

CHAPTER I

Introduction

A. Background

For centuries, women have been protesting against gender-based oppression and injustice, advocating for reforms to laws, customs, and social practices. This has occurred in a variety of cultural settings across the world. In the recent decades, the landscape in which advocacy takes place has undergone substantial upheavals and transformations, as the gradual processes of political, economic and cultural globalisation have stretched and reshaped the ways in which societies are organised, decisions are made, and resistance and protest is mounted. These advancements present significant opportunity for advocates of gender issues, since new opportunities, targets, and allies might be pooled for advocacy activity, resulting in the formation of a Transnational Advocacy Network (TAN). According to Keck & Sikkink (1999), TAN is a loose network of global entities that allows for the formation of cross-border strategic alliances. This enables them to accommodate various groups of women, performing actions that are uniquely relevant to their local place while preserving and acknowledging connections with other activists all around the world.

Feminist organizations and other actors have engaged in transnational advocacy with the goal of promoting restructuring of governance systems to ensure that key institutions uphold women's claims to resources—including not only material resources, but also the law and social services—in such a way as to promote women's collective political interests and effect structural change, such as legal system reform, with the goal of enabling women to live lives that allow them to realize their full potential (Council of Europe, 2022). The reform of national policies, particularly those of socially

outdated legal provisions, can be influenced through the formation and ratification of international conventions (Norman, 2017). Historically, the success of the campaigns of women's rights activists in global forums has led to the formation of several international agreements, one of which is the Istanbul Convention—a powerful assertion of women's right to equality, development, and justice (Council of Europe, 2022). The Istanbul Convention is a Council of Europe human rights treaty against violence against women and domestic abuse that was signed on May 11, 2011, in Istanbul, Turkey (European Parliament, 2018). The convention aims at the prevention of violence, victim protection and to end the impunity of perpetrators, which as of 2022, has been ratified by 35 member states of the Council of Europe (European Parliament, 2022). Nevertheless, although international human-rights agreements had been effective channels for advocacy groups' efforts in modifying national laws, the road from the ratification of international conventions to real changes in cases of justice is long and largely uncharted. Evidently, the contravention of treaties, particularly that of the Istanbul Convention, was apparent in particular incidents as Spain's notorious 2016 *La Manada* or “The Wolf-Pack” sexual violence case, which this study aims to highlight.

La Manada represents one of the most important events in Spanish fourth-wave feminism (Sen, 2018). It represented one of the highest crests of the wave, and took place in a global setting alongside dialogues such as the #MeToo movement (Castro, 2018). The incident taking place on July 7, 2016, involves a group of men accused of sexually violating a young woman from Madrid during the San Fermin Festival in Pamplona, Spain. For almost 20 minutes the group sexually violated her and recorded the events on video. After that, her mobile phone was stolen and she was left helpless at the scene. In April 2018, the five men were acquitted of rape on the grounds that they did not employ threats and violence to subvert the victim. They were found guilty only of the lesser crime of sexual abuse and sentenced to nine years in prison by the Pamplona court (Women's Link Worldwide, 2018).

The case became a pivotal event for many women across the country, exposing a profound culture of misogyny in both Spanish society and the criminal justice system. Massive protests erupted in response to a patriarchal society that neither protects nor believes abused women. As a show of sympathy with the case's victim, an unprecedented, emboldened feminist movement across borders geared up and planned protests, calling for a rewrite of Spain's sexual violence laws, eventually leading to the reform of the criminal code. One of the elements that distinguished this wave apart from other feminist waves in Spain was that it was the first time women had mobilized to protest and condemn the institutional sexism of the Spanish judiciary. The focus of previous waves had been on gaining access to the political sphere. Many court rulings, feminists believed, had weakened the courts' legitimacy in terms of their ability to protect women who were victims of male violence.

The massive public reaction to the verdict had sparked an extraordinary networked advocacy and social movement. One of the most prominent of which was the European Women's Lobby (EWL)—the largest umbrella organisation of women's associations in the European Union (EU), representing all socio-economic and ethnic categories, including 2,700 associations in 31 countries in Europe (Lafon, 2020). With their vast base of network in the EU, EWL has been a successful partner of the European Union and has secured positions as consultants and observers at meetings of the European Parliament, Commission and Council of Ministers (Azizah & Murti, 2019). Having the EU accession and ratification of the Istanbul Convention at the forefront of their campaign since 2011, EWL perceived the issue of *La Manada* a critical concern. Along with other women's organisations in the EU, extensive advocacy efforts were made in the goal to promote justice for the sexual violence victim, and influence the reform of the Spanish sexual violence law in line with the Istanbul Convention.

