be estranged from their birth families and face comparatively fewer obstacles to fostering relationships outside the LGBT+ community. However, the shared network problem can and does affect many hetero- and cissexual women, particularly those belonging to other minorities like immigrants or disabled women.

[416] The term 'identity abuse' refers to "abuse tactics within an intimate partnership that leverages systemic oppression such as ableism, sexism, and racism to harm an individual" (Woulfe & Goodman 2021, 2). There is relatively little literature addressing this issue (Calton et al. 2015, 588; Woulfe & Goodman 2021, 2, 4).

[417] In the case of IPV against transgender individuals, such tactics may include the following conducts: undermining the victim's gender expression (for example, by attempts to control their clothing and make-up, withholding the money for medical treatment related to transition, hiding or destroying hormonal medication), intentional misgendering: refusal to use appropriate pronouns or victim's chosen name or chosen terminology for victims experiences and body, questioning or outright refusing to acknowledge victim's identity, violating particular boundaries set by the victim relation to their body, or on the other hand fetishization of body parts (Henry et al. 2018/2021; Woulfe & Goodman 2021, 4). In the case of lesbian and bisexual women, such tactics could include questioning or denying the authenticity of identity or attraction (Woulfe & Goodman 2021, 4).

helplines, mutual help groups, LGBT+ media organisations (comp. Woulfe & Goodman 2021, 13).

Among those tactics, the threat of disclosure is a powerful tool. The possible strain on the interpersonal relationships' non-consensual disclosure has serious consequences, including discriminatory conduct in interactions with formal institutions. Non-consensual disclosure of sexual or gender identity or HIV-positive status resulting from sexual activities with same gender partner may lead to the loss of child custody or co-custody, employment or housing and can put significant strain on relationships with friends and family. Hence, the threat of disclosure is a common tactic among abusers in same-gender relationships (Sokoloff & Dupont 2005, 44; Calton et al. 2015, 588; Woulfe & Goodman 2021, 4).

'Minority stress', which is specific to SGM status, is another factor affecting experiences typical to queer women, in particular, queer young women or even girls.[418] On the one hand queer person's network of informal, supportive, interpersonal relationships is often more restricted than their peers, either as a result of the necessity to maintain secrecy or due to rejection prompted by stigma against SGM (Øverlien 2020, 124). Experiences with homophobia or transphobia may discourage queer women in abusive relationships from looking for help.[419] Queer women, and queer people in general, are more likely to disclose victimisation to informal rather than formal support systems (Edwards et al. 2015, 116). However, due to the predominance of hegemonic cissexist attitudes, queer people have fewer options for seeking informal support (Scheer et al. 2020, 148). Many look for help covertly within the network of interpersonal relations characterised by secrecy (comp. Hardesty et al. 2009, 38). Therefore, help-seeking experiences within informal support systems are wildly mixed (Edwards et al. 2015, 116).

In addition to disclosing the fact of the abuse, queer women seeking help need to disclose their SGM status, and actually, both of those issues can be considered "shameful" or at least painful and difficult to talk about. Many queer people, who are out to family and friends, do not want to disclose the abuse because they feel like a burden on their families for being openly queer already (as SGM status is tied to various

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[418] Of course, cissexual straight women may suffer minority stress unrelated to gender or sexuality, for example, in relation to disability, ethnicity, religion or immigration status.
[419] The additional context of heterosexism, homo-, bi-, and transphobia contributes to the elevated risk of negative psychological outcomes for SGM victims of IPV (Woulfe & Goodman 2021, 2).

negative social consequences) and they believe the knowledge of IPV would put even more strain on the loved ones (Øverlien 2020, 124). Therefore, the so-called 'double disclosure' constitutes an additional barrier to help-seeking for the reasons of being both emotionally taxing ad putting the victim in the face of potential dangers (that have been discussed above). Queer victims of abuse, who show higher levels of internalised anti-SGM stigma, are less likely to report their status and, therefore, less likely to look for assistance in fear of outing (Calton et al. 2015, 591; Edwards et al. 2015, 114; Øverlien 2020, 122; Scheer et al. 2020, 146). On the other hand, qualitative study data suggest "out and proud" queer women are more likely to seek assistance for IPV overtly (Hardesty et al. 2009, 35-36). The ostracism and rejection from family and acquaintants may push them into the arms of an abusive partner (Øverlien 2020, 124).

Heteronormativity plays a significant part in the perception of IPV in same-gender couples. Based on gender stereotypes, female-on-female physical violence is more likely to be seen as non-serious and non-dangerous (Wasahaley et al. 2015, 639). Based on that erroneous assumption, family and friends who learn female-to-female IPV taking place may respond differently, in a less helpful manner, than if the violent perpetrator was male, for example, by postponing intervention or unwittingly reinforcing the idea that "it can't be that bad", by downplaying the severity of the violence during the conversation with the victim (Calton et al. 2015, 590). Moreover, others (outside observers) may not be able to identify ongoings in the abusive relationship as violence, and for that reason, they may fail to alert the victim about violence[420] or deny help to the victim (Øverlien 2020, 124).

The assessment about heterosexual male victims of IPV being ungrievable, discussed in the section above, goes double for queer victims. Within the queer community, the suffering of women subjected to IPV by their partners is not mourned because the myth of lesbian utopia, female non-violence and the desire to construct the LGBT+ community positively in comparison to heteropatriarchal mainstream, which is entangled in relationships of domination that the LGBT+ community is supposed to be free from. Meanwhile, in the larger social scope, queer people permanently occupy the space of unreality, and their relationships are likewise unreal, insignificant and illegible (comp. Butler 2004a, 26-27).

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[420] By that, I mean that it is possible that the victim of abuse does not yet realise the truth about the relationship or is in denial about the violence. Outside observers from the family or friend cycle can assist by helping them recognize that violence is happening.

Victim blaming is another factor that makes it more difficult for women to leave violent relationships with other women. It is more difficult for queer women to establish and maintain legitimacy or respectability as victims than for cisgender, heterosexual women (Renzetti 1992, 98). Lesbian, bisexual and transgender women do not fit the profile of the ideal victim. People do not picture a lesbian or bisexual woman when they think of who can be a victim of IPV (Girshick 2002a, 11). Research shows that lesbian victims of IPV are assigned more blame for IPV than heterosexual victims. Moreover, a woman is more likely to be blamed for violence when she does not fit the gendered stereotype of the victim (Wasahaley et al. 2015, 639). Furthermore, lesbian and bisexual women are afraid to report sexual victimisation by women due to fear of heterosexist attitudes. If an act is stigmatised, the victim can be socially punished even if her participation was not consensual (Sample et al. 2016, 308).

I believe the LGBT+ community should be considered a nexus of largely informal institutions. In addition to that LGBT+ community can be grasped along the lines of subaltern counter publics, which enables the members of a subordinated social group, in this case, queer people to create spaces by organising associational activities for the members of those groups to discuss issues and make strategic decisions among themselves (comp. Fraser 1990a). Thus the LGBT+ community does not only provide support with various personal matters, enables them to share the knowledge necessary to develop a sense of positive self-identity, but also performs an important function in gathering political power needed for pushing towards wider scale formal and informal solutions aimed at improving queer people's situation.

However, the LGBT+ community is embedded in the larger society and thus infused with sexism, heteronormativity, and other unfair hierarchies. In many instances, practices of LGBT+ institutionalise unfair patterns of cultural value interpretation despite professing egalitarian and emancipatory ideals. Sometimes the conduct supporting violence is directed against a particular subset of members like bisexual and transgender women. In other instances, the myth of female non-violence and inherently egalitarian relationships between women helps to obscure the reality of IPV. That results in denying help to the victims and perpetuating the pattern that dictates intimate relationships and families to be organised hierarchically, which permits the use of physical force and other forms of abuse to maintain that hierarchy. I underline that contradicting patterns can be institutionalised at the same time. The LGBT+ community

can and often is a powerful vehicle for deinstitutionalising violence. Both the informal groups of friends and the more formal associations and organisations operating within the LGBT+ community assist the victims of IPV, which is often denied by mainstream formal institutions. However, to effectively deinstitutionalise IPV, the LGBT+ community needs self-awareness and the ability to realise its ideals in practice consistently.

An additional aspect to consider is that multiple factors related to a queer status tie into the economic situation. Queer people are more vulnerable to employment discrimination, while LGBT+ families are less likely to receive social support. Furthermore, queer people are at an elevated risk of homelessness due to violence and conflict in family homes related to coming out (Albelda et al. 2009, 1; comp. Klaus & Woźniakowska-Fajst 2012, 74). The stereotype of lesbians as well-off, educated women is so prevalent that poverty among lesbians is practically erased from public consciousness, which makes it very difficult to articulate and find acknowledgement for economic deprivation among lesbians (Majewska 2012, 148). Like in heterosexual couples, in the case of IPV in relationships between women, the abusers exploit economic deprivation and dependency to keep the victim in the relationship and the status as a provider as a justification for abusive control (Sanger & Lynch 2018, 210).[421] Violence has severe financial costs. As a result, IPV in the relationships between two women contributes to maintaining poverty among queer women.

4.4. Conclusion

Exploring violence perpetrated by women towards their male intimate partners and violence in queer relationships between women shows that IPV is not a problem of people of any particular gender or sexuality. Gender and sexuality do not directly influence violence, but certain patterns of cultural interpretation of gender and sexuality

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[421] It should be noted that while economic dependency makes the victim more vulnerable to abuse, the increase of the degree to which the victim financially depends on the abuser may decrease the frequency and severity of particular forms of abuse (Renzetti 1992, 51). I think this situation is perhaps less paradoxical situation that may seem on the first glance – as victims dependency grows the abuser feels more affirmed in her status within the relationship and does no longer see the need to employ particular forms of violence to control the victim, who she perceives as already in her control. On the other hand, the woman who earns more than her partner is likewise less likely to be subjected to abuse or the severity and frequency of particular forms of abuse decrease with her earnings rising (Renzetti 1992, 51). In this case, the abuser or potential abuser does not have the financial advantage to use against her partner.

do. Those patterns are embedded in patriarchal and heteronormative nexus of meaning, in which relationships are unequal, while identities and specific interpretations of those identities connected to positions of domination and subordination, are rigid and need to be enforced because of that connection. Regardless of the social identities of victims and perpetrators, violence perpetration is enabled by typified patterns of interactions in informal and formal settings. Some identities simply put victims in more vulnerable positions, while giving the perpetrators advantages.

The patterns of cultural value interpretation are heterogenous (comp. Fraser & Honneth 2003). This fact can be observed in the discrepancy between ideas of equality strongly endorsed by the LGBT+ community and violence perpetration in queer relationships and rising violence perpetrated against their male partners by women, who may nominally accept the idea of equality between men and women. The often overlooked problem for violence prevention is addressing and remedying this discrepancy.

Not denying the severity of IPVAW perpetrated by men, it is important that women are acknowledged as fully capable of using violence and coercive control. Women, like men, must unlearn the patterns that dictate it is acceptable to maintain power and status through violence (hooks 1984, 119). Furthermore, women's violence against men and men's victimization need to be recognized by policy and formal institutional practice. However, it is also important for the policies and institutional response to be gender sensitive. Gender-blind policies applied as a countermeasure to a social practice that is not gender symmetrical would only put women at a further disadvantage.

IPV in queer couples, between two women, happens in the broader social and institutional context of heteronormativity and homophobia. The response from informal groups and formal institutions towards queer victims of IPV is often negligent and even hostile and shaped by heteronormative, sexist and homophobic patterns of interpretation. Moreover, the negative response is often present even when there are otherwise outward declarations of acceptance of queer people as the heteronormative, sexist and homophobic internalised biases are rooted deeply enough to escape the attention of individuals interacting with queer women both in formal and informal settings. In those conditions, queer women have limited ability to receive assistance and limited power to contest the practice of IPV and work towards deinstitutionalising the

patterns of cultural value interpretation that organise this practice. Thus, there exists ample space within intimate relationships between women where IPV can be employed and reinforced, institutionalising the hierarchical structure of intimate relationships and family, where the hierarchy can be maintained by unjust control and the use of force. The structure is indispensable for maintaining patriarchal order.

The practice of IPV between two women introduces hierarchy into the relationships where it theoretically "should not" exist, replicating structure and power imbalance from heteronormative relationships into queer ones. This practice continues despite the articulated beliefs and declared values of the LGBT+ community. The patterns responsible for IPV within the LGBT+ community are reproduced through conduct in everyday interactions of community members and the contacts of community members with institutions of the wider society, including formal state institutions.

The hierarchical construction of intimate relationships and the family always put in the more disadvantaged position the members of the group that already occupies a disadvantaged position in the status order. The consequence of IPV, even IPV between two women and IPV perpetrated by a woman against a man,[422] is that the subjugated position of women as a group is maintained. Furthermore, IPV in queer relationships helps to maintain the disadvantaged positions of minorities within minority, like bisexual and transgender people.[423]

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[422] When a woman uses violence against her partner, she can contest his dominant position within a relationship or even put herself in a more advantageous position in the limited horizon of that relationship. However, as long as women are the subjugated group within society, the practice of IPV that reinforces the hierarchical structure of the family helps maintain women's disadvantaged position.

[423] Regardless if violence happens within heterosexual or queer relationships IPV has its role in maintain other axes of subordination contributing to the disadvantages of the disabled, the poor, ethnic/racial minorities and the immigrants.

Chapter V Formal institutions' response to IPV

5.1. Introduction

Society moved on from when a woman was understood as men's property, his ward. Times when men were entitled to punish their wives in a way they saw fit and when laws offered women very little protection from such punishments have long passed (comp. Deksered et al. 2017, 89-90). The criminalisation of IPV eliminated the implicit permission to chastise and control the partner through violence previously present in the law, challenging the foundational assumptions of hegemonic masculinity in the process (Abrams 2010, 725-726). Yet, I will argue that IPV, particularly IPVAW, is still deeply rooted in the institutions of modern-day society.

Far too often, formal institutions have been treating women not as individuals but merely as part of a larger unit – the family. While the situation is changing to a degree, the policies have not accounted for ensuring individual well-being but rather facilitating women to fulfil their roles as caregivers and mothers. In other words, women have been and often are treated as means to the ends of others, be it care for the family members or reproducing workers and citizens for the capitalist system and state, respectively (Nussbaum 1999, 63). In the face of that fact, the violence prevention measures have to be delimited by an institutional structure geared towards ensuring women fulfil that role. Those two goals, VAW prevention and enforcing women's role in the family, are incompatible.

In this Chapter, I will examine how the common conducts of formally organised institutions contribute to the ongoing institutionalisation of cultural patterns of interpretation responsible for the perpetuation of IPV, hierarchical organisation of family and particularly sexually intimate dyad and unfair gender order. I will start by giving short overview of the role institutions play in response to IPV, common issues across different institutions and including feminist movement endeavours to improve standards of formal institutional responses to IPV (section 5.2.). Then, I will concentrate on those institutions the victims and perpetrators of IPV may come into direct contact within the context of looking for IPV relief: police (section 5.3.1.) and court process (section 5.3.2.), the formal system of IPV relief in the form of specialised IPV services, shelters, phone helplines (section 5.4.1.), as well as social support services including

counsellors and refuges, (section 5.4.2.) and healthcare system (section 5.4.3.) specialised IPV services, as well as medical services. I will leave out an in-depth analysis of how laws and policy-making contribute to sustaining IPV. On the other hand, I will leave out analysing the role played by such institutions as media,[424] academia,[425] religious organisation,[426] army[427] and schools,[428] which are responsible for

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[424] The media shape the perception of IPV by ways in which they report violence, for instance in the form of linguistic avoidance or the use of passive voice that serves to remove the blame for the violence from the perpetrator (Lloyd & Emery 2000, 33). Otherwise, the media concentrate on the most shocking cases and sensationalise events presenting a very skewed picture of the IPV dynamics (Dobash & Dobash 1992, 5).

[425] Academic institutions are responsible for the production of knowledge about IPV and often for the reproduction of gender biases (comp. DeKeseredy 2021, 10-11). Some aspects of IPV were obscure in research due to practices and policies of the early domestic violence movement that underlined violence as a problem that affects all women regardless of financial situation, economic or social assets, and such factors as race, immigration status, age or disability (Sokoloff & Dupont 2005, 41; Goodman et al. 2009, 307). However, those factors produce particular sorts of vulnerabilities to male violence and largely influence the treatment of women in formal institutions, ultimately producing very different experiences of victimisation and survivorhood. The assumption that IPV affects all women equally contributes to further marginalisation of certain disadvantaged groups of women. This statement should not be understood in terms of attributing the blame on early activists and researchers, but merely explain certain processes from which current issues have arisen and the influence those issues have on present research and that it contributes to establishing patterns of interpretations and institutional arrangement in ways that produce unfair disadvantages for some social groups.
More broadly, the scientific discourse conducted in academic settings produces normative bodies, including the normative gendered bodies, which are then often employed to justify unfair social hierarchies (this is not necessarily an outcome intended by the academic researchers, quite on the contrary in most cases). Iris Marion Young explains "The normalizing gaze of science focused on the objectified bodies of women, Blacks, Jews, homosexuals, old people, the mad and feeble-minded. From its observations emerged theories of sexual, racial, age, and mental or moral superiority" (1990, 127). Young underlines that sexism, like racism, homophobia, ageism, ableism, and xenophobia, is not mere leftovers of a bygone era, overpowered away by a modern paradigm of equality, sins of individuals and at odds with the legacy of Enlightenment. Instead, beliefs of male (as well as racial, national, etc.) superiority pervade modern scientific and philosophical discourses widely recognised as legitimate by the academic community (Young 1990, 125; comp. Adorno & Horkheimer 1974/2002). Consequently, those scientific and philosophical discourses inform law and policy-making and the everyday conduct of formally organised institutions, including state institutions and institutions of civil society (non-governmental institutions).

[426] Religious organisations, in the Western context particularly Christian Churches, aim to reinforce a notion of gender that is implicitly or explicitly characterised by inequality and rigidness (comp Butler 2004a). For one thing, the Catholic Church prohibits divorces, which means Church demands from the believers that they maintain the marriage even if the spouse is abusive, which undercuts victims' options to escape violence. The Church champions an essentialist and heteronormative conception of gender (the so-called "natural attitude" see: Hale 1996, 102-103), which is a cornerstone of the patriarchal order.
Butler offers insights into political campaigns against the use of the term 'gender' in the public arena, policy-making and legal bills, led by the Catholic Church and championed by conservative political platforms across numerous countries, including Poland, and in the international politics and human rights discourse as well. This push has begun at least around the Beijing Conference of 1995. Essentially 'gender' is perceived as a sort of code word (or perhaps a dog whistle) for homosexuality (and is presumably meant to conceal the "gay agenda"). That presents a problem for the Catholic Church and related groups of political interest not only because of homophobia prevalent in those circles and the fears of legitimizing non-normative sexualities as a human rights issue. But more importantly, the Catholic Church fears that homosexuality will become gender among many others (masculine, feminine, bisexual, and transgender) or even replace male and female (Butler 2004, 181-183).
In the 2012 Istanbul Convention, Polish Catholic Church and right-wing circles started a moral panic around so-called "gender ideology," which had been presented as "a threat to Polish traditions and family

shaping perception of gender roles, femininity and hegemonic masculinity and IPV, only signalling that they have play important part as well.

5.2. Overview

Voices calling for policies that would help women escape violent relationships have been appearing at least since the middle of the 19th century and coincide with the growth of the women's movements. Prominently John Stuart Mill in The Subjection of Women (1869) urged British Parliament for a reform of the divorce law that would let women divorce cruel and violent husbands (Mill 1869; Dobash & Dobash 1992, 69).

values." Essentially the campaign promotes the view that VAW is unrelated to any cultural or structural factors and operates under the assumption that domestic violence is not a widespread problem in Poland (Graff, 2014; Grzyb 2021, 848). As I understand it, most Christian Churches, including Catholic Church, declare support for the equality of men and women and I have no reason to doubt the earnestness of the belief in the idea of equality between men and women among members of Christian Churches any more than among members of any other group (meaning, I assume it varies between individuals). The problem is, despite those declarations Christian Churches often support patterns of cultural interpretation, which make gender equality impossible and reject calls for change.

I would like to underline that Christian Churches, including Catholic Church, can, and in many places do, work for positive social changes and provide various forms of assistance for women and minorities. They do not have to create obstacles to women and gender emancipation (comp. Helios & Jedlecka 2016, 40). That depends on their own interpretations of Christian doctrines and if those interpretations align with the principles of justice or some other concerns.

[427] The military is an institution that depends on a positive social interpretation of violence as right and heroic in a particular context (comp. Galtung 1990). For that purpose, military institutions maintain the link between strength, use of force, aggressiveness and coercive control and positively evaluate the masculine role, often by excluding women from combat-related roles to build distinct masculine identity (Abrams 2010, 707). It is, of course, additionally reinforced by the depiction in such media as films, literature and video games, positioning men and boys as "imaginary good guys", often framing them as "soldiers in imperialism to maintain coercive power over nations" (hooks 2000, 65). hooks notes that the perpetuation of patriarchal family violence occurs in the broader context of imperialist militarism and is conditioned by it to a large extent, as imperialist militarism requires men and women to be socialised to accept coercive control through violence. The ideal solution to the problems armies cause would be to abolish the armies altogether, considering the social, monetary and ecological costs of an army, however, it is practically impossible at the present time given that having an army is a necessity in the current geopolitical climate.

[428] Aside from educational programs often being saturated with a heteronormative understanding of the romantic relationship that often relies on unfair gender stereotypes, some school teachers brush off female students' complaints of bullying and excuse male students' aggressive behaviour as a manifestation of romantic attraction, reframing violence as a form of courtship (Bjørnholt 2019, 98). I myself witnessed this type of situation when a preteen girl approached a female caretaker about a boy harassing her when she was playing outside and the caretaker responded that the boy just liked her and wanted her attention. This attitude of teachers normalises violence as a part of a romantic relationship. Feminist thinkers note that the idea of romantic love often reinforces hegemonic masculinity: a desirable man is strong, tough and aggressive, so he expresses his love in a forceful manner (Lloyd & Emery 2000). Of course, this idea of romantic love is not the problem by itself but in conjunction with particular ideas of how romance looks and how romantic partners act towards one another. I assume romance can be enriching in the lives of people who desire it, however, the idea that everyone should desire romantic love or that life cannot be fulfilling without romantic love may play a role in motivating people to overlook abusive behaviours from partners, especially for the people, who have been told since childhood, that aggressive displays and possessiveness are typical romantic behaviours.

The awareness of family violence and specifically IPVAW (committed by men) have grown in 1960s and 1970s of the XX century at least in Western Europe and Northern America (Dobash & Dobash 1992, 15) and about two decades later in Poland (Helios & Jedlecka 2016, 36). The shelter movement started in the 1970s, but had not got political momentum until the 1980s, which is roughly when IPV prevention had been raised as a political issue on the European level, or more accurately in the Western European states as well as in the USA (Dobash & Dobash 1992; Montoya & Rolandsen Augustin 2013, 543). In the USA, the Family Violence Prevention and Services Act was signed in 1984 and later amended to Child Abuse Prevention and Treatment Act. However, the legislative process took a long time and ultimately, the problem of IPVAW had to be connected to the problem of child abuse, thus child protection, which had been seen as a more acceptable objective (Dobash & Dobash 1992, 137). That gives the impression of IPVAW being treated as a less severe form of violence and a less pertinent social problem. Much more comprehensive legislation was Violence Against Women Act 1994 (VAWA) (DeKeseredy 2021, 10).

