

Claudia M. G. Hasanbegovic

Public and Social Policies Responses to Wife Abuse in Argentina and Cuba¹

Introduction

State² intervention³ in *domestic violence*⁴ cases is a controversial topic that prompts ongoing debate. We can start locating the contributions to the debate within

¹ Paper presented at the Annual Social Policy Association Conference, Queen's University, Belfast. 25 July 2001.

² In this article the definition of "state" adopted says that *the state is usually defined either as a specific set of social institutions, for instance as the body which has the monopoly over legitimate coercion in a given territory, or in terms of its function, for instance that body which maintains social cohesion in a class society (...)* the problem with that definition [Weberian] in relation to gender is the notion that the state has a monopoly over legitimate coercion, when in practice individual men are able to utilize considerable amounts of violence against women with impunity. In practice this violence is legitimized by the state, since it takes no effective measure against it. (...) The Marxist definition of the state is [also] problematic in that it usually asserts that the state mediates only between social classes, omitting gendered and racialised groups (Walby, 1995:150). State is also understood as a historical form of class domination, which dominates through institutions, values, norms, law and mainly social relations. The first four elements are expressed through the state apparatus: the government, the administration, the military and the police, the judicial branch, local government and parliamentary assemblies (Miliband, 1969 cited in Tedesco 1999). According to Tedesco these social relations are dynamic as there is constant tension between classes either to maintain or to improve their respective economic and political positions. In response, the state is also dynamic, assuming different characteristics at different moments in time. The capitalist state assumes different forms, and by the '1990s, the Argentinean state is a 'neo-liberal-state' that is it dominates through the image of the state as guarantor of democracy, law and order, efficiency and provider of the legal framework for the market, civil society and the individual to flourish (Tedesco, 1999:529).

³ State intervention in this article means all kinds of interventions state institutions have to make as part of their duties towards achieving the well being of its population. State intervention thus, is ruled and limited to the nature, goals and function of each state institution.

⁴ I elaborated a working definition of *domestic violence* I am using in my PhD research that says: *domestic violence is a process of violent acts, exerted by a man on his female partner (wife, concubine, lover, fiancée, or former wife, concubine, lover or fiancée). The nature of those violent acts could be physical, psychological, sexual or economic violence, aiming to prevent the woman from doing what she wants to do, or to forcing her to do what she does not want to do. Domestic violence brings about physical, psychological, sexual and economic damages to women, and a progressive deterioration of her self-esteem, well-being and dignity. The prolongation of domestic violence through time points out the state complicity with the violent man, and is a cause of state responsibility under international law for breaching woman human rights international treaties.* (Hasanbegovic, upgrading seminar from M.Phil to Ph.D. registration, June 1999). In this article the terms wife abuse, domestic violence, marital violence, male violence against women in intimate relationships

the particular socio-economic-political contexts from where they emerged. i.e. the societies of Europe and the USA, where *social policy*⁵ interventions are part of a welfare system, a "sort of safety network that the Western liberal states do with its welfare provisions" (Rai, 1996:17).

Both perspectives of the debate exclude approaches and experiences from Third World⁶ countries, where often women cannot afford to choose whether or not they want the state to intervene in their lives (Rai, 1996). The state is already too interventionist in people's lives in Third World countries, often in a brutal way. Other issues have to be considered as well, as the disadvantage economic situation, the weight of the repayment of the external debt and cultural issues and patriarchy at public policy levels conflate making responses to wife abuse in Third World countries follow different routes here than in those chosen by Anglo-Saxon societies. In many Third World countries for instance, the state intervention through the justice system may be the only way of achieving both safety and housing for a battered woman.

I suggest the crucial role of state intervention in domestic violence does not per se, affect women's lives negatively. On the contrary, when intervention is aimed at stopping violence, punishing and preventing crime and protecting women, state intervention is a form of empowerment for women (Hasanbegovic, 1999).

This article begins with a brief exploration of the current debate on women engaging with the state. Then, it moves on to offer primary data from *agents of the state*⁷, in Argentina and Cuba, to explore the relationship between domestic violence and the state from their perspective. Different forms of social and public policy interventions will be investigated in the data. Finally, the article concludes with a comparison of both forms of response, locating this piece of work within the current Anglo-Saxon debate on women engaging with the state (Schneider, 2000), and the law (Lewis et. al. 2001).

are used exchangeable to indicate the process of male violence against women mentioned before.

⁵ *Social policy* is defined as *the deliberated intervention by the state to redistribute resources amongst its citizens so as to achieve a welfare objective. A welfare system is defined as the range of institutions that together determine the welfare of citizens. Amongst these are the family and the community networks in which it exists, the market, the charitable and voluntary sectors, and the social services and benefits provided by the state* (Baldock, 1999: pp. XXI).

⁶ *Third World* countries are commonly understood not only as those countries, which are characterized by underdevelopment.

⁷ I name *agents of the state* to refer to those professional I interviewed in Buenos Aires and Havana, whose professional duties are laid out by the statutory law. While doctors, lawyers could become also state employees when they work in state institutions and received a wage paid by the state, judges and police officers are always state employees. Those professionals interviewed all them, except for the Argentinean and Cuban lawyers, are all state employees too. Still, lawyers carry out their work as helpers of the justice system assisting the state to investigate breaches to the law and bring about justice.

Argentina and Cuba, both Third World countries, find themselves immersed in an acute economic crisis, which I cannot explore in this work because of lack of space. Their social policy responses have been hindered or even dismissed as a consequence of the economic adjustment of their national economies to the new international context shaped by globalization (Caño Secade, 1997; Pearson, 1997; Montreal, 1999; Tedesco, 1999b, World Bank 2000). In both countries organizations belonging to the civil society⁸, [one capitalist and the other one, socialist civil society] acquired a changing and relevant role in providing forms of welfare for the population. In Argentina the strengthen of the civil society is related to the experience of resistance against the military dictatorships (Azcuy Henríquez, 1995; Valdés, 1997), and in Cuba, although it emerged as socialist civil society with the Cuban revolution (1959), new organizations were incorporated during the '90s. That was a consequence of the economic transition. (Pearson, 1997; Dilla, 1999; Basail Rodríguez, 1999).

In terms of domestic violence, it may be impossible to offer a true picture of the scale of the phenomenon in Argentina and Cuba. Lack of representative studies and statistics are a recognized problem in both countries (Rodríguez, 1998; Rodríguez and Motta, 2001; Proveyer, 1999) and addressed by the United Nations Special Reporter on Violence Against Women to each of them (UN, 8/2/00; UN, 10/3/99). Thus, the present piece of work expects to contribute to a better understanding of the dynamics of domestic violence and the state response in these countries.

1. Current debate on women engaging with the state: state intervention on domestic violence cases

The definition of state adopted in this article is that

the state is usually defined either as a specific set of social institutions, for instance as the body which has the monopoly over legitimate coercion in a given terri-

⁸ The concept of *civil society* I used in this article belongs to Antonio Gramsci. Gramsci says that *the "civil society" is the ensemble of organisms commonly called "private", and that of "political society" or "the state". These two levels correspond on the one hand to the function of "hegemony" which the dominant group exercises throughout society and on the other hand to that of "direct domination" or command exercised through the state and juridical government (Gramsci, 1971:12-13). For Gramsci, the Church is in fact an element of diminishing importance within civil society though (Gramsci, 1971: 245). Nevertheless, Gramsci also provides the seeds for understanding what Cubans intellectuals named the "socialist civil society" (Dilla, 1999:32; Azcuy Henríquez, 1995). Gramsci states that: the assertion that the state can be identified with individuals (the individuals as a social group), as an element of active culture (i.e. as a movement to create a new civilization, a new type of man and of citizen), must serve to determine the will to construct within the husk of political society a complex and well-articulated civil society, in which the individual can govern himself without his self-government- thereby entering into conflict with political society, but rather becoming its normal continuation, its organic complement (Gramsci, 1971:268).*

tory, or in terms of its function, for instance that body which maintains social cohesion in a class society (...) the problem with that definition [Weberian] in relation to gender is the notion that the state has a monopoly over legitimate coercion, when in practice individual men are able to utilize considerable amounts of violence against women with impunity. In practice this violence is legitimized by the state, since it takes no effective measure against it. (...) The Marxist definition of the state is [also] problematic in that it usually asserts that the state mediates only between social classes, omitting gendered and racialised groups

(Walby, 1995:150)

The state is also understood as

a historical form of class domination, which dominates through institutions, values, norms, law and mainly social relations. The first four elements are expressed through the state apparatus: the government, the administration, the military and the police, the judicial branch, local government and parliamentary assemblies.

(Miliband, 1969 cited in Tedesco 1999)

According to Tedesco

these social relations are dynamic as there is constant tension between classes either to maintain or to improve their respective economic and political positions. In response, the state is also dynamic, assuming different characteristics at different moments in time. The capitalist state assumes different forms, and by the '1990s, the Argentinean state is a "neo-liberal-state" that is it dominates through the image of the state as guarantor of democracy, law and order, efficiency and provider of the legal framework for the market, civil society and the individual to flourish"

(Tedesco, 1999:529).

Yuval-Davis sees the state as a

body of institutions which are centrally organized around the intentionality of control with a given apparatus of enforcement at its command and basis. Coercion and repression are then to be seen both as forms of control and as a back up.

(Yuval-Davis, 1989:5)

She also points out that citizenship is a central concept to analyze the relationship between women and the state, a notion, which far from being gender-neutral constructs men, and women differently. Citizenship, Yuval-Davis says, does not adequately encapsulate the relations of control and negotiation that take place in a number of different arenas of social life. I suggest that exploring the state response to domestic violence offers an excellent lens from which to analyze citizenship. This could illuminate relations between state and women, negotiations and control in the specific area of private life in its intersection with public life.

Civil and political citizenship incorporate those rights and liberties that individuals possess against the state, whereas social citizenship refers to rights or entitlements individuals may claim from the state. Rights to life, personal security, liberty and freedom of expression are rights women who survive male violence in their intimate lives need to have warranted by the state. Where shall we locate the rights battered women have to claim against the state in those countries where social citizenship is weak?

Marques-Pereira suggests

the situation is less simple than it appears, particularly in Latin America. (...) We would surely consider the fundamental right to life, a basic civil right, undermined

by domestic violence and sexual violence, yet these matters are usually considered to fall within the domain of social policy, and therefore, social citizenship

(Marques-Pereira, 1998:215)

I anticipate that in those countries where social policy provisions are not in place or they are insufficient, claiming political and civil rights against the state to force it to guarantee women's freedom and safety could be a form of public and social policy. This form of state intervention could be seen as "criminalisation of domestic violence". However, domestic violence is a crime and a violation of human rights ruled by international conventions (UN 1993a, 1993b, 1996). Therefore, the state's intervention in this phenomenon is at stake.

