

## The intimate risk as challenge to the welfare state

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[Abstract] This paper aims to study the new social risks in the light of the sustainability of family life in contemporary Japan. The discussion begins with a brief description of the controversies over the balance between work and family life that is one of the major "new social risks" in most industrialized societies. An attempt is made to identify how different social attributes of individuals are linked to social injustice and vulnerability. The different varying capacity of individuals' response to risks tends to be influenced by one's commitment to risks in intimate human relationships. This point will be clarified through the analysis of problems of domestic violence in the private sphere and of current policy responses. Such violence itself is the intimate risk that is not made explicit in the debate on new social risks. This paper attempts to add the perspective on intimate risks to the risk society discourse.

In general, the welfare state is expected to broadly respond to the anticipated "social risks" appearing in certain typical life-courses. Gøsta Esping-Andersen takes the view that most social risks occur with sociological regularity, and proposes three distinct axes of class risks, life-course risks and intergenerational risks (Esping-Andersen 1999: 26-27). In the recent debates on social risks, increasing attention is being paid to "new social risks". According to Giuliano Bonoli, the "new social risks" are related to the socioeconomic transformations that have brought post-industrial societies into existence: the tertiarization of employment and the massive entry of women into the labour force. The new social risks occur in "reconciling work and family life", "single parenthood", "having a frail relative", "possessing low or obsolete skills" and "insufficient social security coverage." (Bonoli 2006 [2005]: 389-391)

What is really "new" in these social risks? They appear as if they existed long before the emergence of a global economy, post-industrial societies or the risk discourse itself. The differences between new and old social risks are different approaches to risks and different ways of understanding social risks. The new social risks Bonoli mentions could be seen as "new" because of his reinterpretation of social risks in which the social risks and their consequences are to be relocated in different - new - ways. According to Ôsawa Mari, economist, the welfare states in the era of full employment used to regard social risks as matter of income insufficiency by regarding "being employed or unemployed" as the main reason for these risks (Ôsawa 2007: 36). In brief, the focal

point of the debate on new social risks is that this approach to social risks does not limit its focus merely to such economic aspects that mostly concern income security. Instead, an attempt is made here to understand the multi-dimensional features of risks in light of the complex refraction of late modernity.

Bonoli also points to another distinctive feature with new social risks: "They tend to be concentrated on the same groups of people, usually younger people, families with small children, or working women" (Bonoli op. cit.: 391). This point can broadly be shared in East Asia where not a few younger people are in trouble regarding employment, work skills and finding a balance between work and family life. His attention to vulnerable groups is important, as social risks concern different groups differently in a society. However, to address the vulnerability of youth, women and children is not enough, because a more flexible policy response is to be developed for coping with different - and often multiple - inequalities and vulnerability.

Two problems can be identified concerning Bonoli's discussion about new social risks. Firstly, the classification of the vulnerable groups in his discussion is too general to articulate the issues as agendas in policy-making. For instance, some women enjoy decent work such as full-time paid employment and opportunities for promotion in their careers, others work simply because of economic necessity, and in inferior working conditions. For women from ethnic minority groups, in particular, without competent educational background, it tends to be hard to get a decent job. Among young people, those with certain handicaps tend to face such hardships in job-hunting that those without disability do not have to mind at all. Although to re-discover *societal* aspects of risks by eliminating the strong orientation to economic aspects of social risk is essential in order to advance the risk discourse itself; the grouping of citizens requires more careful consideration so that a complex cluster of different inequalities among different groups can be better analyzed. The mainstream group can be profiled with full-time work and family life based on heterosexuality regardless of one's commitment to the marriage system whether married, re-married or non-married. These features appear to be regarded as self-evident, because the new social risks debate targets the mainstream group. On the one hand, to enlarge the scope of the discussion about social risks has the merit of targeting a larger section of the population, which can be called "social-risks-mainstreaming". On the other hand, this mainstreaming may have some negative consequences of failing to

develop more flexible social policies to meet the different needs of different vulnerable people and groups.

