Women’s Human Rights and Informal Institutions

S. Laurel Weldon
Professor, Department of Political Science
Director, Center for Research on Diversity and Inclusion
Purdue University

Leigh Raymond
Professor, Department of Political Science
Director, Center for the Environment
Purdue University

**Behind the Briefs**

*New Perspectives on Informal Institutions & Intractable Problems*

Informal institutions are often defined as the sets of informal rules that exist outside and alongside “formal” structures of government. Although “formal” rules such as laws and public policies are important, informal rules can have an equal or greater influence on human behavior. Of particular importance are norms, a specific type of informal rule dictating the “appropriate” behavior for certain situations. Increasingly, policy makers and advocates are taking note of the importance of these unwritten rules of behavior—both as new obstacles and as new opportunities for policy reform to address the many difficult problems facing society.

In April 2012, a diverse group of scholars and practitioners gathered for two days on the campus of Purdue University to discuss how more attention to informal institutions might offer new perspectives on several seemingly “intractable” global policy problems facing the world today: climate change, food security, and women’s human rights. This policy brief synthesizes a few primary recommendations from the workshop for policies related to the problem of women’s human rights. Additional briefs summarize how informal institutions affect policies in general, as well as the lessons for the problems of climate change and food security. All four policy briefs and the full proceedings of the workshop, including short biographies of the experts cited in this brief, are available at [www.purdue.edu/discoverypark/intractableproblems](http://www.purdue.edu/discoverypark/intractableproblems).

**Violence Against Women as an “Intractable Problem”**

This brief draws out lessons for those concerned about women’s human rights and specifically the problem of violence against women, or VAW. VAW is violence that happens to women at least in part because they are women, including a range of abuses such as domestic violence, sexual assault, stalking and street harassment, female genital mutilation, honor killings, forced prostitution and sex slavery, and bride and widow burnings. Such violence is all too prevalent. For example, one in six women in the United States is sexually assaulted, and one in five experiences domestic violence during the course of her lifetime (U.S. Department of Justice 2010; 2011). In Europe, violence against women is more dangerous to the female population than terrorism or cancer (Elman 2007). Such violence, which occurs in every region of the world, inhibits development, harms children, and poses tremendous costs (Htun and Weldon 2012; Heise et al. 1999).

Governments from all regions, as well as international and inter-governmental organizations such as the United Nations and
the World Health Organization, have pledged to fight such violence, and most governments today undertake some measures to combat violence (Weldon 2002; 2006; Htun and Weldon 2012). However, current efforts to stop VAW are inadequate. They focus on treatment after the fact, rather than prevention, and many efforts to address VAW through policy are subverted in the process of implementation. New approaches to this problem are desperately needed.

**New Perspectives from Informal Institutions**

Workshop speakers addressing VAW and women’s human rights touched on four general ways that informal institutions can affect major social change:

1) Reinforcing existing norms that promote desired social change
2) Challenging existing norms that obstruct desired social change
3) Invoking alternative norms to create new policy opportunities
4) Creating new norms to facilitate social change.

**Recommendation #1:**

**Identify and Challenge Norms That Cause VAW and Inhibit Effective Policy Responses**

Although the causes of violence against women in general (and rape and domestic violence in particular) are complex, norms about gender are important factors contributing to VAW (Graham-Kevan and Archer 2003; Crowell and Burgess 1996; Heise et al. 1999; World Health Organization 2010). In her presentation, Laurel Weldon explained how cross-cultural studies have found that norms endorsing male dominance, female economic dependency, the importance of violence, toughness, and honor in conflict resolution, and male authority in the family predict high societal levels of domestic violence and rape (Levinson 1989; Heise 1999; Sanday 1981). Norms about the acceptability of violent behavior in relationships, particularly the acceptability of perpetrating such violence against women in sexual or intimate relationships, are also important. These norms make women vulnerable to violence and render others more likely to abuse them with the expectation of impunity (World Health Organization 2010; Carillo et al. 2003; Heise et al. 1999; Council of Europe, 2006; Crowell and Burgess 1996).

VAW also serves as punishment for those who deviate from acceptable social scripts regarding sexuality, gender, and race. Workshop presenter Joe Henrich of the University of British Columbia pointed out that punishment for deviation from gender or community scripts is the responsibility of the head of household in Fiji. Male heads of households are expected to leave visible evidence of punishment (e.g., bruises) to show they are exercising their authority. Activists in Malaysia and the Philippines report that rape and the threat of rape are used to intimidate women who seek to exercise their legal right to vote, and so-called “honor killings” of female family members who have violated norms against pre-marital sex by actions ranging from being a victim of rape to merely being seen with unrelated men in public are prevalent in many societies. Perceived norm violation may also be the impetus behind violence against openly gay or interracial couples. In this sense, the impulse of punishment associated with social norms may be part of the explanation for the prevalence and persistence of violence against women.

