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Gender Based Violence. Responsibility, Prevention, Response, Actions

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Abstract

In this paper, we argue that a more specific definition of gender-based violence is required. Drawing on key insights from the social sciences, we propose a framework that provides a more precise basis for understanding the relationship between gender and violence. This framework examines the issue at four levels: responsibility, prevention, contrast, and actions within interaction and structure. The paper offers a more comprehensive view of gender-based violence that includes women and girls, while taking into account the disproportionate impact of such violence on women.

Keywords: *women; girls; cyberviolence; health; power*

1. Introduction: different forms of Gender Based Violence and responses to new questions

This Special Issue brings together some of the most notable papers presented at the 2024 International Conference on Gender Violence, held at the University of Salerno. It underscores the importance of communication aligned with sociology's public role, particularly in engaging young people and those involved in training, professional development, and specialization courses. A central reason for this monographic issue is the fact that violence often does not receive the prompt attention and intervention it urgently requires, resulting in delayed or inadequate public and institutional responses. Nevertheless, violence against women—and its impact on their identities and bodies—has, over time, fostered significant and growing social dissent. Since the Istanbul Convention (2011), there has been an unprecedented focus on the social and health-related consequences of violence against women.

Public and private organizations often support women who have been subjected to violence, offering them protected pathways that include first aid, healthcare, shelter, meals, and assistance for their children. However, providing such support from the moment violence is reported is a complex but essential process. Though it may seem extensive, it is critical to preventing long-term physical and emotional deterioration in women who have experienced violence (Lawn and Koen, 2021), as well as for safeguarding their overall

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well-being and capacity to participate fully in social life. Recent data confirms that women subjected to violence frequently endure not only emotional suffering but also physical illnesses, including cancer, infectious diseases, gynaecological disorders (Mascarini et al., 2023; Cersosimo, 2025a), and chronic conditions that affect various bodily systems throughout their lives.

The term 'gender-based violence' encompasses evolving discourses that are descriptive, interpretive and political. However, the criteria for categorising violence as 'gender-based' are often implicit.

This Special Issue, therefore, argues for a clearer, more specific framework with which to define gender-based violence, while still allowing for the necessary flexibility to apply the concept to various contexts and forms. Drawing on key insights from the social sciences, we propose a framework that defines gender-based violence through four interrelated levels: responsibility, prevention, response, and action, in both interpersonal interactions and structural contexts. This approach provides a more comprehensive understanding of gender-based violence and acknowledges its disproportionate impact on women and girls.

Primary prevention programmes for gender-based violence GBV aim to promote change by addressing the root causes and drivers of GBV at a population level. Social norms — contextually and collectively derived expectations of appropriate behaviour — play a crucial role. Examples of norms that perpetuate GBV include the belief that women hold less power in public and private spaces, that women's safety is less important and that men have the right to discipline women and children. In order to evaluate the effectiveness of GBV prevention programmes, this issue seeks to establish valid and reliable methods of assessing changes in social norms and personal beliefs that sustain or tolerate the various forms of GBV over time.

From femicide to beatings, from stalking to cyberviolence, from the use of force to revenge porn: violence in its various forms, explicit and implicit, symbolic and systemic, visible and invisible, has too often continued to be a dramatic expression, and in many cases challenging to perceive and combat, of the power exercised by those who are stronger, biologically or in terms of legislation that is still open to interpretations with patriarchal and socially punitive consequences for women.

Violence manifests in both overt and covert forms, from femicide and physical assault to stalking, cyberviolence, and the use of force and revenge porn. All too often, these acts reflect the power exerted by the stronger party, whether biologically or through legal systems that still permit patriarchal interpretations and punitive consequences for women.

Violence inflicts physical harm and damages identity, violating bodily and symbolic integrity. It humiliates and marginalises victims, with clear repercussions for their roles within families, including with regard to their children, as well as in professional and social spheres.

As with all forms of crimes, violence continually evolves, necessitating new tools for intervention and prevention. The current rise of gender-based cyberviolence represents a significant social, cultural, legal, and political challenge within the broader spectrum of gender-based violence, particularly prevalent in digital environments. This issue has become an urgent social, political, and cultural emergency that needs immediate attention to protect the millions of women affected, especially young women, who are the most vulnerable group. The repercussions of this violence resonate on both individual and societal levels.

The definition and digital dimension of gender-based violence cover a wide range of acts committed online or through technological tools, all part of the continuum of violence

that women and girls also experience in the domestic sphere. It is such a vast phenomenon that there is no single definition to explain and understand its different characteristics. The growth of Information and Communication Technologies (ICT) and social networking sites (SNS) has created new opportunities for violence, particularly against women, girls, and sexual and gender minorities. Abuse arising from this (ICT and SNS) is expressed through cyber violence, which includes cyberbullying, online harassment, online dating abuse, revenge porn, cyberstalking, shallowfakes, sextortion, deepfakes, and so on. Interaction and communication processes, which are generally builders of knowledge, have now become mediators of violence. Therefore, the online space has become an unsafe environment for relationships, filled with hatred and aggressive, discriminatory behaviors (S. Tirocchi, M. Scocco, & I. Crespi, 2022). Within this context, violent practices and comments proliferate, from the use of explicit sexual judgments to the dissemination of threats, the adoption of vulgar language, and a persistent tone of anger and hatred, which gradually become normalized in everyday online interactions, eroding any dimension of affection and humanity within relationships.

Cyberviolence is part of the continuum of violence and highlights how its various manifestations, which are intrinsically linked, derive from a common cultural root. It is no coincidence that gender-based violence against women and girls, cyber-VAWG, is a phenomenon that reinforces the dynamics of discrimination, marginalization, and exclusion of women from society, in manifestations that are not isolated but are fueled by institutions, even those apparently most affectionate, yet marked by profound inequalities and structural discrimination. Therefore, as many feminists have argued (Cockburn, 2004; Davies, 2015), violence in online relationships should be seen as part of the "continuum of traditional violence," or rather, as an extension of it. Information technology is used to perpetrate acts of violence against women within a broader system of oppression (Commission on Human Rights, 2018). This reproduces a cultural tradition that supports the status quo of male domination (Bourdieu, 1998), which offline interactions reflect online, marking a manifestation of unequal power relations between men and women that generate inequalities in access to power. The two spaces, the real one, expressed in everyday life, and the virtual one, are a unique place where this violence manifests itself. Offline and online cannot be separated from their unified expression, the articulation of a culture in which social and environmental relations have already changed and continue to change the lives and consequent life stories of women (Cersosimo, 2025b).

Recent years have been marked by an increase in violence in everyday life, in various forms, particularly towards the most vulnerable individuals, first and foremost women, then minors, disabled people, migrants, and the elderly. This has been matched by a series of important statements and initiatives by institutions, health services, and civil society which, within the more general problem of violence, have highlighted how violence against women often has a series of direct effects of physical and emotional suffering, if not directly fatal, on the women themselves, all in their different degrees of severity, with incalculable consequences also on their children and families (Cersosimo, 2025a).

In our work, we are aware that any reference to tradition can be a means of reproducing and reinforcing gender roles, models, and relationships based on stereotypes, and in contrast to the differences within new generations. Consistent with every phase of crisis involving traditional roles and identities, this one too, in its rejection of the latest, generates anxiety, frustration, and disorientation in many areas, particularly among men, shifting the understanding of the new from recognition to the search for answers that block it through violent and aggressive behavior or the recourse to norms that reintroduce sanctions to deal with emergencies and social phenomena that can no longer be postponed.