Secondly, the basic norm as a starting point for the discussion is not made explicit nor the norm questioned in any way. The "new social risks" debate holds as the tacit norm on life security and safety that we should be able to enjoy a harmonious life with a good balance between public and private spheres. Not only "reconciling work and family life" but also "reconciling family and intimate relationships" need be more attention. The new social risk discourse does not question the latter, even though single parenthood, which is the outcome of irreconcilable disputes in intimate relationships, is taken into consideration.

To address the issues of social policy such as "reconciling work and family life" or "balancing work and family life" (Taylor-Gooby 2004) remarkably attaches values to the time for non-economic activities like caring and voluntary activities in one's local community. Yet, in the debate on new social risk, it is unclear in which ways different inequalities can be meaningfully explored so that the needs of social services and assistance for vulnerable groups may not be undermined in favour of the needs of mainstream citizens. The concerns about and attention to new social risks are growing among mainstream citizens, whereas boundaries are also maintained between the mainstream and those outside of the mainstream. In other words, such boundaries are today no longer self-evident, which could be identified as one of the societal consequences of globalization in the era of vanishing borders.

The (new) social risks can be discussed in another way than Bonoli suggests, because what is unstable in a precarious society is not only associated with collapse or dysfunction of older - or, outdated social institutions as Anthony Giddens called them, shell institutions: "We continue to talk of the nation, the family, work, tradition, nature, as if they were all the same as in the past. They are not. The outer shell remains, but inside they have changed - they are institutions that have become inadequate to the tasks they are called upon to perform" (Giddens 1999: 18-19). The diversification of family forms and norms is not peculiar to the West; it is also encountered in Asia. The percentage of marriages ending in divorce has risen significantly between 1990 and 2002 in South Korea (from 11% to 47%), Hong Kong (from 13% to 41%), Japan (21% to 38%), Singapore (15% to 26%), and China (8% to 15%) (Fitzpatrick 2004). It is no longer deviance from social norms to be involved in a divorce or remarriage

in these Asian societies.

Table 1. The number of divorces in Japan (1975-2004)

year	1975	1985	1995	2004
number	119,135	166,640	199,016	270,815

source: Ministry of Health, Labour and Welfare

<http://www.mhlw.go.jp/toukei/saikin/hw/jinkou/geppo/nengai04/kekka5.html>

The questions are whether we look at social institutions like family either from outside or from inside, and from whose standpoint(s) we perceive problems, for instance, either with or without mainstream citizenship, or, either as an adult or a child. In fact, children - especially small children - are less represented in discussing risks mainly because they are not yet on the labour market and also because they are in a low position in the age hierarchy. The new social risks discourse mainly focuses on issues of social security and welfare services but misses such a crucial point as a deeper understanding of the question how the safety of one's life is being constructed. It matters whether we consider socioeconomic security with an orientation to the public domain without questioning the adequacy of the unconscious or intentional selection of such an orientation, or we consider life safety beyond the boundaries between public and private spheres.

### **Risk in intimate relationships**

As Jane Lewis reminds us, the male-breadwinner nuclear family model was long believed by policy-makers to offer protection against risk, particularly for women and children (Lewis 2005: 39). In the meantime, social awareness about "risk in intimate relationships" has been growing in several societies at different paces and degrees. Domestic violence of which the victims are predominantly women and children may occur even in a wealthy nuclear family: a father with a high income and prestigious job may be a secret batterer (see e.g. Bancroft 2002). Sometimes single parenthood may even be a better solution than maintaining family relationships for those whose lives have been threatened by an abusive partner. However, we should bear in mind how difficult it is for victims of violence to regain their self-reliance, dignity and peace in daily life. In this sense, marriage or family is a risky project not only because of the increased probability of divorce or separation but also because of the illusive

appearance as a guarantee of a safe life. In brief, the discourse on new social risks draws special attention to some vulnerable groups but does not explicitly discuss the risk in intimate relationships. Even though the new social risk clearly concerns such a risk as divorce in the terms of single parenthood, the intimate risk of family violence or of intimate partner violence is left with little explicit attention.