If we can identify which norms are spawning gender-based violence, we can then question them and propose new norms to replace them. Because norm-driven behavior is mostly unconscious or habitual, an important step toward getting people to follow a new norm is to draw attention to the harmful or less desirable nature of the old pattern of behavior in relation to some new way of behaving. Merely discussing apparent patterns in behavior can affect an individual’s awareness of the norms he or she is following, which can in turn lead to behavior change. For example, psychological research has found that merely attending to sexist norms in everyday life made young women (but not young men) more aware of these sexist practices and more likely to correct them (Becker and Swim 2011). Critical discussion of a norm can itself be a powerful mechanism for change.

Groups can organize to highlight problematic norms as a strategy of social change, prompting public discussion of particular problematic norms. As Weldon noted at the workshop, such discussion can be generated by organized efforts to persuade others, for example in social movements such as movements for human rights. People can work together—organizing, mobilizing in a sustained way—to force attention to particular issues and to make people see things in a new way.

These same social norms that contribute to the prevalence of this problem also block efforts to address the problem through public policy. For example, Louise Chappell of University of New South Wales explained how a broader context of informal rules and principles that are part of international law have frustrated feminist efforts to make the International Criminal Court (ICC), a brand new institution, more receptive to concerns about violence against women.
Chappell’s work shows that discriminatory social norms may result in official treatment of violence against women (such as rape) as less important than other violent and/or invasive personal or sexual violations, even when formal laws stipulate that this should not be the case.

Formal institutions and policies to address women’s human rights, then, may be undermined by informal understandings that contradict formal rules, such as an unwillingness to challenge male authority in the household or to hold men responsible for their behavior in sexual matters or to enforce the law. Recognizing and highlighting these norms is therefore a crucial first step toward social change in this area. Again, if we can identify which norms are spawning gender-based violence, then we can question them and propose new norms to replace them.

**Recommendation #2:**
Invoke Alternative Norms to Create New Policy Opportunities

Sometimes, those wishing to be agents of change can create pressure on recalcitrant policymakers to adopt a new policy by making a different, alternative norm relevant to a particular policy issue. For example, international norms such as human rights or gender equality norms have served to advance policy changes on VAW. Olga Avdeyeva of Loyola University showed in her presentation how national governments in Europe responded to informal social pressures from other states in Europe to meet international standards by adopting new policies on violence against women. This policy change was usually not a result of a change in the belief system of state elites, who suddenly embraced the idea of protecting the rights of battered women. Rather, it was conformity generated by social pressures. This is important because this kind of policy change can be achieved without much active debate and without actors consciously changing their positions.

Because these new norms are in some sense externally imposed by the international community, national leaders and policymakers may not fully embrace them and so may not act upon them immediately. States sometimes choose to ratify international human rights treaties, even if they do not intend to enforce them. But, Avdeyeva argues, by ratifying a treaty, states open themselves to criticism in regard to their formal recognition of the treaty norms. Soft social pressures from monitoring bodies or civil society organizations, such as shaming, shunning, and exclusion, help to bring states in compliance with their formal commitments to international human rights treaties. Elisabeth Friedman of the University of San Francisco and Weldon presented similar research findings.

Both Avdeyeva and Weldon also emphasized the importance of political activism and organizing in pushing for such policy changes. Those countries where strong feminist movements were active are the ones where policy change took place. Without such actors, nations can claim to adhere to international norms with declarations and other statements that mean little in terms of actual changed practice. These activists are also important for norm “vernacularization,” in which domestic groups push governments to make global norms and abstract principles concrete and relevant by tailoring their implementation to particular domestic contexts. Some find vernacularization to be an important way to improve a global norm’s influence over a specific national context. Others, including Friedman, warn that sometimes vernacularization can involve stripping out important elements of the idea of women’s human rights (for example, lesbian rights or abortion rights) in ways that threaten to leave some women out of the social change being promoted by that particular norm.

In sum, then, advocates seeking to address VAW can look for ways to frame the issue of VAW to tap alternative, international norms on human rights and gender equality. In doing so, however, they must be alert to efforts to water down or even subvert the impact of efforts to address VAW under the guise of making the issue more politically palatable or appropriate for a particular local context.

**Recommendation #3:**
Create New Identities and Norms Against VAW

If our standard ways of doing things make VAW worse, then one avenue of change is to create new ways of doing things, new norms of behavior. For example, feminist activists and public policy can work to alter the norms that make policymakers and everyday citizens overlook VAW or see it as an unimportant problem.