The last and definitive decision was handed down in June 2019; the Spanish Supreme Court eventually reversed the lower courts and asserted that the men were guilty of rape,

sentencing them to fifteen years in prison. (Faraldo-Cabana, The Wolf-Pack Case and the Reform of Sex Crimes in Spain Patricia, 2021). A reform for a draft bill, popularly known as the “Only Yes Means Yes” law, was then approved by the Spanish cabinet in July 2021. The bill will remove the need for victims to prove they resisted or were subjected to violence. Any non-consensual sex will be regarded as aggression under the proposal. It sets out punishments that include prison terms of up to 15 years (AP News, 2021). Amnesty International (2020) hailed this a victory for survivors of rape and for the countless women, campaigners and networked activists who pushed for reforms in law, policy and practice through their continuous advocacy efforts.

There had been numerous researches conducted on the study of Transnational Advocacy Networks (TANs) in their tactics of influencing state behaviour and national policies for a wide range of causes. However, there had not been a study conducted to examine the strategies employed by women’s TAN in Europe, in particular the European Women’s Lobby (EWL), in particular towards fighting against perpetrators’ impunity in Spain’s 2016 *La Manada* sexual violence case. The resulted reform of Spain’s national laws on sexual violence was in part a result of intensive lobbying and campaign by European women’s networked advocacy. The exploration of this case could provide a framework for future networked advocacy and scholars; the researcher therefore deems it crucial to analyse the means to which European Women’s Lobby influenced Spain’s state behaviour and policy after the case of *La Manada*.

B. Research Question

How is the Advocacy Process of European Women’s Lobby in Influencing Spain’s Sexual Violence Law Amendment after the 2016 Case of *La Manada*?

C. Theoretical Framework

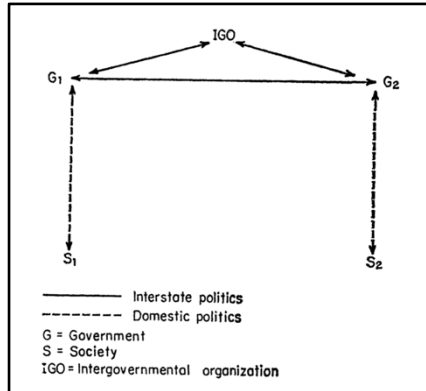
1. *Transnational Interactions*

In the broadest sense, "Global interactions" can be defined as the flow of information, money, physical goods, people, or other tangible or intangible elements across state borders. Some global interactions are entirely or almost entirely initiated and sustained by nation-state governments. This is what Nye & Keohane (1971), in their article "Transnational Relations and World Politics: An Introduction", calls the "interstate interaction" along with other conventional diplomatic activities. Non-governmental actors—individuals or organizations—are involved in other relationships, which are referred to as "transnational." Thereby, a transnational interaction may incorporate governments, but it may not involve only government: Non-governmental actors must also contribute a key role. Transnational communication, transportation, finance, and travel are some of the activities referred to as non-government or only partially governmental interactions across state boundaries. Therefore, "transnational interactions" represents the movement of tangible or intangible items across state boundaries when at least one actor is not an agent of a government or an intergovernmental organization .

Another way of looking at transnational interactions, and of distinguishing them from interstate interaction is to refer to a diagram developed by Nye & Keohane (1971) on the subject (Figure 1.1). Governments are the means through which civilizations deal politically with one another--according to the classic paradigm of interstate politics. Interstate politics is conceptually distinct, although indirectly correlated with domestic politics; transnational relations are neglected or discounted. However, governments may

interact through intergovernmental organizations; hence, this is contained in the classic paradigm.

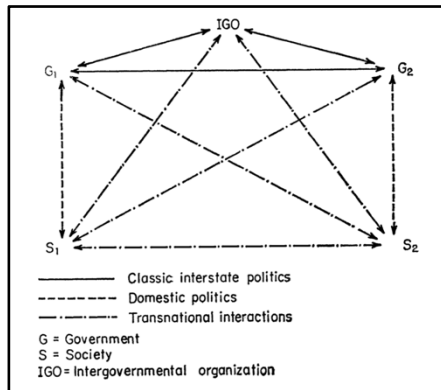
Figure 1.1 A State-Centric Interaction Pattern



Source: Nye & Keohane, *Transnational Relations and World Politics: An Introduction* (1971)

The additional lines depicted on Figure 1.2, as seen below, demonstrate what is referred to as transnational interactions. For each of the engagement represented by these lines, at least one of the actors is neither a government or an intergovernmental organization. Individuals and organizations in a given society can play roles in world politics in one of two ways: i) they can participate in coalitions that control or influence their governments, or; ii) they can play direct roles in governments or societies abroad, bypassing their own governments. By Nye & Keohane's definition, only the second sort of behaviour is transnational.