In reality, despite increased social awareness of domestic violence, victims of domestic violence in Japan and some other societies often encounter numerous difficulties when they try to reconstruct their lives. In Japan and many other societies it is the victims rather than the batterers who are very likely to leave home in order to escape from the threat to their lives. Often the victims who left home live temporarily in a shelter and try to achieve resilience by looking for a new place to live and a new job to earn a living. However, it is not easy to recover from the crises and damage caused by domestic violence.

Both in divorce and domestic violence, the aftermath requires various types of social support ranging from income security and employment to housing, childcare, psychotherapy, counseling and so on. Although the critical situation victims of domestic violence often face before and after escape manifests a condensed collection of the problems to be targeted by social policy, no proper policy response has so far been established for helping the victims and for preventing such violence by emphasizing its dangers. Kamio Machiko discusses different policy approaches to intimate partner violence in Japan and France and points out that Japan's domestic violence policy focuses on protection for victims while in France the emphasis is on the legal sanctions against domestic violence itself in the form of heavy punishments for assailants (Kamio 2007: 28).

In regard to changing family as part of social transformation, Bonoli reminds us that changes in family structure and behavior have resulted in increased rates of single parenthood across OECD countries (Bonoli op.cit.: 390). The changes in family have already been well reported in these countries in terms of the postmodern family, the rise in the divorce rate and the decline of the birth rate. Even in Japan the number of divorces has increased to more than double in the last three decades, which demonstrates a substantial volume of changed behavior among Japanese. However, there is a missing link between the mainstream discourse on risks or family change and the intimate risk concerning domestic violence.

The question is to what extent the problems are perceived as social and collective rather than private or personal. One cannot predict whether he/she might be affected by domestic violence because of being involved in family or intimate partner relationships. Intimacy or family is such a field that tests one's competence or code of conduct of managing the interpersonal balance of power and boundaries. Usually in the public sphere we are more aware of such competence as part of social skills in working life, whereas we may be somewhat indifferent to our own and others' codes of conduct in the private or semi-private sphere. "Disputes between acquaintances such as neighbors and friends are a common aspect of social life in all communities" (Kanuha and Ross 2004: 343), and the intimacy or family cannot be freed from disputes, either. Therefore, intimacy can be risk once disputes cannot be resolved amicably no matter how the diverse forms of violence are named. The relatively small volume of officially reported cases of domestic violence constrains the development of public attention. On the surface it appears as if domestic violence were not a social problem of grave magnitude threatening the majority of the population, insofar as the discussion is based on official statistics. The number of cases registered as spousal violence represents only the tip of the iceberg. In Japan spousal violence is being reported more and more than before. Earlier, the problems were not actively reported because the public authorities like the police or family courts regarded them as a matter of privacy. The victims were also hesitant to seek help outside the home as making problems explicit to outsiders was thought to reveal a personal shame.

Table 2. The number of spousal violence cases reported to police stations (2002-2006)

year	2002	2003	2004	2005	2006
number	14,140	12,568	14,410	16,888	18,236

The cases are reported by the police identifying domestic violence through victims' reports of damage, requests for protection orders, arrests and so on. In 18,026 cases out of the total 18,236 in 2006 victims were women (98.8%), and 210 cases concerned male victims (1.2%).