As late as 1999, the Eurobarometer survey found that as many as one in three Europeans thought violence against women should probably not be considered a crime (Eurobarometer 2010). Today, the majority of people in Europe think domestic
violence is a serious issue (Eurobarometer 2010): 84% think it is unacceptable and should always be punishable by law. These attitudes represent significant change. In the U.S., attitudes have changed as well. A majority of respondents now identify domestic violence as a problem. This represents a normative change, a change in the way domestic violence is seen.

How can new norms be created? Laurel Weldon argued that new norms can be created by civil society groups, public policy, or both. Groups can use techniques of protest, for example, to raise issues and contest the usual ways of doing things. As noted, forcing awareness of old norms can facilitate changing harmful habitual practices and attitudes, but new ways of doing things also need to be presented. So criticizing media representations that glorify violence against women is part of the answer, but providing alternative forms of entertainment is also important. Groups can also model new norms. For example, groups of families or communities in Africa have worked to model that it is possible to marry off one’s daughter without harmful practices of female genital mutilation by pledging both to keep daughters uncircumcised and to allow their sons to marry uncircumcised women.

Public policies can provide incentives for new kinds of actions, as when the European Union rewarded policy change by nations seeking to enter the EU, or when the Norwegian government provided rewards that involved fathers more in child care (Avdeyeva 2009; Weldon 2011). Public policy can also further norm change by supporting civil society groups working to change behavior. For example, Avdeyeva noted that the EU funds the operations of NGOs working in the area of violence against women through its Daphne Project, which aids in building local capacity and non-governmental effort in combating this problem (on funding civil society groups in general see Weldon 2011). There was general agreement that change is most likely to occur when policy and civil society aim at changing the same norm.

New norms often depend critically on the development of new identities and on offering new models to imitate that are linked to these new identities. Similarly, linking new habits and practices to established identities is also important. Joe Henrich, for example, stressed the importance of role models, of people’s tendency to emulate those with whom they identify or want to identify, whom they see as successful. Convincing celebrities or other role models seen as successful or admirable to adopt a new norm can be an important way of getting people to change behavior that operates below the level of conscious behavior change.

In general, workshop presenters emphasized that persuasion is often less important than conformity. The main impact of persuasion may be in the initial stages of pushing for a new norm, while imitation, habitual following, and other less conscious mechanisms may be more influential afterwards. For example, if the right role models can be persuaded to behave differently, people may imitate them without consciously deciding to do so.

Those working to stop VAW, then, should generate norms that treat VAW as a serious problem and develop new ideas about masculinity and femininity that empower women and men to resist violence and treat one another with respect. Innovative media and other campaigns to question norms that contribute to VAW can both raise awareness of these unwritten rules and create public support for victims and for efforts to combat VAW even before there is formal legal change. In addition, efforts to develop new identities include campaigns that seek to change beliefs about appropriate behavior by men toward women, such as the global “man up” campaign against violence against women, which uses famous and accomplished athletes to link masculinity to an obligation to stop VAW. Similarly, public education campaigns against domestic violence in Australia emphasized that “real men don’t rape or bash women.” Campaigns emphasizing the value of women and femininity, the importance of women’s economic and legal independence, and the unacceptable nature of VAW in general should also help to challenge informal acceptance of VAW and support new norms.

At the international level, persuading powerful countries (like the U.S.) and important regional and religious organizations (like the Organization for Economic Cooperation and Development, Organization of Islamic Countries, and the Organization of American States) to adopt particular policies and positions may influence other nations follow suit. But certain countries may be more important role models than powerful states in some cases. Friedman shows that Latin American countries were more likely to emulate Spain than the United States when it came to adopting policies on gay marriage (Friedman 2012). So identity can be as important as—or more important than—power in identifying role models and leaders for norm change.
**Summing Up**

This brief has described how informal institutions offer several important new perspectives on the enduring problem of VAW.

- First, it is important to identify and challenge those existing norms that cause VAW and inhibit effective policy responses.
- Second, we can use alternative norms, such as international norms, to open up new opportunities to promote policies addressing VAW.
- Third, we need new norms of behavior to guide policymakers and individuals as they confront VAW. These can include new norms for policymakers as well as new models for behavior for individuals. Creating new identities can be a critical part of creating and disseminating new norms. These new norms can be created by civil society organizations or by public policy, or both.

Although none of these perspectives is likely to solve VAW, all of them suggest the diverse ways that a focus on informal institutions and norms might advance policy discussions of this particular global challenge.

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