1.1 In the United States

In the United States, Schneider says that:

far more important and more challenging -than criminalisation of domestic violence- is the need for provision of state and state-supported resources to deal with the "real" (sic) problems that battered women face - child care, shelters, welfare, work, and workplace violence- and thus make it possible for women to have the economic and social independence that is a prerequisite to women's freedom from abuse.

(Schneider, 2000: 197)

This statement is problematic. Firstly, because Schneider argues that the "real" problems of women surviving domestic violence are the material vulnerabilities that not only battered women, but also many women have to face in society due to the sexual division of labour. Schneider appears to depart from a theoretical point of view without sufficient empirical evidence. For women in a domestic violence situation, stopping the violence is the most basic and urgent to keep alive, and then to think about the other problems they may have (Hasanbegovic, 2000; Mafalda, 1997).

Schneider put stress on the material basis of women's emancipation, which, although it is part of the picture, does not account for domestic violence in middle and upper social classes. Even in cases where women are emancipated, they could be hostages in their own homes and be not able to flee to a shelter (Hasanbegovic, 1999b). Male violence, in the view of all the battered women I have been talking to and assisting in the past 12 years is the main problem and their priority is to achieve a life free from violence.

That does not mean I deny or underestimate the role that state's social provisions play in empowering battered women. However, to reduce women's rights from the state to social rights is to forget the crucial role of the state in controlling crime in society. In fact, this position seems rooted in the idea of domestic violence as a social problem but not as a crime.

An example of what happens when the role of the state in warranting personal safety is blurred is given in the Benavidez case in the United States⁹. Miccio reflects on that case saying

⁹ In the Benavidez case the issue of police duty to protect and prevent further domestic violence crime was discussed, and the courts found that the police did not owe the victim a duty of care. Characterizing the incident as a case of nonfeasance, the courts held that ab-

the police and the private citizen are held to the same standard. Just as there is no obligation on the part of the private citizen to save a drowning person, there is no duty on the part of the police to rescue.

(Miccio, 2000:142)

Miccio concludes that

the Supreme Court -of the USA- has reinscribed conceptions of individual rights, of state responsibility and of constitutional protection so as to distance battered women from protection. We are left bare...To live in a world where violence against women by intimate partners flourishes because of state action is unacceptable

(Miccio, 2000:172).

In this case, it seems as though the lack of state intervention was disempowering for battered women.

In all the issues surrounding the debate about feminism engaging with the state and the value of mandatory arrest for struggling against domestic violence, there is a core idea belonging to the USA society: the promise of an "autonomous liberal legal self" (Merry in Schneider, 2001:188). This autonomous liberal legal self does not seem to apply to the human and material realities of many women in domestic violence situations: personal autonomy is undermined by domestic violence.

Schneider maintains that many feminists saw battering as the product of patriarchy, as male control over women, whilst they also saw the role of the state as maintaining, enforcing and legitimizing male violence against women, not remedying it. Departing from those views, the movement developed shelters, safe houses, and alternative institutions. However, as the women's movement developed, the engagement with the state, Schneider argues -particularly in the form of accepting subsidies and funding- became unavoidable. The discourses also developed and transformed, and whilst domestic violence moved from the margin to the legislative agenda of every state in the USA, feminist liberatory discourse challenging patriarchy and female dependency, which shaped this work, has been replaced by discourse emphasizing crime control (Schneider, 2000).

Some of these changes are the "mandatory arrest and no-drop policies". Schneider says that although these policies are recognized as at best imperfect solutions to domestic violence because of the extreme risk to women's autonomy, studies regarding the effectiveness of mandatory prosecution are inconclusive: there are both those in favour and those opposed to it. The rationales for criminalisation generally, and mandatory arrest in particular is deterrence and the importance of encouraging a more public response to domestic violence: a clear statement that assault in intimate relationships will be treated in the same way as assault by strangers.

Those in favour of "mandatory prosecution and no-drop", view them first and foremost as furthering the proper roles of the state and prosecutor in domestic vi-

sent a special relationship between the police and the putative victims, Adela Benavidez could not expect protection from the police (Miccio, 2000:141) However, the "special relation" the victim needed was adequate prevention of further harm which the police did not care. The article which discussed the Benavidez case follows to explore the creation of duty and sustains that under *the doctrine of public duty, the duty of protection is owed to the public generally, there is no particularized duty of care allocated to individuals.*

olence cases. A prosecutor's "client" is the state, not the victim. The decision whether to begin proceedings against a crime should not rest with the victims but with the state. Because domestic violence affects society as a whole, and not just the victim of abuse, it concerns public safety and the protection of children. Nevertheless, since women are citizens, the state owes them a form of intervention, which is empowering of their rights.

Secondly, proponents maintain that this approach protects victims because it removes the pressure exerted by a batterer to drop the case it relieves the victims of making this decision and puts it on the shoulders of the state, where it belongs. Moreover, even though forcing a victim to participate in a trial violates her autonomy, those who support mandatory prosecution and no-drop argue that this loss of autonomy cannot be equated with the loss of autonomy and harm that results from battering and violence (Schneider, 2000). Still, these assumptions suggest that participating in trials would violate any citizen's autonomy; and that does not seem to be the problem for society in general.

Thirdly, these policies tell the batterer that violent conduct and abuse are criminal and unacceptable, and that incarceration is an appropriate sanction.

Critics of these policies argue that they are paternalistic and "essentialise" women's experiences by presuming that society knows what is right for all women; they "revictimise" women by subjecting them to further coercion at the hands of the state; they increase the risk of retaliation against the victim by the batterer; and, finally, they disempower women by taking their autonomy away from them. In addition, critics suggest that additional state interference into a battered woman's life can hardly be described as liberating. If arrest leads to automatic prosecution, women will be less likely to call the police for help. In theory, "the ideal model for state intervention proposed by battered women's advocates has been a "coordinated community response", but the ideal is rarely met by the reality" (Schneider, 2000: 187). However, debates in the USA, the idea of citizenship seems missing. Considering that citizens (women and men) subject themselves to the state in exchange for protection and justice (as a basic social contract) criticisms about the disempowering effect of women's participation in trials could be extended to all citizens.

Within the context mentioned above I suggest that: a) the state's intervention in controlling crime could be negative when women as citizens are not treated on an equal footing to men. b) Ideas about women's autonomy and personal liberty cannot be generalized to all "women" in the world, because "women" are constructed differently, in particular socio-economic-political-historical contexts. c) Although it is true that the state is patriarchal in most countries in the world that does not imply that "all states" have an identical degree of oppression for their female citizens. d) Finally, it could be suggested that the debate on feminists engaging with the state in the United States seems to go beyond the issue of individuals' autonomies being jeopardized by too invasive a state. State intervention appears as a complex cultural, historical, ideological matter that unmasks the state's gender nature and its relation with its citizens. In the USA debate two elements seem absent. The first one is that women are citizens, and consequently their relationship with the state is almost unavoidable. The missing element is that domestic violence is a crime and consequent-

ly the state has to intervene to control and prevent this kind of crime. If the state does not fulfill its duties to guarantee a life free from violence for its female citizens, one of those alternative arenas of struggle could be the accountability of the state for breaching international human rights treaties known in International Law with the name of "state responsibility".

1.2 In the United Kingdom

Lewis, the Dobashes, and Cavanagh (2001) take up the main streams of the Anglo-Saxon debate about the value that the law has for domestic violence. They identify various perspectives of the law: law as a form of social control, views of those who prefer the state to abstain from intervention, feminist movement pursuing legal reform, feminist movement who propose a participation of the community in the process of imparting justice, and the rehabilitation of men who abuse. These scholars suggest that these approaches have not usually come into direct conflict, but they have all contributed to debates about domestic violence.

Some of these streams suggest Lewis et al, have advanced our understanding and analyzing of this problem, making it as a manifestation of both gender inequality and the state's approach to offenders and victims. While the research about domestic violence and the justice system has been driven by the question "what works?" (e.g. through outcomes of legal intervention rather than in the process).

Lewis et al sustain that "drawing on empirical evidence and informed theoretical debate, we contend that the law, both civil and criminal, has a positive role to play with respect to abusers, abused women and the community at large". (Lewis et. Al. 2001: 23). These authors emphasize the long list of attempts to "divert" violence against women away from the justice system and into the hands of others. All such attempts, in one way or another, have been characterized by a failure to control men and eliminate their violent offending behaviour in ways that can be sustained over time. However, since the overwhelming majority of violent men do not define the violence as a problem and do not present themselves to agencies to effect personal change, holding them accountable for their violent behaviour and for its elimination means that they are brought into the nexus of the justice system. Lewis et al conclude that arrest is the first step, but "accumulating evidence suggest that the greatest prospect for eliminating violence and abuse are associated with criminal justice responses which incorporate surveillance and control and include rehabilitation programs with an explicit focus on the violent behaviour and supporting beliefs" (Lewis et. al. 2001: 124).

Lewis et. al. conclude their analysis by proposing a model of intervention in domestic violence that stresses efficiency in dealing with domestic violence. While that seems sensible, however, the question remains whether their model is feasible for Third World countries. The main problem in having efficient intervention of the state in stopping, controlling and preventing domestic violence is, I suggest the level of state's gender corruption: in other words, the level of patriarchy that the agents of the state display through enforcing state's law.

1.3 In Third World countries

Rai criticizes the Western feminist debate on women engaging with the state by saying that much "Western feminist state theory has largely ignored the experiences of Third World women under the post-colonialist state. The assumptions made are Western-centered but the theorizing takes on a universalizing language". (Rai, 1996:5) This author asserts that the question of whether women should "deal" with the state is actually a decision that women in Third World countries are not in a position to make. What feminist debate must be concerned with, Rai argues, is with women struggling against the Third World state, that is the process by which they may take control over their lives.

Rai seems to assume that any Third World state is an enemy for its female citizens, but what is suggested is not the case in Cuba. Cuban women do not seem to see their state as their enemy (Guillar Limonta, 1999; Arés Muzio, 1999, Aguilar, 1994). Furthermore, in terms of the Cuban state response to domestic violence response, it is suggested that the Cuban state presents a lesser degree of patriarchy, and this gives a source of empowerment for battered woman (Hasanbegovic, 2001a, 2001b).