Figure 1.2 Transnational Interactions and Interstate Politics



Source: Nye & Keohane, *Transnational Relations and World Politics: An Introduction* (1971)

Nye & Keohane contended that these transnational relations increase the sensitivity of societies to one another and consequently alter relationships between governments. They summarised that the implications that transnational interactions have on state behaviour and policy are as follows:

- a) *attitude change*, which may have possible ramifications for state policies, and alter the opinion and perception of reality of elites and non-elites within their domestic societies. Transnational organizations can also nurture new attitudes by creating new myths, symbols, and conventions to legitimize their activity.
- b) *international pluralism*, referring to the integration of national interest groups into transnational structures, usually incorporating transnational organizations for coordinating purposes, based on their shared interests. These transnational organizations may inspire the formation of new national

affiliates, contributing to the internationalization of domestic politics.

- c) *dependence and interdependence*, as states may become reliant on transnational organizations if they provide something—goods, services, information, managerial skills, religious legitimacy, and so on. Dependence is most immediately translated into policy when specific policies that a government might otherwise support become prohibitively expensive.
- d) *creating new instruments for influence*, for use by some governments over others. This entails enhancing the ability of certain governments to influence others.
- e) *the emergence of autonomous actors with private foreign policies*, that may purposefully oppose or undermine state policies (Nye & Keohane, 1971).

2. *Transnational Advocacy Network (TAN)*

Transnational Advocacy Network (TAN) is defined as an organizational structure that is characterized by voluntary, reciprocal, and parallel (horizontal) exchange and communication patterns. The network concept works well because it emphasizes a fluid and open relationship between actors working in certain issue areas. Keck & Sikkink refer to them as advocacy networks because they advocate by supporting each other on a case brought by the other. A network can be formed if it is facilitated by communication technology accompanied by an increase in human rights forums, the belief in the importance of transnational networks as a tool for activism by political figures, and the attitude of the government that does not care about public demands. The network is seen as a flexible organization but

bound by the same values, with information as the main strength. Keck & Sikkink also stated that Transnational Advocacy Networks are unique because they are organized to promote a cause, ideas, norms, and often involve individuals to participate in advocating and transforming the practice of national sovereignty (Keck & Sikkink, 1998).

Transnational advocacy networks are both a communicative structure and a political space. Advocacy networks, according to this concept, can be both an agent and a structure, depending on the situation. Actors in a Transnational Advocacy Network fight for specific principles in their advocacy. As a result, the Advocacy Network plays an essential role in debating values-based problems such as human rights, the environment, women, and health, among others, where individuals from all over the world with diverse backgrounds come together. On the aforementioned concerns on violence against women, several countries have developed a shared stance.

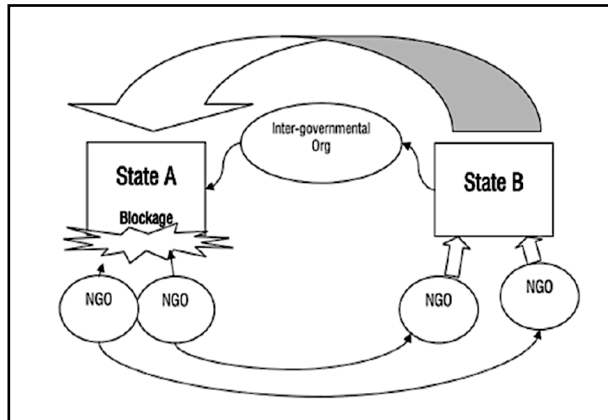
Those that advocate for specific causes, beliefs, values, and conventions do not work alone, and they fight for what they believe in regardless of national boundaries. Similarly, the effectiveness of the European Women's Transnational Advocacy Network in defending an issue or resolving a case is contingent on the cooperation of other members of the network. In recent decades, we have witnessed an increase in the number of groups collaborating and, inadvertently, forming a union or advocacy networks that serve as a type of bridge that crosses national borders to effect social change (Zippel, 2004).