*source:* Keisatsu-chô (Police Agency) (2007)

The intimate risk, however, is not to be reduced to a minor problem or just personal misfortune. It severely damages the victim's dignity

and life. How can we seek a place for the intimate risk in the risk discourse? The intimate risk does not fit into such categorizations of "the anticipated social risks that appear in a certain typical life-course" or something from which we could consider sociological regularity. The question is about the potential (of being involved in intimate violence) rather than the probability. For example, due to ageing, despite remarkable differences among individual elderly people, one will be frail and need more frequently medical care. In this sense to include "having frail elderly" into new social risks - as Bonoli does - makes sense, though "becoming frail elderly" sounds more client-oriented. On the other hand, one may find her/himself threatened by the beloved one - family member - closest to her/him once the family member becomes exhausted by caring for frail elders and changes into a batterer. The former, risk of becoming frail elderly, could be to some degree made predictable as the frequency of use of medical care among elderly people can easily be traced? documented??, which well accords with a positivist belief in social order. In recent years some surveys have revealed family violence against frail elderly at home and in residential institutions, but this type of violence often remains unreported due to stigma regarding outside help. In Japan the family violence against frail elderly has been recognized in public since around 2000, and national surveys of this problem were conducted in 2004 and the Law for Prevention of Elderly Abuse and Assistance for Carers of Frail Elderly came into force in 2006 (Furuhashi 2007: 306). For the time being we have only partial information on family violence against frail elderly people and a vague idea of how to prevent the violence against the frail elderly, especially at home. The challenges for establishing public insurance for elderly care provision since April 2000 has gained much public attention, as it was a long-awaited policy response to the ageing of society in Japan. However, it has taken more time than in the cases of domestic violence or child abuse before the issues of elderly abuse finally entered the public debates. Not a few of the honorable elderly have long been enduring violence in silence as well as insufficient social security, in which not only age but also at least gender and income level (poverty) do matter. It is also true that policy response to elderly abuse is lagging far behind domestic violence against women and children.

Applying Esping-Andersen's third "d" ie. defamilialization to elderly care provision, to promote availability of social care can be a relief from the heavy burden of family responsibility for elderly

care. However, defamilialization itself has originally been discussed in terms of childcare but not directly of elderly care (see Esping-Andersen 1999). In other words, "reconciling work and family life" in certain Western social contexts primarily concerns childcare provision but does not necessarily include such broader family responsibility for elderly care as elsewhere. It is rather Japanese or East Asian practice that family care for the frail elderly often means co-residence of three or four generations in one household, even though this norm is not always fulfilled nowadays, which is a source of a precarious society in East Asia. The basic scheme of the welfare system has been developed such that the social security system aims to secure livelihood and social services strive to support self-reliance and to improve quality of life. Elderly abuse was discovered so late in many societies mainly because the public debate on elderly issues has long been dominated by the question about how elderly care provision could be managed and financed, leaving aside another question closer to personal concerns on what family care is like in reality. Without underlining the risk of violence even in elderly care, longevity cannot be enjoyed in peaceful and harmonious family life.

#### **The universalist approach to social risks and beyond**

On the one hand, as mentioned earlier, the prevalence of social risks can be identified in terms of the "social-risks-mainstreaming" that refers to a universalist approach to social risks: social problems concern not only marginal groups in socially disadvantageous positions but also ordinary citizens who have been filled with anxiety about losing what they have. Under the influence of the global economy increasing attention is being drawn to the question about how to pursue a balance between family life and work. In reality, it is no longer self-evident for anyone to get full-time permanent employment even in Japan, where lifetime? lifelong?? employment has often been regarded as an established social practice for decades. Moreover, individualization is advancing in the private life sphere, too. It is not easy to withdraw from expectations of modern ordinary life with full employment and stable family life while daily facing many diverse sources of uncertainty and insecurity (see e.g. Beck and Beck-Gernsheim 2002; Bauman 2002). Such ambivalent phases of modernity, i.e., the first phase of modernity and the second phase co-existing, is a generator of a risk society. Risk society discourse has developed among sociologists in the West, and often the focus

has been placed on the sociological concern about the consequences of late modernity or the second modernity (Beck 2000: 73).

The universalist approach to social risks contributes to increasing public attention to the prevalence of social risks and to the enlargement of the scope of welfare policy as social risks are freed from stigma, nor do such matters concern only a small part of the population such as social minorities and marginal groups, which used exclusively to be clients with typical profiles of deviance, to be targeted by traditional social welfare policy. It could be noted that social welfare policy has become a well-being policy as such enlargement has advanced. Still, this transformation is accompanied by problems with a shifting focus from marginal groups to the mainstream. In such settings where economic and social resources face strict limits either due to economic and financial crises or to political preference, that is, ideological reasons, increasing public attention to the needs of mainstream groups can end up with relative reduction of resources for and attention to marginal groups.

