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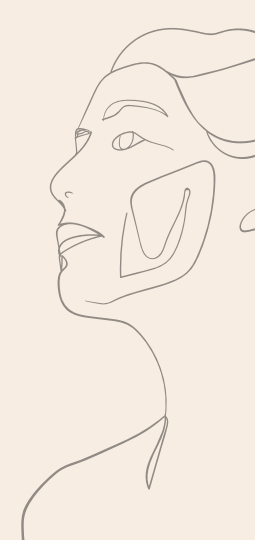
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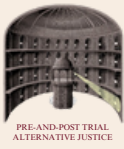


# Doing justice to gender-based violence

*Brief reflections from the  
Online Higher Education  
Seminar*

February 29, 2024





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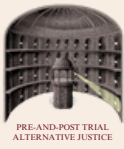
# Gender stereotypes

Gender stereotypes **affect the world of justice**, conditioning both those who create laws, i.e., legislators, and those who enforce them, i.e., judges, as well as all those public or private actors who for various reasons interact with victims: police, social workers, medical personnel. Through **targeted training actions** involving all legal practitioners, stereotypes can be defused, but these can only be eliminated in the face of **significant cultural evolution**.

Although vastly improvable, in Italy there are **legal instruments to prevent and punish gender-based violence**, yet they are **not adequately applied** precisely because gender stereotypes sometimes intervene by distorting the logical thinking of various legal practitioners. The Cedaw Committee[1] and Grevio[2] came to the same conclusions on the point: the Italian legislature is conforming to the correct normative standards on gender violence, however, **cultural backwardness** steeped in stereotypes and prejudices determines a **distorted reading of the laws**, proof of which are: the low rate of prosecutions and convictions resulting in impunity of the perpetrators, the secondary victimization of women who report, and the difficulties of the latter in obtaining restraining and removal orders.

[1] United Nations General Assembly, Convention on the Elimination of All Forms of Discrimination against Women New York, 18 December 1979. 1979. Accessed: Jun. 05, 2024. [Online]. Available: <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-elimination-all-forms-discrimination-against-women>

[2] Council of Europe, "Violence against women: GREVIO publishes annual report - Portal - www.coe.int," Portal. Accessed: Jun. 05, 2024. [Online]. Available: <https://www.coe.int/en/web/portal/-/violence-against-women-grevio-publishes-annual-report>



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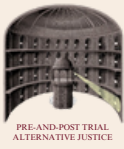
# The myths about rape

The deviant dynamics and faulty reasoning that produce discrimination in the prosecution of violence against women find cause in what are called rape myths, which cause **cognitive distortions** and consequent **miscarriages of justice**.

The main false myths of rape:

- Rape is said to be an act motivated by an **irrepressible sexual urge** to which the man is unable to resist.
- Only **women of easy virtue** are abused.
- Women **desire to be sexually coerced**, and their reluctance is only apparent and does not correspond to the real desire, which is to be submissive.
- **The greater the degree of relationship** between the woman and the man in sexual assault complaints, **the less likely it is to be rape**.
- The rapist is usually **a stranger**.
- Women, as such, are **untrustworthy**.
- Women are **liars** because and **make up harassment and violence** out of revenge or calculation.
- If the woman really wants it, **she can resist rape**.
- If it is established that rape or violence has occurred, the man who committed them **is not a normal man**, but is definitely psychologically disturbed or sexually frustrated.

Let us remember the rape myths the next time we hear a news story or narrative of violence on a woman and observe our thoughts, even those hidden in some crevice of the mind: we may find with disquiet that these myths have been transmitted to us, inoculated, this will enable us to recognize and eradicate them.



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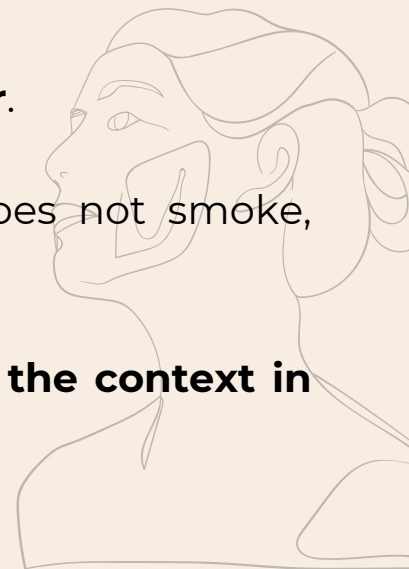
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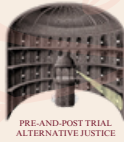
# The perfect victim of violence

The woman who reports violence is not saved from the gears of prejudice and often does not find justice precisely because she is not recognized as a victim.

Because the perfect victim does not exist in the real world, but only in the world of gender stereotype, and only this one is worthy of being recognized as a **“true victim,”** but she must be:

- A woman of **impeccable morals, unimpeachable reputation, devoid of ambiguous or promiscuous behavior.**
- A **heterosexual** woman.
- A woman who **does not know who attacked her.**
- A **young, pleasant, attractive** woman.
- A woman who **has no vices or addictions**, does not smoke, drink or use drugs.
- A woman if not married, preferably **illibate.**
- A woman who **has not had sexual relations in the context in which the violence then occurred.**
- A woman from **solid romantic relationships.**
- A woman who **does not frequent clubs.**
- A woman who **does not stay out late at night**, perhaps in the company of friends.
- A woman who keeps a **decorous demeanor** in any place and in any context.
- A woman who uses **chaste attire.**
- A woman who keeps behaviors that have no sexual innuendo, that **do not provoke.**
- A woman who **at the time of the assault rebels, shouts, displays violent opposition** to the limit of her strength.
- A woman who **promptly denounces** without allowing time to pass.
- A woman who **does not bother to gather evidence** of the violence she has suffered.





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