Major actors in an Advocacy Networks can include: (1) international and domestic nongovernmental research and advocacy organizations (NGOs); (2) local social movements; (3) foundations; (4) media; (5) churches, trade unions, consumer organizations, scholars; (6) part of regional and

international intergovernmental organizations; (7) part of the executive and/or parliamentary branches of a government. Keck and Sikkink's early study revealed that NGOs, both foreign and domestic, play a key role in the Advocacy Network. This is typically due to the fact that these NGOs frequently serve as initiators of acts while suppressing more powerful players. Non-governmental organizations propose new ideas, give information, and push for policy changes (Kiel, 2011).

Not all initiatives in the fight for justice or social movements, however, can be referred to be worldwide advocacy networks. An international advocacy network will occur if political participation or public demands brought into the legal arena are limited by the government (Sikkink, 2002). A blockade is defined as the presence of these constraints. Activists have formed a movement in response to the government's embargo. The activities or movements are then bolstered by enlisting the help or alliances of people from outside the nation. Domestic activists and NGOs gain a stronger position in influencing government policy as a result of this worldwide network. Keck and Sikkink describe this in a pattern known as the Boomerang Pattern.

Figure 1.3 The Boomerang Pattern



Source: Keck & Sikkink, *Activists Beyond Border: Advocacy Networks in International Politics* (1998)

The Boomerang Pattern describes the relationships and exchanges between actors in international advocacy networks. When a government breaches or refuses to acknowledge the rights of individuals and groups in their country, domestic activists or NGOs will seek international attention to voice their concerns and even safeguard their rights, even if there is no recourse in the political or legal arena. Domestic activists who are prevented from voicing their grievances by the government seek foreign ties to exert pressure on the administration. This network is critical for activists or non-governmental organizations (NGOs) that are not well-funded, since it gives access, influence, knowledge, and sometimes funds that they might not otherwise receive. Establishing relationships with the international community is the preferred method of influencing government policy when the government does not respond to community needs. The Boomerang Pattern shows how NGOs or activists from a nation whose requests are being obstructed by the

government engage with or seek assistance from NGOs from other states. These NGOs then support each other by exchanging the resources they have, especially information (Keck & Sikkink, 1998).

Keck and Sikkink's 4 Political Strategies of TAN

Keck and Sikkink aim to demonstrate that global politics is not solely played by the state (state-centric). In their explanation of transnational advocacy networks, they intend to illustrate that transnational advocacy networks play an essential role in global politics. Several variables are mentioned in Keck and Sikkink's publication in order to observe the extent of the impact the network exerted or to measure the amount of effectiveness in its lobbying. The magnitude of the advocacy influence can be seen from the following levels of network influence: The first step is to decide on a subject and an agenda. The presence of a network has the potential to impact and raise public awareness about problems that are promoted through various media. The second factor to consider is the magnitude of the network's influence in the state, regional organizations, and international organizations. Influence in international proceedings is the third point to consider. The fourth factor to take into account is the impact of policy changes on target actors. The fifth factor is the impact on state behaviour. The presence of a transnational advocacy network at the country level, as well as regional and international organizations, is extremely beneficial in convincing and influencing the target country to modify its attitude or policy. It may even go so far as to obligate the target country to justify its judgment.

Some of the tactics used by the network include: information politics, symbolic politics, leverage politics, and accountability politics. Information politics is the ability to mobilize political information; symbolic politics is the ability to convey symbolically,

or through actions and narratives of the situation being experienced to other people who are across borders; leverage politics is the ability to attract the attention of more powerful actors, and; accountability politics is an effort to encourage stronger actors to act according to the policies taken (Keck & Sikkink, 1999). Hence, the author uses the conceptual framework to analyse the ways in which EWL, with its extensive transnational networks, advocates for Spain's law reform in light of the 2016 case of *La Manada*.