In this connection it is useful to remember the development of American domestic violence policies. As Diane W. Purvin aptly summarizes, in the 1970s feminist activists placed domestic violence on the national agenda, and domestic violence was presented as a universal problem potentially affecting all women. This countered the notions on domestic violence that prevailed earlier as a pathological condition afflicting socially marginalized groups. (Purvin 2007: 190) The universalist approach that strove to win the support of mainstream society and secure government resources did not, however, meet the experiences and needs of especially vulnerable abused women, those marginalized by their race, ethnicity, and/or social class (ibid.). The "third way" is to enhance the understanding on intersectionality, as soon discussed, as a more adequate theoretical framework for not dismissing the marginal groups while simultaneously maintaining the public support for reinforcing political and socioeconomic resources. Currently Japan seems to be in a state of ambivalence between the classic notions of domestic violence and the universalist strategy of gender-equality policy towards mainstreaming.

### **Making sense of the intersectionality approach**

The power relations in the political economy of the welfare state frame the scope of public debates on social risks. Vulnerable groups often remain vulnerable and even invisible, and substantial change

for improving their living conditions does not come quickly due to their societal distance from the mainstream groups who exercise most influence over decision-making and the formation of public discourses on social problems. Different discourses are competing for hegemony in order to gain dominance over other discourses (see e.g. Campbell and Pedersen 2001: 8-9).

In competitions of different inequalities the voices of those who belong to more or less marginal groups rather than the mainstream are heard only limitedly. As economic depressions cause different degrees of damage to different groups of citizens, the socioeconomic transformations have different impacts on different groups of citizens in a society. In just the same way great earthquakes damage and harm citizens' lives extensively but differently: the personal resources for recovering from damage are different. Therefore, it is meaningful to account for the concept of intersectionality by taking a closer look at challenges to proper social policy implementations.

Kimberlé William Crenshaw analyzed the concept of intersectionality in detail in exploring the boundaries of social identities and the interaction of the multiple axes of inequalities marked by race/ethnicity, gender, sexuality and class in American society. Crenshaw critically examined the identity politics that generated the feminist and racial liberation movements by pointing to the limitations of fixed categories of identity in terms of political intersectionality. Also, she discusses structural intersectionality by studying how the experiences of many women of color as victims of domestic violence are shaped in a close link to poverty and under/unemployment. (Crenshaw 1994) Crenshaw's discussion is regarded to represent the meaningful critique against mainstream feminist approaches to domestic violence. It is stated, "particularly women of color and lesbians increasingly challenge the feminist view that *gender* inequality is the only or primary factor determining domestic violence" (Sokoloff and Dupont 2005: 2). On the basis of critical reviews of various social movements and also of clinical experiences it is insightfully pointed out that "the triple jeopardy they [lesbians of color, added by the author] face as women living in a sexist society, as lesbians living in a homophobic society, and as people of color living in a racist society forms a complex web of silence and vulnerability with very little protection" (Kanuha 2005 [1990]: 76-77).

As Nira Yuval-Davis reminds us, the discussions on the issues of

the diversity of intersectionality arrived in European equality policies from the USA, whereas European feminist scholars have been debating these issues since the end of the 1970s without noticeable effect on policy makers (Yuval-Davis 2006: 194). Mieke Verloo (2006) applies the concept of intersectionality to problematize the monolith understanding of inequalities manifested in the anti-discrimination policy of the European Union. The complexity of multiple inequalities is examined with a focus on the four social categories of gender, race/ethnicity, sexual orientation and class. According to Verloo, "Compared to gender and sexual orientation, class and race/ethnicity are represented more as firmly located in the public sphere, in the spheres of citizenship and employment" (Verloo 2006: 218). Here is an important insight to explain the hierarchy between the public and private spheres, that is, the superiority and priority of the public sphere over the private sphere as a basis for the different representation of these inequalities. Verloo also concludes that a "one size fits all" approach to multiple discrimination is based on an incorrect assumption of sameness or equivalence of the social inequalities, since these categories of inequalities differ in the mechanisms and processes that constitute them (ibid.: 223).