The formal institutions, influenced by decades of feministic endeavours, play a significant part in the process of deinstitutionalising cultural patterns responsible for maintaining the practice of family violence. Or, rather, the involvement of formal institutions is outright indispensable for the successful deinstitutionalisation of violent practices within the family and patterns of cultural interpretation responsible for that violence. It is necessary to be aware of this issue to properly frame the analysis in this chapter, however the exploration of ways in which formal institutions manage to further the process of deinstitutionalisation of violent practices and the guiding patterns of cultural interpretation is a problem for different research.

In the absence of one overarching, homogenous pattern of cultural value, the same formal institutions participate in the process of reinforcing and institutionalising the very cultural patterns responsible for the perpetuation of IPV. It is because any given formal institution, like the police or a the judiciary is not directed by a single coherent set of rules. Fraser explain:

> With civil society comes the differentiation of a broad range of nonmarketized institutions - legal, political, cultural, educational, associational, religious, familial, aesthetic, administrative, professional, intellectual. As these institutions acquire some autonomy, each develops its own relatively customized pattern of cultural value for regulating interaction. These patterns overlap, to be sure, but they do not fully coincide.

In civil society, therefore, different loci of interaction are governed by different patterns cultural value; and social actors are differently positioned at different sites – denied parity here or there, according to which distinctions trump which in a given setting. In addition, the rise of civil society is often linked to the advent of toleration, which permits the coexistence of different subcultures and further pluralizes value horizons. Finally, a modem civil society tends to encourage transcultural contacts; accommodating trade, travel, and transnational networks of communication, it sets in motion, or accelerates, processes of cultural hybridization (Fraser & Honneth 2003, 58-59).

Therefore, even in the ideal situation, in which the official policies of any given formal institution are oriented towards violence prevention, and when those policies declare commitment to equality, in practice different, unofficial rules are often realised. And the situation is rarely, if ever, ideal. In actuality, the official institutional rules often implicitly contradict the declared commitment to equality and ending violence. Even in societies like Norway, which prised themselves with gender equality and where IPV prevention has been seen as a high political priority, gendered expectations about care within intimate relationships prevail in the institutional practices and unfairly disadvantage women in various areas of social life, including in relation to IPV (Bjørnholt 2019, 104).[429] In principle, formal institutions should respond to and ameliorate inequalities produced and maintained by social institutions (Fineman, 2008, 2). To do so, formal institutions have to address a socially engrained universal vulnerability (Bjørnholt 2019, 92). This notion is doubly important in the context of IPV as vulnerability is embodied in the flesh of particular individuals.

The activist from the early battered women movement and anti-rape movement worked to create "egalitarian, less authoritarian, and nonhierarchical organizations to embody their feminist ideals" (Schmitt & Yancey Martin 2008, 29). Those activists viewed the social mainstream as hostile to women and saw violence as a product of gendered institutions responsible for women's oppression. Hence, they strived to improve legislation, formal institutional policies, traditional institutions' practices, and rising public opinion consciousness (Schmitt & Yancey Martin 2008, 29; Dobash & Dobash 1992). Since the 1970s the battered women's and anti-rape movement pushed

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[429] Possibly, part of the problem in societies like Nordic countries that understand themselves as progressive is the assumption that gender equality has already been achieved. It is, of course, inconsistent with still present IPVAW. The premise of gender equality obscures the problem and thus hampers appropriate response to IPVAW, which in turn facilitates its perpetuation (Karlsson et al. 2020, 11). When the formal institutions operate on the basis that IPV is a fringe problem or an issue of otherized groups separate from the wider society, then the solutions are superficial and the underlying subordination of women remains unaddressed.

not only for direct VAW protection measures but also for social and institutional transformation:

> The battered-women's movement has negotiated for social change within the wider context of the existing economic, political and social position of women in society, and the established philosophies, priorities and practices of existing institutions and agencies of the state Dobash & Dobash 1992, 13).

However, the problem lies in putting these newly created venues into practice. Notably, there is too little training for personnel, and the available training usually is insufficient. Granted, as long as there is a shortage of specialists well prepared to assist violent crime victims, it is impossible to reduce revictimization (Helios & Jedlecka 2017, 42).

The shape of laws and policies depends on who makes them. In countries where conservative social platform dominates the political landscape, women's political participation is more minor, and their impact on policy through their presence in government bodies is weaker (Helios & Jedlecka 2016, 26). Empowering women in political bodies positively influences policies regarding issues important to women (Nowacka 2020, 81). The absence of women and feminist-oriented NGOs from the policymaking and implementation process in countries like Hungary and Poland results in an insufficient focus on gender as a relevant factor of IPV victimization (Krizsan & Poppa 2014, 779).

On the other hand, it is worth noting that men have been largely excluded (at least in Great Britain and the USA) from the early anti-IPV movement. Men were prohibited from decision-making positions in UK's Women's Aid on the national level, although they were permitted to participate in some activities on the local level (Dobash & Dobash 1992, 42-43).[430] This may be one of the factors responsible for the lack of protective measures for male victims of IPV.

5.3. Legal justice system

5.3.1. Police

IPV victims' experience with the legal justice system starts with the police. Properly conducted police intervention may have a positive long-term effect on the life of the

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[430] The Dobashes note that in some cases, the presence of men in IPV groups is imposed by funding bodies and often signifies a departure from feminist principles and a narrower focus, e. g. on therapy (ibid. 43).

victim(s) and does not allow the violent partner to act with impunity. On the other hand, the police negligence and disregard for victims' testimonies can result in a humiliating persistence of violence that drives women into depression and reinforces the conviction that the police are ineffective, tactless, cannot be relied on, and therefore it is better to keep the problem within the family (Gruszczyńska 2006, 186-187). Unfortunately, appropriate police responses towards IPV may be more of an exception rather than a rule (comp. Dobash & Dobash 1992, 146).

At face value, police intervention entails that IPVAW is treated seriously as a crime (Gillis et al. 2006, 1151). Many women report violence to the police in the hope that doing so would prevent further attacks from their partners, as police intervention offers at least some degree of protection (Dobash & Dobash 1992, 4; Gillis et al. 2006, 1151). In Poland, only about 1 in 4 women subjected to some form of violence and only about 1 in 3 women subjected to IPV specifically report violence to the police (Gruszczyńska 2006, 187, 190). Another study shows that 28% of respondents would inform the police if they were subjected to family violence, while 20% trusted the police to respond adequately. Meanwhile, 56% of respondents believe that out of institutions available for IPV-related support, the police are most helpful in assisting the victims. Nominally, the police in Poland, as potential providers of IPV relief, enjoy more trust than other institutions or even family members (Gierszewski 2019, 188-190). However, the respondents do not seem to see the police in a particularly favourable light, rather they view other sources of potential assistance as less helpful.

While in this dissertation, I consider mainly how gender affects women's experiences, not all the factors that present barriers to contacting police and accessing help are related to gender. For instance, there are also factors such as the digital divide, access to technology or lack of public transportation that[431] may be particularly prevalent in vulnerable populations like immigrants and the disabled or rural communities (DeKeseredy 2017, 58-59; 2019, 318).

Many IPV victims have misgiving about involving the police (Gillis et al. 2016, 1151). Partially, the hesitation in contacting the police comes from a lack of knowledge of what are the consequences of engaging with the criminal justice system in IPV

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[431] In a 2005 study conducted in the USA, a few women reported they did not contact the police about IPV because they either did not have a phone or did not know how to call the police (Fugate et al. 2005, 299).

situations and the uncertainty of how to cope with the consequences of intervention in the long term (Gillis et el. 216, 1157). Those women likely made this decision because they believed they would not receive necessary help from the police or because they feared recrimination (Fugate et al. 2005, 299). Some victims choose not to contact the police because their abusers or relatives work as police officers. Those women expect other officers to be potential allies for the abusers or simply fear a lack of confidentiality and disclosure of violence to their social cycle (Johnson et al. 2005, 3; DeKeseredy 2017, 58).[432] Sadly their worries are justified as often the police conduct leaves much to be desired. Police officers show a lot of prejudice and neglect if not outright hostility, to the victims (Gillis et al. 2006, Gruszczynska 2006, 191; 1152; Meyersfed 2016, 220). Women reporting IPV to the police have varied experiences, however, the majority of them reported at least some unfavourable conduct (Gillis et el. 2006, 1159).[433] In some cases, the police arrest both the perpetrator and the victim or even only the woman who had been trying to protect herself.[434] Three-quarters of the women reporting IPV in Poland felt that the police should have reacted differently or done more during or after an intervention (Gruszczynska 2006, 190). European studies show that the police are often unprepared, and the officers lack the necessary knowledge for dealing with IPV. This is especially true for rural areas (Malgesini et al. 2017, 83). Burnout, common among police officers, results in a decrease in empathy and goodwill towards crime victims. Unfortunately, the change of attitude in domestic violence intervention occurs relatively early, usually just after one year of employment (Stalans & Finn 1995; Johnson et al. 2005, 7; Lila et al. 2013, 915).[435]

On occasions, police officers' neglectful conduct results in serious impediments further along the line if the victim decides to pursue her case in court or outright makes it impossible to get a favourable outcome (Gillis et el. 2006, 1159). In some cases, the women withdraw their statements due to police incompetence and misconduct, lack of

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[432] On the other hand, abusive men, who work or use to work as police officers, use their comradery with their colleagues and their knowledge of the system in order to threaten, control, punish and retaliate against their partners' perceived wrongdoings, for example, to gain credibility while having their partner, the victim, arrested (DeKeseredy 2017, 58).

[433] The more axes of social subordination the women occupy, the more likely they are to note negative conduct. For example, racial minority women report more negative experiences (Gillis et al. 2006, 1163).

[434] The increased number of dual arrests and women's arrests may reflect the fact that perpetrators of IPV learned to manipulate the police and/or their victims to make the latter appear more violent than they actually are, rather than rising levels of women's violence (Larance & Rousson 2016, 877-878).

[435] This problem requires future research but perhaps improving the working conditions of police officers and providing them with better assistance (for example, in the form of mental health programs or consultations) could improve the situation.

support or protection. An example of such misconduct is demanding that the abused woman appears at the police station together with her partner, which can likely cause the victim to revoke her initial statement out of fear (Gruszczynska 2006, 189). Worse yet, the police negligence and dismissal of the IPV victim's plight can lead to death or grievous bodily harm that could have been prevented if the victim had been taken seriously (Meyersfed 2006, 220).

One Spanish study demonstrates that police officers dealing with IPVAW victims show ambivalent sexism comprising hostile and "benevolent" sexism[436] (Lila et al. 2013, 908). Even when the police show up after they are called, which does not always happen,[437] they often act in a dismissive, insensitive way, indicating to the victims that their troubles do not merit a police intervention or imply victims are at fault for staying with the abusers or outright provoking the abuser (Gillis et el. 2006, 1159; Meyersfed 2016, 220). It is this kind of attitude from the police that allows abusive men to batter their partners without the fear of consequences (Lila et al. 2013, 907; Meyersfed 2016, 220). Moreover, the police conduct informs victims, perpetrators and broader society about acceptable and unacceptable behaviour (Lila et al. 2013, 907). Therefore, patterns of cultural interpretation of inter-partner and family conduct are institutionalised through police response. Because police conduct in IPV cases is widely inconsistent, different, contradictory patterns are simultaneously institutionalised. Regardless of the spirit, the letter of the law and the public policies, neglectful conduct from the police supports, at least passively, IPV. Sexist attitudes from the representatives of formal institutions institutionalise sexist patterns of cultural value interpretation and sexist norms of interpersonal behaviour that are largely responsible for guiding partner violence.

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[436] "**Hostile sexism** seeks to justify male power, traditional gender roles, and men's exploitation of women **as** sexual objects through derogatory characterizations of women. **Benevolent sexism**, in contrast, relies on kinder and gentler justifications of male dominance and prescribed gender roles; it recognizes men's dependence on women (i.e., women's dyadic power) and embraces a romanticized view of sexual relationships with women. Importantly, these attitudes are subjectively positive for the sexist; they encompass feelings of protectiveness and affection toward women. A woman toward whom benevolent sexism is enacted may recognize that, for instance, a man's unsolicited help reflects an assumption that he is more competent than she. The man, on the other hand, may not be aware of the sexist assumptions implicit in his actions (indeed, he may be quite surprised and hurt when a woman deems the act to be patronizing and rejects his help)" (Glick & Fiske 1997, 121).

[437] For instance, between 13-18% (depending if the perpetrator was the current or the previous partner) of the women surveyed in the research conducted in Poland in 2004 disclosed that the police had done nothing after the violence had been disclosed (Gruszczyńska 2006, 188).

Provisions like mandatory charging and no-drop policies have both positive and negative consequences for the victims.[438] Abused women are justifiably worried that contacting the police may put them or their children in danger of recrimination from the violent partner (Gillis et el. 2006, 1157). Some women are satisfied that after calling the police, the responsibility for the further process is taken from them, and they see it as lessening their burden. However, other women, often the ones who were unaware of the policies, see it as disempowering and prohibiting them from making their own decisions on how to further deal with the case (Gillis et el. 2006, 1159).[439] Oftentimes, women only contact the police with the solution for an immediate situation in mind, without plans for pursuing further charges (Gillis et el. 2006, 1158).

Some police officers apply the existing law only if the victim shows desired attitude, like cooperativeness and willingness to report the perpetrator (Lila et al. 2013, 909). Based on sexist stereotypes, many police officers perceive IPV as a real

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[438] An establishment of zero-tolerance and no-drop policies suggests that the criminal justice system takes IPV seriously. It puts the responsibility on police and other state institutions rather than individual victims, which may reduce the potential of retaliation from the violent partner. However, feminist scholars noted that mandatory charging and no-drop policies may undercut victims' choices and ignore their wishes (Gillis et al. 2016, 1151). Effectively such policies may have some protective functions but at the cost of disempowering the victims. The legislation based on the notions of female victimhood treats the women as helpless and infantile, unable to make choices, powerless and lacking autonomy. It is up to the paternalistic state to rescue women from violent partners. The control over women's lives is shifted from the male partner to the state (Abrams 2010; Grzyb 2021, 840). The aim of no-drop policies is to help the victims of violence by persecuting, convicting and punishing perpetrators of violence. However, the help for the victim and the punishment for the perpetrator are not synonymous with one another. There are different kinds of no-drop policies across different jurisdictions, so the results of those policies are also different. The successful conviction of the perpetrator and any other outcomes for the victims rely on multiple other aspects of policing and later prosecutorial practices. The idea of no-drop policies is that cannot be intimidated into withdrawing the charges by the perpetrator, because the charges cannot be withdrawn, however, alone do not guarantee that the victim will not be intimidated by the perpetrator (comp. Simpson 2022). While there are strong arguments for embracing some version of no-drop policies in IPV cases, it is also necessary to establish a robust support system to ensure the policies have the intended result.
The gender-neutral language of the regulations allows for interpretations that are both insensitive to women's vulnerability resulting from historically situated inequalities and those that take into account the pursuit of gender equality. Often state-level legislation pertaining to IPV focuses only on protecting individual rights or the security of families (Krizsan & Poppa 2014). For instance, Poland fails to include gender-sensitive approaches in IPV-related policies (Baytok 2021, 7). While the protection of individual rights and the security of families are undoubtedly important, they are at the same time insufficient to truly challenge IPV and deinstitutionalise patterns of cultural value interpretation responsible for this problem. The laws that are an articulation of rights, when formulated in an abstract and gender-neutral way, are more likely to overlook the interests of women as a subordinated group and instead reinforce masculine privilege. Subordination of women grasped in abstraction necessitated by the universalist language of rights becomes such an insubstantial concept that it is no longer possible to meaningfully address the particularity of women's experiences of inequality as justification for rights (comp. McNay 2014, 118-119).
[439] After mandatory or preferred arrest policies have been implemented in jurisdictions across the USA, the outcome of police intervention was usually arrest regardless of the victims' wishes. Before that the interventions rarely ended with arrests, instead the police usually tried some sort of mediation or de-escalation, for example advising the men to take a walk (Hanna 1998, 1519).

emergency only when the woman is in immediate danger, if she is credible, judging subjectively by her personality (she must be considered sufficiently peasant and consensual), and if she is not under the influence of drugs or alcohol, and if she decisively wants to end the relationship (Renzetti 1992, 89). In other cases, the police do not bother to collect the evidence – if they do not like the victim's attitude (Gilles et al. 2006, 1153). Studies indicate that rather than empathy towards the victim, such conduct is influenced by benevolent sexist attitudes (Lila et al. 2013, 914), which means that the officers follow a subjective impression of the victims' attitude without an attempt to examine the reasons behind victims' behaviour rather than respect to the victim's autonomy. Unfortunately, among police officers, the perception of IPV victims as uncooperative and unreliable is very common (Gillis et al. 2006, 1152). Conversely, research shows that the officers most likely to enforce the existing laws in IPV cases unconditionally, show both high levels of empathy and low level of sexist attitudes (Lila et al. 2013, 914).

It needs to be noted that IPV calls actually constitute some of the most dangerous police work because many victims contact the police only once the violence reaches an intolerable level of severity and uncontrollability. In such circumstances, the perpetrator is a danger to the victim and immediate family and the intervening officers. It is hardly surprising that the officers are afraid to get involved (Gillis et al. 2006, 1152; Meyersfed 2016, 221). The question of why this situation occurs begs examination. On the one hand, the victim may fail to contact the police until she feels her life is in danger (meaning, not every time the partner beats her, but only when he beats her so badly that she starts fearing for her life, or if other if she observes other signals that such a harsh attack is coming) because of internalised ideas about her role in the family, or may feel ashamed because being subjected to violence clashes with her self-image (comp. Chapter III). On the other hand, she may not contact the police because she expects a negative outcome, like the police disregarding her allegations in the absence of serious injury or testimonies from neighbours who heard the noises.

To an extent, hesitation to get involved in domestic disputes on the part of the police officers comes from respect for family privacy and a shared social belief that a family is a holy ground that should not be threaded by outsiders (Meyersfed 2016, 220). Some studies indicate that "police subculture," firmly embedded in sexist and patriarchal attitudes, influences the conduct of police officers. Notably, the officers who

held misogynistic beliefs were more likely to blame the victim or otherwise justify the violence, neglect to make arrests in IPV cases or arrest the victim (Lila et al. 2013, 908). Moreover, experiences with the police, particularly the delayed responses, discourage some women from seeking further help (Gillis et el. 2006, 1159).

The police may also push the victim into decisions she does not entirely agree with, like getting protection or no contact orders (Bjørnholt 2019, 102). Despite those measures being proven quite effective as a way of violence prevention, exercising influence to get the victim to comply with police wishes against her better judgment is disempowering and alienation towards the victim. When the victim does not comply with conditions pushed onto them despite their wishes, it may prove detrimental in the following process.

Following the influence of sexist stereotypes, officers may show empathy towards the perpetrator rather than the victim. Therefore, high levels of empathy among police officers do not necessarily prevent unfair conduct influenced by sexist prejudices (Lila et al. 2013, 914-915).

Vulnerable women, like those living in poverty, report a greater likelihood of police intervention after most serious attacks from their partners than their counterparts (Scheer, Pachankis & Bränström, 2020, 14). Women from economically disadvantaged families and communities have fewer hang-ups about reporting violence to the police than well-off women (Hanna 1998, 1570; Lelek-Kratiuk 2014, 91-92). The same is not true for poor women who also belong to racial minorities, who are about calling the police. Those women are more often exposed to police brutality and misconduct in their communities. Moreover, they are more likely to be arrested as the perpetrator of IPV or for marginal involvement with their partner's criminal activity or have their children taken away (Sokoloff & Dupont 2005, 55). Alternatively, racial and ethnic minority women may be under increased pressure not to bring shame on the family and the community (Hanna 1998, 1560). Additionally, immigrant women show a lower level of trust towards the police, both expecting racist attitudes and fearing further alienation from the family of the community or even deportation (Gillis et al. 2006, 1152). Similar fears can be noted across the LGBT+ community (Renzetti 1992, 90; Sokoloff & Dupont 2005, 45).

Among queer victims of IPV, police and legal assistance are the least enlisted forms of support (Scheer et al. 2020, 150). Law enforcement officers are perceived as unhelpful and negligent by SGM victims of IPV and are most likely associated with negative experiences (Calton et al. 2015, 592; Scheer et al. 2020, 150). Police officers are often said to respond inappropriately by minimising the problem, arresting both partners, employing unjustified excessive force or refusing to intervene (Hardesty et al. 2009,29; Scheer et al. 2020, 147). Instead of trying to discern the perpetrator, the police may simply arrest the partner, who appears more masculine, based on the stereotype that men, or in this case, masculine people, are the violent ones (Girshick 2002 A, 55). Police officers sometimes use homophobic language during interventions, suggesting the victim deserves pain for being with another woman (Renzetti 1992, 91). Unsurprisingly, queer individuals are even more likely to hesitate before contacting the police than cis-straight women (Calton et al., 2015, 593). Moreover, the police may fail to respond to IPV, even when they are aware of it, if the victim does not disclose explicitly it (Hardesty et al. 2009, 39).

The wider context of queer experiences with police and the justice system should also be considered in assessing the barriers queer people face in help-seeking. Police have a long history of violence, harassment and mistreatment of queer people (Renzetti 1992, 90; Scheer et al. 2020, 150). In extreme cases, police negligence and inaction, spurred by prejudices, particularly against trans women, can lead to serious crimes, even murder, that should be easily prevented if the police officers heeded the calls (Girshick 2008, 167). So, understandably, the police is not an institution that enjoys trust among LGBT+ community. Police response to crimes related to queer experience, for example, hate crimes, is frequently lacking. Often the problem is ignorance and lack of appropriate training. If a queer woman had been harassed by the police in the past or if her reports of hate crimes had been ignored, she is not very likely to turn to the police for assistance when she is subjected to violence by her partner. Although most scholarship on the topic of police attitudes comes from the USA, Canada or Western Europe, some research indicates that the situation in Poland is not so different. Taking aside outright disrespectful and hostile attitudes it is unusual to encounter police officers who are trained in identifying antiqueer hate crimes (Godzisz & Rawłuszko 2018, 219).

Trans women and transgender individuals, in general, have particular problems accessing formal support for IPV due to attitudes, ignorance and prejudices prevalent among assistance providers (Girshick 2008, 167). The law enforcement units frequently understand trans women as "men who merely live as women" and, through various forms of conduct, attempt to enforce masculine identity on trans women (Bettcher 2013, 235). As a result, trans women are revictimised by the institutions that are supposed to assist the victims.