Rai also quotes Alvarez, who wrote about the Brazilian context: "feminists should neither dismiss the state as the ultimate mechanism of male social control nor embrace it as the ultimate vehicle for gender-based social change. Rather, under different political regimes and at distinct historical conjunctures, the state is potentially a mechanism either for social change or social control in women's lives" (Alvarez, 1990: 273 in Rai, 1996: 12)

Underlying Rai and Alvarez's approaches lies on the idea of women as "non-citizens", probably as a mirror of a reality where women's are treated as "non-citizens" by their states. This perspective, although similar to that of the USA feminist position indicated above, could be rooted in a long experience of military dictatorships and state terrorism in Third World countries. Those kinds of experiences were marked by state violation of democratic institutions and "citizens" rights. Additionally, it is suggested that military dictatorships reinforced patriarchy (Hollander, 1996, Hasanbegovic, 1997). So, it could be said that the struggle of Third World women against oppression has a twofold obstacle: patriarchy and authoritarianism. It seems as though the idea of claiming human rights, and civil rights against the state in countries like Argentina has been born out of these experiences and is associated with responses to domestic violence, (Hasanbegovic, 1998a, Amado, 1996).

I suggest that improving women's lives requires the transformation of state patriarchy into a non-patriarchal state. All international human rights treaties offer the legal tools for achieving this goal. States are accountable for breaches of international human rights treaties under international law, as guarantors of women's human rights in their societies. I suggest, therefore, that rather than debating the issue of women's engagement with the state, the women's movement in general should pursue certain states' accountability for breaching human rights treaties.

Marques-Pereira, after exploring the current socio-economic and political Latin American context where women live, states

women's relationship to the state is now absolutely crucial. As such, it is worth noting that they have never been simply clients of social programs or objects of

social policies either. Women have also pressured the state for institutional reforms, and they have had some successes.

(Marques-Pereira, 1998: 220)

The expression "Third World countries" is too ambiguous and broad for tackling the particularities of each one of the many countries included in this category. Regarding Argentina and Cuba, it could be said that while Argentina seems to share the features of many other Latin American countries, Cuba does not. In Argentina, the women's movement developed in three dimensions - as was the case in other Latin American countries:

There is a feminist movement which makes demands basically similar to those of European, Canadian and American feminists. Second, there is a women's movement that mobilized against the dictatorships and authoritarianism by protesting human rights violations (here the Mothers of the Plaza de Mayo of Buenos Aires is the best known example). Third, there is a popular movement, which mobilizes around socio-political claims and survival strategies.

(Aguirre 1996; Alvarez 1990; Feijo 1989; Jelín, 1993b
in Marques-Pereira, 1998: 221)

In Cuba, however, the women's movement developed in a different way. In fact, as Campuzano suggests: "when looking at Latin American women's history, in all those parts that is written 'women gained against the state', in Cuba has to be read "women received from the state" (Campuzano, 1996). Cuban women's emancipation was a process that was strengthened through the revolutionary political process. Women and men worked together towards achieving a number of several objectives, including women's emancipation (Aguilar, 1994; Campuzano, 1996). Campuzano says:

in those texts where the Latin American history says, "the woman conquered", in the Cuban history after 1959 could read "the woman received from". Where in the first text says, "women fought for their rights, or worked for their benefits", in the Cuban history it could say, "women participated in the struggle and worked in defense of the Revolution". In Cuba, differently to what happened in other countries, the progressive transformation of women occurred within a context of revolutionary change that never had women as its priority goal, but the radical modification of political and economic structures of the country, which were the basis for all the other goals. The working category was class and not gender; and the unavoidable tactics, equality and union, never the difference.

(Campuzano, 1996: 6- 7)

Certainly the debate about women engaging with the state in Cuba may be expected to have very different emphasis than in Anglo-Saxon countries or in other Latin American countries which have a long experience of state political terrorism.

The next sections offer national data, which is to be examined in two states" responses to domestic violence in Argentina and Cuba.

2. Research Methods and Methodology

Some of the data I gathered from 36 agents of the Argentinean and Cuban states is offered below. The fieldwork corresponds to my Ph.D. research and took place between October 1999 and July 2000.

The geographical areas where I carried out the research were, in Argentina, Buenos Aires and its suburbs or "Greater Buenos Aires" (with a population of 13 mil-

lion inhabitants)¹⁰. In Cuba, the research was conducted in Havana City (with a population of 701,767 inhabitants)¹¹.

Professionals interviewed in Buenos Aires were: five lawyers, five police officers, five judges, and three doctors. In Havana I interviewed five lawyers, five police officers, two judges and six doctors. Female and male respondents were equally represented.

The research techniques employed were a questionnaire with open questions and with vignettes (Finch and Mason, 1993) offering hypothetical situations the interviewee had to opt for one of them and give the reason for his/her choice. Because of for lack of space in this article the information gathered through two open questions is the only data presented and explored here. The information, which follows, appeared as a result of interviewees' answers to the following questions:

-What are the steps you have to follow when dealing with a case of domestic violence?

-Who else has to be informed of a case of domestic violence you are dealing with?

The data that came from the answers given by the agents of both states indicated the schemes of organizations dealing with domestic violence that were either known to them, or used by them when responding to these kinds of cases. It is relevant to point out that the information about schemes offered by organizations in response to wife abuse is limited to the one mentioned by the professional interviewed, regardless of the existence of other organizations.

The small number of interviews does not allow for generalizations. So, the results offered in this article are not representative of the whole phenomenon of state-response to domestic violence in Argentina and Cuba. Although, due to lack of space, I cannot present further data here, I want to point out that in the original research data from 46 women's survivors of domestic violence and Court sentences in this field confirms the tendency found in the data to be shown below. The purpose of this article is to account for the differing myriad of perspectives that reveal the dynamics of state response in both countries.

I will present and explore the primary data, the Argentinean first, followed by the Cuban. Each set of data is explored and the article concludes with a comparison between the sets of data in an attempt to answer the question of how each scheme of organizations dealing with domestic violence is articulated, and whether we could assume they are effective in dealing with domestic violence.

3. Argentinean Data

As was mentioned before, the total number of agents of the state interviewed was 18. Those 18 persons indicated 21 different organizations that offer various resources and assistance to domestic violence cases. The data shows those available organizations known or used by the interviewees. The small number of interviews

¹⁰ ⁹ Source: <URL:www.mwbm.org/users/bush/argentina.htm>[accessed on July 21st 2001].

¹¹ Source: <URL:www.xist.org/cd/cu.htm>[accessed on July 21st 2001].

makes generalization impossible, and the possibilities for different interpretations - as it was said before- also makes the analysis more complicated. Thus, I consider that the answers given by the interviewees are informed by degrees of knowledge they have about the available resources and/or the use of those resources.

If each agent of the state interviewed knew and/or used all the resources available to deal with domestic violence, the total indications would be 378 (18 x 21). Split by professional groups, that number would be of 105 answers for lawyers, 105 for police, 105 for judges and 66 for doctors.

However, only 63 answers in total were offered about the total number of resources. 16.66% of the total indications of organizations (63 out of an estimated total of 378 for the total of interviews [18] multiplied the total number of organizations [21]) were known, and/or employed by the agents of the states interviewed. Exploring the answers by profession might reveal whether the professionals interviewed knew the organizations or just did not use them and thus, that that was their reason for not mentioning them.

The tendency of the answers shows 15 answers for lawyers, 15 for police, 23 for judges and nine for doctors. Consequently, it appears that judges have the highest degree of knowledge and/or use of organizations dealing with domestic violence amongst the Argentinean interviewees. That could be due to the fact that all judges interviewed worked at the Family Court where cases of domestic violence ruled by the Domestic Violence Act (1994), are investigated within the Family justice system (thus, there is no punishment). The lowest degree of knowledge and/or use of organizations belong to the doctors, with only nine answering positively (when they should have indicated 63 answers). In their case, the lack of information, and also the fact they were in two different jurisdictions, which provide different resources, might have influenced their responses. In terms of percentages judges know/use a 21.90 % of the total scheme of resources; lawyers 14.28%; police 15.23% and doctors 8.57 %.

Table 1 below shows the numeric acknowledgements made by professional groups, according to the different organizations. The professional groups were divided in lawyers, police, judges, doctors and the 21 resources were divided into four categories. They are:

Traditional state institutions

I define traditional state institutions as those traditionally seen as core components of the state. I refer to the police and the judicial system, both of which are the monopoly of the state to exercise political coercion, and distinct from the family, the church and other civil organizations which some consider as "civil society" - a concept which I will define later.

Amongst these traditional state institutions indicated by the Argentinean interviewees the following were mentioned:

1) Police; 2) General Attorney Prosecutor; 3) Special Unit of the General Attorney Prosecutor; 4) Forensic Court doctor; 5) Criminal Court; 6) Civil Court; 7) Juvenile Court; 8) Family Court.

These organizations are part of the Justice system, and they have been dealing with domestic violence cases for several decades though without naming it as domestic violence.

Specific state organizations/institutions

Specific state organizations are those special units within traditional state institutions, and executive branches, which have a function and role dealing with cases of domestic violence.

1) Court registry of domestic violence cases, 2) interdisciplinary teams in the Family court, 3) family police stations, 4) women's police stations, 5) refuge for battered women, 6) women's groups, 7) unit for family strength, 8) youth council, 9) family violence unit in hospitals.

These specific state organizations for dealing with domestic violence emerged in the country during the 1990s mainly as a consequence of the international pressure from the United Nations conferences, international human rights instruments and specific UN bodies that influenced legal transformation in the country (Rodríguez, 1998; Pluis, 1998). It is important to note that by the year 1999, in Buenos Aires city, there were five women's groups, one refuge and the hot-telephone-line for domestic violence cases (GCBA, 1999). Furthermore, by the year 2000, family violence units were operating in hospitals of that jurisdiction. Nevertheless, these attempts are inserted in a politico-historical context of legacy of state's violation of human rights. For instance, in year 1996 the inspector sheriff (*comisario inspector*) Ricardo Seifo Mónica, came in office as head of the Center of Advice to the Victim, in the Federal Police force. That center aimed to assist women victims of sexual violence. However, four women survivors of state terrorism identified sheriff Mónica as the torturer who fulfilled his duties as official in three concentration camps during the last military dictatorship. (Amado, 1996: 1)

Civil society

In this section the idea of the Argentinean civil society departs from Gramsci's concept indicated in the introduction to this article, and applied to the capitalist political system. It includes: the non-governmental organizations, religious organizations, and the therapeutic professional services offered by psychologists.

In what follows I will describe the organizations and/or services of the capitalist civil society.

In the category of capitalist civil society I include the resources offer by the following agencies: 1. Women non-governmental organizations (NGOs), 2. Religious institutions and 3. Private psychotherapists.

Women NGOs offer self-help groups, psychological and legal advice for battered women. However, they can neither offer refuge nor 24-hour attention, financial help, or legal representation in court, for in most of the cases they work on a volunteer basis. In those few cases where some women NGOs receive government finan-

cial support it only comprises costs of stationary and lasts for limited periods of time.¹² (Hasanbegovic, 2000).

