

Breaking the silence

Prevention and confrontation of domestic violence

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Domestic violence can have serious—and sometimes fatal—consequences for victims and for those who witness the violence. It affects not only the direct victims, but everyone who has to live with it. Children who witness domestic violence are at risk for both short and long-term harm. Even if they don't see or hear the violence, they can be affected by hearing or seeing its consequences. These children may have emotional, behavioural and developmental problems that could last a long time. They are also at risk of developing post-traumatic stress disorder.

Targeting the weakest

Exposing a child to domestic violence can be grounds for child protection intervention under provincial and territorial child protection laws. Of course, children's individual capacity for resilience affects how they will react to the violence they observe and experience: not all children exposed to violence become violent themselves. But just as extended family can strengthen protective factors leading to resilience in children exposed to domestic violence, so the

The definition of domestic violence has proven to be more difficult than it may seem. Its victims can't usually recognize their situation, even more so if we consider that it includes many different forms of physical and emotional abuse, as well as neglect carried out by family members or intimate partners. It may include a single act of violence, or a number of acts that form a pattern of abuse.

As hard as it may be to define, measuring the prevalence of domestic violence as a social problem has proven no less difficult. The most obvious reason is that the majority of domestic violence takes place in the privacy of the home, and only a small percentage of occurrences are reported. These tend to be the most tragic incidents—those that result in serious injury or death.

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tolerance of violence by the surrounding community—including the media—plays a role in how negatively children are affected by violence in the home. And certainly, any community that tolerates interpersonal violence between parents sets the stage for this cycle to continue into the next generation.

Older persons are also frequent victims of violence. Elder abuse is any action, behaviour or failure to act, made by a person in a position of trust—such as an adult child, family member, friend or caregiver—that causes or risks causing harm to an older adult. It may take place in the home, the community or in an institution, and it includes physical, sexual or emotional harm, as well as damage to—or loss of—property or assets.

It covers a whole range of behaviours including hurtful comments; dominating or controlling an older adult's activities; isolating an older person from family, friends or regular activities; unduly pressuring older adults to sign legal documents that they do not fully understand; misusing power of attorney; not providing appropriate medication or medical attention; or any other form of physical abuse.

Gender violence seems to be the most common type. It includes rape, sexual assault, relationship violence in heterosexual and same sex partnerships, sexual harassment, stalking, prostitution and sex trafficking. The term reflects the idea that violence often serves to maintain structural gender inequalities and includes all types of violence as long as it is based in that motivation, though these crimes are predominantly against women and perpetrated by men.

Ways to unlock restoration

What do researchers know about this problem and the factors that cause families to resort to harmful, self-destructive behaviours? How can communities help families replace violent relationships with healthy ones?

The inhumane treatment of family members by their closest relatives—those who above all others should be their protectors and allies—is not a new phenomenon, nor is it an uncommon one. And no society is immune to it. Mostly hidden and historically non-criminalized, domestic violence may take the form of intimate-partner violence, child abuse, sibling bullying or elder abuse. In addition to physical brutality, researchers often extend the term to cover nonphysical forms of maltreatment such as neglect and psychological abuse, although there is some debate over just how far the definition can be effectively applied.

A home with domestic violence is not a safe, nurturing environment. Additionally, violence will not stop without the help of an outside agency that has more power than the offender, such as the police and the Courts.

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How can communities help families unlearn negative patterns and replace violent relationships with healthy ones? If interventions focus only on the primary abuser, especially as dysfunctional interaction becomes entrenched, there is little chance of preventing the abuse cycle. A key reason is that dysfunctional families tend to interact minimally with their community. Yet parents, children and extended family, as well as the surrounding community, all have a part in the healing and prevention cycle—not only in the detection and prevention of current abuse, but also with an eye toward strengthening the social fabric that contributes to the mental and physical health of future generations.

The levels of violent family dysfunction reported by global agencies suggest a need to address families and communities as a whole with the aim of restoring secure attachments, functional relationships, and family and community resilience. This is often attempted through family training and support programs—such as improving new-parent competence—, school-based programs, and community awareness campaigns—including those increasingly being implemented in the workplace.

Researchers are also recognizing an important connection between individual, family and community factors. Oddly, some refer to this understanding as a 'new frontier' in domestic violence prevention. Still, it should come as no surprise that children and families need strong connections to each other and to healthy communities in order to thrive. However, a community that tolerates violent and vengeful behaviour—whether in its homes and streets or depicted routinely in its entertainment—can hardly be considered healthy. Nor can it expect its children to reject violence as an acceptable approach to resolving conflict.

One of the common factors associated with successful adaptation and coping is the resilience of individual family members. Family resilience is considered to be the family's ability to withstand

and rebound from disruptive life challenges, ending strengthened and more resourceful. It's about enriching relationships and developing skills so family members cope better with future stresses. We all strive for resilience. Who wouldn't want the ability to meet life's inevitable challenges with grace? But how are resources for resilience built within a unit of unique individuals, circumstances and dynamics?

Family vs. domestic — home vs. household

I haven't used the term 'family environment' because we find that many times it's not in the family environment where violence arises, but in a scenario where familiar ties never really existed or were real in the past but not anymore. I prefer the term 'domestic violence', rather than 'family violence', as long as sharing a home is what better defines this kind of violence.