This work, together with those who follow it, aims to promote an interdisciplinary debate on the subject, questioning what socio-cultural transformations may be most

appropriate for prevention capable of countering violent actions, investing in and implementing a culture of awareness among generations and genders, and presenting the results of research and action research. For the reasons above, this monographic issue helps further our long-term reflection on violence against women. The following are identified as part of the discussion: identifying the following as part of the discussion: abuse of various types, forms, and duration, carried out in private and public spaces, in the family, at work, in leisure activities, and other places of daily life; power inequalities as a relational form between sexes and genders; the resulting tacit violence in everyday life, as in situations and places of work and relationships; violent languages and every day life; actions to combat violence with appropriate experimental programs for abusers.

2. Data on violence in Italy. Interpretation

In 2024, the Ministry of the Interior reported a 20% increase in the number of women who experienced violence. The Report of the Criminal Analysis Service of the Central Criminal Police Directorate indicates the continuity of these crimes. In November 2022, it was reported that, between 1 January and 20 November 2022, 273 homicides had been recorded, of which 104 were female victims. Of these, 88 were killed in a domestic/intimate setting, and their partner or ex-partner killed 52. To date, 266 homicides have been recorded for the period from 1 January to 10 November 2024, with 97 female victims. Of these, 83 were killed in a domestic/intimate setting, and their partner or ex-partner killed 51. Comparing the number of homicides in the above period with the same period last year, it can be seen that the total number of incidents has decreased by 11% (from 299 to 266), as has the number of female victims (from 106 to 97).

Crimes committed in the family/domestic sphere have also decreased overall, falling from 132 to 127 (-4%), and the number of female victims has fallen from 87 to 83 (-5%). Compared to the same period in 2023, there has been an additional decrease in homicides committed by partners or ex-partners, falling from 63 to 58 (-8%), as well as a further decrease in female victims, dropping from 57 to 51 (-11%). While some people experience home as a friendly, safe, and loving place, it is important to recognise that many others experience it as something completely different. In their essay on domestic life, Chapman and Hockey (1999) discuss the discrepancy between idealistic representations and the reality faced by some.

The idea of a harmonious family unit is challenged by studies of the darker, less obvious side of family life: violence and abuse. In such contexts, the failure of those who are aware to intervene and combat this violence contributes to an increase in heinous acts of domestic violence throughout the course of life the women affected (Di Donna et al., 2024). In the last two years, the average age of women killed has also changed: one in five victims is now over 70. In 2024, approximately one in five victims were women over 70, killed by their husbands after marriages lasting 40 to 50 years. The motives for these murders vary widely, ranging from possessive rage over alleged infidelity to freeing the victim from illnesses such as Alzheimer's disease, or even simply for possession and authority over others. Furthermore, at the other extreme, gender-based violence is increasingly affecting younger victims and perpetrators, particularly in the form of gang violence against girls. Notably, there has been an exponential increase in gang violence against girls under the age of 13, rising from 4% to 10% in the last five years. It is disheartening that we have to resort to a shared sense of horror. Then there are young women under the age of 35 who experience both gang violence and revenge porn, i.e., the dissemination of sexually explicit images. These crimes are mostly perpetrated by young

men, who are primarily responsible for gang sexual violence. 65% of them are under 35, and one in four of these is a minor. While the number of femicides remains consistent with previous years, it is striking that the majority of victims are between 18 and 34 years old, and the perpetrators, who are always identified, belong to the family circle. According to the 2024 Criminal Analysis Service Report, the root cause is 'that pathological sense of possession which excludes the possibility of self-determination: girls and young women who are prevented from living and fulfilling themselves'.

We allow violence to be widely present in our lives through sensationalising it, which has grown in parallel with generations' increasing autonomy and therefore with the likelihood that it will become more commonplace, perhaps accompanied by the written, real or symbolic message that 'the images may be disturbing'. In many cases, violence, which does not exist in isolation but is constructed within relationships through image, language, bodily expression, silence, aggression, and isolation, acquires a fascination and expresses a power greater than other forms of power. It is capable of superior dynamics and execution, moving faster than democracy. The fewer weapons it has, the stronger it feels. Indeed, one could point to its seductive ambivalence: hands that can caress and destroy, and caress again; compliments that are normal in one context but interpreted as shyness, embarrassment or resistance in another; a premise that a 'no' is not a 'no', but a promise to give in; a seductive strategy; a desire to increase desire.

Sex, love, and eroticism are unthinkable as separate entities; yet each is committed to its independence on a journey with a cultural history. Zygmunt Bauman (1999) was one of many to point this out. Beyond this, however, the problem of love, eroticism, and the violence that follows is clearly universal (Paz, 1993), including here. Among these, violence often rears its head at the beginning as an apparently innocent and desirable game of love. Then it attempts to assert itself in a contradictory manner, before or after taking centre stage and becoming part of the relationship's emotional vocabulary. In short, it tries to gain citizenship and does so through the binomial of violence and domination, which has an imaginary fraction of the unique dimension of the relationship.

The report by the Police Criminal Analysis Service (2024) shows that extremely high figures of gender-based violence cannot be dismissed as a legacy of the past. Unfortunately, the 'pathological sense of possession' behind so many femicides and acts of gender-based violence against women is not a legacy of the past. This is confirmed by the age of the victims and, above all, the increasingly young perpetrators. The latest report on young people and gender-based violence by the Central Criminal Police Analysis Service (2024) refers to "extremely high figures". This massive wave of violence is articulated in the daily occurrence of femicides, assaults, and the censorship of all forms of autonomy. It is accompanied by the return or renewal of patriarchal, familial, and institutional cultures, which are often based on a profound ignorance of natural processes. This ignorance usually reinforces stereotypes and can even act as a catalyst for the spread of disease and infection. This has been accompanied by the re-emergence of contradictory positions that seek to downplay many manifestations of violence as subordinate or incidental. Incredibly, the burden of proof is often reversed, with the victim being transformed into the direct or indirect perpetrator.

As Arendt (1970) said, those who hold power, see it change and see the possibilities of maintaining it diminish, have always chosen the shortest route to avoid giving it up and reproduce it, that of violence in all its forms, from the most seductive and apparently acceptable to the most authoritarian and unquestionable. This is also because in times of fear, apprehensive moods permeate all areas of existence and security is given priority over

freedom, justice and solidarity (Sofsky, 2005), while in the cultural sphere, there is a preference for reflecting on past issues and inventing new traditions so that reliability, loyalty and discipline are propagated as social values, rather than as real actions that can be traced back to responsibilities, including institutional ones, in order to prevent and find forms of opposition that are not only legal or juridical, but which can also promote behaviours other than violent ones.

3. Concluding remarks for future actions

In order to effectively prevent gender-based violence, we must ask ourselves several important questions. The socialisation of violence suggests that it is being legitimised in new ways within new power structures. We should consider the idea that reflecting on submission and resignation raises the question of how we subjectively define violence, just as we do with all human phenomena. Is violence only significant if it is perceived subjectively? Can violence be defined objectively? Is an act of violence one that aims to impose a person's will through physical or psychological pain, thereby subjugating them to the control of another? Furthermore, can non-heterosexual norms and non-binary gender roles create contexts in which violence occurs? Which gender differences could trigger violence in relationships? Is it the perception of difference that breeds hatred and violence?

At least two approaches to prevention and action are necessary.