Transgender women who disclose their experience of IPV victimisation to the police are significantly more likely to report physical violence (six times more likely, according to NCAVP 2015 study) than their cisgender counterparts (Scheer et al. 2020, 150). The fact that those women report comparatively more aggravated forms of misconduct from their partners than cisgender individuals may reflect higher rates of victimisation. However, it may also indicate that trans women have less hope of being taken seriously on their word otherwise (comp. rates of reports of IPV in more patriarchal, less gender-equal countries, section 3.1.). In this case, the reason women may not be treated seriously in their testimonies is institutional transphobia and homophobia that supplements institutional misogyny that serves as a barrier to trans women's access to relevant services (Scheer et al. 2020, 150).

Male victims of IPV perpetrated by female partners have mixed experiences with reporting to the police. Some report positive interactions, some negative encounters. A notable problem consistently occurring in different stories of abused men is that ongoing institutional support does not follow after the initial intervention (Huntley et al. 2019, 10). Abused men face considerable problems reporting to the police. As a result of gender stereotypes and IPV stereotypes, men are often re-casted as perpetrators and arrested or at least they are not treated seriously or believed (Hine et al. 2022, NP5598). Such conduct from the police reinforces the notion that men "have to" be the perpetrators (comp. ibid. NP5608). Additionally, police officers believe in the gender stereotype that a "real" man should be able to control his woman (Abrams 2010, 372), so they either disregard the man's claims about the occurrence of violence or show disregard for the man himself for his "failure" to perform masculinity.

There are some reasons why the police are incompatible as an institution for dealing with IPV cases and working to deinstitutionalise patterns responsible for IPV. Firstly, the police officers responding to the calls are often put in dilemmatic situations

where they may either enforce the law or respect the victim's wishes but not both at the same time. The first choice affirms the law and sends the signal that IPV is treated seriously. Ensures immediate physical safety of the victim at least for a time, but at the same time forces the victim to deal with various consequences for example loss of family income, in some cases loss of essential assistance (especially important if the victim is disabled or cares for a disabled family member), fear of recrimination once the perpetrator is free again or meeting the demands of legal process. Generally, those problems can be dealt with if there is a robust system of IPV, that is able to synergise with the police. But if that system is not in place or if there are barriers preventing the victim from accessing it then the victim and their family can be put at a significant disadvantage. Another issue is that the positive outcomes may outweigh the negative ones and it is more important to ensure immediate physical safety, the disregard for someone's wishes undercuts their autonomy. Should it be assumed that the victim of violence unable to make a rational choice about the situation? There may be factors, such as the influence of psychological trauma and intimidation from the perpetrator that temporarily make the victim unable to make such choices, but can such assessment be made about all the victims? On the other hand, if the police officers choose to respect the victim's wishes and do not enforce the law, they undermine the law and send the message that the breach of the law in this type of case can be ignored and, therefore, that IPV is not a serious matter. Enforcing the law may be the right choice in this type of situation,[440] but that does not mean this type of situation is not morally dilemmatic.

Ultimately, the police form an institution based on the coercive use of force and are mandated by the state to employ violence to maintain order. As an institution, the police rely on the use of force to enact coercive control, which distinguishes it most from other formal institutions. I do not mean blame the police and least of all individual officers, they sometimes need to use coercive force to fulfil the function this institution has. That does not change the fact the existence of the police as an institution entrances the idea that using force by people in authority is legitimate and a normal feature of social interactions. The pattern of cultural interaction can spill over from its (arguably) appropriate social context into different kinds of social interactions and relationships (Zavala & Melander 2019). People who enact coercive use of force and those who are subjected to it are not necessarily able to distinguish between coercive use of force that

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[440] Can this judgment be made by philosophical research about one hundred percent of cases without prior knowledge of the specificity of each case?

is justified in a way that meets the standards of fairness and violence, especially if it is legitimised by the position of authority. On the other hand, police do not always employ coercive force in a fair manner. The patterns of interpretation of this particular institution spill over and interfere with the patterns of interaction of gender and family relations, and as a result of that interference patterns of interpretation of the legitimacy of the use of force are reinforced. Especially considering police work and police subculture emphasise authority and control as desirable positions in interpersonal interactions and physical force (as well as verbal aggression) as permitted means to achieve that position (Johnson et al. 2005, 6,9-10). Moreover, historically police representatives and spokespeople placed themselves against expansions of victim protection when the existing provisions had been clearly insufficient and against women groups. Police representatives and spokespeople accused women groups of fabricating or at least distorting cases of IPV while simultaneously denying the systemic nature of IPV and its widespread prevalence (Dobash & Dobash 1992, 147).

To sum up: properly conducted police assistance can be an invaluable help for individual victims of IPV, and to a certain extent, police practice can help deinstitutionalise cultural patterns responsible for organising violence. However, improperly conducted interventions can put victims at a considerable disadvantage and further danger. In itself, the intervention can be a traumatic experience of revictimization. As very often interventions are unhelpful or even harmful, the conduct of the police helps to reinforce the patterns responsible for IPV in the first place. By the nature of police work, police officers find themselves in situations where the exercise of force is necessary to maintain the safety of themselves and others. However, in practice, the police often use physical force in situations in which it is not necessary, especially when they are operating based on structurally ingrained prejudices. Fundamentally, police interventions in IPV cases can contribute to an additional layer of violence in a violent relationship. By the very nature of the police as an institution, the role police can play in deinstitutionalising patterns responsible for IPV is limited.

5.3.5 Legal process

The experience of abused women further along the line in the criminal justice process does not necessarily improve. Discriminatory or ambivalent attitudes towards IPVAW victims prevalent in the system cause women further suffering (Gillis et al. 2016, 1163).

> […] most government agencies misunderstand the nature of domestic violence, with the result that domestic violence becomes repetitive, cyclical, and, due to the lack of appropriate punitive measures, endorsed. This approach of inertia and ignorance on the part of states becomes systemic and intimate violence, which we perceive as private, develops a very public dimension (Meyersfeld 2016, 19).

A stereotypical approach to a woman's role in the family informs the interpretation of the existing laws in the court process (Helios & Jedlecka 2017, 48). The outcome of the process is conditioned on the conduct of representatives of the justice system institution, judges, lawyers and court officials, which often unconsciously and unintentionally reproduces and reinforces patterns of value interpretation harmful and unfair towards women and minority groups. Unless the court practices require appropriate countermeasures for those forms of conduct organised by unconscious prejudices, even the most progressive and well-thought-out laws will not be able to amend the ongoing cycle of discrimination (Young 1990, 151). In other words, the existence of adequate laws meant to help IPV victims and prevent further victimisation is not a sufficient condition for effective violence prevention. Institutions of the justice system must in practice consciously address unconscious biases and sexist stereotypes and adjust their conduct to avoid reproducing the same patterns they are meant to amend by implementing existing laws. Unless such measures are taken, the same patterns that normalise and effectively suppress IPV prevail and are reproduced through institutional practice.

Oftentimes abused women are subjected to a long waiting period between the initial contact with the police and the hearing in court. Furthermore, court officials often fail to provide adequate information and guidance, while IPV victims report little support from their attorneys (Gillis et al. 2016, 1159). Women subjected to IPV are pressured into performing victimhood and survivorhood in a particular way that often ignores the socio-economic realities of gender and interpersonal relationships as well as the victims' wishes. Women who resolve to end violent relationships are more likely to receive legal assistance than their counterparts who appear unsure (comp. Fugate et al. 2005, 303). Prosecutors, just like police officers, tend to see IPVAW victims as

uncooperative, and as a result, they are unwilling to contribute appropriate information and satisfactory support (Gillis et el. 2006, 1153).

Statistics from a survey conducted in Poland between 2003 and 2005[441] show minimal response to IPVAW by the justice system. The police were only unaware of two-thirds of the cases. Out of those reported cases, only one-third resulted in criminal charges, of which only half ended in a conviction. About only one in nineteen men who have used violence against their partner at least once received a punishment (Gruszczyńska 2006, 190). IPV and sexual violence are treated comparatively much more leniently in Polish courts than other crimes if the cases are even tried in court at all, and the sentences are often conditionally suspended (Grzyb 2021, 841). Worryingly but unsurprisingly, abused women who went to court with their cases report unwillingness to use the legal system again in potential IPV situations in the future, even when the process and the outcome were otherwise satisfying (Gillis et el. 216, 1160).

The significant problem is that the courts underutilise the provisions that already exist in the law and are meant to protect victims of IPV. For example, one of the more effective methods to prevent further IPV victimisation a court may employ are protective restraining orders prohibiting the perpetrator from contact with the victim (Helios & Jedlecka 2017, 10; Gierszewski 2019, 183; Melaniouk 2020). Restraining orders not only prevent immediate violence but also have additional benefits. Research conducted in the USA in the nineties shows that the women who obtained this form of protection were more likely to complete court cases (Fugate et al. 2005, 291). Unfortunately, this method is underutilised as restraining orders are hard to obtain from the court, especially for some classes of victims. Court orders removing the perpetrator from the place of residence had been rarely issued, even when there are legal possibilities to employ such measures(Jaworska-Wieloch & Sitarz 2019, 313-314). In practice, it is usually the victim who must seek a safe place to live elsewhere (Helios & Jedlecka 2017; Gierszewski 2019, 183).[442] If the existing laws are not consequently

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[441] The timing of the study is important because it was still before Ustawa z dnia 29 lipca 2005 r. o przeciwdziałaniu przemocy w rodzinie (The Law of 29 July 2005 on counteracting domestic violence) had been passed, which means since then the laws that concern IPV have changed significantly.

[442] Moreover, this form of protection still has notable oversights. The removal of the perpetrator can still leave the victim very vulnerable and without the means of economic support. Additionally, if the place of residence belongs to the perpetrator, it may be sold by them, potentially leaving the victim(s) homeless (Jaworska-Wieloch & Sitarz 2019, 305). There is also a chance for escalation of violence after the

implemented in the court practice, they can only have a limited effect on society at large. In contrast, they still can have a positive impact on the cases of individual victims when enacted.

Moreover, by neglecting to apply existing laws, downplaying violence, employing narrow definitions of IPV in the interpretation of the laws, or employing interpretation insensitive to IPVAW and gender asymmetry, suspending legal investigations or acquittals, the courts can, perhaps even unintentionally, redefine violence making it appear less serious or as not violence at all (Wemrell et al. 2019, 11). This problem can be especially pronounced in cases that involve sexual violence. Victims of sexual violence, which is common in the context of IPV, are likely to be revictimized in the encounter with the criminal justice system (Helios & Jedlecka 2016, 126). The courts are more concerned about social norms than about individual freedom and well-being (Płatek 2018, Helios & Jedlecka 2016, 125). Lawyers, prosecutors and judges are often uncertain about who counts as a real victim. They then blame women for sexual violence. They emphasize women's infringement upon gender norms, for example, alcohol consumption,[443] earlier sexual encounters that supposedly provoked the perpetrator in some way, all while ignoring the social and cultural context that shapes the condition in which women act (Helios & Jedlecka 2016, 96). Social norms regarding gender and sexual behaviour unfairly disadvantage women. Rape in particular is defined and understood by androcentric standards and through masculine experiences (Helios & Jedlecka 2016, 125). Court practice often assumes man's point of view: the judge does not try to determine whether the victim agreed to the sexual intercourse but only if the perpetrator might have assumed that the victim agreed. Often that means the judge accedes to the claim that the perpetrator could not know the victim's objection because the victim did not try to protest, ignoring the reality that the victim often "freezes" and complies as a way to protect herself from more bodily severe harm

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perpetrator is removed from the place of residence (Jaworska-Wieloch & Sitarz 2019, 314). Since 2020 Polish law introduced provisions that would allow police officers to immediately remove a perpetrator of family violence from the place of residence they occupied with the victim (Melaniouk 2020, 13). Previously available legal instruments did not give adequate protection to the victim as issuing the court orders for the perpetrators to leave the place of residence usually took around five months (ibid. 11).

[443] Victim's alcohol consumption may be a reason to disregard the allegation of rape and even physical injuries sustained by the victim (O'Neal et al. 2015, 1251).

(Płatek 2018, 301).[444] In many ways, the mode of persecution and court proceedings protect the perpetrator (O'Neal et al. 2015, 1458, Helios & Jedlecka 2016, 125- 126).

There is some evidence that prosecutors are discouraged and actively avoid submitting cases of sexual violence to the court. They operate on sexist prejudices to determine the victim's credibility and the likelihood of conviction (Frohmann 1991, 214; Scheff 1966; O'Neal et al. 2015, 1240). They fear that failure to win cases might negatively influence their careers. It is often the prosecutors who decide what does and what does not count as a valid instance of sexual violence. As a result, judges and juries are prevented from seeing certain types of sexual violence. The patterns of what is interpreted as sexual violence and patterns that dictate the interpretation of who is a credible (as worthy of help) victim are established through the avoidance of prosecuting certain types of cases of sexual violence. This systemic and ongoing issue creates a loop of interpretation: prosecutors refuse to pursue some instances of sexual violence because the courts do not recognise the cases that involve similar circumstances, and judges are limited in their ability to understand certain instances as sexual violence because they rarely or never see the cases that involve particular types of circumstances. In this way, the conduct of the prosecutors institutionalises an unfair pattern of cultural interpretations that devalues victims of sexual violence and particular categories of victims. The prosecutors' conduct is guided by sexist patterns already present in the larger cultural landscape covering many other unfair patterns of value interpretation (e.g., heteronormative, ableist, racist).[445]

According to Istanbul Convention, alternative dispute resolution processes cannot be mandatory in cases involving family violence,[446] meaning that signatories of the convention need to put in place all the necessary legislative or other measures to ensure that cases involving the forms of violence listed in the convention are never subjected to mandatory alternative dispute resolution processes, including mediation

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[444] Polish criminal law is criticised by feminist thinkers for the lack of construction of positive, autonomous, consent in regard to sexual interaction, therefore lawful sexual act does not require consent only the absence of clear objection. Ultimately, the law formulated in this way masks unequal social relations, where one party, usually the man, does not need to ensure that consent for a sexual act is given (Płatek 2018, 297).

[445] This goes for both victims and perpetrators. Because judges lack the necessary information to determine culpability, they employ conceptual shorthand based on stereotypes regarding defendants' race, gender, age etc. (O'Neal et al. 2015, 1240). Gender is institutionally produced together with race and disability.

[446] Council of Europe Convention on preventing and combating violence against women and domestic violence (2011) art 48.

and conciliation. However, the court practice in Poland, for instance, shows that the majority of criminal cases involving family abuse had been submitted for mediation (Sitarz et al. 2018, 359). The issue does not only pertain to criminal cases. Many victims of IPV do not want to leave the perpetrator, however, for many who wish to leave, the process involves divorce, child custody cases, division of shared estate etc. Feminists involved in battered women advocacy discourage mediation in custody and divorce cases under the assumption that unfair power imbalances created by violence will negatively influence the outcome for the victim(s) and that it cannot be remedied. Supposedly, even a well-qualified mediator would not be able to prevent intimidation and ensure that women speak freely and pursue the best interest of themselves and their children (Johnson & Kelly 2008, 492). Moreover, mediation implies that parties are treated as equals in a 'dispute' rather than a perpetrator and the victim. Effectively, the employment of mediation proceedings dissolves the blame for violence (McGlynn et at. 2012, 216). There is, however, also some contradicting evidence entailing that if a setting for mediation is appropriately prepared the victims of intimate terrorism may be more empowered to speak their minds and ensure their needs. Also, the needs of their children are appropriately addressed (Johnson & Kelly 2008, 492).

Many victims of IPVAW fail to get a fair and favourable outcome in court because they do not fit the idea of what a battered woman should be like. Showing agency, initiative or confidence or signs of high social or economic standing in looks or behaviour can be taken against the victim, but so can be what judge, jury or prosecutors see as unfeminine and/or unworthy of respect like resistance to violence, substance abuse or socioeconomic vulnerability (Wemrell et al. 2019, 10). On the other hand, women who do fit the victim stereotype are assigned unfavourable qualities like stupidity or passivity or even perceived as deserving the abuse. As a result, they are often discouraged from further pursuing their cases (Gillis et el. 2006, 1153). Additionally, the notions of what the "ideal" IPV perpetrator is supposed to be like come into play as well. Such an ideal perpetrator is usually seen as the Other, someone who deviates from the norm in terms of class, ethnicity or mental health (Wemrell et al. 2019, 10). Moreover, the ideal perpetrator is also a man or at least masculine.

The proceedings of the divorce cases involving IPVAW often reveal deep biases ingrained in the justice system. The officials presiding over divorce cases involving IPVAW tend to blame women for destroying marriage based on sexist stereotypes

regarding women's role in the family. There is an implicit assumption that if a woman fails to meet her husband's expectations regarding housework or if she refuses sexual contact with her husband, she is to be blamed for the marriage falling apart even when her husband's expectations are unreasonable and sexual contact with his wife cannot be understood as anything other repeated incidents of marital rape (Helios & Jedlecka 2016, 120). This may likely negatively impact the experiences of women in courts.

Another problem is the custody of the children. Women are seen as nurturing and the natural providers of care for the children, so they are favoured in custody cases. However, even if the abused woman is the one who usually tends to have custody of the children, granting abusive former partners rights to visit their children gives them the opportunities to further exert the abuse of the victim and her children (Gillis et el. 216, 1160-1161). On the other hand, based on the same stereotypes of maternal care, abusive women are also more likely to receive custody rights over their male partners. As a result of gender stereotypes prevalent in the justice system, abused men have difficulties in securing their children's custody or shared custody in court (Hine et al. 2022, NP5608), which is a factor that often deters men from leaving the relationship with a violent partner. Overall, male victims of IPV find the judicial system unhelpful (Huntley et al. 2019, 7).

Perception of gender and traditional family roles influences the outcomes of the legal process for queer women as well (Wasahaley et al. 2015, 639). Particularly, homophobia and a heteronormative understanding of dynamics within the family, including dynamics of IPV, contribute to the erasure of female victims of abuse perpetrated by women within the legal justice system:

> stories of lesbians and bisexual women do not sound "familiar" to court personnel, many of whom are homophobic. The accepted subtext is heterosexist: Perpetrators are male and victims are female. Even when not explicitly stated this way, people in the criminal legal system interpret the laws in a heterosexist way. A woman is not supposed to be a sexual perpetrator or batterer. Without the perpetrator, there cannot be a victim; hence, women cannot be victims of assaults by other women (Girshick 2002b, 1505).

Consequently, women disillusioned with the way the legal justice system understands and deals with IPV between women, and women affected may opt against seeking further assistance (Wasahaley et al. 2015, 638). Furthermore, they may relate their experiences to other women within the LGBT+ community and discourage them from seeking help from legal justice institutions. Female victims of sexual violence

perpetrated by other women in an intimate relationship usually do not pursue justice in a court of law (Renzetti 1992, 92; Girshick 2002b, 1508).

Legal resources available to heterosexual victims of IPV, such as court-issued protection orders, may not be available for lesbian/bisexual victims. In countries such as Poland, the lack of legal recognition of same-gender unions or unclear legal standing of such unions means there are oversights in the law regarding the protection of LGBT+ people from IPV. Even informal unions, such as concubinage that enjoy some form of recognition within the legal system, are often understood as a relationship between a man and a woman that translates into some protection measures for IPV victims involved in informal relationships. Meanwhile, that recognition is often not extended to same-gender informal couples. Even if same-gender relationships are formally legally recognized, the lack of clear laws that address queer-specific concerns makes queer victims of IPV more vulnerable to gender-based, heteronormative and homophobic biases among judges, jurors (or social judges), lawyers and other court personnel. Even in countries that already recognized same-gender unions or partially recognized them, the legal situation in regard to violence prevention and protection provisions is not always clear or inclusive. For example, in several American states, SGM individuals were specifically overlooked in relevant legal bills, while in other places, laws are unclear if provisions apply to SGM individuals or not. That last situation makes it possible for homophobic or transphobic local officials to exclude queer people from provisions denying requests case by case (Calton et al. 2015, 591). Additionally, protection orders, once issued, may simply not be enforced (Scheer et al. 2020, 143).

Legal vulnerability is a considerable barrier to help-seeking among queer victims, particularly, insecure rights to custody or property may prevent queer women from seeking help. This, of course, means secure rights enable and empower women to seek help (Hardesty et al. 2009, 40). Queer IPV victims face particular problems securing custody of their children (Hardesty et al. 2009, 30; Scheer et al. 2020, 150). Historically, courts have marginalised parents in same-gender relationships in regard to child custody rights (Hardesty et al. 2009, 30).

Dobash and Dobash observed that limiting IPV prevention and protection measures to the criminal justice system has not been a very effective strategy for

protecting women from male violence (Dobash & Dobash 1992, 44).[447] VAW, understood primarily as a legal and law enforcement problem, allows to displace the concerns of diminishing social provisions offered by the state. Moreover, such a limited perspective obscures the inefficient way state resources are employed to help abused women (Grzyb 2021, 844). VAW is inherently a social problem, and criminalising social problems may not be the most appropriate way to deal with it (ibid. 840). For that reason, to understand the processes of institutionalisation and deinstitutionalisation of patterns responsible for guiding IPV and, consequently construction of gender relations, it is necessary to examine other institutions that come into contact with abuse victims.

5.4. Formally organised entities responsible for providing IPV relief

In this section, I will discuss the role of other formally organised institutions that are not directly related to the justice system but that still frequently come in contact with the population affected by IPV. Such institutional entities include governmental and non-governmental IPV services, shelters, phone helplines, social services, and medical service providers.

5.4.1. Specialised IPV services, shelters, phone helplines,

There are many types of services, agencies or programs, operated by various entities ranging from state or local government to churches to NGOs that provide IPV-related assistance. Some are addressed to the victims, some to the perpetrators, and some to both or to whole family units. I will briefly examine such entities as the arenas where IPV is either institutionalised or deinstitutionalised. Those institutions provide invaluable venues for the process of deinstitutionalisation of IPV. Yet, I am especially interested in ways in which they fail to deinstitutionalise violence or actively contribute to a further institutionalisation of IPV or patterns of cultural value interpretation that support it, including unfair patterns of patriarchal and heteronormative understanding of gender.

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[447] International laws encourage the creation of holistic systems of response to IPV. For instance, provisions like Polish Niebieska Karta (NK) assume many different services should be working together to prevent family violence and assist victims in finding safety. However, in practice, this system not always works. VAW and IPV prevention policies are difficult to implement because they demand the coordination of institutions that were not necessarily designed for it (Gierszewski 2019, 181).

For many people, those forms of support turn out to be very valuable and serve well to prevent or at least reduce further violence. Agencies help navigate a confusing legal system (Gillis et el. 216, 1162). For example, the assistance provided by the Women's Rights Centre (Centrum Praw Kobiet) volunteers proved helpful with abused women's contacts with the police and the judiciary. The volunteers assisted the clients by helping them file necessary documents and by accompanying them during court hearings. The assistance of volunteers empowers and assures women who are under great stress resulting from partner abuse. Moreover, provided assistance limits systemic revictimisation from the authorities (Nowacka 2020, 83). Meanwhile, support groups for victims fulfil a therapeutic function. and foster victims' coping skills in dealing with partners' violence as well as help in developing safety plans (Johnson & Kelly 2008, 491).