According to Alice Ludwig, the strengths of this approach are clearly that it reflects on 'otherness' and strives to avoid essentialized, fixed and homogenized assumptions of identities, whereas the endless and infinite list of differences is a weak point of intersectionality: it starts to become blurred when examined concretely (Ludwig 2006). In a sense, the new social risk discourse holds a similar dilemma of becoming blurred, as the list of social risks is endless and also infinite. However, is such infiniteness really methodological weakness? It is more important to identify how the length and composition of the list are determined and who defines the contents and meanings of the selected sections or divisions within the list. The universal validity of conceptual categories is not itself self-evident (cf. McCall 2005).

For instance, social class cannot be applied as a meaningful analytical tool to Japanese society, where direct reference to class has systematically been avoided in public discourse. The absence of social class debate has been compensated by the mainstream discourse on the Japanese middle class. By emphasizing the socioeconomic and cultural homogeneity of the Japanese, the mainstream "identity politics" with the rhetoric of a monolithic Japanese identity has been successful in blocking out counter-identity such as social class

from Japan and in silencing ethnic minorities and multiculturalists. However, since around 2000 the discourse on social disparity and inequalities began to attract the public attention (see e.g. Satô 2000; Yamada 2002; Tachibanaki 2006). The problems themselves are not necessarily new. The difference is whether poverty is called poverty or income strata, whether or not inequalities are reduced to differences.

It is noteworthy that diversity among social groups has gained more space in social discourses. Earlier, the problems - and risks - were not made explicit in mainstream discourses. For decades such terms as "equality" (*byôdô*) and "inequality" (*fubyôdô*) were excluded from official documents published by the Japanese Government, who preferred to regard Japan as an extremely equal society. However, the social perception of political and economic change has become more receptive to critical reviews of social inequalities. To refer to inequalities and disparity is no longer regarded as politically incorrect, even though these words have not yet been printed in official documents. It can be interpreted that the rise of the discourse on unequal society in Japan manifests a social perception of political and economic changes, making up for the lack of response to "new social risks" from the Japanese Government and party politics.

Intersectionality has different implications in different social settings. Special attention should be paid to the point that the majority population in contemporary Japan has little orientation of social class, which is strikingly different, for instance, from Britain. Nevertheless, low income can be marked as a point of intersection for several groups across generations from youth to old age and in some difficult situations of life such as unemployment, disablement, homelessness, being a victim of spousal violence and being an immigrant worker. Yet the economic difficulty in terms of low income is not called social class in Japan. Here is the reason why I would argue that terminology does not matter insofar as the analysis does not miss the detail of multiple damages or inequalities. In brief, to illuminate differences and inequalities in terms of intersectionality is useful for 1) understanding the nature of violence in terms of different experiences of violence among different women and 2) specifying concretely the different needs of victims for flexible policy response. In Japan the discussion and studies on domestic violence are much influenced by genderism with only a few exceptions, mainly because the Western white feminism

ranging from liberalist, radical to ecologist has been introduced into Japanese academia. Too little has been discussed with regard to differences as well as to inequalities in Japan, which reveals the significant difference in the course of societal developments at the levels of activism, movements, public debates and academic discourses between American and Japanese societies.