The first must involve helping women to rebuild their lives outside domain of violence. Sensitive issues such as violence can threaten the interests of those in positions of power, and the reality of domestic violence conflicts with the idea of the home as a safe haven from the violent aspects of society (Bergen, 1993). Social recognition and change empower the voices of women who have experienced violence, giving weight to their personal stories (Plummer, 1995). This emphasises the importance of placing their narratives and experiences in a broader social context (Harding, 2007). Recognising the problem as social in nature makes the study of sensitive issues a means of building solidarity among women. The trauma, shame, and scars inflicted on victims by interpersonal violence are addressed as persistent burdens on their lives. In many cases, shame has been found to play a role in keeping abuse hidden and preventing victims from seeking help (Thaggard & Montayre, 2019). In this way, researchers can maintain a concurrent public and private research focus, examining how traumatic experiences and painful secrets affect women's relational, social, and work lives. This approach also validates Hill Collins' (1998) notion of the 'past in the present'. Indeed, the weight of the past can create vulnerability that must be considered when trying to escape violence, whether perceived as an escape route or a supportive experience. Frequently, these vulnerabilities can adversely affect the ability to maintain social relationships that existed before the onset of violence. A significant consideration for this woman is that social networks can have a profound impact on a person's well-being and health by encouraging social participation and engagement, as well as fostering real-life connections. These connections may include meeting friends, attending social events, fulfilling occupational or social roles, participating in group recreational activities, and engaging in various social activities. Through these interactions, social networks help define and reinforce meaningful roles, such as those related to family, work, and community, which in turn provide a sense of belonging and attachment. These roles provide women with a coherent and stable sense of identity, reinforced within the context of the network, which offers a space for them to perform and perceive their roles. Additionally, being part of a social network enhances

opportunities for socialization, friendship, and knowledge sharing, helping to prevent marginalization and loneliness. This connection brings meaning to a person's life, allowing them to move beyond isolation and closer to the social sphere. The actions that connect women who are victims of abuse and violence to the broader community are only mandatory to the extent that they involve reciprocity. As noted by Cersosimo (2024), these actions inherently imply that when one dedicates effort to help others, they are also helping themselves. This idea was already reflected in Rousseau's writings (1762, later published in 1997, p. 43).

The second approach focuses on young people in particular, encouraging them to engage in peer-to-peer prevention regarding online relationships. This is because, as Habermas (2001) pointed out, we need to go beyond the informed and appropriate intervention of the law. He argued that rules cannot regulate social relations on their own. Indeed, the legitimacy of legality can only be derived from a procedural rationality that is rich in moral, cultural, and social content. In other words, legal norms alone cannot solve the problems of a complex society, where social relations must be understood, interpreted, and explained in the context of the values, norms, and sanctions that apply to the actions being performed. Reaching and informing young people is therefore crucial because they could play a key role in affirming gender equality if they are consciously educated.

We need to embark on a path that goes beyond legal measures to combat or contain these forms of online violence. The most important issue is recognising that cyber, technological, and digital violence is a continuum of traditional violence. The Beijing Conference of 4 September 1995 set a revolutionary agenda for women's rights almost thirty years ago. Representatives from 189 countries unanimously adopted the Beijing Declaration and Platform for Action. This historic document set out a vision for equal rights, freedoms, and opportunities for women everywhere, regardless of their circumstances, and continues to influence gender equality and women's movements worldwide. The Declaration defined gender-based violence as a disparity in access to resources and power between men and women, which triggers a combination of domination and violence. However, this equality is still not present, and the forms of violence perpetrated in real life today also exist online. In 2023, therefore, digital gender-based violence was included in a UN Women resolution aimed at improving the construction of paths to equality and justice, and at curbing all forms of violence against women, including digital violence.

Currently, it is more important than ever to plan and intensify awareness campaigns that focus on violence and cyber violence against women and girls. These campaigns should highlight the urgent need for an educational approach that integrates a gender perspective into the creation of literacy programmes explicitly aimed at digital environments. These are "non-neutral" environments where new relationships based on hatred and conflict are developing. The aim is to promote safety on the internet and impart knowledge about digital rights and responsibilities. This requires acknowledging that cyber-VAWG is a distinct form of gender-based online violence that must be considered in legislation without overlooking its social dimensions. This perspective is essential to ensure that media education efforts do not perpetuate gender stereotypes (Ringrose, Harvey, Gill & Livingstone, 2013), and to promote gender well-being strategies that consider the social and cultural context in which digital practices take shape, not just skills development. Furthermore, the DeStalk project, launched by the European Union, aims to train professionals working with victims or in programmes for perpetrators, as well as police officers, local authorities, and stakeholders, to combat cyber violence against

women. However, the programme has yet to be activated (European Network for Work with Perpetrators of Domestic Violence, 2022).

The scars of gender-based violence may be invisible, but they are there: “the internet never forgets”. Today, we live “onlife”, and there are those who, like Rushkoff (2013), say that the digital world has not eliminated the separation between offline and online, between public and private activity, but rather the distance between now and then. The past has rushed into the present and is no longer on an appropriate or even predictable scale; it is out of reach. A forgotten accident, forgotten violence, hate speech can reappear in the present like an explosion, threatening a woman's reputation, job, face, marriage, and daily life. All this leads us to tell younger women to use everything that technology allows them, because, as we said at the beginning, TikTok is also a form of political activism for young people, on which to reflect on specific issues: they know a lot about it, but many, countless digital memories are not deleted. Even photos, videos, and words used in a specific context can be taken out of context, reproduced ad infinitum, and even recontextualised, and private relationships and interactions, which are intended to be communicated to a select few, can then become public in a downright embarrassing way. This is a challenge that girls, in particular, may encounter. Many women who have experienced cyber violence have felt a profound sense of shame, leading some to take extreme measures. In the digital environment, boundaries are often unclear and difficult to trace, which gives perpetrators a sense of impunity, irresponsibility, and a lack of awareness regarding the impact of their actions.

To conclude by identifying new avenues for reflection and thinking about younger people, I do not want to deny or hide the fact that there is also gender violence within gender and against gender, as P. Chesler said years ago in *Woman's inhumanity to woman*: in which she wrote about rivalry, envy, and malice within the female world (2001). However, it is difficult for women to talk about how other women have hurt them and how they have hurt them. Among the actions to be taken, there may be one that has yet to be implemented, which would involve women creating safe and familiar spaces where they can discuss everything, both on a social level and in the context of their work and experiences of suffering. Focusing the conversation on this topic is the first step towards initiating the process of change, and the discussions that arise could be as liberating as the first feminist self-awareness groups were.


Underlying this is the awareness that the current forms of violence require, first and foremost, a critical assessment of what has been achieved and implemented, and the identification of timely measures, rooted in the local area, even in places that have so far been excluded from reflection, in order to identify responsibilities, countermeasures, containment and further prevention.

Therefore, as Carla Nespolo reminded us, men and women must be vigilant, because if we were to take a step backwards concerning our fundamental rights, Italian democracy would also take a step backwards. After all, in the 20th century, women's progress was synonymous with democratic progress.

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The Power of Violent Language in Everyday Life

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Abstract

This contribution examines the performative power of violent language in everyday life, linking classical pragmatics (Austin; Goffman) to contemporary hate speech and (cyber)stalking. It integrates official statistics and national/international monitoring with illustrative excerpts from criminal-court judgments to demonstrate the illocutionary and perlocutionary effects on control, subordination and withdrawal from the public sphere. The analysis shows how threats and blackmail operate as discursive instruments of power and discusses implications for screening, safety planning, platform governance and media literacy.