Refuges and shelters are other venues for women trying to escape IPV that often proves to provide invaluable help (Dobash & Dobash 1992). The idea of refuge for women where they can be free of male violence goes at least as far back as the fourteenth century and can be found in *The Book of the City of Ladies* by Christine de Pizan (1405; Dobash & Dobash 1992, 59). The company of other women in a refuge help to alleviate victims' social isolation, build solidarity and engage in mutual support. Notably, a safe space a refuge provides allows abused women to make decisions about their own life (Dobash & Dobash 1992, 11, 58). As a result, it is hardly surprising that abused women self-report the importance of shelter and refuge in their lives (Dobash & Dobash 1992, 11).

However, IPV-related agencies or counsellors were the least sought-after form of help (Fugate et al. 2005, 295). There are many reasons contributing to that situation. A lot of women who do not employ the assistance of specialised IPV agencies or counsellors believe it is unnecessary or unhelpful to ask for this form of assistance. They argue so, either because they do not consider violent altercations serious enough or because they already employed some form of informal support (Fugate et al. 2005, 298). Comparatively, a smaller number of interviewed women cited barriers such as lack of money, time, transportation or childcare resources as factors preventing them from contacting IPV services (Fugate et al. 2005, 298; Gillis et el. 216, 1162).[448]

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[448] Problems such as access to financial resources, public transportation, and childcare (or elderly care) services (which contribute to individual restrictions of time) that are necessary for enabling victims'

Likewise, the fear of recrimination coming from the abusive partner was a concern for only a few women. [449]

Women seeking support from specialised IPV services have varied experiences. Some find appropriate assistance from dedicated social workers, while others, unfortunately, do not (Gillis et el. 216, 1162). Many women did not know what kind of services were available and/or how to get in contact (Fugate et al. 2005, 299). In some cases, agency personnel provides relevant information to the victim in a manner that completely overwhelms them, making them unable to use that information further (Gillis et el. 216, 1162). Research indicates that many women do not contact IPV agencies or counsellors under the assumption that services are only available for the victims who ended the relationship with abusers while they themselves have no intention of leaving (Fugate et al. 2005, 300). In other instances, the agency fails to contact the client back (Gillis et el. 216, 1162). IPV services appear not to be very well integrated into communities, and the information about their availability and purpose is not very well distributed (Fugate et al. 2005, 305).

For abused women leaving their partners, one of the most important, if not the most important, issues is finding a new place to live. Doubly so for the women who have to take their children and/or other family members away from an abusive partner. Securing housing requires a significant effort from those women, even when help in finding a new home is provided by relatives, friends or new partners (Dobash & Dobash 1992, 60). Refuges and shelters offer women a place to stay for some time before they can come up with another arrangement.

However, multiple problems can occur within a setting of refuge or shelter. Organising and structuring refuges and IPV victim support groups have a bearing on the experiences of women who come for help. Some of the first refuges starting in 1970s Britain operated on the basis of "feminist principles of self-help and non-hierarchical

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contact with specialised IPV services can be mitigated by redistributive measures. Of course, such measures would require broader changes in public policy. Appropriate distributive measures would contribute to the deinstitutionalisation of violence by allowing more people to employ specialised IPV services. That would be a form of strategy discussed in the previous chapter as cross-redressing (Comp. Chapter II, section 2.1.; Fraser & Honneth 2003, 85).

[449] A study conducted in Chicago found that close to 40% of the interviewed women reported believing it was not necessary or helpful to ask for the assistance of IPV related agency or counsellor (Fugate et al. 2005, 295, 298). At the same time, only about 20% of interviewed women identified barriers such as money, time or, as the study has been conducted in the USA, type of insurance or lack thereof. Moreover, the fear of the abusive partner rarely seems to play an important role in discouraging women from help (Fugate et al. 2005, 299).

organisation" (Dobash & Dobash 1992, 63). This kind of organisation is empowering and helps in deinstitutionalising unfair power hierarchies (ibid. 66). However, many shelters have a hierarchical structure that puts the victims in the power of the personnel. In such cases, a woman who comes to the shelter may hopefully be free of physical or psychological violence, but her life and activities are still one-sidedly restricted by someone else. Sadly, it is not uncommon for victims of IPV to suffer victimisation, for example, in the form of sexual abuse, in institutional care (Bjørnholt 2019, 105). The likelihood of sexual victimisation is even greater for disabled clients (Balderston 2013, 21).[450]

The treatment of help recipients in refuges and shelters, rather than following the principle of fairness, is often ideologically motivated. Churches and religious convents play no small role in providing accommodation for abuse victims, although, in recent times, that role has been increasingly taken by secular organisations or state-mandated institutions. For many abuse victims asking for help from a religious organisation is not optimal because of restrictions enforced by such organisations that are motivated by religious views rather than any practical requirements of providing help and housing for multiple people in the same place at once (Dobash & Dobash 1992, 60). In some cases, clients are shamed, receive poorer treatment, or experience outright refusal of help for their past or present life decisions that do not follow the religious view of help providers, like cohabitation with a partner without marriage, pursuing divorce or involvement in the same-sex relationship. It needs to be noted that unnecessary disciplinary regimes are not limited to institutions run by religious groups. In such instances, even though those institutions provide some degree of support, they also enforce a particular way of performing gender (in the context of family relationships) by punishing the ones who do not follow those gender norms.

Another important factor that shapes the practices of agencies, programs, shelters and groups that help abused women is financing. In order to obtain funding and support from the government, philanthropists and/or local communities, those entities need to gear their activities and personnel to what is deemed "appropriate" and "respectable." Therefore, they rid themselves of politics and activists who do not fit into those categories (Dobash & Dobash 1992, 77). That alienates some activists and

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[450] The higher risk of sexual violence among disabled women living in institutions is not limited to the context of IPV victims' shelters but also various other institutions, e.g. healthcare facilities.

potential employees, possibly leaving IPV victim programs and agencies short-qualified personnel. Moreover, the reliance on funding helps to maintain the notion of gender that is in line with the ideas of those who provide the money. The entities that do not fall in line and allow policies and conduct that are more inclusive and less restrictive than mainstream are less likely to obtain financial means to operate. As a result, policies and practices with more transformative and emancipatory potential are often eliminated from the functioning of IPV-related agencies and programs.

Heterosexual men seeking IPV services have different experiences than their female counterparts. Firstly, there are scarce few provisions for men abused by their female partners (Helios & Jedlecka 2016, 91). Especially, men who try to leave abusive partners with their children may have trouble finding support to do so safely (Hine et al. 2022, NP5599). Male victims of IPV find social services unhelpful (Huntley et al. 2019, 7). Due to IPV stereotypes, few resources are directed towards assistance to men. Additionally, the same stereotypes prevent them from recognising themselves as victims, which means they do not seek information on provisions for abused men and thus are unaware of what help they can access[451] (Hine et al. 2022, NP5599). Shame is also a factor that prevents men from contacting appropriate services. Therefore, heterosexual men reported anonymity of helplines as an important factor that helps them disclose and discuss victimisation (Huntley et al. 2019, 9). Men often believe that local IPV services they know of are only for women, non the least said services do not advertise the fact that they provide assistance for male victims as well (Huntley et al. 2019, 8; Hine et al. 2022, NP5610).[452] The lack of provisions, information as well as hostile or ignorant attitudes of service providers, contribute to the perception that men should be able to deal with their problems by themselves and that the abuse they face is either not a serious issue or that they are not worth helping if they cannot defend themselves sufficiently from "weaker sex."

Members of the LGBT+ community report IPV services as unhelpful because the service providers tend to either treat queer people as invisible or respond to them in a homophobic/transphobic way (Calton et al. 2015, 591). Agencies and programs that provide IPV relief may not have enough employees trained to deal with abuse in gay and lesbian relationships, and the awareness of the risks faced by transgender

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[451] This issue can be characterised as an example of epistemic injustice.
[452] Additional problem lies in financing. In UK government IPV services for men, including helplines, are underfunded in relation to the number of victims (Hine et al. 2020, NP5616).

individuals among service providers is minimal (Girshick 2008, 168; Henry et al. 2018/2021). Research conducted on IPV service providers determined that they were less likely to identify a woman, who was indicated to be a lesbian, as a victim of non-physical abuse than a woman who was indicated to be heterosexual (Basow and Thompson 2012; Calton et al. 2015, 590). Reportedly, queer individuals seeking help for IPV are met with disbelief from the formal service providers if they present as too masculine or if they were assigned male at birth (Scheer et al. 2020, 148). This practice stems from and maintains the gendered notion that masculinity is violent. The attitude of service providers may work as a deterrent to seeking help for lesbian and bisexual women. Caseworkers and IPV advocates are often unprepared to work with lesbians (Calton et al. 2015, 593). Revictimization and re-traumatization experienced by queer individuals experienced in agencies and programs designed to help victims of IPV may cause them to return to abusive partners and/or forgo looking for further assistance (Henry et al. 2018/2021).

In no small part, the problem queer people face when attempting to access assistance is the limited presence of LGBT+ community members among service providers (unless the agency in question had been specially dedicated to them). Of course, one does not have to be queer to competently provide assistance, however, depending on the type of assistance, a degree of expertise is required, and that entails some kind of contact with the members of the LGBT+ community, beyond just individuals, who come for help. The absence of members of the LGBT+ community among service providers means that the group of service providers does not have knowledge, that comes from living as a queer individual, to draw from. Queer people face obstacles if they want to engage in IPV prevention work as professionals or volunteers. For example, lesbian women may also be barred from working in shelters and IPV agencies, even by other members of the violence prevention/"feminist" movement, based on an unfounded assumption that they will seduce women living in shelters away from men thus breaking families (Dobash & Dobash 1992, 53). As a result, queer people are more likely to have negative experiences with IPV agencies. Moreover, work done by queer individuals for the goal of ending IPV and masculine domination remains unacknowledged (Dobash & Dobash 1992, 54).

Queer people, especially trans people, are often barred the access to emergency shelters (Calton et al. 2015, 593; Scheer et al. 2020, 143). For instance, shelters run by

churches or religious organisations may refuse to admit people based on their sexuality or gender presentation (comp. Godzisz & Rawłuszko 2018, 237), while refuges (as well as other IPV relief agencies) funded by philanthropists or the state may fear losing funding if they start admitting queer recipients (Girshick 2002b, 1510). Moreover, transgender individuals are significantly more likely (3,5 times by NCAVP 2015 estimations) to experience hate crimes during their stay in shelters than cisgender individuals (Scheer et al. 2020, 150). Hence, even if queer people enjoy the legal right to seek help in shelters, they may not feel secure enough to do so (Calton et al. 2015, 593). Additionally, shelter personnel is rarely trained to respond to LGBT+-specific issues (Henry et al. 2018/2021). Because SGM individuals, particularly sexual minority men and trans women expect unfair treatment, they may be more likely to forego seeking help with IPV-specific provisions and shelter (Scheer et al. 2020, 145).

Gender-segregated shelters are a barrier for trans people (Girshick 2008, 168). Transgender individuals may be compelled to present as their gender assigned at birth to access help.[453] Trans persons may be weary of contacting a shelter or other IPV services since the personnel can potentially cause a loss of confidentiality (Girshick 2008, 168). Additionally, the fact that homeless shelters and specialised IPV refuges are usually divided based on sex assigned at birth means that transgender individuals are forced to stay in the environment when they are in potential jeopardy (Scheer et al. 2020, 149). The danger extends beyond a transgender person's stay in the shelter as presenting the gender assigned at birth may put them at a greater risk of having their transgender status exposed.

Though, the institutional conduct that demands trans people to present as the gender assigned at birth to access housing and support, in conjunction with the trans people's increased vulnerability to violence and the need for assistance, plays a part in enforcing gender norms. Hence, policies of shelters, laws governing them and the conduct of shelter personnel are parts of an ongoing process of institutionalisation of hegemonic gender division, characterised by its rigidness and cisnormativity. The ones who do not fit in that cultural understanding of gender (trans and gender non-

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[453] Transgender individuals seeking assistance may reach for what is available in their area of living, and that is mainly women's IPV services. When they "seek mainstream women's IPV services, they are often met with three primary patterns of responding: outright denial, only accepting those whose presentation "pass" (for TGNC women as sufficiently feminine or TGNC men having to present as women), or having a policy that is inclusive of individuals regardless of their gender" (Tesch & Bekerian, 2015; Henry et al. 2018/2021).

conforming individuals) are devalued under the hegemonic patterns of cultural value interpretation and treated unfairly in the interactions with the personnel of formally organised institutions. The unfair conduct received by members of certain groups maintains the pattern of interpretation that those groups are less worthy of help.

Aside from assistance and relief agencies and programs for the victims, specialised IPV services include treatment programs for the perpetrators. The perpetrators' programs are given comparatively less attention in scholarship and family violence-related policies than provisions for the victims, even though IPV perpetrators are known to behave violently once they start new relationships (Kelly & Westmarland 2015, 3). The first program for abusive men, EMERGE, started in Boston in 1977 and employed the feminist ideal of non-domination, rejecting violence entirely (Dobash & Dobash 1992, 44). Originally, perpetrators' programs were not designed as an alternative to criminal justice measures but rather as an attempt to engage men in the process of social change as a part of a coordinated community response towards family violence (Kelly & Westmarland 2015, 3). However, soon the idea that a family could be potentially preserved by reforming the perpetrator, and subsequently perpetrators' programs become an alternative form of sentencing (Hanna 1998). The main contrast between victim services and perpetrators' treatment programs is that the perpetrators rarely reach for assistance unprompted if they are not outright unwilling to participate. Therefore, they only participate if court orders compel them. However, the court decisions to send violent men to those programs are often ideologically motivated rather than evidence-based (Hanna 1998, 1508).[454] Many of those programs employ one approach that fits all male domestic violence perpetrators, despite the research showing that different types of perpetrators may respond differently to particular forms of intervention (Johnson & Kelly 2008, 490).

The perpetrator groups for women are supposed to operate like groups for men. However, in practice, they often function based on the underlying assumption that the majority of the participants merely employ Violent Resistance. As a result, many of those groups act more like support groups for victims. This approach neglects the women who engage in Situational Couple Violence or Coercive Controlling Violence

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[454] There are numerous problems here. One is that the goal to preserve the unity of the family may obscure the best interests of the victim(s). Moreover, there are different types of perpetrator programs and different types of perpetrators and there is no guarantee that the available programs are effective in general, to what extent, if any of available programs is appropriate for the particular case.

(Johnson & Kelly 2008, 491). From the standpoint of this dissertation, it should be considered as a form of institutionalised conduct that establishes gendered patterns of interpretation of forms of violence that men and women employ that are derived from the assumption that women are non-violent.

Overall, IPV-related services shift away from the grassroots movement towards the professionalization of services. This fact poses certain problems for the IPV prevention movement. Namely, the voices of activists and abused women are alienated by experts (Dobash & Dobash 1992, 47). There are obvious advantages of employing experts instead of volunteers: professionals are supposed to have appropriate training for working in the field. Moreover, standardised training supports consistent conduct, and professionals are compensated for their work so they can devote time and energy to their tasks, which is something volunteers may not be able to do. On the other hand, the perspective of experts is different and in many ways more limited that the perspective of volunteers and grassroots movements. They also have different constraints than the volunteers, because they are employees, they are much more strongly motivated to satisfy the requests of those, who pay them, which may sometimes be different from the needs of the people, who seek help. Additionally the imbalance of power between experts and help seekers than between help seekers and volunteers, especially from the volunteers who themselves used to be in the position of help seekers (comp. (Dobash & Dobash 1992).

5.4.2. Social support services

Findings from multiple countries indicate that robust social support has the potential to protect against IPV (Jewkes 2002, 1425). However, abused women often have negative experiences interacting with social workers. There are many similar problems among social workers than in the other branches of the formal support system.

Despite the policies stressing the necessity of coordinating various services and forms of support, there is often too little cooperation in practice. For instance, social workers may neglect to contact the criminal justice system because they deem the procedures too complicated (Yechezkel & Ayalon 2013, 382). In cases of married couples, social workers prefer therapeutic intervention over legal action. American survey revealed that while social workers usually referred recipients to specialised

community services and contact those services themselves to ensues specialised services are appropriately informed, they rarely assisted recipients in getting protective orders or developing protection plans. Additionally, social workers were unlikely to employ culturally sensitive strategies (Danis 2003, 182). Moreover, the social worker's choice to intervene was conditioned by the subjective perception of the perpetrator's behaviour (whether or not they saw it as abusive or non-abusive) and subjective perception of the severity of the abuse. Which means it depends on how well they are informed about the problem. Research indicates that social workers tended to interpret behaviours as abuse if there were visible signs of physical violence, in those cases, they are more willing to initiate legal intervention (Yechezkel & Ayalon 2013, 383). The main obstacles to providing assistance in the appropriate do not seem to be ill will or personal qualities of social workers, but the lack of sufficient training to deal with types of challenges specific to IPV cases. However, as a result, they may reinforce unfair patterns of cultural interpretation, for example by tending to blame married women either for remaining in abusive marriages, not accounting for the fact that the women do not have personal or community resources to do so, or alternatively blame the victims, who try to leave for the lack of willingness to solve their marital problems (comp, Chapter III, section 3.3.). Or by acting as if violence is a normal part of marriage, and they may do so because they are unable to recognise violence for what it is (comp. Danis 2003, 179).

Despite the number of women who have personal experiences with IPV among social workers, and while sometimes those experiences leave the survivors better informed and more willing to help, the response to the victim is not always positive. Because women blame themselves for being abused, they may also blame other women in similar situations. Moreover, they may have unfair expectations towards other women based on their own experiences ("I got out, why can't she?").[455] Women working in social services do not necessarily understand the problem of IPV as systemic or political, let alone employ a feminist perspective (Danis 2003, 188). As a result, social services respond to IPV as a problem of individuals, and their conduct fails to meet the potential for women's emancipation and violence prevention.

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[455] How the experiences of abuse are personally constructed is conditioned by cultural narrative. This is not only significant for personal well-being but also how the understanding derived from the experiences of abuse influences attitudes towards others. This is especially important for individuals who are in a position, in which they have more power to help others in similar circumstances.

5.4.3. Medical services

The healthcare system is uniquely positioned to provide assistance to IPV victims. However, the structural support for medical professionals inquiring about and responding to IPV is often nonextant (Wemrell et al. 2019, 11). It is unusual for healthcare providers to screen for family violence (Fugate et al. 2005, 306). Additionally, women report negative attitudes toward medical personnel, like disbelief or blame for violence (Wemrell et al. 2019, 11). Moreover, Healthcare providers are unprepared to identify disability-specific forms of abuse, as those forms of abuse usually are not included in the screening procedures (Ballan et al. 2017, 1441).

Even though most victims do not use medical services directly after an attack from their partner (Fugate et al. 2005, 295),[456] here are many types of situations, for example, during pregnancy and in the post-partum period, in which medical personnel could potentially make an intervention and offer support to victims of IPV but they often neglect to do so (comp. Bjørnholt 2019, 99). However, midwives working with abuse victims intentionally omit the subject (Edin et al., 2010; Wemrell et al. 2019, 11). The context of reproductive healthcare is particularly important here because pregnancy and giving birth after sexual abuse can constitute additional trauma for women (Bjørnholt 2019, 98). Moreover, as discussed in the section above, pregnancy increases a person's vulnerability to the abuser.

Attitudes among medical personnel are a barrier to reporting signs of family violence. Medical personnel see family life as private and therefore do not want to intervene even if they spot the signs of violence.[457] Nurses and doctors are also afraid of the negative consequences of misdiagnosing the cause of injuries as violence, and the negative social consequences of reporting violence in the workplace, regardless if the diagnosis was correct or simply retaliation from the perpetrator. Moreover, doctors and nurses do not see themselves as responsible for dealing with family violence as they

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[456] Unlike other forms of assistance, medical services are not seen as a danger to relationships (Fugate et al. 2005, 300). So, the women who want to maintain their relationship with the abuser feel relatively safe to contact healthcare providers. Most often, women do not contact medical services after violent incidents because they deem medical attention needed. Some women have difficulty seeking medical help because they do not have access to transportation or because have no options for childcare in their absence. It is not very common for abusive partners to prevent women from seeking medical assistance but it does happen (Fugate et al. 2005, 299).

[457] In Poland 79% of surveyed medical professionals had encountered someone subjected to family violence during the course of their professional career. Despite that, medical professionals frequently reported the lack of adequate knowledge, tools and experience with victims and families affected by the problem of violence in the family (Leoniuk et al. 2013, 400).

assume it is a task for other institutions such as social services or the police. They do not believe a formal support system can adequately help victims of violence, so they perceive any actions they could potentially take as meaningless or they misinterpret the rules of confidentiality. In the case of nurses, they follow the model of professional conduct that puts the onus of decision on the doctor (Leoniuk et al. 2013, 401).

Considering the example of Poland, there are several structural problems that prevent medical professionals from adequately responding to family violence. The procedures for dealing with family violence are disjoined and overly complex. Medical professionals had not been sufficiently informed and educated about their duties when the legal regulations regarding the prevention and treatment of family violence. Moreover, there is little to no coordination between medical services and other institutions responsible for dealing with family violence (Leoniuk et al. 2013, 400).

The practice of healthcare services is informed by gender stereotypes and cultural biases regarding IPV. Male victims of IPV are often met with a lack of compassion and sensitivity from healthcare professionals as well as unwillingness to discuss violence (Huntley et al. 2019, 10). Following the stereotypical image of women as sexually harmless, professionals working in medical services, including mental healthcare and social work, tend to downplay women's perpetration of sexual violence. As a result, the seriousness of the abuse remains unacknowledged (Sample et al. 2016, 309). Unfortunately, healthcare professionals often neglect to refer abused men, or at least abused men belonging to a certain subset of the population, for example, disabled, for further assistance for IPV-related probelems (Ballan et al. 2017, 1440). Additionally, men worry about the lack of confidentiality, especially in rural areas (Huntley et al. 2019, 9). This is a particularly important issue to address because men often avoid seeking help for IPV using the justice system or IPV services, however, they do more or less regularly visit healthcare professionals (Ballan et al. 2017, 1436). For that reason healthcare system may be the first venue to access formal support for dealing with partner abuse. Moreover, men report that they find healthcare services more helpful than other forms of assistance, including IPV programs (ibid., 1437).

Meanwhile, the experiences of queer people with the healthcare system overall are rather negative, so they are more likely to avoid contacting health services providers or disclosing all the necessary information. A significant portion of the SGM population (estimated to be more than half) have experienced some form of victimisation related to

their minority status from medical professionals, including the refusal of medical care, verbal abuse, rough physical handling or blaming for the state of their health (Scheer et al. 2020, 147). Most extreme cases of maltreatment from medical professionals involve letting the patient die after discovering their transgender status (Girshick 2008, 167). Trans people have particularly negative experiences with medical professionals that include medical gatekeeping and exclusionary practices in the medical field, encounters with doctors, who are often not well informed about trans issues or show transphobic attitudes (sometimes in the form of unconscious bias). The patients may be afraid of disclosing their status to transphobic doctors or visiting appropriate specialists in case their confidentiality is compromised, and they are outed. Moreover, funding for treatment may not be provided, even if the same procedures, like hormonal treatment, are funded by medical insurance for cis people (Girshick 2008, 143).

