
ARTICLES



THE DARK SIDE OF DOMESTIC VIOLENCE

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Summary: *From the multiple forms of family violence, the aggression against women remains a serious social problem concerning many aspects which are still unclear. Even if family violence passed through ages affecting all social categories, people started to be concerned about its effects only in the XX-th Century, more precise in 1977. Even though family violence is very often found, it was constantly hidden by strong myths and false legends (“it’s happening only in the lower classes”, “women ask for it”, “this is the women s condition”) also society was afraid of touching the sanctity of the marital couple and the connection between man and his wife. Research in USA and Great Britain showed that violence against women reached endemic levels and has no connection with ethnic origin, race, social level, religion and education (Straus-1975, Boyd and Klingbeil-1979, Walker-1979). A lot of cases seem to remain unreported to the police because of several reasons: violence is happening in the protected environment of the family; many victims don’t want to report abuses and police together with social institutions avoid intervention in this type of violence.*

In the last decades a lot of efforts have been made to help the victims of domestic violence. Even if at the beginning this was a taboo social subject, in the last 20 years the press has helped to become one of the most disputed subjects. Starting with 1980’s many countries started to create special institutions to fight against women abuses. These institutions helped abused women to find alternative solutions to their problems, not only divorce or continuous terror. In the last years, municipalities together with courts and mental health services started to offer therapy to the violent husbands included in programs of group therapy. In this way if the victim agrees, the violent husband may follow such a therapy instead of prison punishment.

Keywords: *violence, women, couple, family*

Introduction: Among the many forms of family violence, partner molestation continues to be a serious social problem with many aspects that still escape us. Although it has always existed, affecting all layers of society, it came to our attention only at the end of the 8th decade of the twentieth century, more precisely in 1977. Even though marital violence has been assumed to occur quite often, its prevalence has always been obscured by strong myths (“it only happens in the lower classes”, “this is the condition of women”, “women demand it”) and society has been reluctant to touch the sanctity of the couple and the husband-wife relationship.

Numerous research from the US and UK shows that partner molestation has reached almost epidemic proportions and crosses any boundary defined by ethnic origin, race, social class, religion or education (Straus-1975, Boyd and Klingbeil-1979, Walker-1979). Because everything happens in the family, because many victims are reluctant to report abuse, and because police and social and health institutions are hesitant to intervene, many cases go unreported. Perhaps this led James Bannon in 1974 to assert that victims in Detroit were more likely to be killed in their own homes by people they knew than by a stranger.

In recent decades, many efforts have been made to help the victims of domestic violence. Like many other taboo subjects of society, the issue of abused women has become, with the help of the media, one of the most discussed. Since the 8th decade, many communities have established special services to treat female abuse. In the US, a turning point was the adoption of a law that made the abuse on women an illegal act, thus giving assaulted partners the opportunity to go to court (1980). These efforts have helped women broaden their options, rather than limiting themselves to the possibility of divorce or a life of constant fear. Lately, municipalities, along with courts and mental health offices, have begun to offer abusive spouses the opportunity to participate in a joint therapy program, if the victim agrees, instead of serving a custodial sentence.

Purpose: To analyze situation regarding reporting of domestic violence cases and to show causes of non-reporting to the police.

Material and methods: The paper represents a systematized literature review of 14 sources, enriched with results of proper studies.

Results: What are the essential types of abuse?

1) Intimidation - causes a continuous state of fear through violent gestures, hitting, destruction of goods, use of household objects against her.

2) Emotional abuse - humiliates the victims, makes them feel bad about themselves, makes them feel guilty about everything.

3) Isolation - controls what she does, who she meets, who she talks to, what she reads, uses jealousy as a reason for this attitude.

4) Blaming, denying - minimize the abuse and do not take her concern seriously. He says nothing happened or blames her for provoking him.

5) Using children - makes her feel guilty for children, threatens to take her children, harm them.

6) Male privilege - treats her like a maid, acts as if he was her master.

7) Economic abuse - prevents her from taking a job, makes her ask for money, gives her a monthly quota of money, does not let her know what his income is.