Keywords: *Gender-based violence; Violent language; Hate speech; Cyberstalking; online communication.*

1. Introduction

In an interpretative perspective of linguistic interaction, work offers a sociological reflection on the relationship between violent experiential reality and its linguistic representation. In our case, this reflection will focus on specific communicative acts. As is well known, the violent “use” of language is not just a manifestation of violence, but it also contributes to the construction of a “staging” – to use Ervin Goffman’s term - of meanings that profoundly influence behaviour and social dynamics. Our reflection considers verbal violence as a performative element, which transforms everyday interactions into “scenes”, where words act through socially shared meanings and are then turned into actions. These verbal actions are often intended to strengthen social hierarchies, establish identities and roles through the management of impressions in order to maintain a shared definition of the situation (Goffman 1959).

In their everyday interactions, individuals rely on contextual practices (indexicality) to attribute meaning to words and actions: “(...) the performative utterance as not, or not only merely, saying something, but doing something, as not a true or false report of something” (Austin 1962: 25). As a result, the violent use of language becomes a performative and situational tool – as argued in Judith Butler’s *Excitable Speech* (2021) -

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capable of reinforcing social expectations and legitimising forms of control, subordination and discrimination both in online contexts and in everyday life.

In the area of gender violence, for example, we can think of harassment acts such as stalking, i.e. the set of substantially different - verbal and non-verbal - obsessive and harassing attitudes of an individual who persecutes, “pursues” another through harassment implemented - in some cases - through verbal aggression, phone calls, messaging and anonymous letters. These harassment acts are considered predictors or “warning-light crimes” of gender-based violence as they are likely to be symptomatic expressions of physical, sexual, psychological or economic violence directed against a person because she is a woman. A harassment act features three typical elements: the presence of a harasser, the presence of a victim and the existence of a relationship between them characterised by control over the latter and causing great anxiety and fear in the victim. The complexity of this phenomenon, which is not limited to a single action, but includes a variety of behaviours with different purposes, manifestations and consequences, makes it difficult to give an accurate legal definition. Another example of verbal violence is hate speech, directed, face-to-face or through the media, against individuals or entire sections of the population. This phenomenon, amplified by online communication, develops as a form of power exerted through language against women, foreigners, LGBTQIA+ individuals, believers of other religions, the disabled, etc. Hate speech, a “moving concept” (Bentivegna e Rega 2020) defined and redefined in terms of the cultural, political, social and communicative context where it is found, is a phenomenon that finds in the internet its ideal environment: in the absence of mediation, filters and (self) censorship, sexist comments and threats, racist insults and homophobic attacks proliferate (Bianchi 2021). Here, too, the use of violent language is a “script” which consolidates social roles and power relations and is used by social actors to create and negotiate reality.

Although they are different phenomena, of course, with stalking targeted and personalised, whereas hate speech can be generic and aimed at social groups or categories, both hate speech and stalking (in the digital context in particular, where cyber-stalking, for instance, refers to a person repeatedly sending unwanted emails or text messages to their victims) are characterised by repeated behaviour aiming to harass or intimidate, and share a common goal: to exert power and control over the victim. Both can also have a considerable psychological impact and can lead to anxiety, depression, loss of self-esteem and significant changes in the victim's lifestyle. They can also converge as in the case of gender-based cyber violence, where sexist or misogynistic language is used to control and humiliate victims. Stalkers may use hate speech to attack their victims in personal terms, thus increasing the emotional impact of their harassment.

Finally, in both phenomena, as we will see in the next paragraph, women make up the largest percentage of victims.

Table no. 1 - Stalking vs Hate Speech

DIMENSION	STALKING / CYBERSTALKING	HATE SPEECH
TARGET	Individual - typically an ex-partner/partner	Individuals or groups (gender, ethnicity, religion, sexual orientation, disability)
MODALITY	Repeated contact, monitoring/control, threats, blackmail; online/offline	Insults, threats, public denigration; high online amplification
LEGAL FRAMING	Offence targeted at a person	Often covered by provisions on discrimination/incitement/hatred (according to jurisdiction)
TYPICAL PERLOCUTIONARY EFFECTS	Fear, hypervigilance, habit change, isolation	Fear, self-censorship, withdrawal from the public sphere, stigmatisation
INTERSECTIONS	Use of hate speech during instances of persecution	Targeted campaigns against individual women/public figures

Bianchi (2015: 116) highlights how in the analytic tradition of the philosophy of language, there are two historical approaches. The first, stemming from the twentieth-century tradition of the philosophy of ideal language, considers language as a tool for representing reality and transmitting information. The second, arising from the philosophy of ordinary language of the same period, highlights the performative dimension of language, in other words its ability to create, transform and consolidate social realities: language thus becomes a means of regulating social life and spreading ideologies. These two approaches reflect different views of the relationship between language and reality, in particular social reality. On the one hand, language - as a mirror of society - can only reflect social inequalities and represent phenomena such as sexism, racism and homophobia which exist in our communities. On the other hand, language is considered a constitutive element of social injustice: through language, people contribute to generating and reinforcing these inequalities, since linguistic practices are deeply intertwined with social ones.

This paper offers a reflection on the “power” of the use of violent language in shaping social reality. If we consider hate messages, for instance, they do not simply describe a condition, but actively affect it, contributing to the production of meanings that determine the way in which we live and interact in our social context. In the first part, summarising some of the most recent national and international reports, this paper outlines data which show the proliferation of hate speech in online spaces and the increase in instances of harassment in recent years. The pervasiveness of this phenomenon will allow us to reflect on the power exerted by language in modifying experience. Finally, we will take up some of J.L. Austin’s observations on the pragmatic nature of language, reassessing them in the light of some contents taken from court sentences following stalking and harassment crimes.

2. Data and methods

This contribution is primarily theoretical - conceptual and includes an empirical component for illustrative purposes. It first draws on secondary sources of an institutional and para-institutional nature - reports by ministries and statistical authorities, national and supranational watchdogs and civil-society organisations with established monitoring expertise. Source selection followed three criteria: (1) coverage (prevalence at the national/European level); (2) recency (priority to recent editions); and (3) methodological transparency (availability of operational definitions and technical notes). For each figure cited in the text, the year and source are explicitly indicated.

The empirical component consists of brief excerpts from judicial decisions concerning offences linked to violent language and coercive control (e.g., stalking/acts of persecution, mistreatment). These passages do not constitute a statistical corpus: they are typical cases used to illustrate the illocutionary force and perlocutionary effects of threatening or denigratory utterances concretely. Where necessary, quotations have been translated while preserving register and pragmatic value; all potentially identifying details have been removed or altered in line with ethical principles and the protection of the parties involved.

Analytically, the study adopts a qualitative–pragmatic approach. Utterances are interpreted through speech-act theory - with particular attention to the illocution/perlocution nexus - and Goffman’s approach in terms of roles, frames and the organisation of interaction. A minimal thematic coding scheme (devaluing insults; threats;

blackmail/deprivation; justification of violence) was applied to structure the material. Two main limitations are acknowledged: judicial excerpts are illustrative rather than representative; and secondary statistics are affected by cross-source differences in definitions, coverage and periodicity. These constraints are made explicit and are taken into account when interpreting the findings.

2.1 Data related to gender-based violence

In order to analyse the phenomenon with particular consideration of its impact on women's lives, we report below some data, which show its proliferation all over Italy.