All put together, the healthcare system and medical assistance have a certain potential to help victims of IPV that is not present in other forms of institutions I discussed above. Medical personnel is in a unique position to detect cases of abuse and intervene where no other institution can. However, for various reasons, that potential is often not realised. When they do not respond to violence they may unintentionally send a signal that there is nothing that warrants the response, reinforcing unfair patterns of cultural interpretation. The failure of the healthcare system to intervene in cases of abuse enables perpetrators. In worst cases, the conduct of medical personnel reinforces harmful IPV and sexual violence stereotypes. Some groups of victims may encounter additional unfair treatment related to the fact that they, for some reason, do not meet gender norms. While both cis and heterosexual men and women may be mistreated because they do not meet medical professional expectations about gender, the situation is worse for queer patients. Therefore, queer patients are also less likely to obtain help than cis and straight patients.

5.5. Conclusion

Women present rather ambivalent attitudes towards institutions that are supposed to help them. As a result, they are hesitant to turn to formal institutions or disclose violence. That ambivalence or even dismissal is by no means irrational. To understand women's reluctance to disclose partner violence, it is necessary to look at

the context of the practices of formally organised institutions, such as the legal justice system, healthcare and social support. Those institutions display underlying acceptance or disinterest towards the problem of IPV as well as victim-blaming attitudes and demands on performing survivorship in a particular arbitrary way (Dobash & Dobash 1992, 4). Such practices are organised by laws and policies explicitly or implicitly codifying the legacy of the belief in male superiority. Victims' inability to obtain help from formal institutions, particularly from state sources, demonstrates how lacking state-mandated provisions are. Ultimately, the lack of appropriate response showcases the structural component inherent to systemic intimate violence (Meyersfeld 2016, 117).

Those problems cannot, however, or at least not in most cases, be attributed to the individual qualities of professionals working in different branches of formal support systems. Rather they are a result of the fact that are often not sufficiently prepared to meet the challenges of complex and emotionally taxing cases of IPV. At the same time, the solutions to those problems are additionally complicated because they require cooperation across different types of institutions. The professional, regardless of which branch they belong to, may very likely be met with conflicting demands and needs and how well they are able to realise their tasks depends on how others do.

PART C: PREVENTING VIOLENCE

Chapter VI Prospects for violence prevention: fostering moral and moral-democratic competencies of citizens

6.1. Introduction

In the previous chapters, I proposed a definition of violence and discussed women's experiences with violence with a particular focus on direct, physical violence in the context of intimate partner relationships. According to the definition presented in Chapter II violence is practice, that results from misrecognition (understood (*qua* Fraser) as a nexus of institutionalised patterns of cultural value interpretation that unfairly disadvantages some people in social interactions) and produces status harm, that is status subordination. Providing such a definition was thought as the necessary groundwork for shaping the notion I am going to present in this chapter. Thus, the main concern of this chapter is to provide the case for the necessity of including educational methods tailored for fostering moral competencies in the strategies of violence prevention. The crux of my proposal is that people do have the power to change their everyday practices (act more fairly to others, better employ principles of fairness, be better at spotting unfair arguments (patterns of reasoning), be more mindful-listening to others) without having to know the/any advanced theory.

For this purpose, I will explain the concept of moral and moral-democratic competencies. Therefore, the Dual Aspect model of moral behaviour presented by Lawrence Kohlberg's[458] student, Georg Lind, will be introduced. Also, a brief comparison between Lind's contribution and Kohlberg's theory, from which it grew, will be made. The reason I concentrate on Lind's model is that it serves as a foundation of a well-researched method for fostering moral competence, the effectiveness of which is supported by results of empirical studies – Konstanz Method of Dilemma Discussion (KMDD®), which I am going to present in the next step. Then I will shortly explore the

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[458] Kohlberg was an American psychologist best known for his theory of stages of moral development (which will be discussed in section 6.3.1). He was one of the first interdisciplinary psychologists. His work has been deeply influenced by the philosophies of Immanuel Kant, John Dewey, John Rawls and Jürgen Habermas, the sociological theory of Emile Durkheim and Wiliam James, and the psychological theory of Jean Piaget (Schrader 2015, 89). Kohlberg's theory represents a constructivist approach. His academic interests lied in the theory of education, moral development and establishing a just community.

concept of moral-democratic competencies discussed by Lind and his associates from Poznań. Next, I will analyse the areas in which violence prevention would benefit from better education in moral competence and the role that fostering moral and moral democratic competence can have for gender emancipation and democratic social transformation.

6.2. The Dual Aspect model of moral behaviour by Georg Lind

According to Lind, the moral self has two layers: unconscious behaviour and conscious moral reflection. Furthermore, the affective and the cognitive aspects of all behaviour can be distinguished on both of those two layers (Lind 2016, 52), which can be described as "distinct-yet-not-separate" (Lind 2013, 14, 30; Steć et al. 2021). In the Dual Aspect model, both the affective and the cognitive aspects play pivotal roles in moral behaviour (Schillinger 2006, 30).[459] Lind proposes an understanding of the cognitive and the affective aspects as analytically distinct properties, not ontologically separate components of moral behaviour and explains that aspects should not be conceptualised and tested in isolation (Lind 2016, 51; Schillinger 2006, 30; Steć 2017, 45). Following the path of Jean Piaget[460] and Kohlberg, Lind insists that moral behaviour cannot be adequately grasped without addressing the internal process. But unlike his predecessors, he does not focus the scope of his research on the conscious layer (Lind 2016, 56; Prehn et al. 2008, 34).

For the sake of clarity, I will shortly summarise the use of the key terms that will appear further in this chapter. The term 'behaviour' refers to a result of complex cognitive processes, including affective or emotional reactions to external stimuli, assessment and decision-making, that are often not conscious. Importantly, observed behaviour can be easily misunderstood when judged only externally (Lind 2016, 73). Lind uses the term 'moral' to describe "the conformity of one's behaviour with internal rules and standards, principles or conscience" (Lind 2016, 16). However, a subject possesses a more or less developed ability to reconcile external and internal standards.

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[459] This is in contrast to the model proposed by Kohlberg, in which the cognitive aspect has unquestioned primacy and in contrast to the "social intuitionist" model (see: Haidt 2001), where the affective aspect dominates the process of moral judgment (Schillinger 2006, 30).

[460] Piaget was a Swiss psychologist best known for his study of developmental psychology and educational theory, which was part of his larger theoretical framework known as "genetic epistemology," a scientific research approach for exploring the genesis of knowledge, including the evolution of science. Some of his most famous publications include *Judgment and Reasoning in the Child* (1928), *The Moral Judgment of the Child* (1932) and *The Psychology of Intelligence* (1950).

6.2.1. The affective aspect of the unconscious layer

In Lind's model, the affective aspect of the unconscious layer is represented by orientations, which can be described as the dispositions towards certain kinds of motivations for behaviour.[461] They serve as an internal push for behaviour (Lind 2016, 53). Moral orientations are acquired in early childhood, and they do not need to be thought of (Lind 2016, 55). Lind distinguishes six types of moral orientations,[462] which are internal guidelines for behaviour.[463] The concept of moral orientation plays a key role in understanding moral behaviour. Following a long philosophical tradition, represented by Enlightenment philosophers such as Immanuel Kant,[464] David Hume[465] (1777/1983 and Baruch Spinoza[466] (1677) and later Hannah Arendt (1971) and Jürgen Habermas (1983/1990), as well as Lind's predecessor and teacher, Lawrence Kohlberg, for a person's behaviour to be considered "moral" it must be consistent with their own internal orientations (Lind & Nowak 2015, 144; comp. Kohlberg 1964). He assumes moral orientations do not have declarative character, meaning the person whose behaviour is observed does not need to articulate certain preferences of moral reasoning or claim they prefer certain types of solutions to moral problems. Instead, moral orientations can be tested in judgement behaviour as unconscious preferences (Lind 2016, 53-54).[467]

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[461] The disposition means that one does not need always to have the same type of motivation guiding their behaviour because the appropriateness of the type of motivation depends on context. Still, certain types of motivation are more prevalent than others. For instance, if a person may be more often motivated by laws and norms rather than maintaining a positive image of oneself as a pro-social agent, then they may be deemed to have an orientation towards laws and norms.

[462] Lind's moral orientations correspond in their content to Kohlberg's six stages of moral development (see section 6.3.)

[463] Moral orientations roughly correspond to values, attitudes and principles (comp. Lind 2021, 31), which are internalised so deeply that may be beyond awareness in most situations, or certain perceptions of morally relevant aspects of the world, strong moral feelings about certain matters that guide one's behaviour.

[464] Kant understands moral action as one taken on accordance autonomous, internal judgment that follows principles (imperative) each person must find on their own (maxim) (Kant 1785/1998)

[465] David Hume, in *An enquiry concerning the principles of morals* (1777), sets out to e.xamine "sentiments and faculties" responsible for moral actions. Although sentiments compel action, Hume argues against resolving "all moral determinations into *sentiments*" (1777/1983, 48). Instead, he notes that there is a further requirement for "judgment" that "corrects the inequalities of our internal emotions and perceptions; in like manner, as it preserves us from error" (ibid., 48).

[466] In order to guide human moral actions passions and emotions must be organised by reason (comp: Spinoza 1677, IIIP36 & 37 in Curley (ed.). 1994, 217-221; Lind & Nowak 2015, 145).

[467] It is possible that the declared preferences are different from the ones expressed in judgmental behaviour. For example, a person may claim they prefer conflict solutions based on principles of justice and fairness, but judge solutions based on how well those solutions meet their particular interests or how well the solutions adhere to the set of rules or laws pre-established in the community they belong to. Moreover, the person may not even be aware of the discrepancy.

The orientations do not so much determine choices, at least not directly, but types of reasonings that motivate individuals into making those choices.[468] Moral orientation is the unconscious motivator for being more compelled to act by arguments and reasoning that align more with one of those general types of rationales over others.[469] It is not that different types of arguments contradict one another or that any of them is more rational than others, but different people will still find them compelling to a different degree. In other words, moral orientation can be taken as a propensity towards moral intuitions that follow a certain pattern (comp. Hanussek 2021, 194).

The consistency of orientation has been noted among members of different groups, showing that roughly the same orientations manifest in the behaviour of different groups of people (Lind 2016, 16-17, 55; Prehn et al. 2008, 34). Moreover, orientations are evaluated in conscious reasoning in a fairly consistent way, with the types of orientations that correspond to Kohlberg's higher stages being favoured over the ones that correspond to lower ones (Lind 2016, 54).[470] However, it should be noted

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[468] For example, many people may want to support an environmental policy, but they differ in particular types of rationale that compels them to that decision. Some may be motivated by fear that the negative consequences of climate change may negatively affect them personally or because they expect some profits, e. g. cheaper energy, healthier food (pre-conventional types of moral orientations); different people may instead want to appear concerned about current issues and pro-social in front of their peers or because support for environmental policies is seen as a norm in their community (conventional types of moral orientations); and others still may be primarily concerned with the injustice of climate change, regardless if they expect to personally suffer as a result, given that the negative effects of climate change are inevitable, someone, usually more vulnerable people (and other life forms living on Earth) will be affected, so the support for climate policies is a matter of principles of fairness (post-conventional types orientations).

[469] And that is regardless of other qualities arguments for this cause may possess, e.g. how well they are supported by research or how well they are articulated and put together.

[470] This "preference hierarchy" thesis has been proposed by Kohlberg (1984) and James Rest (1969; 1973; 1999), and has been supported by research (Gielen & Markoulis 1994; Gielen & Miao 2000; Kriaučiūnienė & Lind 2021, 9-10; Lind 2005; 2021, 31; Schillinger 2006). According to this idea, six types of moral orientations "form a universal order of moral adequacy" (Lind 2021, 31). To explain this in layman's terms: nearly everywhere in the world people will claim being fair and just (post-conventional morality, corresponding to Kohlberg's stages 5 and 6) is more important than strictly adhering to a set of rules and laws or fulfilling expectations of others in respect to what is seen as "good," pro-social behaviour (conventional morality, corresponding to stages 3 and 4) and that adhering to norm and laws or fulfilling expectations of others is more important than fulfilling particular interests (pre-conventional, corresponding to stages 1 and 2). There is little variation from this schema, not only across different cultures, regions and ethnicities. Post-conventional orientations are always the most favoured ones, while pre-conventional are most often rejected (Schillinger 2006, 45, 119-120). Some cultural differences can be observed, for example, research participants, who come from more traditional cultures favour the norms of a social group they belong to more than participants from a less traditional background, however, both groups still show a preference towards post-conventional orientation over traditionally established norms (Lind 2005, 10); or Brazilian students showing greater preference towards stage 3, when German students rather reject in favour of stage 4 (Schillinger 2006, 119). Also, the variation can show within stages belonging to post-conventional morality, like German students preferring reasonings corresponding to stage 5 over the ones corresponding to stage 6 (ibid.). Preference hierarchy can also be

that the preference for certain orientations over others is context-based. This means it differs depending on the particular kinds of morally stimulating situations one is facing (Lind 2016, 53). That means people show preferences for different orientations when faced with varied moral problems.[471]

It is essential to underline that there is a discontinuity between conscious principles and unconscious orientation (Lind 2016, 54), or, in other words, the conscious and unconscious motivations only overlap to a certain extent. The discontinuity between orientations and principles is observed according to Lind's distinction between conscious and unconscious levels of behaviour. This entails that people often say they prefer higher orientations – the so-called post-conventional morality, but their unconscious judgment behaviour actually shows a lack of consistency in following preferred orientations. When you ask people whether they should act in accordance with principles of fairness rather than fear of punishment or hope for tangible reward (pre-conventional level), they almost certainly say yes. But at the same time, they unconsciously choose arguments that correspond to the lower orientations as more appealing. In such cases, despite declarations, arguments about justice would not compel decisions and actions of such individuals as strongly as fear of personally experiencing negative consequences. Unconscious moral orientation has a more direct impact on behaviour than conscious, articulated principles. This (evidence-based) model of moral behaviour, focused on the unconscious aspects of moral decision-making, stands in contrast to the earlier model developed by Lind's predecessor Kohlberg, whose research only dealt with conscious reasoning (see section 6.3.1.).

6.2.2. The cognitive aspect of the unconscious layer

The corresponding unconscious cognitive aspect to the moral orientations is moral. Lind's concept of moral competence is a new reformulation of an idea with a long philosophical tradition dating back at least to Socrates, namely the ability to be as good

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observed across different social classes of the same society. For instance, research shows preferences of inmates follow a similar schema (Hemmerling 2014).

[471] For instance, a person may embrace type 3 orientation, by showing a desire to appear as a "good," pro-social agent when it comes to family matters, but reject it in the professional life of type 2, by favouring solutions that are mutually beneficial to involved parties, or type 4 orientation, by very strict adherence to laws and norms of their profession.

as one desires (Lind & Nowak 2015, 144; Lind 2016, 61), the ability to consistently follow one's own moral feelings with one's actions. [472] Through the course of history:

> In the internal tradition of thought, philosophers have argued that, in order to act morally, individuals need to be able to apply their moral orientations in their moral judgments and decisions; they need some kind of moral competence: "the power of our own native intelligence" (Descartes), "mental agility" (Kant), highly developed affect (Spinoza), moral sense (Hume) (Lind & Nowak 2015, 144).

Often this ability to consistently take right actions, the enduring disposition towards good judgment followed by good action, has been called 'virtue'.[473] Furthermore, the field of developmental psychology has its own prior influential contributions, following and supporting this tradition of philosophical thought, in form of Piagetian "moral maturity" and especially Kohlberg's (1964) concept of moral judgment competence (comp. Lind 2016, 61).

Kohlberg's definition of moral judgment competence can be taken as a foundation for Lind's subsequent definition of moral competence,[474] therefore it is worthwhile to recall it here:

> the capacity to make decisions and judgments which are moral (i.e., based on internal principles) and to act in accordance with such judgments (Kohlberg 1964, 425).

Lind explains this short and clear definition includes three essential components:

> (1) It defines the affective aspect of morality in terms of the individual's inner moral principles or orientations, (2) It defines the cognitive aspect of morality as the structure of his or her overt moral judgments, and (3) It defines both as aspects of visible action or behavior (Lind 2021, 19).

In comparison, Lind defines moral competence in the following way:

> moral competence is the ability to resolve problems and conflicts on the basis of inner moral principles through deliberation and discussion instead of violence and deceit or bowing down to others (Lind 2016, 13).

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[472] The main innovation in Lind's approach does not lay so much in introducing a "new" concept but in providing measurement instrument and educational method.

[473] The term 'virtue' has a very long tradition in the history of philosophy, by such thinkers as Cicero, Hume and Spinoza, and most influentially by Aristotle, who understood virtue as a moral ability with both cognitive and affective aspects that cannot be simply learned through general rules and theories but can only be perfected through practice (Nowak 2016, 323-324).

[474] In many of his works, Lind uses 'moral competence' and 'moral judgment competence' interchangeably, however within the context of moral psychology, the term 'judgment' denotes certain verbal behaviour, while Lind is not just interested in judgment, but primarily in dispositions that manifest directly in behaviour, which is not necessarily conscious or articulated (Lind 2016, 21). So in the scope of this dissertation, the term moral judgment competence refers exclusively to Kohlberg's concept, that in contrast to Lind's concept, necessitates conscious judgment.

Lind's definition retains the three essential points that had been already present in Kohlberg's proposition, although the phrasing may obscure it. (1) The affective aspect is recognisably identical in both definitions as "the individual's inner moral principles or orientations.," internal criteria of moral orientations rather than external standards (Lind 2021, 29). (2) Rather than the ability to judge and act, Lind proposes the ability to resolve problems and conflicts, which, of course, needs to involve the ability to judge and act. Lind also expands the cognitive aspect by the modus of solving conflicts: deliberation and discussion. (3) This entails that moral competence is an aspect of visible behaviour.[475] The latter part of the definition comes from Habermas' explanation of moral decision-making as the decision process founded on free discourse rather than violence and deceit (Habermas 1990; Lind 2017, 18). Moreover, moral competence corresponds to proficiency in making difficult choices and decisions in highly specific contexts, such as an ability to make solutions that are not automatic repetitions of patterns (Nowak 2016, 324). The rejection of violence included in the definition of moral competence is essential from the standpoint of this dissertation.

The difference between Kohlberg's concept of moral judgment competence and Lind's moral competence is that the latter, unlike the former, does not equate competence with the stage structure of conscious moral reasoning of the subject (Lind 2017, 19; Steć et al. 2021). Moral competence is based on skills and knowledge but is not synonymous with them. Instead, knowledge is just one aspect of competence – the increase in knowledge or particular skills based on the knowledge does not automatically translate to the growth of moral competence (Lind 2000, 35; Steć et al. 2021).[476] The acquisition of moral competence always occurs in a specific context, as a result, undergoes dynamic transformations throughout a person's life. Therefore the particular environment in which each person functions is consequential for developing moral competence (Marek & Waliniuk 2021; Steć et al. 2021). This also means moral

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[475] Moral competence is distinct, although not disconnected, from social competence, which can be defined as an "ever-changing system, which consists of social motifs and social abilities and has the function to organise social behaviour, and to trigger the operation of the individual elements of the system. The system of social abilities is composed of simple and complex abilities and their components, that is, skills, routines and the social knowledge accumulated by the individual" (Zsolnai 2015, 2)

[476] To illustrate this point, let me compare moral competence to artistic competence in drawing or learning. Studying the history of art, anatomy, optics, or even neuropsychology may be very conductive and or even essential for developing artistic competence but does not directly translate to it. One may be very well-versed in any of those subjects and not be able to put any of that knowledge into practice. Likewise, artistic competence is not located in any individual skill or even the aggregate of those skills. Gaining knowledge and consciously training skills is necessary and can help foster artistic competence that is based on those skills, but artistic competence, like moral competence, is unconscious.

competence is an educable disposition that requires an appropriate environment to foster its development (Marek & Waliniuk 2021). That means an unfavourable environment can hamper its development (Lind 2020; Steć et al. 2021).

Furthermore, it must be emphasised that moral competence is not merely a philosophical or theoretical concept, but reflects observable phenomena of human brain functioning. Neuropsychological research shows that moral problems uniquely stimulate brain activity (Prehn et al. 2008, 43-44; Steć 2017, 50-51; Lind 2021, 31; comp. Greene 2009). The research participants, who displayed a high level of moral competence assessed with the Moral Competence Test (MCT), showed higher levels of activity in brain centres related to cognitive processing and required less time for making a moral decision (Prehn 2013; Steć 2017, 51). While both the areas responsible for cognitive processing and emotional processing participate in the process of moral decision-making, the participants who showed higher activity in areas responsible for cognitive processing could better manage emotions so that they did not interfere with the cognitive process (Steć 2017, 51).

In short, Lind's moral competence consists of the ability to judge accordingly to one's moral ideas and principles to determine which moral argument is the most appropriate in a given situation and to determine the best decision to realise those judgements in actions (Lind 2010, 5; Lind 2010, 2; Steć et al. 2021). Well-developed moral competence entails the ability to choose an appropriate moral principle for any given context, which includes grasping the moral complexity of particular situations and deciding on not only practical but moral requirements for solutions, meaning morally necessitated entitlements and duties of persons involved. Moral competence helps the subject arrive at morally charged decisions concerning relations between oneself and other people (Lind 2016, 28). This ability is inborn in its most basic, rudimentary state, but it needs to be developed and educated to match the complexity of modern society and interpersonal relationships (Lind 2016, 97; Nowak 2016, 325).

Importantly, Lind proposes another operational definition of moral competence, which has been developed for the purpose of practical testing. The idea is the ability described in the definition quoted above is reflected in the following:

> the ability to rate arguments of others about someone's decision in regard to their moral quality rather than other criteria like opinion-agreement (Lind 2017, 18).

Moral competence is the "increase in the consistency of judgment behaviour of a person with respect to certain moral principles." (Lind 2016, 96). That means moral competence allows bringing together the gap between conscious, articulated moral principles and unconsciously followed moral orientation, or moral ideas and actual decision making (Lind 2016, 17).[477]

6.2.3. The affective and cognitive aspect of the conscious layer

Lind devotes less place in his work to the analysis of the conscious layer, as it is the subject of ethics, so I will also characterise it only briefly before I explain how the layers and aspects are interwoven.

On the conscious layer, the subject recognises the moral emotions of others and formulates articulated ethical principles and values – the affective aspect, which corresponds to unconscious moral orientations; and ethical judgment and reasoning – the cognitive aspect (Lind 2016,57; Steć et al. 2021). While Lind did not focus his research on the conscious layer of moral behaviour, he still regarded it as pivotal for moral development. Namely, it has a corrective function and allows us to consciously steer our development (Lind 2011, 573; 2016, 56-57).