8) Coercion and threat - threatens to leave her, hurt her and make her withdraw her complaints and force her to commit illegalities.

The influence of abuse may persist long after the abuse has ceased. The more severe the abuse, the greater the impact on the physical and mental health of the person. The impact of multiple types of abuse and repeated episodes has a negative cumulative effect, sometimes of unimaginable severity, involving both material and psychological costs.

The unseen face of domestic violence – ethological considerations

What do ethologists say about aggression?

A field unjustly neglected in socio-psychological approaches, ethology is the science that deals with the study of behavior and way of life of animals. First, this perspective is interesting to approach and does not make its presence felt in the literature to the extent it deserves; much research in the field of ethology should be reconsidered on human behavior, even taking into account the fact that extrapolating to humans the conclusions from experiments or studies with infrahuman subjects does not yet have sufficient justification. The results can be interpreted with caution specific to scientific accuracy. We can find common elements that will clarify soon some theories underlying the explanation and understanding of humans. The most frequently approached area was aggressiveness. Aggression is not an exclusive characteristic of humans, it is found in many species, just like fear or anger or group behaviors or socialization. In the case of domestic violence, we cannot make an abstract analysis of the individual taken in isolation because it occurs within a private, social interaction, generating dysfunctions of couple dynamics.

In Darwin's theory of species, he named in 1872 the principle of antithesis: members of certain species can adopt two different postures vis-à-vis other members of the same species: the threat posture and the submission posture.

Ethologists have identified some scopes of aggression in infrahuman species, among which.

- defense of territory
- competition for mating
- defending the young
- definition of status within the framework of the social order of the species.

Their behavior can take different forms: offensive, defensive, and predatory. These types of act by virtue of preserving the above-mentioned scopes.

The environment influences the manifestations of aggression through the main factors:

- overpopulation
- isolation, and
- change of territory.

In humans, factors which increase aggression and could be assigned to the fore-mentioned scopes are stress-generating factors, also called risk factors:

- change of job
- moving (changing apartments/ houses)
- emigration
- unemployment
- poverty.

All these lead to a decrease in the desirability of the individual in inter-human competition and to a decrease in status on the social or economic ladder. But these factors are not solely responsible for the increase in aggression, because domestic violence in all its forms (physical, psychological, sexual, economic and social) is found in all social environments (those with education, good economic condition, high social status).

Jealousy can be a reaction within the mating competition that can occur during courtship. But when it exceeds its function, it can turn into an individual characteristic, often dysfunctional, generating frustrations and conflicts.

The only function that does not find justification and coverage in intrafamily aggressive behaviors is that of "defending the offspring". And we refer here to violence against children, where this function is circumvented and specialists' explanations insufficient in this regard.

It is possible that in time humans, by restricting the living area to the family nucleus, transformed the family into the territory in which to try to manifest aggression, but in this case the territorial defense function cannot be transferred identically.

The hypothesis of genetic transmission of aggressive or criminal characteristics, the existence of a "crime gene", was presented. The existence of such a gene could not be proven with certainty, but studies conducted on monozygotic twins (in which the genetic baggage is identical) detected a 4 times higher risk in the occurrence of criminal behaviors. Hereditary baggage has a big influence but is not exclusive. It is obvious, however, that the hormonal substrate is of great importance, which in phylogenetically evolved species is common. There are studies that identify the main hormones involved in aggression – adrenaline and testosterone in high amounts. It is known that testosterone is found in higher quantities in males than in females.

In humans, the biological basis does not justify aggression a priori, because the neurophysiology is much more complex (the development of the neocortex in the evolution of the human species) and, in addition, there are cognitive adjustments humans can make as well as the influence of social learning. The human is one of the species with the longest lifespan and childhood (socialization and imprinting period). The influence of the family environment, role-models, behaviors seen and internalized, the decoding of their functions as normal or adaptive are undeniable. Humans are capable of learning but especially of choosing, capable of self-control. This is why we prefer the "free will" hypothesis as a modulator of human behavior. Cognitive abilities allow humans to build weapons that serve their purposes, whereas in other species we find biological weapons. The environment can generate constraints, but the predictive capacity of human thinking, of analysis and problem solving, and previous experience offer a wider range of options in various situations. This is why we consider humans to be the most widespread species in areas with different living conditions.