Data on stalking in Italy show a significant prevalence of female victims: in the three-year period 2021-2023, the incidence of female victims was practically unchanged, at between 74 and 75% in harassment cases, between 81 and 82% in cases of abuse by family members and cohabiting partners and with values around 91% in cases of sexual violence (Italian Ministry of the Interior 2024).

The 2021 Eurispes Italy Report shows that 9.3% of Italians experienced stalking, with women affected three times as much as men (14% against 4.5%). Young women between 18 and 24 years old are particularly vulnerable, accounting for 13% of victims. As for the perpetrators of the harassment, in 25.6% of cases this was the victim's former partner, followed by acquaintances (13%), friends (10.1%), current partners (7.9%), colleagues (6.9%) and relatives (5.1%). Despite the seriousness of the crime, only 13.7% of victims reported it to the authorities, leaving 86.3% of cases unreported (EURISPES 2021). In the first half of 2024, data from the Criminal Analysis Service of the Central Criminal Police Directorate indicate a 6% increase in harassment cases compared to the same period in the previous year, with women accounting for 74% of victims (Italian Ministry of the Interior 2023).

Monitoring by the Italian Institute of Statistics ISTAT (2024) on the use of the helpline for victims of gender-based violence and stalking (number 1522) notes physical violence as the “main” type of violence suffered by about half the victims (43.1%), followed by psychological violence (35%). If we consider the cases of victims who have suffered two or more types of violence, psychological violence is the one most associated with other forms of abuse. From the analysis of all the acts of violence reported, in addition to physical and psychological ones, threats (1,868) and harassment (867) stand out as the most frequent types, highlighting the importance of the helpline in the fight against stalking. The number of instances of economic violence reported is also significant (906).

It is well known that harassment taking place through the internet is increasing, consistently with the greater use of social networks in recent years (ISTAT, 2022). Within the digital ecosystem, “it is imperative to recognise that online hate clusters do not act in isolation from each other but build an effective and resilient ecosystem that connects the physical and digital worlds (Bartholini 2024). In the digital realm, groups operating on different platforms are interconnected and interdependent, similarly to those that characterise the physical world” (Senate of the Italian Republic, 2022). In general, women are predominantly the recipients of online hate speech and are at greater risk of online aggression and harassment on all social media (Jo Cox Commission, Camera dei Deputati 2017). At a European level, one in ten women aged 15 and over has been subjected to cyberviolence (ibid.). According to the VOX survey carried out in Italy (2022), in communications via X (formerly Twitter), women have been confirmed over the years to have been the targets of hate messages throughout Italy, with discriminatory dynamics increasing in conjunction with news of femicides and aggressions. The new edition of the

2022 Map of Intolerance, drawn up by the Vox Rights observatory, attests to the worrying levels of hate speech, above all through social media, which particularly affects women, people with disabilities, and ethnic and religious minorities. A key feature of the Map of Intolerance is the ability to geolocate tweets, thus creating a thermographic representation of intolerance. The "warmer" the colour of a specific area, the higher the concentration of hate tweets referring to a particular topic. It is important to point out that areas without thermographic marking do not necessarily indicate the absence of discriminatory content, but rather their lower impact compared to the national average. The percentage of negative tweets, i.e. containing hate content, rose from 69% in 2021 to 93% in 2022. This percentage increase highlights a progressive radicalisation of online communications, a sign of growing polarisation and of a strong prevalence of negative over positive language. The data collected show a precise cross-section of the groups most affected by these dynamics: women, once again, represent the most targeted cluster, with 43.21% of hate tweets directed at them, followed by people with disabilities (33.95%), the LGBTQIA+ community (8.78%), migrants (7.33%), Jews (6.58%) and Muslims (0.15%). The problem of online hate is not limited to Italy but represents a global issue. Several international studies show that digital violence and harassment are on the rise in all countries, with women and minorities bearing the brunt.

The European Institute for Gender Equality (2017) has found that women with disabilities and those belonging to ethnic or religious minorities are particularly affected by cyberviolence. The report points out that cyber-stalking can also have serious consequences in the offline world, putting the physical safety of victims at risk.

Research conducted by The Economist Intelligence Unit (2021) points out that digital misogyny is boosted by the anonymity afforded by digital platforms, making it increasingly easier for users to dish out insults and threats without fear of consequences. This creates a hostile environment for women, who are often forced to change their online behaviour so as to avoid becoming the targets of violence.

Amnesty International (2017) has conducted extensive research on the topic of online harassment, involving around 4,000 women aged between 18 and 55 in eight countries (Italy, Denmark, New Zealand, Poland, Spain, Sweden and the United States). The results are alarming: 23% of the women interviewed said they had been the victims of online harassment or threats at least once, with the highest values in Italy (16%) and the United States (33%). Online violence has a significant impact on the victims' mental health: more than half the women (55%) reported periods of stress, anxiety and panic attacks. In addition, 76% of women have changed the way they use social media due to the threats they have received, with 32% stopping expressing opinions on specific topics to avoid further attacks.

The UN Women report (2021) denounces the effects of the pandemic on online violence, which has further limited women's participation in the public sphere. With the growing online presence caused by COVID-19 restrictions, women have increasingly been victims of violent language and behaviour, which not only marginalises them but also threatens their safety.

This brief outline of data tells us about an ever-growing situation of online violence characterised by increasingly marked radicalisation. The effects of digital hatred are not limited to the online context, but spill over into offline life, restricting the victims' freedom of expression and their participation in public life.

Although online platforms are the privileged frameworks where most of the violent conversations we know are expressed, they are the symptomatic projection of an offline reality.

2.2 «Come back with me or tomorrow you're dead ». Operating violence with words

In the context of linguistic violence, J.L. Austin's model of speech acts provides a fundamental interpretative key to understanding how language is not a mere way of describing, informing or communicating thoughts, but can also directly affect individuals and relationships. As Crespi writes (2005: 77) "the intimate relationship between action and language is at the heart of Austin's theory of speech acts. [...] He wants to highlight that, in certain situations, language itself is a form of action. [...] He observes that when we utter words within a certain semantic and institutional context, we are in fact performing an action: to say is to do, to speak is to do things with words (see Austin, 1974: 5)¹. Two elements are therefore relevant here: the context in which certain statements are uttered and the status or social position of the person who utters them".

Violence implemented through language, as analytically shown by philosopher Claudia Bianchi in her well-known book *Hate Speech. Il lato oscuro del linguaggio* (2021), occurs through words or expressions that not only convey offensive meanings, but carry out acts of aggression, humiliation or exclusion. Examples of this are the Incel communities², where insults, threats, hate speech and discriminatory language producing tangible effects on those who receive them are frequent. Austin teaches us that every utterance contains a specific intention: in the examples that follow, this intention is often to demean, ridicule or attack the dignity of the listener. Perlocutionary acts are very important in linguistic violence because they refer to the effects produced on receivers. Violent words generate psychological effects such as fear, shame, isolation or a sense of inferiority. In a context where they are repeated, these verbal acts can have lasting consequences on the receiver's emotional and psychological well-being, turning language into a tool of permanent harm.

