

Violence against women: law and responsibilities

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Italian norms and sentences have long justified the culture of female subordination and at times indulged violence against 'disobedient' women. Let's see how it was so.

The truth is that it was too often the law itself to be responsible if not even the moral instigator of much gender violence. At all latitudes, violence against women is nurtured by the stereotypes which, generation after generation, foster the idea that women had better stay 'one step behind a man'.

Incredibly, in Italy perhaps longer than anywhere else, legislators and judges were accomplice to those stereotypes. Norms and sentences have long justified the culture of female subordination and at times indulged violence against 'disobedient' women.

For example, up to the end of the 1960s, adultery could be regarded as the right cause for a separation and punished as a crime only if committed by women. Only in 1968 a husband's infidelity was made equivalent to that of the wife's.

Only in 1965 did women access the magistrature, thanks to a law promulgated two years earlier.

Before the family law was reformed, familiar violence between a husband and his wife was not even supposed to exist so that a kind of 'right to rape your wife' was tacitly legitimated.

Only in 1981 the penal relevance of the cause of honour (i.e. honour being a mitigation to a crime) was cancelled. The cause of honour implied that if a man killed his wife, his daughter, his sister or their lover in the moment and «in the act» in which «the illegitimate carnal relationship» was discovered, he could be sentenced to a maximum of seven-years imprisonment and not 21 years as for intentional homicide. It was necessary to wait until 1981 for the abrogation of the institution of the "shotgun wedding", which was considered as a remedy to a dishonourable situation such as pregnancy.

Sexual violence becomes a crime committed against a person only in 1996, after a long cultural and parliamentary battle, whereas until then it had been only considered as a moral offence. In

Italy, domestic abuse still continued to be tolerated as a “private affair” long time after the abolition of ius corrigendi (1975) and at least until when the Beijing conference in 1995 introduced the gender point of view in relation to violence against women.

A bitter consideration

So it is no wonder, as criminal records show, that in the early 1990s some people still believed that it was allowed to hit one’s own wife. They were wrong of course, but not even so much.

This is the third post out of four on the same issue: the first of them was titled “[What is violence against women](#)”; the second “Gender violence. Violence against women. Feminicide”. The last one will be published in the next weeks.

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