Additionally in ethology we can find a plausible explanation of aggressive remissions in the "cycle of domestic violence", composed of three major parts:

- increased tension (criticism, screaming, angry gestures, coercion, threats);
- violence (physical, sexual assault, threats);
- seduction (apologies, blame, promises of change, gifts).

Post-aggressive remission in ethology, according to the psych hydraulic model of motivation (Lorenz K.), describes the decrease in motivation to manifest aggressive behavior after a fight or an aggressive episode, for a certain period of time. But the explanation is limited and simplistic and some studies do not confirm it.

The psych hydraulic model launched by Konrad Lorenz in 1950 belongs to the range of theories called homeostatic and is based on the analogy of filling a tank with water: when water reaches a certain level (specific energy of action) the general pressure causes water to flow (manifest behavior). According to this model, an organism tends to set in motion the manifest behavior (searching for food, we could extrapolate to reducing frustration, confirming power, reducing fear) when this need reaches a level at which it needs to be satisfied (specific energy of action).

Other homeostatic theories worth mentioning are the theory of needs (Lorenz and Tinbergen), the theory of general needs (Hull) - in which a necessity triggers the need that must be fulfilled through a behavior - the theory of anticipated feeding (McFarland). These theories, however, cannot explain why behavior that has given rise to the fulfillment of a need continues even after its function has apparently ceased. The explanation may be incomplete because it refers to basic needs such as hunger, defense, conservation.

Aggressive domestic behaviors (humiliation, threatening, harassment, blaming) that can be repeated for long periods of time with significant frequency, refer to perversions of higher needs (the need for security, belonging, esteem, cognitive needs, aesthetic needs, self-fulfillment). We call them perverted needs when referring to domestic violence because they are manifested in behaviors opposite to those desirable to satisfy human needs. How else can we explain that the desire to dominate, to control, the desire for power are the unrecognized facts of the need for esteem and respect? Or that insisting on vehemently claiming that you're always right, or that someone else is to blame for an event, or that they're responsible for your aggression, isn't the need to restore your weakened self-esteem and self-efficacy?

The theory of social learning shows us that early learning influences the level of aggression manifested by the individual. The hormonal base and learning are interdependent. Thus, the individual until adolescence is sufficiently socialized to be able to partially control or direct his aggression. What is the situation of those who "cannot" control their aggressive manifestations directed at others?

Bandura in 1971 concludes that aggressive behaviors (allowed, praised) were suggested and reinforced to these people. They learned that violence is a way to control the environment, to resolve conflicts, to get what they want through the use of coercion and physical or mental strength (words remain in this case a dangerous weapon, non-verbal behavior).

Over time, this pattern becomes stable, manifesting itself with a large degree of generality. We encounter changes in the "molecular" structure of personality. The psychological effects of domestic violence can be found in all actors involved in this phenomenon: victims, aggressors, witnesses. They are mostly long-lasting effects. We consider necessary a parallel between these effects in victim and aggressor, in order to identify, recognize, inform and strengthen the need for therapeutic intervention, be it social, psychological or through medication.

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For the prosperity of society and the growth of a healthy young generation, it is necessary to create a nonviolent climate. In this respect, this paper proposes some measures to prevent and combat aggressive behavior.

Now as never before, we need to respond to the need to protect women victims of domestic and non-family violence and to prevent, combat and punish the acts of violence.

We must start from the acknowledgment that victims of this kind of violence are in a position of inferiority in relation to their aggressors and must be protected, above all, by legislation.