Some religious organizations offer some forms of accommodation for women. Still, some conditions of access for the accommodation usually require women to go there alone, without their children, and only at night. Women do not have to pay any cost for the accommodation as that is usually covered by the church - mainly Catholic but also some Evangelicals - (Hasanbegovic, 2000).

Psychotherapy in Argentina, but particularly in Buenos Aires, is a culturally accepted kind of assistance (Ben Plotkin, 2001). The kind of treatment offered by private psychotherapists to battered women tends to be individual psychotherapeutic sessions. Most commonly psychoanalysis is used, and there are a few feminist psychologists. Still, the cost of treatment is usually expensive and not affordable by every battered woman. There is no state's financial assistance to attend psychotherapy and the same can be said about specialized legal representation in Court (Rodríguez, 1998; Motta and Rodríguez, 2001).

Social assistance

For social assistance in the Argentinean context of social security it is understood the small financial help provided by the government to vulnerable groups of people (children, pregnant women, indigents, disable persons and so on). Involved in this kind of social assistance are those groups associated to the prevention of HIV and giving support to infected people; "planes de trabajo" [labour plans] which are a sort of unemployment benefit for those workers who were dismissed. The government gives a very small amount of money per month, and for a certain period of time, in exchange for community or other kind of work carried out by the beneficiary of the social benefit.

In the context of the interviewees' responses, social assistance has to be understood as small financial help for poor battered women with children offered in some hospitals through the social workers of the Family Violence Unit.

Although social assistance is part of the state organizations I classify it separately, because it is mentioned uniquely, which seems to suggest this is an almost non-existent resource. The answer corresponds to a doctor who works in a public hospital with a family violence unit. That means that the doctor who assists a battered woman in the first aid guard, could refer her for treatment for the different aspects of her problem and not only her physical health, to an interdisciplinary team of lawyers, social workers and psychologists.

Particularly, judges, police officers, and lawyers interviewed complained on the lack of adequate social assistance for battered women, remarking how much that fact hindered their work.

¹² Interview to Mrs Aumedes, director of the *Dirección General de la Mujer del Gobierno de la Ciudad de Buenos Aires* (Women's Unit of the Government of Buenos Aires city), Buenos Aires, July 2000.

3.1 Answers by professional groups

From the main observations made observing table 1, we could say that: It appears that although it seems that in Argentina there is a wide variety of organizations intervening and assisting in domestic violence cases, nevertheless the data suggests that those agents of the state who have to use them, either do not know the entire scheme or they use only a very few of those organizations. In that sense, it appears that there are some extremes of those who know and or use organizations, and those who do not know/use them. Judges seem to have the best command of information and use the resources more than any other group (23/105). At the other extreme, doctors appear as to know or use the least number of the scheme organizations (9/63). Despite these differences, the higher number of indications made by judges is only 23 while the potential number of all mentioned organizations could have been 105 times.

Looking at particular groups of agents of the state and which organizations know/use them it appears that judges use specific state organizations for dealing with domestic violence (14/45), and to a lesser extent their work relies on the organizations of the civil society (8/15). They use almost no traditional state institutions (1/40), and no social assistance (0/5). It seems that judges being part of the traditional state institutions, and in charge of family court offices, do not rely on other courts for dealing with domestic violence cases.

Lawyers, according to the data seem to know/use traditional state institutions (6/40), civil society (5/15), and specific state institutions (4/45). They do not know/use social assistance (0/5). This use of resources and organizations is concordant with the lawyers' particular professional activities, but their mention is still minimum. Although, they make use almost at the same level of civil society as they use traditional state institutions. This suggests many of these lawyers have integrated the idea of interdisciplinary work and thus, refer their clients to psychological treatment and women's NGOs. Besides, this tendency might also be seen as legal scepticism regarding the efficiency of state traditional institutions for offering an adequate protection and response to battered women. Some of the lawyers, responded to the question about the steps they follow when dealing with a case of domestic violence by saying:

[Female lawyer]. "I do not advise the woman to report the case to the police, because in the police officers will pull her leg. They will make fun of her and of her victimization".

[Male lawyer]. "The first thing I do is to bring a written statement to the General Prosecutor Office. For in the Province of Buenos Aires there is no guarantee of due legal process, and the files are usually lost. They disappear".

Police tend to know/use traditional state institutions (9/40), state specific institutions (6/45), and only in one case, civil society (1/15). Similar to what was said regarding lawyers, it seems appropriate that police mostly indicated state institutions. However, the small number of mentions and lack of work/knowledge about the civil society is striking. This tendency could be understood as inadequate training to deal with domestic violence cases. They responded to the question outlined above by saying:

[Policewoman] "I would love to know which steps to follow when dealing with domestic violence. During my training as a police officer, which was very short due to lack of adequate financial support, we never had any module or indication regarding domestic violence".

A typical personal and sexist interpretation given by a particular police officer regarding domestic violence is that it is no crime -despite the statutory law that rules many situations of domestic violence are crimes. The following remarks illustrate this point.

"One thing is a woman like you (sic) and another very different thing is that kind of women who are dragging trauma from their childhood" [Policeman-former sheriff]. "The woman who comes to the police station to report an aggression from her partner, well...it will depend on certain circumstances. If she has children, I could pay attention to her, otherwise I will kick her out" [*la saco a patadas*] (sic) of the police station.

Doctors seem to have a better knowledge/use of traditional state institutions (4/24) and civil society (3/9) but it appears they have almost no information about the state specific institutions to deal with domestic violence. Probably, that is because special family violence units only existed in the public hospitals of Buenos Aires city but not in those of the province of Buenos Aires, where two out of three of the doctors interviewed worked.

Judges show an interesting tendency. First, they tend to use specific state institutions for dealing with domestic violence (14/45), and to a lesser extent, they use civil society organizations (8/15). This tendency is similar coherent to that of the judges worked in Family Courts, dealing with domestic violence "civil" cases. However, in only one case (1/40) were traditional state institutions indicated. It is not possible to assume judges do not know the existence of traditional state institutions because they are part of those institutions, a fact that could partly be seen as the result of having these kinds of legal cases a wholly treated in the Family Court. In those Courts where they are the only judges, they have the utmost authority and they are not obliged to confer with other Courts. But, they are obliged by the law to forward a case they are dealing with which could constitute a criminal offence. This also suggests the judges" do not view domestic violence as a crime. Family Courts cannot investigate crimes and punish those responsible. In fact, the Domestic Violence Act (1994) appears to encourage the "conciliatory" attitude of the judges towards keeping marriages together.

[Female judge] [to save the marriage] "which is precisely the goal of the law [Domestic Violence Act]. But it is very exceptional that these kinds of marriages could continue staying together"

However, in other cases, it is the personal gender ideology of the judge who interprets the law in his/her own style. For example:

[Male judge] "In any case [I try to save the marriage]! For I believe family is the spine of society. I signed divorce sentences but I am totally against divorces".

[Male judge] "Yes [I try to save the marriage] for their children' sake. I did it through the interdisciplinary team of the tribunal".

Other studies and my personal research show that judges tend to consider domestic violence acts as a produce of socio-psychological problems in the family, and treat those cases accordingly (Motta and Rodríguez, 2001; Hasanbegovic, 2000). However, the Criminal Statutory Book considers many situations of domestic violence as crime. Therefore, the Family Court judge's legal duty is to pass protective orders, injunctions, divorces and other civil measures. However, he/she also has the positive duty to forward a case of domestic violence to the criminal court when he/she observes that the situation could constitute a Penal crime (CPA, 2000). A combination of legal procedures, personal perceptions and attitudes of judges compounded by the state's lack of enforcement of international women's human rights treaties, transforms cases of domestic violence the battlefield between the prevalence of the family versus the rights of women to be protected from male violence. (Grossman et al 1989, Pluis 1998, Rodriguez, 1998, Zanoni, 1999; Motta and Rodríguez, 2001) This attitude, I anticipate, has negative consequences for women's rights, and women's health when they have to approach the court searching of protection or legal redress on domestic violence grounds.

3.2 Answers per type of organizations

Table 2 (see it in appendix) shows evidence the distribution of indications of the knowledge of Argentinean agents of the state per type of organization. Next to each type of category of organizations, a column appears with the potential total number of mentions (if all the 18 agents of the state had indicated those resources). Following that, the second column offers the actual number of indications given by the interviewees and the last column shows the percentage of the potential mentions that those actual indications represent. In this table I aim to show the level of knowledge/use and efficiency of each kind of resource group.

Looking at Table 2 and focusing on the actual number of mentions of organizations, the tendency suggests that:

Civil society organizations seem to be the most known/used with a 31.48% of actual mentions. Following them, the state specific institutions for dealing with domestic violence were indicated by 15.43% of the interviewees and traditional state institutions were mentioned in 13.8% of the potential mentions. Only one person indicated social assistance that represents 5.55% of the potential indication of the scheme of organizations.

The evidence above suggests that social assistance is almost non-existent as an effective resource to deal with domestic violence. Judges, who seem to be the professional group with a better knowledge of all the existing organization's schemes for dealing with domestic violence did not indicate social assistance. In fact, during the interviews they complained of the lack of social support for following up the families after they sentence in a particular case.

Police also complained of the lack of social assistance, particularly about the lack of financial support to any kind of policy within their institution. Lawyer indicated in four out of five of the interviews that most of the domestic violence cases they represented were done without expecting any payment for their services. They supported those answers in their knowledge that battered women usually had no

economic independence from their violent partner, were poor and unassisted by state financial aid for legal representation. That fact was also remarked upon by Rodríguez (1998), Pluis (1998), Birgin (1998) and Motta and Rodríguez (2001) as an obstacle for battered women's access to justice.

Organizations of the Argentinean civil society were mentioned most frequently (31.48%), and specific state organizations (15.43%) seem to be the most relevant group of organizations responding to domestic violence. However, their work is full of difficulties. Rodríguez (1998) says "State" services [specialized in domestic violence] as well as women NGOs, share similar difficulties in giving an integral response including free legal representation, subsidies, refuges, sustainable psychological assistance, group assistance, and an efficient social service [due to] the lack of subsidies for women in poverty; lack of training programs; and access to urgency contraception for those women victims of rape...

(Rodríguez, 1998: 224)

That author, concluded her report:

the legal advances brought about by the Convention Belem do Para¹³ were not translated into policies, actions and services with an impact on daily women's lives... the current situation shows the lack of political will to fulfill its international obligations to women.