Take, for example, insults and derision: these apparently descriptive acts work as demeaning performative ones. Illocutionary acts tend to exclude or discriminate, whereas perlocutionary ones can cause shame or humiliation, directly impacting upon the receiver's self-esteem. In the case of threats and intimidation, in these utterances illocutionary acts are

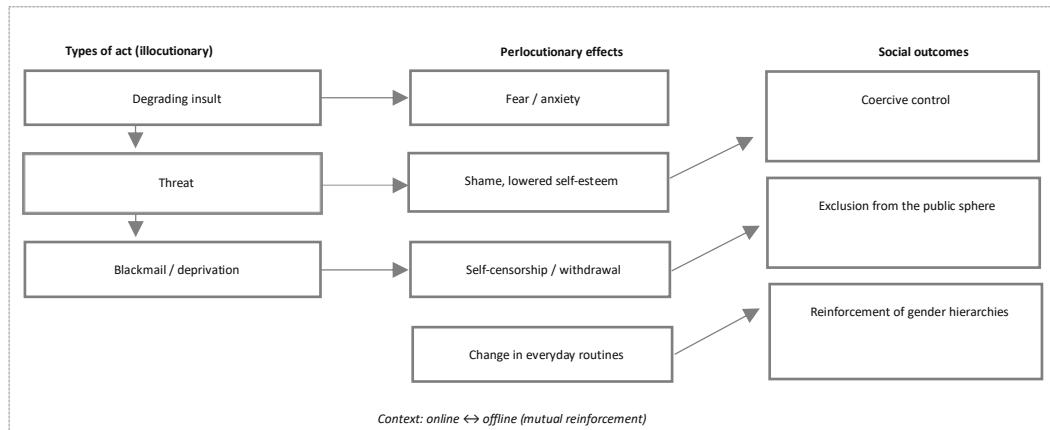
¹ The three types of statements proposed by J.L. Austin are divided into *locutionary*, which include several utterances with meaning (e.g., the door is open); *illocutionary*, which include both constative and performative clauses ("I declare that P", "I order you to close the door") and *perlocutionary*, which include all the utterances that produce effects on the listeners (e.g. carrying out an order) (Crespi 2005: 78-79). Austin (1962: 108) identifies, therefore, a series of actions that we take when saying something. These actions, taken together, perform a locutionary act, which is roughly equivalent to pronouncing a certain sentence with a certain sense and reference, corresponding, in traditional terms, to the "meaning". Secondly, we can perform illocutionary acts, such as informing, ordering, warning, committing to do something, etc., i.e. statements that possess a specific (conventional) force. Thirdly, we can also perform perlocutionary acts, which are what we obtain or manage to do by saying something, such as convincing, persuading, retaining, and even surprising and deceiving.

² Incels (Involuntary celibates) belong to what has been called Manosphere, i.e. a varied set of groups made up only of men and, in most cases, characterised by strong feelings of anger and violence towards women (Dolce e Pilla 2019; Nagle 2018; Pizzimenti e Pasciuto 2022; Cava e Pizzimenti 2024).

aimed at instilling fear and submission. The perlocutionary effect aims to provoke fear and obedience by exploiting language in a manipulative way.

In this sense, violent language is configured as a tool that establishes hierarchies and legitimises dynamics of exclusion and subordination.

Table no. 2 - From illocutionary acts to social outcomes of violent language.



We will now consider some excerpts from three sentences for crimes of "stalking, abuse within the family and harassment".³

We know that the peculiarity of *gender-based violent crimes* is the fact that perpetrators usually do not accept the illegality of their conduct, considering violence as ordinary relational practice with their wives/partners and/or minor children, who are "their property" and from whom they do not allow any talking back. The sentences below allow us to consider not only the linguistic content, but also the speakers' intentions and the effects on the receivers. At this stage we will not delve into the individual court cases, as we are only interested in reflecting on how language "acts" when we are in the presence of examples of male violence against women.

"you're a whore, you're a bitch, a retard, you're dirty, you go with other men, you don't understand anything, you're dumb" and the like, in addressing her with threatening phrases such as "Husbands who kill their wives are right"

"you're a whore!", "you're a bitch, you don't understand anything!", "you're dumb!", while also demanding to have sex with her, despite her clear refusal.

³ The following sections include quotations of offensive, sexist language and threats of violence drawn from judicial rulings. They are presented for analytical purposes, with anonymisation and due regard for the legal context. The cited rulings originate from Italian jurisdictions and were selected within the relevant time frame (Sentence dated 2023, No. 579; Sentence dated 2024, No. 8; Sentence dated 2023, No. 1610). The passages in quotation marks are taken from court documents and have been translated with the aim of preserving their illocutionary force (insult, threat, blackmail). Identifying details have been removed or modified in accordance with ethical principles and sensitivity toward the individuals involved.

"you're a whore!", "You go with other men!"

...you ruin people ... don't complain if in the end there are femicides ... If you want a quiet life, let me be, otherwise you know what I'll do? I'll go to jail, but I'll kill her first!"

"come back with me or tomorrow you won't be around anymore"

"You have to come back with me, we have to be together. If you don't come back with me, I won't give you the keys"

We can easily understand the explicit content of these sentences and the literal meaning of the words uttered. In these sentences, the content is explicitly offensive and demeaning, as these are insults, vulgar epithets and disparaging comments about the dignity, value and abilities of the person to whom they are addressed. Phrases such as *"you're a whore"* or *"you're dumb"* contain an explicit meaning that is derogatory and humiliating for the recipient. If we consider the communicative intention of the senders (the abusers, in this case) and the illocutionary act (the intention) that accompanies the utterances and often gives them a performative function, demeaning insults such as *"you're a whore"*, *"you're dumb"*, are not merely descriptive: they have the intention of belittling the recipients (the victims, in this case), denigrating their person and their value. Using insults generates an intention of humiliation that acts destructively on the recipient, compromising their self-esteem.

Threatening statements such as *"Husbands who kill their wives are right"* make the illocutionary act particularly aggressive and intimidating. The intention is not only to express a negative assessment, but also to create a climate of threat and fear, suggesting that violent punishment is acceptable or even justified. The same is true with requests for non-consensual sexual intercourse: these utterances contain illocutionary acts of coercion and imposition. The intent is to submit the recipients to the will of the speakers, regardless of their express refusal. Threatening utterances create an environment of terror and may cause fear of retaliation or physical violence in a person. This perlocutionary dimension is particularly relevant, because it acts as a controlling device, inducing real fear that forces the victim into a condition of submission and insecurity. The perlocutionary effect of utterances such as *"you're a whore"* and *"you go with other men"* is also a tool to control and manipulate a person's behaviour, putting pressure on them to comply with the speaker's wishes. In some contexts, these perlocutionary acts create in the recipients feelings of guilt or shame, which can lead them to change their behaviour in order to avoid further insults or aggressions.

The belittling and dehumanisation contained in expressions such as *"you're a bitch"* and *"you don't understand anything"* can produce psychological effects of humiliation, debasement and emotional isolation. The recipients are reduced to objects of contempt and the repetition of such statements tends to undermine their self-esteem and reinforce their sense of inferiority.

Furthermore, it should be noted that linguistic violence occurs in different forms and can take on tones of coercion, control and threat, as shown by the sentences: *Come back with me or tomorrow you won't be around anymore* and *You have to come back with me, we have to be together. If you don't come back with me, I won't give you the keys*. These expressions are clear examples where language is used as a tool to exert power and control over another person.

Come back with me or tomorrow you won't be around anymore, is an explicit threat. Its literal meaning is clear: if the recipient doesn't come back to the relationship with the

speaker, she will suffer serious consequences ("*you won't be around anymore*"), which could be interpreted as the promise of a violent act or as an allusion to death. The intention is to intimidate and force the recipient to obey. The statement leaves no room for freedom of choice; it is a coercive act, which uses fear as a means of persuasion. The effects of this utterance on the recipient can include a sense of panic, vulnerability and submission. It can also lead to resistance or seeking protection if the recipient perceives the threat as real.