### **Problems of domestic violence in Japan**

Controversies over domestic violence concern various sections and divisions in a society. Since 2001 Japan has had the Law for the Prevention of Spousal Violence and the Protection of Victims (later referred to as the LPSV). With the first amendment in 2004 the LPSV came to cover not only physical violence but also psychological and sexual violence, whereas at the beginning the LPSV recognized only physical violence as violence. The definition of victim was extended to include a former spouse in order to keep protection valid after divorce. In addition, the system of protection orders was partly improved, covering the child(ren) living with victim. Municipalities' roles and functions were also clarified so that victims would obtain the necessary help and support for self-restoration and self-reliance at local Spousal Violence Counseling and Support Centers.

It is noteworthy that the driving force of the first amendment was not a top-down initiative on the part of the Government but instead the movement involving survivors, activists, shelter practitioners as well as legal experts in meetings and planning with the decisions-makers. The survivors who dared to speak out in public meetings with MPs and bureaucrats included Japanese with disabilities and non-Japanese ethnic minority women. (see *Josei-tachi ga kaeta DV-hô* 2006) Despite several improvements the major problem remains such as lack of legal sanction against the spouse perpetrating spousal violence. What can be criminalized by this LPSV is violation of a protection order, thus the defendant is punished only indirectly. Without spousal violence itself being criminalized, batterers do not face clear legal sanctions, and consequently this LPSV cannot be truly preventive. The current LPSV is a batterer-friendly law indifferent to legal sanctions against batterers (Kainô 2006a: 128). Under such circumstances to introduce or develop any batterers' prevention programs remains rather meaningless. (see Kainô 2006b: 141) In the relatively short duration of a protection order (the maximum length being six months at a time; a temporary urgent protection order lasts

two weeks) a victim has to seek self-restoration and self-reliance while in fear of being chased? pursued? hounded? by the ex-spouse whose violence is not directly punishable. Without establishing explicit and forcible sanctions against intimate partner violence, this situation of ex-victims/survivors - one sorrow coming hard on the heels of another - will not be overcome.

The second amendment was passed at the Diet in 2007 and the revised law will come into force in January 2008. The main points of the second amendment are: to require municipalities to make a plan for DV prevention and victims' protection and to properly function with a local DV center for helping victims, including functions such as temporary shelter in case of emergency; to add concrete threats and misbehaviors such as telephone terror or emailing to victims within the scope of the protection order; to extend the protection order to cover the relatives of victims.

The LPSV very narrowly defines that married or equivalent (cohabiting) couples are to be handled in court. Those unmarried couples and young people who are not living together as well as non-heterosexuals are excluded from the scope of the LPSV despite their risk of suffering intimate partner violence. The limited definition on couple by the LPSV prevents proper legal remedies for victims of intimate partner violence. To call the LPSV a law against domestic violence can be even misleading, as this law concerns only part of intimate partner violence. Secondly, as already mentioned, the LPSV does not have the direct force of legal sanctions for real prevention against spousal violence. In 2004 homicide cases officially reported numbered 206: in 127 of these husbands killed wives (Kondô 2006: 144). It is mainly through Criminal Law that some actions causing physical harm can be judged as a crime, and often the legal process requires the victims to report physical harm to officialdom. Thirdly, the economic damage that often causes a severe crisis to the victim has not yet been included despite the fact that there are economic problems including low income behind spousal violence. Fourthly, the spousal violence focuses on conflicts in (married) couple relationships, taking heterosexuality for granted, and therefore violence against children, elderly people and those with disabilities and violence of non-heterosexual people gains less attention. It is only in the 1990s that the child abuse problems began to be more reported and discussed in Japan, which is a couple of decades later than most of the Western industrialized societies. LGBTs (lesbians, gays, bisexuals and trans-sexuals) have not yet been

encouraged to come out of the cupboard, nor were they included in the movement for the first amendment of the LPSV.

The risk of secondary harm is real, as those professionals who should be available for victims in police stations, hospitals, social welfare services (family welfare and child protection), lawyer's offices and family courts may mistreat victims and consequently cause additional and unnecessary damage to the victims. In other words, there is a structural problem in connection with the social norms and professionalism. The experts or semi-experts who are in charge of helping victims do not always share an understanding of the gravity of domestic violence, of the various sorts and forms of violence and of the proper ways of communicating with victims. We might suspect a consistent conspiracy of social institutions against the victims of intimate partner violence the vast majority of whom are women and children.