(Rodríguez, 1998:230)

The emphasis put on access to free legal representation for battered women made in the work of Rodríguez (1998) and Rodríguez and Motta (2001) seems directly related to traditional state institutions, in particular the justice system. I consider this is due to a twofold factor. Firstly, because most of the litigation in domestic violence aims to get protective orders, injunction of the abuser from the house and other civil remedies -rather than the punishment of the abuser through imprisonment- this implies women victims of domestic violence have an active role in the legal process. Therefore, women need sustainable legal representation, which some times implies, several years of legal process¹⁴ and unbearable financial cost for both the client and the lawyer. Secondly, the justice system tends to enforce the law without avoiding sexism depending that on the personal ideologies about women and men, any agent of the state holds. Therefore, a lawyer is necessary to force the court to enforce the law without sexism. The enforcement of the law, even when it is a civil law, offers material benefits such as the safety of not living together with the abuser, restrain orders and housing.

State specific institutions emerged in the late 1980s and throughout the 1990s mainly in Buenos Aires, and then they were imitated in other jurisdictions. That innovation was the result of the UN world conferences on women, and the consequent declarations, recommendations, international conventions on women's human rights,

¹³ Convention Do Belem Do Pará is the Inter American human rights treaty for preventing, punishing and eliminating violence against women in the American continent (with the exception of Cuba which does not integrate the Inter American States Organization).

¹⁴ In my personal professional experience as practicing lawyer between 1989 and 1996, the average time for completing divorces on the grounds of domestic violence was four years.

pressure of particular UN bodies (Committee of Discrimination against Women CEDAW) and the Special Reporter on Violence against Women.

Nevertheless, as the figures in table 2 show only 15.43% of all those interviewed mentioned those specific state organizations for dealing with domestic violence. This suggests that either the information about its existence is not well spread and/or their resources are not efficient enough to meet all the demand. In this sense the judges are the group that seems to be knowing/using the organizations to a greater extent than the other professional groups (14/45).

Still state traditional institutions are known/being used by 13.8%; and state organizations from both of groups of organizations are known/used by 29.23%.

However, if we look at civil society 31.48% of those interviewed indicated some or all of the three organizations comprised under that name: women's non-governmental organizations, women's accommodation given by religious institutions, and private psychotherapy.

It is striking, given the fact that civil society is the group of organizations that appear to be most used/known by agents of the state, that this is the only one which does not have any kind of state budgeting or financial support for their activities. Therefore, these organizations are left alone to struggle against domestic violence to assist female citizens.

In this sense, it is relevant to remark that Argentinean women NGOs assisting domestic violence cases are mainly supported by the voluntary work of professionals (mostly women social workers, psychologists and lawyers). In general terms, no quota or payment is required from the woman (Hasanbegovic, 1997; Rodríguez, 1998; Motta and Rodríguez, 2001). In addition, as it was mentioned before, since the year 2000 some few women's NGOs working with battered women in Buenos Aires city received some financial help from the Buenos Aires city government for paying stationary but not wages¹⁵.

Different Churches support religious institutions. In general, these organizations do not receive state financial assistance, or that fact is not published. However, the only case revealed by the media was not of the state government of Buenos Aires province which was supporting religious institutions for youth cases of corruption and maltreatment of internees children where reported¹⁶.

Finally, private psychotherapy is very much embedded in the Buenos Aires culture and available practitioners are abundant, but the battered woman herself has to pay for their service and the state does not provide any financial help for this kind

¹⁵ Those few women NGOs who received international aid for their programs, such as the *Asociación Argentina de Prevención de la Violencia Familiar* saw their financial aid interrupted when the donor realized that most of the patients assisted by the NGO (abuser men) were referred to them by the Family Court. The donor suggested that the Argentinean state had to pay for the cost of rehabilitation treatment for abuser men and self-help groups for battered women (Hasanbegovic, 2000).

¹⁶ A case, which was published, was with Youth Institutions depending from a Bishop, who was involved in corruption and the children tortured by employees of the institution (Página 12, April 2000).

of treatment. Although the state provides psychological aid in the five women governmental organizations assisting domestic violence this service is not enough to meet the needs of the population. Besides, the interviewees as separate from that resource indicated private psychotherapy.

In other words, it could be said that the state does not take responsibility for the cost of much of the assistance in cases of domestic violence, which are taken by civil society. Although legislative reform was enacted and new specific state organizations were implemented, it still appears they are not as efficient as those services provided by organizations of the civil society. This could be seen as an indication that few of those interviewees have adequate information about all of them, or there is no organization's capacity for attention and thus, they cannot rely on it. For instance, there is only one refuge for battered women in Buenos Aires. That refuge sheltered 147 women and children in 1999. However, the number of phone calls received in the same period via the hot-telephone-service for domestic violence was 22.987, and the total of women assisted in the five women's specific state organizations reached 25.758, all those for the year 1999 (GCBA, 1999)

Whether the response of these kinds of organizations to domestic violence could be seen as effectively articulated to assisting battered women is a question I shall answer when comparing the Argentinean data with the Cuban data later on.

4. Cuban data

The 18 agents of the Cuban state interviewed indicated seven organizations they knew/used to respond to domestic violence cases. These organizations are the Committee of Revolutionary Defense (CRD), the Federation of Cuban Women (FCW), the Sheriff, neighbours, the Family Doctor, Psychologists, and Social Workers. Still, when they mentioned Psychologists and Social Workers they did not clarify whether those professionals worked within the FCW, the Family Doctor Unit (FDU) or hospitals. From participant observation I did in the community during field-work in Havana I noticed that those social workers more active in responding to domestic violence cases seem to be in hospitals and in the FDU. Furthermore, in any of the answers where the interviewee indicated a psychologist used as a professional consultant or asked to work together in a domestic violence case, the psychologist was always a member of the FDU.

The first surprising feature of the Cuban scheme of organizations for dealing with domestic violence is the small number of organizations mentioned (seven) in comparison to the 21 indicated by the Argentinean interviewees. Thus, after the exploration of this data comparing the Argentinean and Cuban schemes, the question of whether the higher number of organizations has any relevance to efficiently respond to domestic violence will be tackled.

It is striking to note the mention of neighbour as an organization for responding to domestic violence. That resource was indicated solely by police officers, and it will be discussed.

Following a similar logic that I used in the exploration of the Argentinean data, if all of the total interviewees (18) had mentioned the total number of organizations (seven) that makes a potential 126 indications. Yet, if we do not consider

neighbours, for neighbours seem to work only in connection with the police, the total of potential indications is 108. Looking at the number of indications given by the interviewed we see that they gave 96 indications distributed amongst the different resources. That implies, the 18 agents of the state in the first estimation (126) knew/used 76.19% of the entire scheme or resources. But, if we used the second estimation (108), the percentage rises to 88.88%. This high percentage of mentions regarding the entire scheme of organizations dealing with domestic violence in Cuba, might suggest that 1) the scheme of organizations dealing with domestic violence is widely known/used by the agents of the state interviewed. If it is so, 2) one of the reasons for that might probably be the efficiency of the current scheme of organizations in dealing with domestic violence; 3) the agents of the state had actual experience in dealing with domestic violence cases, thus they know about the scheme, although they neither named the phenomenon in that way nor mentioned any of the special state organizations created for dealing with domestic violence in the '90s. (FMC 1996; FMC 1998; FMC 2000)

I classified the seven organizations indicated by the Cuban interviewees into six categories, illustrated in table 3 (see appendix to section 4), and they are as follows.

A. *Civil society*

Departing from the Gramscian's definition of civil society that was explored in the introduction to this article, I now stress the socialist civil society. Under the definition of socialist civil society (Dilla, 1999) is possible to see the six Cuban mass organizations. Those organizations are the Committee of Revolutionary Defense (CRD), the Federation of Cuban Women (FCW), Cuban Central of Workers, National Association of Small Agriculture Producers, University Student Federation, Middle Education Student Federation (Azcuy Henríquez, 1995:110). For Dilla these Cuban mass organizations "constitute an imprecise threshold between civil society and the state, not because they share similar political aims but because of the negligible autonomy evident in their public stances on a variety of issues. In practice, however, these organizations do adopt their own positions on specific problems that affect their spheres of action" (Dilla, 1999: 32). In this sense, Valdés states

a civil society of socialist nature is underlying the preconditions for the development and strength of a more plural society. This socialist civil society, however independent from the state, is not necessarily opposite to it.

(Valdés, 1997: 108)

Following Gramsci's theoretical approach to different types of civil society, which was explored before, and the definition of socialist civil society offered by Cuban intellectuals, Committees of Revolutionary Defense and the Federation of Cuban women are considered to be included in that concept.

Committee of Revolutionary Defence (CRD)

The CRD are organizations of neighbours originally created by Fidel Castro in 1961, after the military invasion of Bay of Pigs, to defend the revolution and watch in neighbourhoods for the existence of contra-revolutionary people plotting against the new government. (CDR, 1979) Despite their first mission, after stability

achieved by the revolutionary government the CRD mission diluted. Currently CRD promote safety in the neighbourhood by encouraging and organizing groups of neighbours to watch at night to protect houses and neighbours from crime, organizing volunteer work and donation of blood; vaccination campaigns and medical checks for pregnant women. Its own statutes claim, "to struggle for women's equality, and revolutionary principles" (CDR, 1979; Harnecker, 1979).

There are CRDs in each block of any neighbourhood in Cuba. Therefore, CRDs include almost every single neighbourhood in their activities and according to Molyneux (1996), and Ackerman (1996) also in their political surveillance and harassment. Van der Plas (1987) states CRDs are auxiliaries of the Cuban justice system, assisting the general prosecutor attorney in legal cases, investigating and aiding the police in the gathering of evidences in-situ within each neighbourhood. Hasanbegovic agrees that because of their mixed nature of state goals and grassroots participation, they seem to be a very important way for the transmission and enforcement of gender state policies -such as women's emancipation and non discrimination policies- within the private sphere of the family (Hasanbegovic, 2001b).

Federation of Cuban Women (FCW)

In January 2000 the FCW was the only women's organization actually existing and legally permitted¹⁷ to exist in Cuba (Hasanbegovic, 1999/2000). The FCW was also created after Fidel Castro appealed to Cuban women to organize themselves towards carrying out state's policies on women's emancipation (Molyneux, 1996). Nevertheless, it is also true that before the revolution seized power in 1959, there were Cuban's women organizations on the island, which were active participants in the revolutionary struggle, who answered Castro's call and organized themselves around the FCW¹⁸ (Hasanbegovic, 1999/2000).