From the point of view of linguistic violence, this utterance represents an act of extreme control. The explicit threat ("*tomorrow you won't be around anymore*") aims to psychologically destabilise a listener, leading her to fear for her safety.

You have to come back with me, we have to be together. If you don't come back with me, I won't give you the keys.

This sentence is more articulate in tone but is equally violent. The speaker states that the recipient must return to the relationship, emphasising that there is no other option ("*you have to*"). The second part of the sentence introduces a form of practical blackmail, linked to the possession of keys, probably of an essential item (for example, the house or a car). The speaker's intention is twofold: on the one hand, to impose the obligation to return to the relationship (emotional coercion) and on the other hand, to use the withdrawal of a material good as leverage. This is an example of an indirect threat, where the speaker exercises control by denying access to practical resources. The effects on the recipient can be manifold and they, include feelings of helplessness and frustration. Blackmail creates a climate of anxiety and insecurity, leaving the recipient in a position of psychological and material dependence, limiting the victim's autonomy through a double mechanism: emotional pressure ("*you have to come back with me*") and practical coercion ("*I won't give you the keys*").

3. Limitations and Future Directions

Linguistic violence occurs in multiple shadowy ways, ranging from explicit threats to more subtle forms of coercion and blackmail. Recognising these dynamics is essential in order to address and combat gender-based violence, promoting relationships based on mutual respect and independence.

Although the sentences used above entered the courtrooms through the victims' complaints, they are also sadly common in journalistic reports and in the daily lives of women who, too often, do not report them because they are in adverse conditions.

However, it should be emphasised that the examples presented do not fully meet the criteria of a rigorous linguistic analysis or a specific methodology for the study of the contexts of gender-based violence through language. The judicial excerpts used have an explicitly illustrative function: they were selected to highlight pragmatic mechanisms and do not constitute a systematic corpus suitable for generalisable inferences. Secondly, the reported statistics are secondary sources produced by different entities; this entails potential definitional heterogeneity (e.g., in offence categories or units of analysis), not always fully comparable across time and space. Linguistically, the translations of excerpts not originally in Italian - while undertaken with attention to illocutionary force - may introduce a degree of semantic loss and cultural recontextualisation. Despite these premises, we believe that the content emerging from these "warning-light crimes" is crucial to implement daily practices that allow us to recognise when language is used as a tool of violence by abusive and coercing individuals.

This analysis points to a set of operational implications spanning service provision, digital platforms and education. From the point of view of health, social and justice

services, it is a priority to systematically integrate screening for threatening and coercive language into intake protocols and safety planning - probing not only explicit episodes of physical violence but also speech acts that establish coercive control and social isolation. Within this framework, orientation to existing support networks (e.g. dedicated helplines) should be proactive and structured, with referral and case-management procedures that account for the specificity of perlocutionary harms (fear, withdrawal, self-censorship) and the corresponding protection needs.

In terms of the platform ecosystem, there is a need for governance instruments that recognise the performativity of violent language rather than adopt a purely content-based interpretation. Desirable measures include simplified and timely reporting mechanisms for threats and doxxing, greater transparency around rule enforcement and procedures for preserving digital evidence to protect exposed individuals. These directions point to a co-regulatory approach in which public authorities, civil society and platform operators share standards, metrics and ongoing channels of dialogue, with an eye to international comparisons, as well.

In the educational and training spheres, a pragmatic perspective offers conceptual tools for fostering critical language literacy. Incorporating modules on illocutionary/perlocutionary acts, interactional frames and online-offline dynamics into school and professional curricula can facilitate early recognition of harmful communicative patterns and the acquisition of response competencies (documentation, help-seeking, privacy management and handling of evidence). In professional settings, continuing education for health, social and school personnel as well as law enforcement staff should include model cases and guidelines for assessing risk specific to linguistic threats and coercive inducements.

Recalling Crespi's words about Austin's analysis (2005: 78): *Two elements are therefore relevant here: the context in which certain statements are uttered and the status or social position of the person who utters them.* This prompts us to carefully consider not only the content of statements, but also the circumstances in which they are uttered and the role of those who utter them, fundamental elements for understanding the extent of linguistic violence.

Performative statements can “do something” if they meet certain “conditions of felicity”, i.e., the appropriate context for linguistic cooperation. Linguistic violence consists of the intentional use of conditions of “infelicity”, since the expressions do not abide by the rules of civil dialogue and communicative reciprocity. Offensive utterances are used in an uncooperative way in order to hurt, manipulate and create imbalances of power, demonstrating that linguistic violence not only violates conditions of felicity, but knowingly exploits the violation of these conditions to produce harmful effects.

In gendered dynamics, linguistic abuses are effective precisely because they violate ordinary cooperation - they disrupt turn-taking, invade privacy and threaten sanctions - and, through this violation, produce harmful perlocutionary effects (intimidation, dependency and self-censorship). In other words, what is “infelicitous” relative to conversational civility is felicitous relative to a coercive aim: the act is non-cooperative, yet effective as a technology of control. This clarification explains why threats, blackmail and harassment - especially when repeated - generate cumulative harm and transform interactional spaces into mechanisms for the government of conduct, with macro-level outcomes of exclusion and the reinforcement of gender hierarchies.

These statements are real examples of how language can be an instrument of coercion and domination. Let us conclude, therefore, by going back the concept of power

in the title of this paper. *Power* is the type of control that is exerted over the process of production, exchange and consumption of linguistic and material artifacts so that this process is consistent with the practice that produced it. In this perspective, the ruling class produces a series of discourses (“discursive practices”) that act as a tool to measure the distance or closeness of the discourses that the actors subject to the same power could construct. In all cases - and precisely for these reasons - the universe defined by the dominant discursive practices does not allow one to depart from it beyond a certain degree (Carzo 1981: 68). In other words, even if the subjects are free to construct their own discourses, this freedom nevertheless “remains under supervision” (Barthes 1964).

The power of violent language is therefore the product of ego-syntonic voices, which subordinate without leaving room to linguistic disobedience and therefore to life.


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Women's conditional freedom EU actions to overcome the gender gap and combat violence against women

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Abstract

In recent years, especially in the wake of the COVID-19 pandemic, the situation for women has worsened. This deterioration has affected women in all European countries to varying degrees, with direct consequences for national social and economic systems. Today, women are increasingly insecure and poorer, and they are also frequently subjected to offline and online violence. No category is exempt: politicians, journalists, business executives, married or single women, Italian or foreign. Given the seriousness of the situation at European level, in April 2024, the European Parliament adopted the first EU rules to combat violence against women, with the aim of preventing gender-based violence and protecting victims, particularly victims of domestic violence. With this directive, the EU has renewed and strengthened its support for women, which began in 2000 with the declaration of equality between men and women. Starting from three specific questions about the status of women (whether it is determined by social and economic factors or by cultural behaviours that are difficult to eradicate, or whether it also depends on a lack of confidence in women's emancipation), the document aims to reflect on the causes of what can be defined as the “conditional freedom of women”. Consisting of three parts, the work analyses the elements that condition the status of women over time, namely the body, education and salary, before moving on to the socio-economic elements that characterise the current status of women in European society (gender gap, gender pay gap and gender digital gap), as well as the EU's driving and monitoring role, with particular attention to combating violence against women. The work concludes with a reflection on women's body in light of European and global political changes.