Some official reports unveil the difficulties of the victims in their efforts to live a new safer life (see e.g. Dan'jo byôdô sankakukyoku 2007). For many of those ex-victims who could fortunately escape from spousal violence, it is essential to hide their residential address in fear of being hounded by a former spouse or partner. The victims have problems with official register of residence: not only for voting but also for handling various applications for social welfare assistance and children's school officials often ask victims to show the register of residence in vain. It is obviously social workers' turn to function, but Japanese social welfare reveals its weak point by failing to provide proper social services in the field of domestic violence.

Those spouses who have been involved in spousal violence - both victims and perpetrators - have diverse profiles against some fixed idea: outwardly they may enjoy high socioeconomic status, and it is not possible to identify a specific and fixed socioeconomic profile of batterers and of victims (see e.g. Kanô 2006: 108-109). High income, high education and high socioeconomic position do not yet guarantee peaceful wedlock, whereas some survey studies indicate that not a few of unmarried younger Japanese women expect these high profiles from the spouse-to-be. The diverse profiles seen in spousal violence are not unique to Japan, as they have already been reported and studied for years in many other societies. Anyone may fall into this vulnerable, marginal and invisible group unpredictably, as intimate partner violence occurs regardless of the categories in which the parties are grouped or registered, either as nuclear family,

cohabitating, non-hetero-sexual couples, ethnic minorities or dating youth. This universalist statement needs to be amplified by adequate policy implementations for specifically meeting the experiences and needs of different groups of violence victims. Therefore, we must hasten to add that intimate partner violence affects different victims very differently and that the needs of victims in their restoration also differ widely. It is especially important to be aware of the inefficient information and data concerning intimate partner violence, as "we have not yet been able to hear the voices of those victims who dare not or cannot escape from violence: in shelters we only meet those who somehow escape" (Kanô op.cit.: 110). In this connection intersectionality as an analytical tool can be made sense of in Japanese society, too.

### **Concluding remarks**

Whereas the main concerns of Bonoli in discussing the new social risks seem to be ultimately about work society and the provision of care, I would argue that (potential) threats to a safe life can be a focal point for understanding the relations between social transformation and the new social risks. "Balancing work and family", "single parenthood" and "insufficient social security coverage" are not limited to matters of concern for the mainstream population. Rather, the new social risks do matter for those victims of domestic violence who are trying to restore their lives and health by changing the places of living and working, as often children are involved. The political participation and representation that Bonoli underlines as a means of making a difference are significant in making voices of vulnerable groups and individuals heard in public. At the same time, however, more attention should be paid to intersectionality when we consider the composition of multiple inequalities in intimate risks without reducing the inequalities into differences and without missing the private sphere in our discursive scope despite the social risks mainstreaming. Domestic violence in Japan, as in many other societies, tends to be labeled as a matter in the private sphere, even though the intimate violence can be paralleled to land mines that are sunk deep in our daily lives and that would cause catastrophes once exploded. The restoration of a victim's life and health requires considerable social cost, both in short-term protection and in longer-term support and care. The routes and rates of restoration are thought to vary widely even from the very limited information and research regarding different experiences of victims with diverse

socioeconomic and cultural profiles. Social-risks-mainstreaming, as represented by the recent "new social risks discourse", carries the risk of overlooking the intersection of diverse dimensions of inequalities and vulnerability. However, the insights available regarding the concept of intersectionality can be meaningful for critically reviewing the social risk discourse in which the intimate risks deriving from the private domain have not substantially been taken into account. Some may feel uncomfortable with intersectionality, because it questions a belief in a harmonious state of more or less implicit solidarity such as a popular view on Japanese homogeneity or feminist sisterhood. Still, the boundaries between the public and private domains need to be re-examined so as to make it possible for the welfare state to respond more flexibly to social risks in post-industrial societies.

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