The FCW activities have been changing since 1960 - when it was created - onwards, according to the different goals to be achieved in women's issues. Although it seems that most of those objectives were proposed by the male leadership (Fleitas-Lear, 1996; Kaufman Purcell, 1973) the FCW surveyed women's opinions and brought them to the government who included them in public and social policies (Alvarez Suárez, 1998). By the 1990s decade debate emerged in international donors organizations, particularly amongst Western feminists regarding the political or on the contrary, civil society's attitude towards the FCW. Celia Berges Díaz, FMC leader and co-ordinator of the Cuban National Task Group for Assisting Intra Family Violence [NTGAIFV], clarifies this by saying: "you cannot talk about the state in

¹⁷ MAGIN is a Cuban women non-governmental organization documented by Molyneux (1996) who also saw it as a true non-governmental association, was disintegrated by the FCW and the Cuban government on the grounds of overlapping goals and activities. The argument employed for that decision was that the FCW was running similar projects and had identical goals than MAGIN (Hasanbegovic, 1999/2000).

¹⁸ Speech of Vilma Espín, president of the Federation of Cuban Women at the Conference Women at the threshold of the New Millennium, Havana, October 25th 1999 (cited in Hasanbegovic 1999/2000).

Cuba without speaking of the FCW. In Cuba a Ministry of Women was not created because the government sustained the FCW in fulfilling that role. The FCW meets periodically in the gathering of Ministries" (Hasanbegovic, 1999/2000).

The FCW, since 1997, is in charge of the National Task Group for Assisting Intra-Family Violence, (FMC 1998; 1999; 2000) a group organized as a consequence of UN recommendations to Cuba after the IVth Women's World Conference in Beijing. The FCW has also been opening special canterers for assisting women and families, named Casas de Orientación a la Mujer y la Familia, [casas] since 1991, where the FCW affirm that the organization offers assistance to domestic violence cases (Berges Díaz, in Hasanbegovic, 1999/2000; FMC 1996; Molyneux, 1996). Despite the existence of these specific resources to respond to domestic violence they were not indicated by any of the interviewees, and in fact, were almost unknown to them. Therefore, it is not discussed in this article although the question is left open. What is the reason behind what seems to be the lack of information or lack of use of the two specific state organizations to respond to domestic violence?

In the context of the interviews I gathered in Cuba, the FCW was recognized as the organization that assisted battered women in finding a place in the kindergarten for their children, helped them to find a job, and offering job training to them. Therefore, the kind of work carried out by the FCW regarding domestic violence, as mentioned by the agents of the state interviewed, is social work aimed at achieving women's economic independence.

The relevance that CRDs and the FCW play in the scheme of response to domestic violence cases is illustrated as follows:

[Policeman] "Those who must be informed are the "community factors": the Sheriff (jefe del sector) and if the sheriff cannot be reached because he is outside the police station or doing other work, the CRD and the FCW must be informed in the Sheriff's place ... and well, the Family Doctor also must be informed, for although if the medical certification of the injuries was made in the hospital the family doctor always plays an important role for the follow up work he/she carries out with his/her patients and the close relation he/she has with the community. Thus he is in a better place to know about the community characteristics"

As it was documented by previous work the CRD seems to respond to domestic violence as the organism that bridges the battered woman's request for help with the police (Hasanbegovic, 1998: 1999). The CRD's activities also included gathering evidence for the legal process in cases of domestic violence and its members being witnesses in the hearing (Hasanbegovic, 2001b)

B) Sheriff

The sheriff or *jefe de sector* is the head of the police in a certain jurisdiction that comprises neighbourhoods and FDUs and CRDs in those neighbourhoods. Although the sheriff is a police official his/her work is a mixture of community and police work. He/she works and lives in the same neighbourhood where he/she carries out his/her duties. Those obligations are, above all, the prevention of crime. (Hasanbegovic, 1999 / 2000; Van der Plas, 1987). In this capacity, the sheriff has commu-

nication with the other *factores de la comunidad* (community agents), as the organizations indicated in this section are named, in Cuba.

It is interesting to note that in Cuba since '97, despite high rank policemen receiving training on domestic violence organized by the FCW (Celia Berges in Hasanbegovic, 1999/2000) the Cuban policemen interviewed seem to receive training to deal with domestic violence, from a non-specific domestic violence scheme. The next quotation illustrates this point.

[Policeman] "I was trained as a policeman, but I did not receive specific training on Family Violence. However, in the initial training you get general induction for dealing with any kind of criminal case, and statutory laws, and penalties for different offences which enable you to intervene".

C) Neighbours

Police indicated neighbours as a crucial source in their work, and therefore it is important to refer to Van der Plas' work (1987) on the Cuban criminal justice. Neighbours are considered by the Cuban justice system, according to that author "essential auxiliaries of the Justice". Consequently, when the police are investigating a case of domestic violence, it is expected that neighbours of the couple might give evidence about the case. I saw this during my fieldwork in connection with one of the women I interviewed (Hasanbegovic, PhD chapter 3; Hasanbegovic 1999/2000).

An illustration of some of the possible explanations for the role of neighbours in dealing with domestic violence can be seen in the following quotation:

[Male lawyer] "We [Cubans] have all the rights to protect a person who is in need of protection. This right is not laid out by the statutory law. ...I believe it is a theme of our political culture. It could be found in the [political] speeches, the public interventions of the revolutionary leaders, the social workers, the FWC and the relevance we give to the protection and good breeding of the youth and the children".

D) Family doctor unit

The FDU was organized in Cuba in 1994 (FLACSO, 1992), and its staff includes a general practitioner doctor (family doctor), a psychologist, a nurse and a psychiatrist. Each FDU is in charge of a limited number of families, generally around 200 (Hasanbegovic, 1999/2000). Family doctors have their home and clinic in the same neighbourhood as their patients and have to visit them in their own houses periodically. The FDU aims to look after the well being of the families, socio-psychological-physical balance. Thus, their work includes a social aspect of people's health that is not commonly found amongst General Practitioners in other countries (ex. Holland). This is shown in the periodical evaluation of the family. That evaluation must be carried out every six months amongst the family patients of the FDU, by which health and social aspects of the family balance are evaluated, determining whether the family is "in crisis" and what kind of treatment (including social attention) might be needed.

E) Social workers

I left Social Workers as an individual category because the interviewees did not specify whether social workers dealing with domestic violence belonged to hospitals and/or to the FCW. However, the four groups of agents of the state mentioned this organization in almost all cases, thus it seems relevant to explore it separately.

Social Workers were indicated as an organization in charge of assisting battered women to find child benefits, jobs, or other kinds of subsidies. However, when they were interviewed (see social worker in Alberdi Rivero, 1996; Hasanbegovic, 1999/2000), they all complained about the enormous strains posed by the economic crisis of the '90s. That crisis is known in Cuba as "Special Period", to their work, the material shortages and devaluation of the Cuban currency that transformed state forms of financial assistance so that there was no effective help for women.

Perhaps some of the most important aspects of all the organizations indicated by the Cuban interviewees is: a) that they all live and work in the same neighbourhood as their patients/clients; b) they work in coordination with each other as a wide teams and c) they work within private/public boundaries which were redefined by the Cuban revolutionary government. These allow intervention in private matters to promote/enforce state policies, including women's emancipation and non-discrimination in both the public and private sphere (Hasanbegovic, 2001b).

Table 3 (in appendix to section 4) illustrates number of times in which organizations were mentioned by the four groups of agents of the Cuban state interviewed.

a) Answers by professional group

Looking at the information offered in table 3 from the professional group perspective, it seems that lawyers, know/use (socialist) civil society (7/10); sheriffs (4/5); FDU (9/10) and social workers (5/5). Lawyers do not appear to resort to work from neighbours (0/5). The latter is understandable since lawyer's work is in relation to that of the police and the justice system.

Police seem to know/use (socialist) civil society (10/10); sheriffs (5/5); neighbours (5/5); FDU (9/10) and social workers (5/5). The police are the group of agents of the Cuban state that appears to have a higher level of knowledge/use of the existing scheme of organizations to deal with domestic violence. The Police was the only group of agents of the state to name neighbours as a resource to respond to domestic violence. Comments on this were made above, and I remit to them.

It appears striking that doctors do not indicated the FCW as many times as the other interviewees, an 8/12 mentioned civil society and within that category, only 3/6 indicated the FCW.

Judges appear to mention (socialist) civil society 2/4 times; sheriff (2/2); neighbours (0/2); FDU (3/4) and social workers (2/2).

Doctors seems to be the group of agents of the state who know/use the least number of organizations. They mentioned (socialist) civil society (8/12); sheriffs (6/6); neighbours (0/6); FDU (11/12); and social workers (4/6). Perhaps, that is due to the fact that their work relies on social workers of hospitals rather than those social workers of the FCW. Nevertheless, four of the doctors indicated social workers.

Nevertheless, in all the professional groups the level mentions are very close to the potential indications. This suggests that these Cuban agents of the state might have a wider knowledge/use of organizations than their Argentinean colleagues.

b) Answers per type of resources

If we look at the answers given by type of organization as illustrated in table 4 below, they suggest that almost all the interviewees have a high level (between 75% -socialist civil society- to 94.44% -sheriffs-) of knowledge/use of the entire resource scheme to deal with domestic violence. Yet, neighbours are the exception to the norm, showing only a 27.77% of indications. This could be seen as a resource used only by the police, since that is the only group of agents of the state who mention neighbours. (See Table 3 in appendix to section 4)

Considering Table 3 it appears that the sheriff is the organization more frequently mentioned by the four groups of agents of the state (94.44%), followed by the FDU (88.88%), the social workers (83.33%) and the (Socialist) civil society (75%). Firstly, could it be suggested then, that these agents of the Cuban state see domestic violence cases firstly as a crime? Thus, domestic violence needs to be controlled by the police. Secondly, could it be said that the Cuban agents of the state see domestic violence as socio-health problem which requires medical attention and thirdly, as a problem which needs social support to be overcome in the long term? Table 4 (in appendix to section 4) illustrates what has been said before.

Stressing the exploration in percentages of each country' organizations scheme knowledge/use, and referring to the total percentages obtained in tables 2 and 4, it could be suggested that, in Argentina agents of the state know/use only a tiny part of that organization schemes put into place (16.66%). In Cuba, however it appears that the scheme is known/used in a 76.19 % percentage (from 76.19% to 88.88%).

These tendencies suggest that: a), agents of the state interviewed considered domestic violence as a crime, thus they work together with the sheriff. b) They see domestic violence as a socio-health problem, and thus they rely for their work on the work of the FDU (88.88%). c) They also see domestic violence as a social problem in need of material and social assistance, and therefore they resort to the social workers' work for battered women (83.33%). E) Finally, it could also be said the Cuban interviewees see domestic violence as a problem that concerns and affects the entire community, and therefore, they work together with the civil society (CRD 1979, and FCW 1996). The question that follows is, of how these organizations' schemes and knowledge/use of it by agents of the Argentinean and the Cuban state, affects battered women's lives in their search for response to domestic violence.