The overt, conscious process of moral reasoning that concludes with formulating a particular moral judgement or decision happens on the conscious layer. In this process, humans learn to discursively express, righten (correct them to be fairer) and justify their judgements. The process of moral judgment and decision-making is conscious to a considerable extent; however, it is not divorced from the unconscious aspects (Nowak 2016, 329). Because the critical part of the moral learning and development process happens through this social layer, it is essential to stimulate conscious moral considerations.

6.2.4. Relationship between affective and cognitive aspects, conscious and unconscious layer

The notion of parallelism between affective and cognitive aspects has already been introduced by Piaget (1981) and confirmed by later researchers, including Lind (Lind

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[477] The theoretical and philosophical exploration of the concept of moral competence is still underway. Hopefully, future cross-disciplinary research will provide a more accurate description of moral competence and an explanation of its nature (Nowak 2016, 329).

2013, 5; 2016; comp. Greene 2009; Prehn 2013; Steć 2017). It means that moral affects and moral cognition relate in such a way that the greater preference people show towards more adequate moral orientations and rejection towards inadequate moral orientations, the higher their moral competence is (Lind 2013, 21). Moral learning requires affective and emotional arousal to produce lasting effects (Lind 2013, 31; 2016; comp. Nowak & Urbańska 2017; Steć 2017). Therefore, the affective and cognitive aspects should be fostered together.

Lind explains emotional knowledge as tacit knowledge (Lind 2011, 572). Emotions act as motivators. They compel action (comp. Harenskyi et al. 2010). Moreover, they inform the judgment-making process. Not all information processed by the human brain is verbalised. Emotional engagement is necessary for moral learning. The emotional response to a situation signals that a particular situation is morally sensitive before the moral problem is consciously verbalised and that some action is required to manage it. The initial emotional response is necessary to regard the issue as moral. Thereafter, emotions may steer one towards or away from particular solutions, even before considering rational arguments (comp. Bommarito 2014; Damasio 1994; Loya 2002; Steć 2017; 46).

The affective response is quicker than conscious reasoning, allowing one to immediately make a judgment and turn this decision into action. Moreover, it informs reflection that comes in later. This is a perceptive and evaluative function of emotions. However, moral reflection can temper the initial judgment and allow to development of a new and more adequate course of action. Importantly, emotionally engaged reflection and moral reasoning influence short-track emotional responses in the future. The affective response itself can be informed and modified by past experiences. Engaging in reasoning and discussion can prepare the kind of emotional response an individual can have. In other words, there is a feedback between cognitive and affective aspects of moral behaviour (Lind 2016; Nowak & Urbańska 2017).

Consequently, moral feelings, the affective aspect of the competencies, can be refined to react quickly and adequately to situations in which they are needed (Lind, 2012, 67). One, however, needs to be provided with opportunities to shape those skills to enhance them. Essential skills include the ability to judge the weight of the arguments independently from one's sympathies and preferences, that is, not surrendering one's judgment to "opinion conformity" (Lind 2012, 69).

The development of unconscious dispositions, both cognitive and affective, happens during discussions when the participants have to consciously formulate their reasonings and articulate their emotions (Lind 2016, 57). It is important to note that human behaviour, including moral behaviour, even when described as affective in character, results from complicated cognitive processes and not some pre-existing, unchangeable reflexes (Lind 2016, 73). This, in short, means that emotional and intuitive responses can be trained and shaped beforehand in the process of conscious, professionally schooled thinking and by taking part in respectful discussions (Lind 2011, 573; 2016; comp. Steć 2017). This is possible because of the feedback between the emotional state and conscious reasoning. Social experiences, discussion and working on hypothetical moral problems in abstraction from the context in which they are directly experienced contribute to the development of what can be called moral intuition – the immediate emotive response to problems, when they arise (Lind 2000, 2015 & 2016).

6.3. The background behind the Dual Aspect model

6.3.1 Kohlberg's model of cognitive moral development

To further clarify the qualities of Lind's dual aspect model and his proposed method of moral teaching, I will now make a short comparison with Kohlberg's model of moral development and the educational methods he and his colleagues proposed. This warrants a brief introduction to the main points of Kohlberg's approach in the aspects most relevant to the development of Lind's model discussed in this chapter. Kohlberg's theoretical framework and methods of teaching and testing moral judgment significantly influenced Lind's work. In particular, developing a dual-aspect model was prompted by the realisation that Kohlberg's theory presented some contradictions regarding the relation between his theoretical model and his measurement method (Schillinger 2006, 29). Namely, Kohlberg defined moral judgment competence by inner standards, however, the Moral Judgment Interview, his proposed measurement method, relied on external evaluation (Lind & Nowak 2015, 140).

Kohlberg represented the constructivist approach in his moral worldview, epistemology, developmental theory and educational methods. Founded on the assumption that human beings possess an ingrained, perpetual motivation to imbue the

world with meaning that compels them to make sense of their experiences and includes moral meaning-making (Colby & Kohlberg 1987; Schrader 2015, 11-12; comp. Devi 2019, 6). Following the tradition of Kantian philosophy and the example of Piaget, Kohlberg identified the moral domain with justice (Schrader 2015, 14). Furthermore, he conceptualised moral development in terms of cognitive development. He and his co-workers were critical of moral education oriented towards teaching particular values, and instead, they were interested in facilitating moral development in the cognitive-developmental sense (Kohlberg & Hersh 1977, 53). Lind had taken that last aspect of the Kohlbergian project as a principle for the good design of the didactic method (2016).

By far, the most well-known part of Kohlberg's theory is the six stages of moral development, which have already been mentioned above and will be listed here:

Pre-conventional level:
Stage 1: The punishment-and-obedience orientation.
Stage 2: The instrumental-relativist orientation.
Conventional level:
Stage 3: The interpersonal concordance or "good boy - nice girl" orientation.
Stage 4: *The "law and* order" orientation.
Post-conventional level:
Stage 5: The social-contract, legalistic orientation
Stage 6: The universal-ethical-principle orientation

Table 2: Three Levels and six stages of moral development (see: Kohlberg & Hersh 1977, 53-54)

The stage of an individual's current development arises from their development history (Colby & Kohlberg 1987, 5). The six stages they indicated were understood as universal structures of moral reasoning (comp. Lind 1989, 6) characterised in the following way:

1. Stages are "structured wholes," or organized systems of thought. This means individuals are consistent in their level of moral judgment.

2. Stages form an invariant sequence. Under all conditions except extreme trauma, movement is always forward, never backwards. Individuals never skip stages, and movement is always to the next stage up. This is true in all cultures.

3. Stages are "hierarchical integrations." Thinking at a higher stage includes or comprehends within its lower stage thinking. There is a tendency to function at or prefer the highest stage available. (Kohlberg & Hersh 1977, 53)

'Consistent' in the above quote means that the subject only supposedly reasons on the stage they are currently on. The stages follow a hierarchical sequence (The rise of moral judgment competence of an individual is equated with getting to the next stage (comp. Colby & Kolberg 1987, 90). Rather than changing moral attitude, a person arriving at the higher stage of cognitive-moral development displays a structurally different model of moral decision-making that integrates previous ones (comp. Lind 1989, 390). Kohlberg's model assumes that the more mature the moral reasoning behind making a choice, the higher stage of development, and the higher the chance the subject will act accordingly (Krebs & Denton 2005, 330).

For Kohlberg, justice is the central principle for developing the stages of moral judgment. The principle of justice is a fundamental and universal standard, and according to Kohlberg, this principle encompasses equality and reciprocity (Kohlberg & Hersh 1977, 56; Schrader 2015). The "increasingly adequate conception of justice" (Kohlberg & Hersh 1977, 56) can be described by the stages of development, which are accompanied by the subject's rising capacity for empathy. Kohlberg's model of moral development is interactionist in that a person's conception of justice becomes more adequate when it is shaped in the interaction process between one's own cognitive structure and the rest of the environment. The development occurs when one is met with challenging situations that cannot be resolved at one's present conception of justice (Kohlberg & Hersh 1977, 57).

Kohlberg's theory of moral development served as the basis for the project of moral education oriented towards a just and democratic community.[478] He represented a holist approach, in which moral education, aimed at facilitating "moral development in a cognitive-developmental sense — toward an increased sense of moral autonomy and a more adequate conception of justice" (Kohlberg & Hersh 1977, 29) should be present in every aspect of school life (Higgins-D'Alessandro 2015). The role of the teacher should be challenging the students by presenting them with reasoning typical of a stage beyond

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[478] Kohlberg and his colleagues worked to implement the Just Community approach to moral education in a number of schools in the USA in 70' and early 80'. In later decades, some other researchers (including Lind) continued just community programs in schools in Germany and Switzerland (Althof 2015). Basically, the foundation of this approach is the assumption inspired by Dewey's philosophy of education that dispositions and competencies can only be reliably fostered in democratic conditions (Kohlberg & Hersh 1977, comp. Althof 2015; Higgins-D'Alessandro 2015; Lind 2012).

the one they are currently at (Kohlberg 1975, 48). He criticised the "hidden curriculum" that permeates the school environment and student-teacher relationships and underscores obedience to authority (Kohlberg & Hersh 1977). Instead, he argues that the environment should promote the exchange of opinions; a higher level of justice in the environment (how interactions are structured) stimulates the growth to the higher stage (Kohlberg 1975; Kohlberg & Hirsh 1977; comp. Higgins-D'Alessandro 2015; Schrader 2015). The authority of teachers, as the ones who are supposed to supply or at least support higher-stage arguments, is still significant (Kohlberg 1975, 53) in comparison to the method proposed by Lind, where participants express their own moral feelings instead of mimicking the teacher (Lind 2016, 14).

6.3.2. Short review of the criticism towards Kohlberg's model of moral development

The model of cognitive development proposed by Kohlberg became very influential but also met with many objections and various criticisms. The universality of Kohlberg's model was called into question, most notably from the point of view of this dissertation, by the feminist authors. Carol Gilligan[479] saw the difference in the results of the Moral Judgment Interview between genders, particularly in the fact that women predominantly showed stage 3 reasoning in comparison to men's stage 4, as an expression of the two incompatible ethics (Gilligan 1982, Schwickert & Miller 2005, 165; comp. Schrader 2015).[480] Another point of contention comes from cross-cultural research and cross-cultural, especially post-colonial, justice perspective, namely that the stage progression

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[479] Carol Gilligan is an American developmental psychologist, feminist philosopher and ethicist. She is best known for her criticism of Kohlberg's six stages and her proposition of the ethics of care presented in her seminal book *In a Different Voice* (1982). Her other major works include *Joining the resistance* (2011) and *Why does patriarchy persist?* co-authored with Naomi Snider (2018)..

[480] The effect Gilligan observed was the problem with a faulty testing method, the Moral Judgment Interview (MJI). It relied on the subjective interpretation of interviewees' moral reasoning by the interviewer by external standards (Lind & Nowak 2015). Gilligan revealed the problem of the bias of the interviewers, who interpreted girls' reasoning, sensitive to interpersonal relations as a stage 3 type of reasoning, rather than a "higher" stage reasoning, which appropriately incorporated relevant aspects of the particular context by universal principles (comp. Gilligan 1982). Gilligan correctly pointed out that there is a gender-related problem, but misidentified it. Girls and women do not necessarily develop differently in terms of moral reasoning structures, nor do they necessarily prefer different moral orientations, but they are more likely to incorporate more factors, especially interpersonal relationships. It is the researchers who have the problem of correctly identifying moral orientations in reasoning that comes from the standpoint of a situated perspective instead of the artificially constructed perspective of an outside observer (typically associated with impartial judgment). In his research, Kolberg did not find a significant difference in moral judgment between men and women, and the research shows gender has no impact on research results when the education levels are controlled for (Schillinger 2006).

is an expression of Western values.[481] Kohlberg's model is underpinned by the assumption of what is "savage" and "animalistic" and what is "human" and "civilised" typical for the cultural context in which Kolberg lived (comp. Rollo 2018, 73); those values are implicit to his theory and are tacitly imposed especially in the conjunction of the claim of cross-cultural universality of stages.[482] To make a short assessment of the bulk of critical points coming from the standpoint of feminism and post-colonial studies, it relates to the fact that Kohlberg is seen as an inheritor and continuator of Enlightenment tradition, which leads itself to be instrumentalised as a tool of oppression and domination (comp. Code 2006).[483]

Kohlberg's theory of cognitive moral development was accused of a lack of recognition towards emotional decision-making and of overemphasising cognitive aspects, particularly formalistic rationality. Therefore, simply attaining stage 6 type of reasoning and fulfilling its formal requirement improve one's capacity for moral action (comp: Gilligan 1982; Schrader 2015, 9). Next to the moral judgment competence, some other competencies, supposedly omitted by Kohlberg, were listed as crucial for researching moral behaviour. The list of such competencies included recognition of moral issues and their characteristics – moral sensitivity, intent and drive – moral motivation, and moral implementation (Hummel et al. 2018, 563, Osbeck et al. 2018, 200). In that sense, moral judgment competence appears as just one of many moral competencies.

Kohlberg's followers criticised his approach for concentrating on fairness and reasoning rather than moral reasoning (Osbeck et al. 2018, 200-202), and for neglecting other facets of morality, like care and responsibility orientations (Gilligan 1982). On his part, Kohlberg graciously accepted this critique and underlined the role of care and responsibility in the moral domain, crediting Gilligan for drawing attention to this

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[481] Some studies in cross-cultural research used faulty methodologies while employing Kohlberg's theories and measurement instruments – they did not adjust the test to be legible in the cultural context of their research subjects (Edwards 1986, 420). That, of course, influenced the quality of data and the conclusions drawn from it. That, however, can hardly be blamed on Kohlberg's framework, even when the studies were inspired by his approach. It is also worth mentioning that Kohlberg updated his theories and measurement methods (Colby & Kohlberg, 1987). However, the improvement fell into obscurity for reasons unrelated to their academic merits, namely the circumstances around his untimely death, instead of earlier versions of his work dominated university curricula (Schrader 2015).

[482] I have already discussed in earlier sections of this chapter that in Lind's model, there is no stage progression at all, and all of the six moral orientations that correspond to those stages emerge roughly at the same in early childhood.

[483] That aspect of the Enlightenment tradition is well-known and has been broadly discussed in philosophy (e.g. by Adorno and Horkheimer).

crucial aspect that he formerly overlooked; he, however, did not agree that responsibility and care orientations are alternative, separate forms of morality or at odds with justice and fairness orientations (Kohlberg et al. 1984, 370; comp. Schrader 2015, 14).

Kohlberg and other constructivist researchers are criticised for neglecting the effects of the unconscious mental processes on behaviour (Devi 2019, 7). Contrary to the cognitivist model of moral development, which concentrates on abstract moral judgment, moral intuitionists claim the primacy of automated decisions over conscious judgments (Schrader 2015). In short, this claim is a response to the discrepancy observed in human behaviour, namely, that people can consciously reason at an advanced stage but not follow these reasons in their behaviour, which contradicts Kohlberg's assumptions about moral decision-making. The intuitionists assume that conscious reasoning occurs *post-hoc* to justify the decision that had already been made (Haidt 2001).

6.3.3. Similarities and differences between Kohlberg's and Lind's models – a short comparison

The model of moral development proposed by Lind is informed by those critical points in addition to Lind's own critical observations and inquiry, mainly directed towards the discrepancy between Kohlberg's theory and his measurement instrument – the Moral Judgment Interview (MJI) (Lind & Nowak 2015). In particular, Lind provides an alternative response to the observed discrepancies in human moral behaviour and incorporates affective and unconscious aspects in his proposition.

Kohlberg's six stages are about the profile of conscious reasoning. In contrast, orientations in Lind's model have an unconscious character. Kohlberg assumed that once an individual achieves a certain stage, they will not go back in the development. However, research does not support this claim. The phenomenon known as moral regression[484] can be showcased, for example, by the decrease in moral competence among medical students from the first year compared to the last two years. The likely cause is the learning environment that does not support the moral development of

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[484] Ironically, Kohlberg's own empirical research indicated the possibility of regression; he just resisted the conclusion that regression may be structural in character and instead insisted on interpreting it as a temporary phase, performing a function in the identity crisis of ego development (Kohlberg & Kramer 1968, 116; comp. Lind 1985). Further research proved Kohlberg's assumption about the progression of the stages wrong (see: Lind 2000; Schillinger 2006)

students. KMDD® was developed as a countermeasure for such a situation and has been proven to be an effective tool for fostering moral development in several studies (Lajčiaková 2016, 14; Schillinger 2006).

It is also important that Lind reframes stages as orientations, which retain their universal character confirmed by research. Even though they are still understood as forming a hierarchical order, that order is no longer externally imposed by the theory but comes from empirical research. Because the element of progression of stages is removed, they no longer have stigmatising character. Moral orientations are universal, inborn or acquired at a very young age and constant, which means that they are accessible throughout an individual's whole life (as the structures of reasoning).

Kohlberg's model	Lind's model
Moral learning depends on the environment, and a democratic environment provides better opportunities for moral development (Kohlberg 1975, 48; Kohlberg & Hersh 1977, 57).	Moral learning depends on the environment, And a democratic environment provides better opportunities for moral development (Lind 2016, 33-34)
Moral education should concentrate on fostering moral reasoning of students – the movement from stage to stage – instead of transmitting particular moral views (Kohlberg 1975, 47; Kohlberg & Hersh 1977, 54)	Moral education should foremost give the students opportunities to foster moral competence (Lind 2016, 13-15)
Six stages, the development always follows from lower to higher (Kohlberg, Hersh 1977, 53)	Six orientations, acquired at roughly the same time (Lind 2016, 55)
Judgment in the conscious reasoning (Kohlberg 1975, 47-48)	Judgment in the unconscious behaviour (Lind 2016, 53-54, 56)
An individual reasons only on the highest stage available to them (Kohlberg, Hersh 1977, 53)	An individual may not consistently follow the preferred orientation (Lind 2012, 69)
Moral judgment competence corresponds to the stage (Kohlberg 1975, 50; Kohlberg, Hersh 1977 & 58)	Moral competence corresponds to the constancy of unconscious judgment behaviour (Lind 2016, 96)
"movement is always forward, never backward"; the development always follows the same pattern (Kohlberg, Hersh 1977, 53)	Possibility of moral regression, individual development does not have to follow the universal pattern (Lind 2012, 2)
Methods of teaching and testing do not follow the principles established in the model – testing based on the external, not the internal standards, teaching supported by the authority of the teacher (Kohlberg 1975: 53)	Methods of teaching and testing follow the principles established in the model – testing based on the internal standards (Lind 2016: 62-63), teaching based on the interactions between peers in a discussion (Lind 2016: 14)

Table 3: Comparison between Kohlberg's model of cognitive and Lind's Dual Aspect model

The models conceived by both Lind and Kohlberg can be described as cognitive interactionism (Nowak 2016, 324), and they both stress the importance of the environment for moral education. Moreover, both Kohlberg and Lind favoured, at least in theory, what may be described as a liberal approach to moral education based on student participation and their own preferences regarding decision-making and values (Osbeck 2018, 197). Lind managed to employ that approach in his teaching method more consistently, undoubtedly, because as one of Kohlberg's followers, he was able to learn from Kohlberg's earlier attempts, successes as well as mistakes in order to perfect his educational method and testing method (Lind & Nowak 2015; Schillinger 2006, 29), that I will now discuss below.

6.3.4 The development of KMDD® and MCT®:

The Dual Aspect model serves as the theoretical foundation for Lind's proposed method of moral teaching and moral learning, the Konstanz Method of Dilemma Discussion®, also referred to as "Discussion Theatre" in Lind's later works, particularly the ones oriented towards popularisation of the method with the general public (Lind 2019), as well as measurement method designed to assess the effects of moral education, Moral Competence Test® (Lind 2016). Moral competence is shaped during the course of life in the process of socialisation, in the interactions with others and depends on the quality of the environment in which those interactions occur. The need for a special method tailored for fostering moral competence arises from the fact that the quality of the environment often leaves a lot to be desired, and the interactions are structured in a way that discourages autonomous decision-making; this problem is particularly pertaining to but not limited to the school environment (Kohlberg & Hirsh 1977; Lind 2000b; 2016; Nowak 2012a; 2013b; 2016; Schrader 2004). As a result, many people simply lack opportunities for the growth of moral competence in their social environment. Kohlberg, his colleagues and later his pupils, including Lind, had been trying to devise effective methods of moral learning to provide countermeasures for this lack (Lind 2016, 14-15).

Although KMDD® is relatively unknown, it is one of the most well-researched methods of stimulating moral development (Steć et al. 2021). KMDD® was developed

by modifying the Blatt-Kohlberg method of dilemma discussion[485] in the process of adjusting the method to make it more efficient and easier to use in the classroom (Lind 2016, 14; Schillinger 2006, 36; Steć et al. 2021). The method is suitable for people of all ages (starting from age eight) and with an appropriate choice of dilemma story for people of all cultures (Lind 2016, 15).

The participants of the discussion are presented first with oral and then with the written version of the story and asked to reflect on it and articulate their own judgment, clarify the moral significance of the conflicts the protagonist of the story is facing, evaluate how difficult the decision was for them, and later vote for or against their choices. The voting divides the participants into two groups, who are asked to work in smaller teams of 3 or 4 and tasked with preparing the arguments for or against the protagonist's decisions. Then the main phase KMDD® session starts, in which the participants exchange arguments with the opposite group. There are just two rules of the discussion: 1) the "respect rule" – everything can be said, except value judgment of other participants and their opinions; and 2) the "ping-pong rule" – the last speaking participant appoints someone from the opposite side to present their argument. Lastly, the participants are to choose the opposite group's most persuasive or compelling arguments and are asked to vote for or against the protagonist's decision for the second time (see: Lind 2016; Nowak & Urbańska 2011; Steć 2017).

This sounds very simple in theory; however, each phase of the KMDD® session must be appropriately timed, the position of participants in the physical space of the classroom will change during the course of the session and must be structured as well (Lind 2016; Nowak & Urbańska 2011; Steć 2017). This is because the method aims to strengthen conscious reasoning, argumentation abilities, and unconscious competence. The timing of the phases in KMDD® is optimised for following the rhythm of brain activity, the phases of arousal and the decline of attention. The method's effectiveness lies in stimulating the brain to produce and rearrange neuronal networks (Steć 2017, 52).

The role of the teacher in a KMDD® session is deliberately limited, and the participants are granted an active role in the learning process instead (Lind 2016,1 4). The teacher presents the story, signals when it is time to move to the next task and

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[485] In the Blatt-Kohlberg method, students discuss moral dilemmas during school classes over twelve weeks. During those discussions, students encounter moral conflicts involving the structure of thinking for a level higher than the one represented in the stage of moral reasoning the students already mastered (Blatt & Kohlberg 1975; Steć 2021).

signals when the rules of the discussion have been broken. To ensure the enduring effect of the intervention, it is essential to create an atmosphere free from fear. Only then can the participant feel safe to express their honest opinions. However, despite the fact there are only two simple rules, the KMDD® teacher is required to undergo rigorous preparation to moderate the affective and attention level of the group for gaining the optimal learning effect. Teachers should self-evaluate their performance to improve their skills.