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There is some solid rationale behind it. As the United Nations has repeatedly stated in the Resolutions of its General Assembly, "children, for the full and harmonious development of their personality, should grow up in a family environment" [1]. In other words, the very concept of family relationship excludes violence, and the abuse of the ties that unite its members is by itself the negation of the existence of a real family. This denomination also shows that the first way to break the silence, to prevent and find solutions is precisely "to create a conducive environment to strengthen and support all families." [2] It is only when real family bonds are denaturalized and replaced by other links that violence finds its place.

From a different perspective, Pope Francis has also stated this need. "This is often the case with families where communication is lacking, defensive attitudes predominate, the members are not supportive of one another, family activities that encourage participation are absent, the parental relationship is frequently conflictual and violent, and relationships between parents and children are marked by hostility. Violence within the family is a breeding-ground of resentment and hatred in the most basic human relationships." [3]. Therefore, no person is expected to stay in an abusive marriage.

UN Resolutions on domestic violence

Domestic violence has also been addressed in numerous resolutions by both the Human Rights Council and the General Assembly. Although such resolutions do not have binding legal authority, they do set forth international standards and best practices.

One of the most important resolutions on domestic violence is the Declaration on the Elimination of Violence Against Women (DEVAW).^{*} Adopted by the UN General Assembly in 1993, DEVAW establishes the most comprehensive set of standards in international law for the protection of women against sexual and gender-based violence. DEVAW recognizes violence against women as "an obstacle to the achievement of equality" and a "manifestation of historically unequal power relations between men and women," as well as a violation of fundamental freedoms including the prohibition against torture.

The Declaration defines violence against women as "any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life." This includes, but is not limited to, "physical, sexual and psychological violence occurring in the family." The Declaration not only declares that State actors should refrain from engaging in violence against women, but also asserts that States should take affirmative measures to prevent and punish violence committed by public and private actors alike and establish support networks to care for victims of gender-based violence.

In 2004, the UN General Assembly also specifically addressed domestic violence in a Resolution entitled 'Elimination of domestic violence against women.'^{**} In this important resolution, the General Assembly, recognizing that domestic violence is a human rights issue with serious immediate and long-term implications, strongly condemned all forms of domestic violence against women and girls and called for an elimination of violence in the family.

^{*} A/RES/48/104.

^{**} A/RES/58/147.

The second consideration I wanted to pose is that the time for domestic violence to remain hidden has passed, or at least it should have been overcome by now. Among the positive aspects we find in today's world, we can find quite a few that help to make it more visible than ever before — the great facility to communicate intimacy to the external world can be an occasion for bullying or other abuses, but it also makes easier the possibility to break the silence.

The role of the state

The stability of the state requires that children are brought up to take their place as autonomous members of their communities. The state assists families in meeting this responsibility for children, intervening for the protection or control of children when the family is cannot meet this responsibility to the standards set by the state.

There are a variety of theories about how the family and the state ought to relate in respect to children. One perspective has the state taking a minimal role in caring for children, intervening only in extreme cases for the protection or correction of children. It is argued that this minimal level of intervention is necessary to respect the privacy and the sanctity of the parent-child relationship.

Critics of this approach argue that the 'extreme cases' concept where intervention is permitted is too narrow, excluding categories such as 'risk of abuse' and emotional harm in which a child can suffer as much damage as in a case of physical abuse. They also argue that the wishes of children are neglected in this approach as children's interests are assumed to coincide with those of their parents.

At the other end of the spectrum, advocates for strong state intervention in family life seek to ensure that all children are provided with a right to caring adults who meet their needs. In this model, the state makes the decisions as to whom those adults should be. While the focus of this model lies on the child rather than the adults in the family, this model of intervention may overlook the strength of the bond between parent and child, even when the parent may

be considered lacking. It also places too much faith in the value of state intervention, assuming that the agents of the state, such as social workers and judges, are capable of making sound and appropriate judgments that provide better outcomes for children.

A third perspective on the role of the state in family life sees the main function of state intervention as maintaining the biological family wherever possible, or at least maintaining the ties between parents and children should separation be necessary. State intervention is reserved for responding to problems within families, attempting to redress these so that the child can remain at home or at least in close contact with its family. Critics argue that this view may place too much emphasis on biological ties and that it does not differentiate between the interests, feelings and welfare of children and those of parents.

Based on the principle of subsidiarity, the most adequate and efficient way to establish the role of the state should consider three types of domestic situations to prevent violence:

- households where family links are stable and solid: the state should respect their autonomy and avoid any interference;
- households with families in situations of vulnerability (single-parent, migrants, etc.) should be supported with family-responsive policies;
- households that have failed to establish family links or have broken them would require different types of intervention.

More research is needed to define the right indicators to distinguish these different situations and to detect their evolution, as a transition from one type to another could happen in a short time and remain hidden even to the closest relatives or other persons who are close to them.

Help lines for victims should be maintained and boosted as much as possible, even though we know they are not always effective because of the blindness syndrome many victims suffer. At the same time, all social groups that can help to alert on possible new cases —local agencies, medical practitioners, legal counsellors, religious agents, therapists, etc.— should be empowered to be able to report any situations they may find.

[1] See, i. e., A/RES/67/142. [2] See, i. e., A/RES/64/133. [3] Apostolic Exhortation 'Amoris Laetitia', n. 51.