5. Conclusions

Whilst emphasizing once again that this study does not claim to be representative, nevertheless, it tries to offer an illustration of the dynamics and forms of social and public policy intervention in domestic violence in Argentina and Cuba.

In examining at both Argentina's and Cuba's schemes of organization outlined in the previous sections, some similarities and differences emerged.

The first similarity suggests that in neither country social assistance is seen as an efficient resource to respond to domestic violence. That could be either because 1), it is almost non-existent or 2), its efficiency was hindered by economic transformations occurred in the '90s. The first situation could be said of Argentina, where the extreme weight of the repayment of the external debt on an economy with minimum growth¹⁹, an economic recession, socio-economic adjustments (Tedesco, 1999a) and corruption in the management of public funds of social security²⁰ have had a devastating impact on social policy. The second situation meanwhile seems to reflect the impact of the "special period in times of peace", in other words: the Cuban economic crisis originated mainly to globalization and the strengthen of the United States' economic blockade to Cuba (Montreal, 1999)

Following this, the second similarity is the state intervention, either in the form of the court (Argentina) or police and mixed state institutions (Cuban socialist civil society) seems to play an essential role in the implementation of social and public policy in cases of domestic violence.

Thirdly, during the '90s both countries created specific state organizations to respond to domestic violence as a direct consequence of international developments and the UN declarations, conferences and recommendations. Nevertheless, these new organizations were apparently not perceived as relevant. In Argentina, they seem to be only a "formality" without actual state financial support and institutional backing (Rodríguez, 1998). In Cuba, it appears, they have not as yet been widely publicized. Furthermore in Cuba it seems their own social-community-state system for dealing with domestic violence existed before the indicated changes occurred -it appears to have been seen as rather efficient and coherent, although in need of upgrading and involving specific training on domestic violence (Hasanbegovic, 1999a, Hasanbegovic, 2001b).

Amongst the main differences are firstly the numbers and organizations. The Argentinean organizations' schemes to deal with domestic violence seem to number 21 organizations, compared with the seven indicated by the Cuban agents of the state. So, it may be expected that Argentina is offering better protection and assistance for battered women than Cuba. However, when we look at the percentages of these organizations' schemes being known/used by the agents of the state, in Argentina only 16.66 % of the schemes seem to be known/used by the professionals interviewed. Yet in Cuba between 76.19% to 88,88% of the schemes seems to be known/used. Thus suggests that probably the Cuban system is more efficient than the Argentinean one, with widely known/used schemes in a form entailing the cooperation of the different organizations with each other.

Secondly, the differences in percentages of potential mentions of organizations' schemes currently known/used in Argentina and Cuba could imply that: a) many of these organizations in Argentina may only be nominal, inefficient and/or perhaps unknown to many of the agents of the state; b) the few organizations indi-

¹⁹ Information from newspaper (2001) URL: *www.Pagina12, 01-05-21*, on-line.

²⁰ Information from newspaper (2001). URL: *www.Pagina12. 01-07-19*, on-line.

cated in the Cuban scheme are well known and used because they are fewer in numbers and/or because they are more effective.

Thirdly, it could be suggested that in Cuba there is a, coherent multi-agency kind of work in response to domestic violence (Hasanbegovic, 1998; Hasanbegovic, 2001b) in which community, the police, the community health system and the socialist civil society all play important roles. Yet, this cannot be said of the Argentinean situation. In fact, the true picture documented by women's activists and the media that women's NGOs are left alone by the state to assisting in domestic violence cases, despite the Argentinean state's international human rights compromises (Rodríguez, 1998; Pluis, 1998; Motta y Rodríguez, 2001).

Fourthly, from Table 1 it seems that the work done by the civil society in Argentina has been the most mentioned and 31.48% of the total potential indications were made. It seems that civil society's organizations are the most known/used organizations for dealing with domestic violence, and are especially used by family courts (judges). However, despite its relevance their work does not have any kind of state support. There does not seem to be a coherent response amongst the 21 organizations mentioned, and the state appears to leave civil society alone to respond to domestic violence. It is true that traditional and specific state institutions seem to be known/used to 29.23% of its potential and the salaries of its agents are paid by the state. However, criticisms of the lack of adequate financial support for the specific state institutions were documented (Rodríguez, 1998), as well as the judicial attitudes to domestic violence cases referred to non-governmental organizations for psychological treatments (Grossman et al, 1989; Rodríguez, 1998; Motta y Rodríguez, 2001).

If a lack of adequate free legal representation for battered women is emphasized by several authors (Rodríguez, 1998; Birgin, 1998; Pluis, 1998) this, it is suggested, due to may be the fact that, although existing traditional state institutions have a statutory legal duty to deal with domestic violence, in general the Courts refused to give those cases the attention they deserved. They seem to be dismissed "in order to preserve the family, and the intimacy of the privacy of the family" within a view that discriminates women and children. Furthermore, in cases where judges in the Family Court interpret the statutory law and the Domestic Violence Act (1994) following the law directions, and where judges are threatened by violent men, the Criminal Justice system refuses to intervene (Hasanbegovic, 2000; Red de Madres, April 2001).

On the other hand, it appears from reading Table 3 that, in Cuba most of the work responding to domestic violence takes place at the community level, with state (police, FDU, social workers), neighbours and two mass organizations of the socialist civil society (CRD, FCW) working in a coherent manner. Thus, in the case of Cuba the state seems to have a crucial role in this response. Furthermore, questions are raised by the fact that this system already seems to be rather effective in dealing with domestic violence (Hasanbegovic, 2001b), and that the new specific state organizations are almost unknown to the agents of the state interviewed, even long time after they were created. The questions must be: 1) were these specific organizations created out of international pressure rather than an internal need? 2), does the

state sufficiently inform its agents and the community about their existence? 3), and if they do not, why not?

Our study suggests that for certain countries, (other than Anglo-Saxon societies) state intervention in domestic violence cases is a concrete reality, with its relevance frequently being emphasized for the lack of welfare policies. Further research should determine the impact of the state intervention described as a source of either empowerment or disempowerment for women.

I want to thank Prof Jan Pahl for her comments on a first draft of this article as well as her support to attend the Social Policy Association Annual Conference in Queen's University, Belfast where I present this work.

I also want to thank Rachel Morgan and Stephen Liard for their assistance on editing and improving the English of this article.

Bibliography:

Ackerman, H. (1996) *The Balseiro Phenomenon, 1991-1994*, Cuban Studies 26. Center for Latin American Studies. University of Pittsburgh Press.

Aguilar, C. (1994) "Is there a place for feminism in the revolution?", Gaby Küppers (ed) *Compañeras. Voices from the Latin American Women's Movement*. London: Latin American Bureau.

Alberdi Rivero, Z. (1996) *La violencia contra la mujer en las relaciones de pareja*. Tesis de licenciatura en Sociología No. 480. Universidad de La Habana.

Alvárez Suárez, M. (1998) *Mujer y Poder en Cuba*, Temas, No. 14 (pp 13-25). Abril-Junio.

Amado, A. M. (1996) *Argentina. Esa mano con puñal. La violencia política aparece vinculada a brutales hechos de maltrato, incluido el asesinato de mujeres*, MUJER/FEMPRESS. No. 178, Agosto. Santiago de Chile.

Arez Muzio, P. (1999) *Patriarcado: ¿qué tan lejos te hemos dejado?* Paper given at the III Taller Internacional Mujeres al Umbral del Milenio. Universidad de La Habana.

Azcuy Henríquez, H. (1995) *Estado y sociedad civil en Cuba*, Temas, No. 4 (pp 105-110). Octubre-Diciembre.

Baldock, J. (1999) "What is Social Policy?" J. Baldock, N. Manning, S. Miller and S. Vickerstaff (eds) *Social Policy*. Oxford: Oxford University Press.

Basail Rodríguez, A. (1999) *Legitimidad y eficacia del sistema político cubano. Ensayo sobre las políticas públicas en los 90*. (mimeo). Universidad de La Habana.

Ben Plotkin, M. (2001) *Freud in the Pampas: the emergence and development of a psychoanalytic culture in Argentina*. Stanford University Press.

Birgin, H. (1998) *Imagen y percepción de la ley de violencia. Informe final de investigación*. Buenos Aires (mimeo).

Campuzano, L. (1996) *Ser cubanas y no morir en el intento*, Temas, No. 5 (pp 4-10). Enero-marzo.

Caño Secade, M. del C. (1997) *Mujer, transformaciones sociales e internacionales de género*. Paper given at LASA, Latin American Studies Association Conference. (mimeo)

CPRA (2000) *Código Penal de la Argentina. Sancionado en 1923, y con las modificaciones subsiguientes*. Buenos Aires: Ediciones el País.

CDR (1979) *Tesis, Dictámenes y Resoluciones del Primer Congreso de los Comités de Defensa de la Revolución*. La Habana: Editora Política.

Dilla, H. (1999) *The virtues and misfortunes of civil society*, NACLA. Report on Cuba. Vol. XXXII, No.5, March/April (pp 30-36).

- Finch, J. and Mason, J.** (1993) *Negotiating family responsibilities*. Tavistock / Routledge. London. New York.
- FMC** (1996) *Memorias del Quinto Congreso de la FMC*. La Habana: Editorial de la FMC.
- FMC** (1998) *Programa de Prevención de Violencia Doméstica de la Federación de Mujeres Cubanas*. La Habana: Editorial de la FMC.
- FMC** (1999) *Plan de Acción del Gobierno de Cuba para el seguimiento de la Plataforma de Beijing*. La Habana: Editorial FMC.
- FMC** (2000) *Cuba's response to violence against women*. Translated by Steve Wilkinson, Cuba Si, Spring 2000, (23). Published by the CSC. London.
- FLACSO** (1992) *Mujeres Latinoamericanas en Cifras*. Cuba. Ministerio de Asuntos Sociales. Madrid: Instituto de la Mujer.
- Fleitas Lear, M.** (1996) *Paradojas de la mujer cubana*, Nueva Sociedad, No. 143 (pp 41-55).
- GCBA** (1999) *Estadísticas del Programa de Prevención y Asistencia de la Violencia Conyugal*. (mimeo). Dirección General de la Mujer del Gobierno de la Ciudad de Buenos Aires.
- Gramsci, A.** (1971) *Selections from the Prison Notebooks of Antonio Gramsci*. Q. Hoare and G. Nowell Smith (ed. and translator). London: Lawrence and Wishart.
- Grossman, C., Mesterman, S., Adamo, M.** (1989) *Violencia en la familia. La relación de pareja. Aspectos sociales, psicológicos y jurídicos*. Buenos Aires: Editorial Universidad.
- Guillard Limonta, N.** (1999) *Reflexiones sobre el tratamiento de la imagen de la mujer en los medios publicitarios de Cuba. ¿Ayudan a la construcción de la democracia?* Paper given at the III Taller Internacional Mujeres al Umbral del Milenio. Universidad de La Habana.
- Harnecker, M.** (1979) Cuba. *Los Protagonistas de un Nuevo Poder*. La Habana: Editorial de Ciencias Sociales.
- Hasanbegovic, C.** (1997) *War of Identities: Argentinean Catholic and Military Fundamentalism*. Paper given at Women, World and Politics Conference. University of London.
- Hasanbegovic, C.** (1998a) *Cristina struggle. The challenge of being a woman in Argentina*. Paper given at the Annual Conference of the Society for Latin American Studies. University of Liverpool.
- Hasanbegovic, C.** (1998b) *Domestic Violence and the state response in Cuba. An analysis of Transition*. Master Thesis in Women and Development. Institute of Social Studies. The Hague.
- Hasanbegovic, C.** (1999/2000) Ph.D. fieldwork notes in Havana. Cuba. (mimeo).
- Hasanbegovic, C.** (1999a) *Wife Abuse and the state response in Cuba*. Article awarded the Blakmore Harold Prize by the Society for Latin American Studies. University of Cambridge.