Aside from the fact that the more active participation of the students stimulates their affective and cognitive engagement contributing to the effectiveness of the method (Lind 2016, 14), this change in the students' and teacher's roles is very significant as it puts more responsibility and therefore agency for the process of learning on students instead of a teacher. Also, it replaces a vertical relationship between the teacher and students with a horizontal and reciprocal relationship between students. Therefore, participants need not experience conformity with the teacher's authority but rather reciprocal dialogue free from an imbalance of power. The KMDD® allows people to communicate in an atmosphere of mutual respect, which is crucial both for gaining competence in moral judgment and is a practice of respectful behaviour (Nowak 2013b).

In the discussion, participants are informed about the moral concerns of others. When a discussion is a vehicle for learning, instead of a lecture or instruction, passive listening or reading new information, students are empowered to direct their own learning process. They, therefore, can foster their own moral competence. Learning through a discussion depends on the active participation of the students, who have more control over what and how they learn compared to passively absorbing information provided by the teacher. In the spirit of constructivist pedagogy, learning is a student-driven process in which learners construct and develop their own understanding of information, while the teacher's main role is supporting and maintaining the community of learners (Devi 2019, 6). Typically constructivist methods neglect the unconscious aspect of learning. KMDD® amends that problem when a well-prepared teacher conducts it. In addition to strengthening students' moral competence, the benefits of KMDD® sessions include fostering general cognitive abilities, emotional self-regulation, democratic discussion skills and maintaining a democratic environment for the learning group, and even fostering spiritual development (Lind 2012; 2016; Nowak 2016; Steć et al. 2021).

Next to KMDD® – the method of fostering moral competence, Lind proposes an innovative method of testing moral competence as well. This method is the Moral Competence Test (MCT®), oriented at examining the consistency of judgmental behaviour. In contrast to Kohlberg's MJI, the main target measured by MTC® and indexed as a C-score is the consistency of the moral judgment and not the preference of the stages. C-score indicates how consistently a person is able to apply their ideas in their decision-making (Hummel et al. 2018, 565; comp. Di Masi & Santi 2016, 146; Lind 2021). KMDD®, as is the case with any other method, on its own does not ensure the success in trainees' professional endeavours, nor does it determine their moral development in entirety. Still, it facilitates the exercise and development of the moral competence necessary for tackling moral dilemmas when working closely with people (Steć 2019, 190).

The significant strength of the MTC® is that it allows testing competence by internal rather than external moral standards (Lind 2016, 62-63; Lind & Nowak 2015; Schillinger 2006, 29) by giving the participants a moral task that can be dealt with in many different individual ways rather than adhering to a questionnaire with a set of correct or incorrect answer (Lind 2016, 66). The purpose of MTC® is to measure the effects of the KMDD® (Lind 2016), but it can be used to assess other educational methods and practices.

With the focus on orientation's consistency rather than orientation's preference, MTC® is an appropriate measurement tool to approach moral competence; however, interpreting the results, one ought to remember that it does not cover other aspects of moral behaviour and is, therefore, limited – there is a strong correlation between moral competence and conduct, but moral competence alone does not determine behaviour (Hummel et al. 2018, 575).

6.4.   Beyond singular moral competence

One more facet of Lind's model is crucial for this dissertation's sake, and it is engagement in the democratic way of life. Lind underlines the discursive aspect as very important because it allows one to deal with the conflict between moral principles in confronting others (Lind 2016, 62). He proposes to consider moral competence as moral-democratic competence. If moral competence can be described as an ability to cope with moral problems, the ability to deal with moral problems together with others

is a democratic competence (Lind 2016, 29). The democratic competence is, in fact, essential to constitute well-developed moral competence because there is no serious moral problem that can be solved without involving others. An attempt to enforce the internal standards outwards, without communication and conciliation with others and their standards, is nothing more than morally motivated violence (Lind 2016, 62; comp. Nowak 2013b). This is an infringement upon justice as the very principle, which is, according to the approach presented in this dissertation most important principle guiding morality.

6.4.1 Moral-democratic competence in philosophy

Moral education based on fostering moral democratic competence is cited as one of the four main models of teaching discussed by ethicists in Poland (Kamińska 2014, 20-21). The chief figure who employs this approach is Ewa Nowak[486] from Adam Mickiewicz University in Poznań. In this section, I will present those views, as it will help explain why fostering moral competence is an appropriate method to counter violence in conditions of a system that aspires to be democratic.

The primary problem in this context is the lack of opportunities for democratic learning. Majority of the citizens have no opportunities to experience open discussion aimed at clarifying and understanding the discussed problems while creating and maintaining an atmosphere of mutual respect, rather than achieving strategic goals or "winning" the discussion (Nowak 2013b, 24). Even though democratic ideals are loudly declared, the citizens display undemocratic behaviours in public and interpersonal contexts as well as in school lives. Rather than treating others as peers, citizens and students act in a domineering or subservient way towards others depending on their perceived position of authority or disempowerment. As a result, differences in worldviews and opinions are met with fear, mistrust and avoidance, while the legitimate social norms of conflict solutions are circumvented and undermined either to reach strategic goals or to avoid the stress and difficulty (comp. Nowak 2013b, 24). This kind

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[486] Ewa Nowak is a Polish philosopher, and an expert in German philosophy, ethics and philosophy of education. She cooperated with Lind for many years and introduced KMDD® and MCT® in Poland. Nowak's important publications include monographs: *Autonomia jako zasada etyczności* (*Autonomy as a principle of the ethical* 2002), *Ethos w życiu publicznym* (*Ethos in Public Life*, 2008), co-authored with Karolina M. Cern, and *Experimental ethics. A multidisciplinary approach* (2013a), *Advancing the Human Self. Do Technoloies Make Us "Posthuman?* (PLV, 2020). Nowak is also a founder and editor-in-chief of an open access peer review academic journal *Ethics in Progress*.

of atmosphere in the public sphere, workplaces, homes, and schools on every educational level hampers the moral development of the citizens (comp. Kolberg & Hersh 1977; Lind 2016). Citizens deprived of the opportunities for moral development and experiences of free discussion can be easily overwhelmed by demanding situations and are unable to come together to seek solutions.

Diagnosing the current social situation, Nowak observes that individual citizens remain divided and unable to arrive at a consensus because of their lack of discursive competencies, while the experts are alienated in making practical decisions in their narrow fields as opposed to engaging in public discussion (Nowak 2013a, 35). The greatest challenge of the modern world instils critical thinking in the citizens, who never encountered an opportunity to engage in the democratic discussion and decision-making process and who were only ever subjected to hierarchical decision-making. This issue is the most pertaining because, fundamentally speaking, the stability and strength of the political democratic order depend on the competencies of the citizens. Education methods tailored towards fostering moral-democratic competencies and shaping democratic attitudes are necessary as no one is simply born a mature, competent citizen of a democratic community (Juchacz & Malitowska 2012, 4).

In a democratic system, citizens are addressees as authors of the law (Habermas 1992/1996). The citizens do not just act within the constraints of the law but actively through participation in and interaction with public institutions. Following Habermas, Karolina M. Cern underlines the need for moral discursive competence in political life. Institutions are shaped by the citizens interpreting the law, and the way in which the citizens are able to interpret the laws, both in terms of understanding what the law demands and putting those demands into practice, depends on their personal competencies and abilities (Cern 2014).

Democracy, as a normative ideal, entails political equality – a set of socio-political conditions that enables everyone to participate in society's political life and decision-making on equal terms. That means no one is in a position to threaten others into accepting certain proposals or outcomes or prevent them from accessing the forum of opinion and decision-making (Young 2000, 23). This requirement extends beyond impediments to citizens' participation. It also means the citizens must be able to confidently and competently engage in democratic discussion. The prerequisite for that is that citizens have opportunities to develop sufficient levels of moral-democratic competencies. The tension between democratic ideals and democracy as an (imperfect)

form of government results in an ongoing democratic deficit that cannot be overcome without the moral education of citizens. To make democratic institutions sustainable and make democracy a successful project, it is necessary to cultivate the moral abilities of the citizens (comp. Di Masi & Santi 2016, 139).

Nowak and Cern stress that the stability of a democratic system depends on the abilities of its participants, who should conduct whatever activities they choose to undertake in accordance with the frame of democratic norms that they themselves established (Nowak & Cern 2008, 372). Researchers from Poznań underline the worrying lack of opportunities for the growth of moral-democratic competencies in European schools caused by the curriculum concentrated on natural sciences (Nowak & Cern 2008, 373). In addition to the limited ethical education on the level of schools, the teachers, who are supposed to raise the future generation of citizens, also present the lack of the didactic abilities to foster moral-democratic competence (Nowak & Cern 2008, 375). Nowak and Cern embrace the KMDD® as a method that emphasizes the unity of reason and emotions (Nowak & Cern 2008, 386).

Nowak asserts that human beings function in a social world much more complex than any other living entity; therefore, to successfully navigate that world, they require much more developed cognitive skills. Often automated responses are insufficient to maintain social interactions, especially in situations of even minor conflicts. Instead, social problems have to be dealt with in the process of discussion, which requires social actors to articulate their unconscious preferences (Nowak 2016, 324).

Democracy, however, is more than just a political regime or a model of government. It is a way of living together in a shared communicative experience (Dewey 1916/1951). Fostering democratic relations in public and interpersonal lives is an inalienable aspect of the feminist project. Feminist thinkers such as Ann Phillips (1993) and Martha Nussbaum (1999) maintain that interpersonal relations on the family and household level are the foundation for wider social and political life, including political freedom. In Nancy Fraser's terms, relations within the family that are equal and free from violence are necessary conditions for ensuring the participatory parity of women (comp. Fraser 1994/1997, Fraser & Honneth 2003). This tradition of thought goes at least as far back as John Stuart Mill. Familial relations and other close interpersonal relations are a foundation for other human activities, including political activities. That is why it is essential to keep close interpersonal relationships free of violence. Democracy cannot become a genuine style of life until people are able to

manage their own aggression and learn to solve conflicts by means other than violence (Nowak & Urbańska 2011, 86).

6.5. *Fostering moral competence: prospects for violence prevention*

In my paper *Misrecognized Violence against Women and Perpetrated by Women. Seeking for Remedies* (2014), I proposed six principles for successful and multidimensional strategies of violence prevention. The last among those principles is the emphasis on the need to foster social, moral and interpersonal competencies of individuals.[487] Like in the previous chapters, I will focus on direct violence in intimate relationships. I see four basic areas where fostering moral competencies is necessary for the context of violence prevention: 1) foundations for good familial and intimate relationships; 2) therapeutic function; 3) training for employees institutions, agencies and organisations that may come in contact with victims, perpetrators or families afflicted with violence; 4) education policymakers and politically active public, be responsible for creating laws and policies that provided the framework for violence prevention.

6.5.1. Moral and moral-democratic competencies as foundations for intimate relationships

It is better to prevent violence before it arises rather than trying to counter or amend it later. For that, it is essential to foster positive relationships built on respect and mutual understanding. Well-developed moral and moral-democratic competencies are the foundations for positive familial and intimate relationships. Managing intimate relationships is challenging for numerous reasons, not even counting many challenging and stressful factors that come from the outside. Close interpersonal relationships like those of family and intimate partners are always a challenge in the sense that they are emotionally and cognitively demanding. Particularly familial and intimate relationships produce mutual vulnerabilities that are rarely involved in other types of relationships. The fulfilment of needs depends on others and ultimately on the ability to communicate

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[487] The other five principles were: "(1) building relations for just recognition before persons become perpetrators and victims, (2) understanding what violence is, (3) enacting measures against poverty and economic inequality, (4) anti-androcentrism strategies, (5) anti-marginalization strategies" (Dutka 2014, 199). The principles were inspired by principles for the just treatment of welfare recipients proposed by Fraser in the 1994 paper *After Family Wage. A Postindustrial Thought Experiment*. It would be worth revisiting my 2014 proposition in future research.

and cooperate with them. This is stressful, and that stress can affect how people respond to one another. Some will want to get themselves rid of these vulnerabilities or at least mask them by trying to amass power within the relationship or displaying some kind of strength – the signal that they can overcome the vulnerabilities. Others will bow out, conscious of their vulnerabilities, let the partner have their way and forego their own needs and desires to keep the peace. As a result, it is tempting to see the relationships as competition: who is less vulnerable, who has more power and, as a result, better chances of having their needs met. Stress and the inability to meet the cognitive and affective aspects of cooperation within a close and enduring relationship are one of the reasons relationships turn violent (comp. Chapter III).

Strong emotions and desires of the romantic and/or sexual kind are powerful motivators for engaging in intimate relationships with others, but at the same time, they do not constitute a sufficient basis for healthy and fulfilling relationships. And the same time, those strong feelings can be overwhelming and difficult to manage. People get into intimate relationships with all sorts of expectations, not always justified or reasonable and not always articulated, that inevitably will never be fulfilled in their entirety (comp. Downes et al. 2019, 274). That may prompt recrimination or attempts to control the partner so they meet the expectations better.[488] Additionally, many people are ill-prepared to enter intimate relationships on equal footing. Even in present times, when equality is declared as an ideal, most people growing up are taught a hierarchical perception of relationships through personal experiences and interpersonal interactions. Many experience being subjected to authoritarian parenting styles in their childhoods and never witnessed parents treating one another as equals, even without any overt forms of violence present. Such experiences do not provide foundations for equal and respectful relationships. For instance, even if both parties within a marriage believe in gender equality, if they do not have sufficient levels of personal competencies to cooperate in achieving their goals without the use of force, intimidation and/or manipulation, some form of violence would inevitably occur. It may be overt, direct physical violence, but even more likely everyday practices that communicate and reinforce unfair patterns of cultural value interpretation, which effectively buttress more overt forms of violence (see Chapter II).

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[488] Oftentimes the expectations are structured by the patriarchal and heteronormative understanding of gender and intimate relationships (comp. Chapter III, IV & V).

Taking it all into account, KMDD®[489] can be employed pre-emptively before maladjusted and violent behaviour even arises. The findings from KMDD® discussions conducted among early school-aged children show that the young participants are able to learn to verbalise and rationally understand their affective responses on a conscious level (Nowak 2017 & Urbańska, 219). While violence cannot be equated with aggression, mismanagement of aggression can lead to violence. Reactive aggression can be connected to the "low level of conscious emotions and cognitively governed affectivity" (Nowak 2017 & Urbańska, 213), which often arises when an individual is faced with potent and difficult emotions that overwhelm cognitive processing and immediately motivate behaviour. Such difficult emotions occur when an individual encounters "a demanding decision context" (ibid). Strengthening moral cognition enables individuals to manage strong, difficult emotions better and, as a result, mitigate aggressive responses.

Formal education can provide opportunities to develop the competencies to overcome those challenges if the appropriate educational methods are employed. Such skills as managing emotions, listening to others and speaking without fear are the hallmark of well-developed moral and moral-democratic competencies (Lind 2016; Nowak 2013b). Social and emotional competencies are sometimes discussed in the context of relationship building. However, it is not enough to focus on social and emotional aspects to ensure the relationships are free from domination and struggle for power over others; the moral and moral-democratic aspect also needs to be involved here.[490] To truly prevent violence, it is insufficient just prevent overt forms of violence or eliminate immediate catalysts of violence, such as stress. Instead, it is necessary to tackle underlying misrecognition. This goal can only be met through redressing the relations of domination and subordination through everyday practices and interactions within relationships (comp. Chapter II). Forging intimate relationships free from domination is essential for building families that truly work on democratic principles of respect and equality, uncoerced cooperation and discussion as a means of conflict solving; therefore, it's crucial for the socialisation of future generations.

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[489] Presumably, other methods tailored for fostering moral and moral-democratic competencies that have not yet been so well researched and the ones that are still going to be developed in the future can be used for this purpose as well.

[490] Nowak argues that to understand how to best safeguard society against violence, we need to research and explore the relation "between cognition, principled judgment, the self-control of aggression and violence-free social practice" as it is not enough to simply foster empathy and sensitivity towards others (Nowak 2017, 209).

6.5.2. The therapeutic aspect

Fostering moral and moral-democratic competencies by such methods as KMDD® can have therapeutic functions both for victims and perpetrators of violence. KMDD® can be used together with other therapeutic measures and has some unique advantages. KMDD® provide opportunities for moral cognitive growth, but they do not set any particular expectations on the participants, so the time spent on the KMDD® sessions will never be wasted by trying to fulfil expectations that are ill-suited to the participants' needs. For instance, there are no expectations for survivors of violence who would participate in KMDD® sessions to perform survivorhood in any particular way legible for the assistance providers. At this level, there is no need for the victims/survivors to construct the narrative of their experiences to match the narrative of violence favoured by assistance providers. The difference in worldviews between recipients and providers of assistance can be a barrier for victims of violence or simply an unnecessary burden they could do without. KMDD® is a method that does enforce any ideas on values on participants but is merely an opportunity to develop cognitive tools to be able to act in accordance with participants' own preferences. That is very needed in a system that is often paternalistic towards its recipients (comp. Chapter III & V). Of course, at some point, victims/survivors will have to meet external expectations, but thanks to the cognitive abilities they have obtained, they are going to be better prepared to negotiate what those expectations should be and manage decisions in stressful, emotionally demanding and time-sensitive circumstances (comp. Nowak & Urbańska 2017).

I believe it would be important for the perpetrators of violence to experience when they are not treated in a paternalistic way as well. KMDD® sessions would provide a much-needed context in which professionals could engage with the perpetrators without negative preconceptions (comp. Burrel et al. 2019, 75). Because it is sometimes confusing to discern who in the relationship is the victim and who is the perpetrator, it is important to have a method, such as KMDD®, that would benefit both victims and perpetrators alike by providing them with abilities to free themselves from the cycle of violence. The female perpetrators are, in particular, treated as victims/survivors in the violence prevention programs. For some approaches, such miscasting would decrease effectiveness because particular skills taught to the victims/survivors to manage victimisation and its consequences would not necessarily

help the perpetrators to be less violent. But this issue has no bearing on the effectiveness of KMDD® since it does not concentrate on teaching particular skillsets but instead strengthens moral cognitive abilities, which is both helpful in managing stressful situations and difficult decisions connected to victimisation but equally helpful in finding non-violent solutions through peaceful communication, discussion and self-regulating strong emotions and aggression.

Fundamentally speaking, for successful violence prevention, it is necessary to provide the perpetrators with opportunities to develop non-violent, regardless of whether the relationship in which the violence initially occurred had been terminated. It is not enough to stop violence for now, but it is equally important that the former perpetrator does not employ violence in future relationships.

Research results so far support KMDD®'s effectiveness in mitigating aggression and decreasing violent behaviour (Lind 1993; Nowak & Urbańska 2011; 2017). The overt forms of violence may be understood as low-lever methods of conflict solutions (Lind 2010). Raising moral and moral-democratic competence can provide individuals with the abilities necessary to solve conflicts of higher levels. The cognitive skills safeguard against the employment of violence as they provide the subject with means to address problems and conflicts in a reasonable and, therefore, peaceful and rational way (Nowak & Urbańska 2017, 211; comp. Lind 2016; Steć 2017). It is crucial to provide opportunities for fostering moral competence through effective methods to the perpetrators who enter the penitentiary system since, as evidence shows, moral competence regresses during penalisation (comp. Hemmerling 2014; Nowak & Urbańska 2011, 82-83).

Moreover, Lind, Nowak and their colleagues underline the role of education on moral competence as a remedy against social helplessness. Well-developed moral competence provides individuals with cognitive abilities to tackle difficult decisions in demanding socio-moral conflicts, thus alleviating the feeling of helplessness (comp. Lind 2016; Nowak 2017 & Urbańska 2017). The feeling of helplessness can result in the rise of aggression and the perceived need to use force or, alternatively, its avoidance – giving up or bowing out. Therefore, mitigating helplessness should be considered an important goal in violence prevention programs. Alleviating helplessness is also important for victims/survivors of violence. It is essential for empowering them to escape from victimisation.

Participation in KMDD® sessions can aid participants with the understanding and construction of their emotions (Nowak & Urbańska 2011, 91), which can prove to be very helpful in constructing and understanding their preferences and their identities. And what is very important about gender-based violence is that understanding social retaliations improves due to growing moral competence (comp. Prehn 2013, 16). Well-prepared discussion can help participants discover that they project false images on their interlocutors, which is an obstacle to successful communication and especially to seeking help from others (Lind 2011b, 48-49). The ability to effectively seek help and communicate with others is crucial for the victims of IPV in the long process of escaping violent relationships (comp. Chapter III; IV & V). Improving communication abilities and alleviating the feeling of helplessness would help counter social isolation, a common experience of victims of IPV (see. Chapter III).

Research conducted in British Domestic Violence Perpetrators Programs (DVPP) (Downes et al. 2019; Kelly & Westmarland 2015) indicates that it is easier for abusive men to cease overt forms of physical or sexual violence than it is to unlearn coercive controlling behaviours. Overt forms of violence are usually more extreme manifestations and tools of that control, so successful and enduring strategies of violence prevention cannot be simply limited to overt forms of violence but must address coercive control as well. However, it must be noted that it is not impossible to decrease the levels of coercive control. Still, the change in controlling behaviour is just less straightforward than the apparent cessation of overt forms of violence. A route to achieve that goal may lead through the examination of restrictive gender norms and expectations and ultimately challenging gender domination. Perpetrators' talks of gender equality can very well obscure underlying gender domination; examination of tacit assumptions about gender roles is required. Moreover, the understanding must be followed with the change in everyday practices and interactions within relationships (Downes et al. 2019, 271). I believe raising moral and moral-democratic competence would be very useful in helping the perpetrators of violence deal with the cognitive dissonance between the declaration of gender equality and the underlying unequal gender that so often guide their interactions, and increasing moral-cognitive abilities would help them respectfully communicate and establish patterns of interactions free from domination within their relationships

Victims/ Survivors of IPV need to show competencies in order to escape violence escape abuse. Competencies (moral and purely practical) are not only the

internal facilitator of action. They are also important because to be seen and treated as peers in society, individuals must be seen as agents of their own emancipation (Bernardes 2014, 125). The victims/survivors of IPV cannot afford to be passively rescued from peril and have to take responsibility for their own lives. Obviously, they do not need to do it all alone, they have to ask for help, but they need to be actively involved in the process. An external rescue would perhaps stop immediate, overt violence but would do little to redress the underlying relations of domination. Victims/survivors are often met with uninformed and unreasonable demands in dealing with their own victimisation and saviourhood from formal institutional and informal support circles. In practice, they must either be able to re-negotiate or somehow deal with those demands. So they need to be provided with opportunities to develop competencies to deal with those difficult situations.