A law project should be set up including aspects relating to:

Defining the term woman victim of violence and extending the notion of family member in case of intra-family violence to persons who live in the same household and who are not linked by marriage or kinship relations (for example – cohabitee, concubine), because these persons also fall into the category of victims of this type of violence;

- The need to appoint certain persons to deal with cases of women victims of violence and to introduce specific programs for their training and improvement;
- Using psychological report and social inquiry as evidence in trials on violence against women to encompass the entire social and psychological picture of conflict within and outside the family;
- Guidance to mediation services in order to protect victims and relieve courts of additional workload;
- Establishing high professional standards, in accordance with European and international legislation, regarding mediation procedures in such conflicts;
- Also, the specialization of a police worker to be the central point of support and intervention especially for female victims of domestic violence, in accordance with the legislation of the Member States of the European Union, with a clear definition of the specific duties of this person;
- establishing telephone services for recording the case, counseling, and referring cases of violence against women.
- Establishment of the Commission for Preventing and Combating Violence against Women in communities that would contribute to the development of the respective communities on the principle of local responsibility in preventing and combating acts of violence against women through collaborative initiatives and working together;
- Introducing a measure to remove the aggressor from the common home in case of domestic violence against women in order to protect her from violent acts and establishing a separate legal regime for this measure;
- Guaranteeing all individual procedural rights for the person against whom this measure has been taken, in accordance with internal procedural provisions, constitutional provisions and international documents, in order to prevent any form of abuse in the application of this measure;
- Sanctioning non-compliance with the measure in accordance with the principles of respect for law and rule of law;
- Establishing measures to prevent and sanction certain criminal acts are likely to affect women's social relations.

Measures to prevent domestic violence:

The collaboration of the Ministry of Justice, Health, and the Institute of Legal Medicine, as well as other governmental bodies with responsibilities in assisting victims of domestic violence through the territorial structures of these bodies to assume the following attributions:

- Monitoring and collecting information about cases of domestic violence in the sector or territorial unit served, drawing up a separate record and ensuring access to the information contained therein at the request of judicial bodies and parties or their representatives;
- Support and information for other police workers who encounter situations of domestic violence during their specific activities;
- Identifying possible risk situations for the parties involved in the conflict and guiding them to active services;
- Requesting information on the outcome of mediation;
- Cases of domestic violence shall be submitted to mediation at the request of the parties, throughout the criminal proceedings, in cases where criminal proceedings are initiated upon prior complaint. All persons with responsibilities in investigating a case of domestic violence will guide the parties in this regard;
- Mediation will be carried out by competent and neutral people in a voluntary, independent, accessible procedure and within a reasonable time. Mediation does not involve criminal proceedings or the application of legal provisions;
- Production and dissemination of informative materials on the causes and consequences of violence;
- Carrying out educational programs for parents and children in order to prevent domestic violence;
- Establishment of social assistance service programs through associations and foundations to provide psychological and legal counseling, medical assistance, accommodation, food.

Conclusions: In order to protect women victims of extra-family violence:

Whenever there is evidence or serious indications that an act of violence causing physical or mental suffering has been committed against a woman, at the request of the victim, or ex officio, to be ordered the removal of the aggressor;

Conducting training sessions highlighting all aspects of the phenomenon of extra-family violence against women;

Education of minors and adolescents in support of nonviolence, for conflict resolution in nonviolent forms and means;

Changing stereotypes about masculinity and femininity that manifest themselves in the media or through various cultural clichés that make women a sure victim of most aggressions;

Elaboration of special public education programs disseminated through mass-media to raise awareness among the population of risk factors that potentiate or determine the acts of aggressions against women;

Scientific research to provide important information on appropriate ways to combat and prevent violence against women, highlighting the main risk factors faced by victims, the main characteristics of persons at risk of assault and of the aggressors, specific circumstances of mistreatment situations;

To intensify the concerns of treatment and re-education of aggressors, based on the idea of resocialization, relearning or reforming the capacity to control emotions and modifying prejudices to the so-called "inferiority of women" and to the "men's right of domination".

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CHILD ABUSE: ALGORITHM OF ACTIONS FOR A FORENSIC MEDICAL EXAMINER

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Summary: *Introduction. Family violence is a serious problem with significant societal implications. It can take various forms, including physical, psycho-emotional, economic, and sexual violence. From a medico-social perspective, it is a serious issue, as individuals subjected to violence in the past often face psychological disorders later on. Children and adolescents who witness domestic violence internalize corresponding gender behavior models and transmit them to the next generation. The*