D. Hypothesis

This study hypothesizes that Keck & Sikkink's (1998) boomerang pattern and four strategies of Transnational Advocacy Network (TAN), are used by the EWL in their advocacy efforts to influence the Spanish government's behaviour and policy after the case of *La Manada*. These tactics include:

- 1) *information politics*, through the dissemination of politically useful and critical information (e.g. news, reports, official documents) in their website, their alliances' webpages, and other media;
- 2) *symbolic politics*, through the creation of the transnational networked coalitions, promotion of social media hashtags, such as #Cuentalo, #YoSiTeCreo and #SoloSiEsSi to expand awareness and constituency, the use of purple apparel (bracelets, shirts, etc.) during public demonstrations, and the creation of emotive posters to stir public sentiment and empathy;
- 3) *leverage politics*, through influencing powerful actors and individuals, such as Vera Jourová, the European Commissioner for Justice and Gender Equality, and Purna Senn, the executive director of UN Women, to make official statements condemning Spain's unjust verdict

and bring them into international scrutiny, leading to a ‘mobilization of shame’, and;

- 4) *accountability politics*, through the creation of the petition “Rise up against violence!”, collaboration with international monitoring bodies such as Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) in the EU, and the formation of the EWL Observatory on Violence against Women, in order to put pressure on the government’s commitments and hold them into account.

E. Research Methodology

Type of Research

The type of research used in this study is qualitative research. Qualitative research is a form of naturalistic inquiry that aspires to acquire more understanding about social phenomena in their natural setting. Qualitative research is inductive in nature, and the researcher typically examines meanings and insights in a given situation. The purpose of this type of research is to reveal events or facts, circumstances, phenomena, and variables that occurred during the research by presenting a comprehensive picture of the situation being studied (Mohajan, 2018). Through this type of research, the researcher will analyse the efforts made by the European Women’s Lobby in influencing for the reform of Spain’s sexual violence law in light of the 2016 *La Manada* case.

Type of Data

The data obtained are derived from secondary sources, including journals, scientific works, articles, websites, books, news, as well as official reports from relevant governments and institutions that are related to the issue raised in this research.

Data Gathering Methods

The data collection technique used is library research, which is a way of collecting data by examining various literatures, including books, online resources and news reports, related to the problems explored in this study.

Data Analysis Methods

This study employs qualitative data which is then analysed using a descriptive-analytic method, involving the describing of patterns and analysing empirical data accompanied by relevant arguments.

F. Research Purpose

The purposes of this research are:

- a. To analyse the efforts of the European Women's Lobby in influencing the Spanish government's sexual violence law amendment in light of the *La Manada* case of 2016.
- b. To find out the impact of the efforts of the European Women's Lobby in influencing the Spanish government's behaviour and its policy.
- c. To provide information and become a reference for bearers of International Relations Studies, both academics and researchers of International Relations studies in the future, especially in the study of Transnational Advocacy.

G. Research Limit

The emergence of activist movements highlights the defects within Spain's sexual violence law occurred after the rape case of *La Manada* that took place in 2016. Hence, this study will analyse the efforts of the European Women's Lobby in influencing changes in the sexual violence law in Spain during the years 2016 to 2021. In addition, this study will also shed light on the efforts of European Women's Lobby in promoting an anti-sexual violence regime in Europe prior to the *La Manada* case, particularly during the years 2010-2016.

H. Systematics of Writing

The study entitled “Towards Justice and Institutional Reform: An Analysis on the Efforts of European Women’s Lobby (EWL) in Influencing Spain’s Sexual Violence Law Amendment after the 2016 *La Manada* Case” will be organized into four chapters, which contents are elaborated below.

a. CHAPTER I – Introduction

This chapter forms the basis for the author's writing consisting of the background of problem, research question, theoretical framework, research hypotheses, research methods, research objectives, research limitations, and systematics of writing.

b. CHAPTER II – The European Women’s Lobby and Dynamics of Violence Against Women in the European Union

On the start of this chapter, the author will elaborate on the dynamics of Violence Against Women (VAW) in the European Union. The author will then elaborate on The Council of Europe’s Convention on preventing and combating violence against women and domestic violence, popularly known as the Istanbul Convention, and its significance in the discussion of VAWS. After that, the issues of VAW in Spain will be explored, in particular that of the case of *La Manada*, as well as the political dynamics surrounding the controversy. Lastly, the researcher will examine the emergence of EWL as a European women’s non-governmental organization, and its contribution on the advocacy against VAWS.

c. CHAPTER III – Analysis of the European Women’s Lobby’s Strategies in Influencing Spain’s Sexual Violence Law Reforms after the 2016 *La Manada* Case

In this chapter, the author will analyse the extent of the EWL transnational advocacy network's involvement in the *La Manada* case using the boomerang pattern, through the benchmarks of information politics, symbolic politics, politics of influence, and politics of accountability. Moreover, the effectiveness of European Women's Lobby's advocacy in the case of *La Manada* will be examined.

d. CHAPTER IV – Conclusion & Recommendation

In this chapter, the author will elaborate on a number of findings and conclusions that has been obtained through this research.