I believe the results of KMDD are in line with IPV victims/survivors' desired outcomes as well. Women, partners or ex-partners of abusive men participating in DVPP asked about favourable outcomes of successful anti-violence programs and responded by underlying the importance of respectful relationships and an expanded sphere of action (Westmarland et al. 2010, 4; comp. Kelly & Westmarland 2016). Often the anti-violence programs fall short when it comes to removing the aspect of domination from the relationship, even when they successfully decrease overt forms of violence. That failure may lead to a return to the cycle of abuse further down the line (comp. Westmarland et al. 2010).

The enduring success of IPV prevention programs requires redressing gender domination. That means rooting out practices which serve to maintain unfair patterns of cultural interpretation of gender – violence in the broad sense proposed in this dissertation, as opposed to only overt forms of direct violence.

To be clear, I do not propose KMDD®, and other prospective methods of fostering moral and moral democratic competencies replace different therapeutic measures. However, everyone would benefit if programs for victims/survivors and the perpetrators were augmented with KMDD®. The professionals should be conscious not only of the need to raise their patients' social skills and emotional awareness but also of the necessity to foster moral and moral democratic competencies. Implicitly it is the goal already; however, the lack of awareness of this aspect among professional assistance providers can hamper the effectiveness of violence prevention programs.

6.5.3. Moral and moral-democratic competencies in training for the formal support system

In the previous chapter, I argued that the prevalence of violence, discussed in the example of intimate partner violence (IPV), is conditioned on unfair patterns of cultural value interpretation, in the case of IPV primarily related to gender, sexuality and family, that are to some extent maintained through informal channels, but are also encoded in working formal institutions and reinforce through the practices of those institutions (see chapters II to V). The context in which those patterns can be challenged, and hence one of the most important areas where the transformative role of fostering moral-democratic competence can prospectively be seen, is the system of the immediate response to violence. In many respects, the existing formal institutions are ill-equipped to handle IPV (see Chapter V). Partially, it is a result of laws and policies which are not well tailored to answer with suffient understanding of the problem that govern those formal institutions, but to a great extent, the shortcomings stem from the fact that the personnel, professionals and volunteers are unprepared to deal with emotionally and cognitively demanding IPV cases. There already exist many legal possibilities and tools for stopping homeplace violence; however, they are often not utilised properly (Helios & Jedlecka 2017, 42). Even best-tailored policies will not do much good if people implementing them on day to day basis are not sufficiently trained. It is necessary to underline here that simply passing on the information on various aspects of IPV is an essential part of training, but it is insufficient.

Moreover, a comprehensive understanding of the problem may actually take years of study. It is not feasible to demand that every representative of the formal support system, who can come in contact with IPV victims, perpetrators or members of afflicted families, be given all of the information they may require ahead of time. As IPV is such a vast and complex issue, it is not even feasible to provide all that information to every employee of specialised IPV services, let alone employees of the healthcare system, social services or police force. So out of practical necessity, they always have to operate based on limited knowledge. What I mean to say, it is crucial that the representatives of the formal support system are adequately informed, but they cannot, as a result of practical constraints, be ideally informed.

Any professional or volunteer acting as a part of the formal support system, even as first contact, should be able to respond respectfully and adequately to anyone seeking

help before they can be directed to professionals, who actually have the specific knowledge necessary to deal with any given cases. Still, no singular individual is required to have all the necessary expertise. In fact, the idea is that the assistance will be provided to each recipients by multiple individuals across different institutions and agencies, each with different area of expertise. As it is impossible to have instructions for every possible issue, representatives of the formal institutional system must be able to come up with creative solutions and act in accordance with their own judgment. Therefore, sufficient training cannot be limited to providing instructions or information. Instead, the trainees, including veteran professionals raising their qualifications, had to be given opportunities to develop moral-cognitive abilities – moral and moral-democratic competencies. Therefore, employment of effective methods of fostering moral and moral-democratic competencies, such as KMDD®, during the training of professionals and volunteers, who are going to act as parts of a formal institutional support system, is so important (comp. Lajčiaková 2013; 2016; Steć 2019). That is something necessary for every branch of the formal support system.[491]

Dealing with IPV cases is very challenging (see Chapter V). Encountering violence, even as a witness or indirectly, is highly emotionally charged and upsetting.[492] It often involves unexpected situations that challenge one's understanding of the world. The interventions that would be successful not only in stopping immediate overt violence or threat of overt violence, but also ensuring that assistance recipients have positive experiences with assistance providers, and that would simultaneously be conducive to redressing unfair biases and relations of domination, would require: 1) Properly managing empathy, as to not be overwhelmed or mislead towards unfair solutions. 2) Treating every involved party fairly. That includes responding to perpetrators/suspected perpetrators, who should not be treated with leniency but still should be treated with respect. It is important to consider here that most people find it difficult to treat others who did morally condemnable things with respect, compassion and understanding while at the same time holding them accountable for their actions. 3)

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[491] There is a problem with how to incentivise professionals to participate in moral-cognitive training when externally enforcing participation may be counterproductive given the nature of training (comp. Steć 2019). Raising one's own moral competence may be a moral or ethical imperative, regardless if one belongs to a helping profession or not, but in some professions, it is even more important than in others. However, everyone has to decide on their own what methods suit them.

[492] Those difficulties contribute to frequent burnouts. The role of KMDD® in burnout prevention is something that can also be considered here.

Decreasing authoritarian and paternalistic attitudes.[493] That involves 3a) the ability to listen to others, who may adhere to different values from one's own, and incorporate their wishes in the solution; 3b) consistency in following legitimate social norms and rejection of unfair social norms and expectations at the same time; 3c) managing conflicts between wishes of individual assistance receivers and existing legal regulations and policies. In other words, respondents have to exercise discretion in exercise of law. People, including those employed in formal institutions, do not respond well to micro-managing and trying to micro-manage individual professionals will only worsen the quality of service they are able to provide. They need to be able to work out their own practices. It is important that those practices not only follow the letter of the law but are also fair and do not introduce additional harm.

Truly successful experiences entail positive experiences of people seeking assistance because those experiences are pivotal in establishing trust in the institutions. Without that trust, institutional power to help individuals is diminished. Moreover, if citizens do not trust and are unwilling to search for assistance from formal institutions or only treat institutional support as a last resort when their situation becomes most desperate and distressing, then institutional power to transform social relations is diminished as well.

The experiences of people seeking help for IPV depend on the attitudes among service providers. And that, in turn, is conditioned on worldview and understanding of the social world, values and normative principles guiding social interactions. To create attitudes conducive to assisting IPV victims, feminists and members of other emancipations movements respond to that problem with the practice of consciousness rising. However, it is impossible to demand that every person employed by the formal institutional support system embrace the same ideology, e.g., the tenants of feminism, especially when those ideologies come as something new, external and conflicting with traditional worldviews. Fortunately, the principles of justice and ideas anticipating human rights already exist in some forms in many diverse cultural and philosophical traditions, predating modern social movements, and do not need to be externally imposed (comp. Sen 1997; Wojciechowski 2014). They, however, need to be consistently recognised – chosen from the usually internally inconsistent sets of patterns

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[493] Exerting control over a person, and the "micromanagement" of someone's life, does not empower that person and may hinder them in building their own relationships and creating life as she pleases (comp. Fraser & Gordon 1994, 230).

of value interpretation – and consequently applied. More stress should be put on providing people with moral-cognitive abilities to choose appropriate principles for just actions than on trying to make them accept and internalise new worldviews. Suppose people lack moral cognitive abilities to choose appropriate principles for actions in a given context. In that case, they will not be able to consistently apply feminist principles in practice either, even if they earnestly declare support for feminist ideals. The goal here is to enable people to constantly engage in fair practices and redress gender misrecognition – the underlying framework of violence – through those fair practices in the context of helping couples afflicted with IPV. Consciousness-raising may be a necessary means to that end, but it is on its own not sufficient.

6.5.4. Moral-democratic competencies and creating policies

The last aspect of violence prevention I would like to address here shortly is creating policies and laws. In a democratic political system, anyone, not only the members of the legislative branch of government, can be involved in creating policies in some way. I do not think I need to convince anyone that it is important to have morally competent legislators who put concerns of justice and fairness before any particular goals and who are also able to engage in productive and respectful discussions with their opponents, and that we can only expect a stable and enduring improvement of laws and policies if we have such legislators.

I have already established (section 6.4.1) that the ability to involvement in the p policymaking process depends on citizens' moral and moral-democratic competencies (comp. Cern 2014). Getting involved in the process of policymaking may entail contact with the formal institutions through formal channels like sending petitions, submitting projects, collecting signatures, etc., but it also means participating in the less formal process of opinion formation in one of the many multiple counterpublics (comp. Fraser 1990a). Of course, the effects of the process – fair laws and policies- would provide sufficient support for the victims of IPV and redress wider injustice and relations domination that lead to the high prevalence of overt forms of violence. It is essential to underline that it is not limited to laws and policies directly related to overt forms of violence but also the laws and policies that structure understanding of gender and family and delimit how people of each gender can function in society, that including legal construction of marriage, property and employment laws, healthcare policies and laws

governing reproductive rights as well as gender reassignment (comp. Fraser & Honneth 2003). However, the quality of public discussions is important here as well.

On the one hand, it is a context where citizens can raise their moral and moral-democratic competencies (comp. Nowak 2013). On the other hand, within the public discussion, unfair patterns of cultural value interpretation can be reinforced or contested. In that way, public discussion can influence how laws and policies are implemented even when the letter of the laws and policies does not change.

6.6. Social transformation

Without a doubt preventing violence in its overt forms to limit human and sometimes animal suffering is a fair and noble goal in itself. However, there is another equally important objective of violence prevention. Namely, enabling broader societal change and the emancipation of low-status groups, especially women, in the context considered in this dissertation. In other words, violence prevention is a necessary condition for equality. I propose that the means for violence prevention should also reflect that objective. The measures for violence prevention should in themselves be transformative and should be readily integrated with policies aimed at dismantling inequalities. Successful violence prevention measures have to be democratic in character, while countermeasures for overt forms of violence with authoritarian or paternalistic undertones will inevitably support subtle forms of violence in the long run. Therefore, enduring, transformative measures of violence prevention cannot be simply ordered or imposed from the top. Instead, the citizens must embrace fair, nonviolent practices in their relationships. And here, the idea of fostering moral-and moral democratic competencies comes in.

The possibilities of democratic social transformation depend on peoples' ability not only to change their understanding of the world, articulated values and ideas and patterns of interpretation but fundamentally on the ability to change everyday practices. This is not a change that can simply be achieved by expanding knowledge and promoting fairness by convincing people to embrace new ideas. Moreover, democratic social transformation cannot be imposed externally by enforcing new policies, no matter how "enlightened" or "progressive" those policies are. Of course, policies should be fair and should provide a framework supporting democratic social transformation. Still, without citizens' active, everyday involvement and commitment to fair practices, the

policy change will not be able to induce stable and enduring changes in social conditions.

In conditions of injustice, it is not always possible to implement perfectly fair solutions, and sometimes the only way to stop immediate violence is some form of counterviolence. Counterviolence should be considered especially carefully. On the one hand, hasty condemnation of counterviolence can serve to support the original violence (comp. Chapter I; Fanon 1961/2004; Žižek 2008); on the other hand, counterviolence is sometimes an "easy" option, the one that involves less effort to solve the immediate issues but will not do much good in the longer perspective[494] and serve to further reinforce and widen inequalities (comp. Butler 2004b; 2009). Violence prevention is an ongoing project, and as such, it requires maintaining citizens' well-developed moral and moral-democratic competencies. Due to practical constraints, we cannot simply do away with all violent institutions at once. And not all institutions can be reformed into their nonviolent versions.[495] Therefore, even the best-tailored reforms cannot completely eliminate patterns of cultural interpretation that support violence and unfair subordination. The only way to mitigate those patterns is to work to introduce and maintain fair practices actively.

An acute understanding of what violence is, which goes beyond overt forms of violence, is necessary to propose suitable countermeasures to violence. At the same time, the concept of violence has to consider that overt forms of direct violence, including physical violence, are not merely a by-product of some symbolic structures of understanding. For that reason, in Chapter II of this dissertation, I proposed the definition that grasps both overt and hidden forms of violence based on Nancy Fraser's concept of injustice and, in particular, on her concept of misrecognition: violence is (1) practice, (2) results from misrecognition, understood (*qua* Fraser) as a nexus of

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[494] It is worth considering that the propositions of policies proposing harsher punishments towards criminals are becoming increasingly popular and are brought up by politicians trying to gather electoral support (Grzyb 2021). Punishing IPV perpetrators is not necessarily the most efficient way of protecting the victims let alone redressing the harms caused by violence (Dobash & Dobash 1992). A rigid and repressive penal system can be unintentionally harmful towards those, it is meant to protect (comp. Grzyb 2021). In contrast welfare social policies that could fulfil protective and preventative functions are often subjected to undue criticisms often in the course of public debates, likewise oriented towards furthering some political goal, in which the recipients of such forms of support as treated as whipping girls (comp. Fraser & Gordon 1994a & b; Kostecki 2018).

[495] It is theoretically possible to imagine social services or the healthcare system free from relations of domination pervasive in present-day society. Still, it is not possible to have, for instance, a completely non-violent army. And given that we live in an unjust world, and many of us, living in formally democratic states, are neighbouring dictatorships that display expansionistic and imperialistic ambitions, dismantling the armies is simply not feasible.

institutionalised patterns of cultural value interpretation that unfairly disadvantages some people in social interactions and (3) produces status harm (status subordination). In this definition, a particular kind of violence, e.g. batter or sexual assault, is a particular kind of practice that shares the common features with other forms of violence: stemming from misrecognition and resulting in status subordination. In this light, violence prevention necessitates redressing relationships of misrecognition and status subordination and fundamentally redressing them through the change in practices. The change in cultural understanding of social identities, especially gender, is necessary albeit not sufficient:

> Cultural change is not *sufficient* by itself for gender equality – a limitation not always sufficiently recognized by the consciousness-raising individualistic focus of the women's movement of the 1960s. But we argue that cultural change is a *necessary* condition for gender equality: women first need to change themselves before they can hope to change society. In turn, cultural change lays the basis for the mass mobilization of women's movements and broad support for public policies that reinforce, consolidate, and accelerate the process of gender equality (Inglehart & Norris 2003, 9).

The shift in social awareness and the declared acceptance of the ideas of social equality on its own is necessary but not sufficient since the shift in social practices is necessary as well. To some extent, the change in the shared understanding of the world can stimulate broader societal change. To that end, raising awareness about social justice issues, including IPV and the obstacles it creates for its victims/survivors is necessary. In particular, how IPV influences the situation of women by reproducing gender domination and reinforcing the status of women as a subordinated group (comp. Chapter II and III). However, the extent of the changes depends on the competence of all the individual subjects, of the individual citizens, to implement the new ideas in the practice of informal interpersonal interactions and in the context of formal institutions. Individuals who possess well-developed moral competence are more likely to recognise and be motivated by principles of justice and fairness and, moreover, more likely to try to solve conflicts through nonviolent means, in ways without underpinning patterns that support relations of domination and subordination (Lind 2016). That includes the competencies of the citizens, who represent the power of the polity (the state), those involved in the legislative process and public debate (comp. Cern 2014; Nowak 2013), and those directly tasked with addressing the issue of violence within formal institutions. The much-needed institutional changes and much-desired changes in the worldviews will always be limited by the addressers' ability to decide and act, as well as the people's willingness and ability to change everyday life practices. Yet the question

of moral and moral-democratic competencies is rarely explicitly discussed in the context of feminist scholarship. The novelty of the approach presented in this dissertation lies in stressing the role of moral-democratic competence as a crucial factor in this process.

6.7. Conclusion

Essentially, employing Fraser's framework in Chapter II for defining violence and emphasising the character of violence as practice enabled me to grasp the crucial but somewhat overlooked problem of violence prevention, namely the discrepancy between conscious beliefs and ideas and practice. Hence, prevention requires a change of practice. Meanwhile, examining Lind's model of moral development let me find the explanation for this discrepancy: the deficiency of moral and moral-democratic competencies. The solution is providing opportunities to foster moral-democratic competence to empower people to nonviolent practice.

Violence prevention is necessary for the emancipation of subordinated groups, but social transformation is also required for successful violence prevention. To transform society, it is not enough to transform what is articulated. It is also necessary to transform practices, as practices communicate some underlying interpretation of value. Moreover, practices generate material situations and change the shape of the material world. The individual subjects functioning within a society encounter varied, often conflicted, and contradictory ideas. Any of those ideas can be internalised to various degrees. Additionally, those ideas are articulated to a different degree. The practice can be performed routinely, without giving it much thought, but can also be subjected to reflexive scrutiny by an individual or a group utilising the practice. To be able to do that, individuals require well-developed moral-cognitive and communicative abilities, namely moral-democratic competencies. And to develop those competencies, they must be provided with opportunities to foster them. Therefore, providing those opportunities needs to be included in violence prevention strategies.

CONCLUSIONS

In my work, I discussed the educational fostering of moral and moral-democratic competencies as a necessary aspect of violence prevention. However, before I could explain why any particular aspect is needed for violence prevention, first, I needed to provide a clear and comprehensive concept of violence and an understanding of how violence functions as well as how it influences society. This, in turn, necessitated presenting a definition of violence. But a definition that has any scientific or philosophical merit requires justification. The philosophical foundations on which I developed the definition of violence came from the works of Nancy Fraser, her idea of justice, her concept of injustice and especially her status model of (mis)recognition. Therefore, a substantial part of this dissertation was devoted to explaining the status model of misrecognition in Fraser's wider framework, focusing on her writing from the early 1990s to the mid-2000s, which also includes Fraser's debates with her critics. The definition I proposed took the following form:

Violence is (1) practice, (2) results from misrecognition, understood (*qua* Fraser) as a nexus of institutionalised patterns of cultural value interpretation that unfairly disadvantages some people in social interactions, and (3) produces status harm (status subordination).

The key assumptions I made, which guided my reasoning in this thesis, were based on my study of violence and research on the theoretical concepts analysed (chapter I) by authors such as Johan Galtung (1969; 1990; see section 1.3.1.), Pierre Bourdieu (1998/2002 section 1.4.1.), on the work of sociological and interdisciplinary empirical research (chapters III-V), and finally on the work of feminist thinkers Judith Butler (2004a and b; 2009), Iris Marion Young (1990; 2000; 2005) and bell hooks (1984; 2000).

Women's experiences with physical violence are produced not only through violent acts themselves but instead through the wider context of social interactions that follow typified patterns of conduct. Crucially, those typified patterns of conduct are organised by patterns of cultural interpretation of value that reinforce the subjugation of women. In other words, intimate partner violence (IPV) bears the characteristics of (1) practice (2) that results from misrecognition understood as a nexus of institutionalised patterns of cultural value interpretation that unfairly disadvantage some people in social

interactions. Particularly, this concerns the patterns that dictate roles of men and women within the family and the hierarchy between those roles, the hierarchical understanding of family intimate relationship, that permits practices aimed at maintaining power advantage within a family; as well as women's lower status in a wider social context. Moreover, multiple other patterns of devaluing other identities or alternatively giving unfair advantages, such as ableism, classism, heteronormativity or racism,[496] come into play, especially considering the patterns of interpretation of ability, class, heterosexuality, race or even citizenship have always been produced in conjunction with gender. Those cultural patterns are not are institutionalised through informal and formal venues. The unfair patterns of value interpretation of gender and the interpretation of value of IPV victims are reinforced in typified interaction in an informal setting as well as in various institutionalised conducts discussed in the sections above.

Furthermore, IPV (3) produces status harm (status subordination). Intimate partner violence against women (IPVAW) is a cornerstone of women's subordination in society. The effects of IPVAW are not limited to individual suffering and individual harm of women who were themselves directly subjected to partner violence. Not only do individual women gain subordinated status within relationships through IPVAW, but they also suffer a whole array of obstacles preventing the victims from participating on par in social interactions, consequently diminishing their ability to gain or maintain financial and social resources and assets. As a result, women as a group are poorer and less well-connected than they would be otherwise, which contributes to their lower status overall. Moreover, IPVAW underlines and consequently reinforces the precarious position of women in society, therefore, undercuts women's status in society. Even those individual women who have not been subjected to IPVAW or at least to abuse are affected by the practice of violence, which produces social vulnerability of women's bodies.[497] Additionally, IPV results from and simultaneously reinforces the construction of hegemonic masculinity as forceful and domineering as well as the positive valuation of those qualities, indirectly maintaining the subordinated status of women.

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[496] Racism can come in form related to immigrant status rather than to physical characteristics.

[497] Let me compare this statement to Butler's assertion regarding queer community: "we are, as a community, subjected to violence, even if some of us individually have not been. And this means that we are constituted politically in part by virtue of the social vulnerability of our bodies; we are constituted as fields of desire and physical vulnerability, at once publicly assertive and vulnerable" (Butler 2004a, 18).

Violence prevention is necessary for the emancipation of subordinated groups, but social transformation is also required for successful violence prevention. To transform society, it is not enough to change articulated worldviews, values, opinions and social norms. It is also necessary to transform practices, as practices communicate some underlying value interpretation. From the perspective of the theory of recognition in the interpretation developed by Nancy Fraser, which I employed in this dissertation, the overarching goal of violence prevention is to ensure the building of just social relations, to provide fair living conditions for members of different social groups by increasing opportunities for their participation in society and to reduce unfair practices (Fraser & Honneth 2003).

Transformation of gender relations, which are presently unequal and unfair, involves changing the cultural patterns of interpretation of social roles so that they are no longer regarded as more or less valuable based on the specific identities assigned to the people performin them (comp. Fraser & Honneth 2004). To this end, I propose that widespread education geared toward teaching social and moral competencies is essential. The transformation of society towards more egalitarian social relations contributes positively to the opportunities for the growth of moral and moral-democratic competencies, while the development of these competencies promotes such changes. Considering that reproduction of cultural patterns takes place through their repetition by individual people (comp. Berger & Luckmann 1966), increasing the moral competence of individuals will enable them to interact more fairly, thus reducing the unreflective reproduction of an unjust pattern through everyday practices. It is not enough to merely convince people to embrace some "modern/progressive" gender beliefs or feminist ideals or instil new norms of behaviour (see Chapter III, section 3.3. and Chapter IV, section 4.3.3). Instead, it is more important to provide them with opportunities to develop their competencies, enabling them to respond critically to social conditions and autonomously change everyday practices accordingly. Moreover, developing the competence to exercise autonomous judgement is crucial for moral-democratic education, for only autonomous individuals can participate in establishing legitimate norms to be followed in society (comp. Cern 2014). Individuals' ability to form reciprocal relationships of recognition, both in interpersonal relations and the public sphere, depends on their competencies.

Moral competencies facilitate participation in the procedures of justifying norms and the complex acts of making moral judgements as well as partaking in moral actions together with others. Well-developed moral-democratic competencies entail moral-cognitive abilities, which enable individuals to limit violence towards interaction partners and avoid violent strategies while reaching an agreement on normative-axiological issues. The point is that people with the developed above-mentioned competencies neither justify the use of violence by others "so easily" (i.e. without thorough reflection) nor use it "so easily" themselves (comp. Lind 2016; Nowak 2013).

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