- Hasanbegovic, C.** (1999b) "*Cruel but not unusual*", *Trouble and Strife*, No.39, Summer (pp 57-63). London.
- Hasanbegovic, C.** (2000) *PhD fieldwork notes in Buenos Aires* (mimeo).
- Hasanbegovic, C.** (2001a) "*In place of fear*". *Cuba. Response to Domestic Violence*. Morning Star, Thursday, March 15, (pp 7). London.
- Hasanbegovic, C.** (2001b) *Violencia Marital en Cuba. Principios Revolucionarios versus viejas Creencias*. *School of Social Policy, Sociology and Social Work*. University of Kent at Canterbury.
- Kaufman Purcell, S.** (1973) "Modernizing Women for a Modern Society: The Cuban Case", *Female and Male in Latin America*. A. Pescatello. Pittsburg (ed). University Press.
- Lewis, R., Dobash, R., Dobash, R., Cavanagh, K.** (2001) "*Law's Progressive Potential: the value of engagement with the law for domestic violence*", *Social and Legal Studies*. An international journal. Volume 10, 2001 (pp 106-129).
- Mafalda Asoc. civil** (1997) *Report on activities 1996-1997 to MAMA CASH*. Buenos Aires (mimeo).
- Marques Pereira, B.** (1998) *Linking Social and Political Citizenship: Women's Action in the Southern Cone*, *Social Politics. International Studies in Gender, State and Society*. Volume 5. Number 2. Summer (pp 214-231).
- Miccio, G.K.** (2000) *Notes from the Underground: Battered Women, the State and Conceptions of Accountability*, *Harvard Women's Law Journal*. Volume 23. Spring (pp 133-172).
- Molyneux, M.** (1996) *State, Gender and Institutional Change in Cuba's "Special Period"*: The Federación de Mujeres Cubanas. University of London. Institute of Latin American Studies. Research Papers No. 43.
- Montreal, P.** (1999) "*Sea Changes. The New Cuban Economy*", *Inside Cuba*. NACLA, Report on the Americas, Volume XXXII, No. 5, March/April. (pp 21-29)
- Motta, C. and Rodríguez, M.** (2001) *Mujer y Justicia. El caso Argentino*. Buenos Aires: Banco Mundial.
- Pearson, R.** (1997) *Renegotiating the Reproductive Bargain: Gender Analysis of Economic Transition in Cuba in the 1990s*, *Development and Change*. Volumen 28, No. 4, October. The Hague: Blackwell/Institute of Social Studies.
- Pluis, L.** (1998) "Víctimas: transeúntes de incógnito en la escena penal", en: Lamberti, Sánchez, Viar (eds.). *Violencia familiar y abuso sexual*. Buenos Aires: Editorial Universidad.
- Proveyer, C.** (1999) *Subjetividad identitaria y violencia doméstica*. Paper given at the III Taller Internacional Mujeres al Umbral del Milenio. Universidad de La Habana.

- Rai, S.** (1996) *Women and the state in the Third World: Some issues for Debate*, S.M. Rai y G. Livesley (eds) *Women and the State International Perspectives*. London: Taylor y Francis.
- Rodríguez, M.** (1998) "*Mujer y Violencia*", *CELS (ed) Reporte de la situación de los derechos humanos en la Argentina*. CELS. EUDEBA. Buenos Aires.
- Schneider, E.** (2000) *Battered Women and Feminist Lawmaking..* New Haven. London: Yale University Press
- Tedesco, L.** (1999a) *La ñata contra el vidrio: urban violence and democratic governability in Argentina*, *Bulletin of Latin American Research* No. 19, (pp 527-545).
- Tedesco, L.** (1999b) *Democracy in Argentina. Hope and Disillusion*. London. Portland: Frank Cass.
- UN** (1999) *Report on Violence against Women*. GENERAL E/CN.4/1999/68. 10/3/1999 (UN-on-line).
- UN** (1993a) *Convention for the Elimination of Discrimination Against Women. (CEDAW 1979), 19 Directive of 1992*, Human rights instruments. M.F.A. of the Netherlands.
- UN** (1993b) *World Conference on Human Rights: The Vienna Declaration and Program of Action*. (mimeo)Vienna.
- UN** (1996) *Fourth World Conference on Women, Beijing 1995. Platform for Action and the Beijing Declaration*. New York: United Nations.
- UN** (2000) *Comentarios del gobierno de Cuba acerca del informe de la visita al país de la relatora especial de la Comisión de Derechos Humanos sobre la violencia contra la mujer*. E/CN.4/2000/31.22 March.
- UN** (2000) "*Informe sobre la misión a Cuba*". *La Violencia contra la Mujer. Informe de la Relatora Especial sobre violencia contra la mujer*. E/CN.4/2000/68, 8 February.
- Váldez, N. P.** (1997) *El estado y la transición en el socialismo: creando nuevos espacios en Cuba*, *Temas*, No. 9 (pp. 101-111). Enero-marzo.
- Van der Plas, A.** (1987) *Revolution and criminal justice: the Cuban experiment, 1959-1983*. Latin American Studies. Dordrecht: Foris Publications, CEDLA.
- Walby, S.** (1995) *Theorizing patriarchy*. Oxford: Basil Blackwell.
- World Bank** (2000) *Poor people in a Rich country. Poverty Report for Argentina*. <www.worldbank.org>
- Yuval-Davis, N.** (1999) *Introduction: women and the new discourse of citizenship*, P. Webner, and N. Yuval-Davis (eds.) *Women, Citizenship and Difference*. London and New York: Zed Books.

Zannoni, E. (1999) *Algunas observaciones criticas al servicio de justicia, al proceso civil y a los procesos familiares en particular, en el sistema judicial de la actual ciudad de Buenos Aires*, Revista de Derecho de Familia. No. 14. Buenos Aires: Abeledo Perrot.

Appendix to section 3 and section 4

**TABLE 1 Organisations for dealing with domestic violence as mentioned by agents of the state:
ARGENTINA NUMBERS OF TIMES MENTIONED***

Organizations mentioned as dealing with DV	Lawyers	Police	Judges	Doctors
Total names indicated:	N 5 21	N: 5	N: 5	N: 3
1 Traditional state institutions	6 (40) (8)	9 (40)	1 (40)	4 (24)
2 Specific state institutions that deal with DV (9) (ej. Women police station)	4 (45)	6 (45)	14 (45)	1 (27)
3 Civil society (3) (ej. Women's NGOs)	5 (15)	1 (15)	8 (15)	3 (9)
4 Social assistance (1) (ej. Financial help)	0 (5)	0 (5)	0 (5)	1 (3)
Total of mentions Total if all interviews had mentioned all organizations	15 (105)	16 (105)	23 (105)	9 [63] (63)(378)

Note: DV = domestic violence. N: total number. In brackets: number of mentions if each respondent had mentioned all the organizations.

**TABLE 2 Organizations for dealing with domestic violence:
Actual mentions by agents of the state compared with percentage of potential mentions:
ARGENTINA**

Organizations mentioned as dealing with DV Total names indicated: 21 mentions	Potential number of	Actual number of mentions	Column 2 as % of col 1
1 Traditional state institutions (8 organizations x 18 interviewees)	144	20	13.8%
2 Specific state institutions that deal with DV (9 org. x 18 interviewees)	162	25	15.43%
3 Civil society (3 organisations x 18 interviewees)	54	17	31.48%
4 Social assistance (1 organisations x 18 interviewees)	18	1	5.55%
Total number of mentions Total of mentions in column 2 as % of column1	378	63	16.66%

Note: DV = domestic violence

**TABLE 3 Organizations for dealing with domestic violence as mentioned by agents of the state:
CUBA. NUMBERS OF TIMES MENTIONED***

Organizations mentioned as dealing with DV Total names indicated: 7	Lawyers	Police	Judges	Doctors	Total
1 Civil Society (ei. 2 org. CRD, and FCW)	7 (10)	10(10)	2 (4)	8 (12)	19 (36)
2 Sheriff	4 (5)	5 (5)	2 (2)	6 (6)	17 (18)
3 Neighbours	0 (5)	5 (5)	0 (2)	0 (6)	5 (18)
4 Family Doctor Unit (ej. 2 organizations)	9 (10)	9 (10)	3 (4)	11(12)	32 (36)
5 Social Workers	5 (5)	4 (5)	2 (2)	4 (6)	15 (18)
Total number of mentions Total of mentions in column 2 as % of column1	25	33	9	29	96
		(estimation 1, N:126)			76.19%
		(estimation 2, N:108)			88.88%

Estimation 1: including the seven organizations indicated. Estimation 2: it excludes "neighbours" from the potential total mentions. Note: DV = domestic violence.

In brackets: number of mentions if each respondent had mentioned all the organizations.

TABLE 4 Organizations for dealing with domestic violence: Actual mentions by agents of the state compared with percentage of potential mentions: CUBA

Organizations mentioned as dealing with DV Total names indicated: 7	Potential number of mentions	Actual number of mentions column1	Column2 as % of
1 Civil Society (CRD and FCW) (2 organizations x 18 interviewees)	36	27	75%
2 Sheriff (1 organizations x 18 interviewees)	18	17	94.44%
3 Neighbours (1 Organisation x 18 interviewees)	18	5	27.77%
4 Family Doctor Unit (2 organizations x 18 interviewees)	36	32	88.88%
5 Social Workers (1organisation x 18 interviewees)	18	15	83.33%
Total number of mentions	126	96	
Total of mentions in column 2 as % of column1 (estimation 1, N:126)			76.19%
(estimation 2, N:108)			88.88%

Note: DV = domestic violence