Keywords: *European Union; Violence against women; Gender Gap; Women's conditional freedom; Women's body*

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1. Introduction

This work is a personal tribute to the women who came before us and, as a scholar, a preliminary reflection on women's issues from a historical, economic and social perspective. It arose from the evidence that women are increasingly insecure, poorer and constantly subjected to violence both offline and online. No category of women is exempt: women involved in politics, journalists, business executives, married or single women, Italian or foreign. The condition of women has further worsened in recent years, mainly due to the Covid-19 pandemic crisis. This deterioration has affected all European countries, albeit to varying degrees, with direct consequences on national social and economic systems. Now we must ask ourselves, precisely out of respect for the long process of women's emancipation that has preceded us: is the current condition of women merely a consequence of the social, political and economic conditions of European societies? Or is it the result of a cultural *vulnus*, predominantly male, that prevents gender equality? Or is it the result of a partial (not yet definitive) cultural emancipation that has liberated women but has not made them free to choose for themselves and by themselves? This work is intended as a preliminary approach to the current women's question. The article is divided into three parts. The first one is dedicated to identifying the elements that have characterised the status of women in European and global society over time and continue to do so today, namely the body, education and salary. As is now clear, these are the elements that, on the one hand, lay the foundations for women's emancipation, but on the other hand continue to condition women's freedom even today. This is followed by a central section focusing on the policies implemented by the European Union for gender equality and combating violence against women from 2000 to the present day. This chapter is based on official European Union documents, Eurobarometer and European Gender Equality Index (EIGE) data, and research conducted by the Organisation for Economic Cooperation and Development (OECD) on the education systems of European countries in relation to female employment. Based on this documentation, we compared the current situation of women in three specific European countries (Italy, Hungary and Finland) and sought to understand how and in what ways the situation of women has worsened in the wake of the Covid-19 pandemic. The picture that emerges highlights, on the one hand, the efforts made by the EU to overcome the gender gap and combat violence against women, and on the other hand, it emphasises the need to extend the concept of violence to include those economic and cultural behaviours and conditioning that compromise the quality of life of women, even in our European societies. The last part is an initial reflection on the current European and global political situation, which in recent years has seen the rise of numerous right-wing governments promoting a narrative about women that can be described as retrograde and insistently focused on women's bodies. This is a direction that is not yet structured, but which requires, as of now, extensive reflection on the part of women on their freedom to make decisions about their own body.

2. The female question between body, education, salary and role

'Gender plays a role', with these words Oliver Hall, a young supporter of Kamala Harris, who worked hard to convince voters to vote for the Democratic candidate, underlines the difficulties encountered. Not only that, Hall recalls that people were not ready to support a female president, especially not American women - they couldn't 'see her in the chair' (Hall 2024). Kamala Harris's experience is not dissimilar to Hillary Clinton's previous defeat (again against candidate Donald Trump). In that case too, apart

from the purely political issues, women did not support her candidacy¹, preferring a man who, among his many characteristics, is also a misogynist. We could say that women still today do not believe in women or, to put it better, do not believe in themselves, as Dowling well stated in her book *The Cinderella Complex* (1982). The author emphasises, in fact, that since the 1970s women have moved on, they have shown that they are capable, that they can achieve significant goals, but also that at a certain point they stop, they fall back into the activities of caring for and supporting their husbands and children; women, therefore, accept low or medium-level jobs and convince themselves that they live well below their means. This line of reasoning is echoed in the lapidary conclusion of Lagrave who, in the margins of a long reflection on the role of women during the Glorious Thirties (1945-1975), states that the successes of a few women mask the condition of many others: women have obtained more favourable legislation, access to education, but in the world of work they struggle to assert themselves; real competition does not take off, when it does, the sexual difference enters (1995). We can ask ourselves, are women afraid of their potential or are social and/or political-economic conditions holding them back? Is there a deep-rooted sense of dependence (the prince who saves) or, as Del Bo Boffino states, is there a concept of women's search for meaning in life that seems to exclude that a woman can do something only for herself (1982)? If we look at the long history of women's emancipation, of the search for gender equality, a number of elements emerge that are worth remembering in order to even begin to answer the questions just posed and, above all, the idea of a free and not a liberated woman, which is then the underlying theme of all reasoning around and about women.

The body is the first element that affects women's freedom and is closely linked to the role that is often given or imposed on them. Together, these two elements define the perimeter that society draws for women in different eras. Suffice it to say that women's bodies have been battlegrounds since the beginning of the struggle for women's emancipation. Subjected to severe restrictions since the Middle Ages, it was not until the 19th century that it fully assumed its role as an instrument for claiming female freedom. Although in different ways, both Mary Wollstonecraft and Florence Nightingale include in their battles for women's rights if not total freedom of control over the body, at least a greater knowledge and awareness of it. Knibiehler's analysis of the medicalisation of women's bodies is interesting in this regard. The scholar recalls that from the 19th century onwards, the doctor replaced the midwife, and childbirth became medicalised and removed from the exclusively female care and competence. Midwives, nuns, nurses, healers became salaried employees subordinate to the doctor and the 19th century woman was, according to doctors, frail, sickly and nervous (1995). It will be necessary to wait until the first women doctors for a reversal of this trend. Above all, there remains a general female ignorance about the body and sexuality. In spite of the situation just described, in the second half of the century the practice of abortion (clandestine, self-imposed or practised by doctors and midwives) increased considerably, revealing, according to Knibiehler, a strong female desire to control the body and time. The limitation of births, the author states, gives women new awareness, for example on the upbringing of their children, and also ends up modifying their relationship with the

¹ As reported in NBC News Exit Poll, in 2016, 78 per cent of conservative women, 58 per cent of white women aged 45 to 64, 64 per cent of white Protestant women, and 53 per cent of white women had voted for Trump.

opposite sex, which becomes more complicit; the husband is gradually no longer lord and master (1995). This is a substantial step in the path of female emancipation: the possibility of governing births removes women from a life confined within four walls. This emancipation process continued until the 1920s. The gradual acceptance of the idea of fertility limitation, to which Margaret Sanger would contribute greatly, allows women to bring education, possible paid work, and the idea of being able to reconcile work and family into their lives. The process is not linear, however, and the body tends to re-emerge as the prevailing element. In the 1930s, countries such as Germany and Italy reduced women essentially to a reproductive body, bent to the needs of a nation-state vigorously devoted to conquest and eager to multiply its people. The same happened in the 1950s. If the war had seen women replace men in industry or flank them in the Resistance, the post-World War II period still wanted them to be the angel of the hearth, this time educated and comforted by new, widely advertised electrical appliances. This situation is well depicted in Mike Newell's film *Mona Lisa Smile* (2003). The commercialisation of the contraceptive pill in 1960 would lead to the definition of a liberated woman, but in fact not yet free. With the second feminist movement that characterised the 1960s and 1970s, women fought for and achieved gender equality, the right to divorce, contraception and safe abortion. But the woman entering the eighties is stressed. Dowling describes her as a frantic working wife-mother. On her shoulders fall not only work, but also children and the home. Over the next two decades, women's bodies are commodified and subjected to periodic and systematic violence. Lagrave states, speaking of the economic boom years, that women cultivated two illusions: the first was that of education through which they would have the same opportunities as men, the second that work would liberate them (1995).

Education is the second element that helps us understand the condition of women. 1975 is proclaimed by the United Nations as the International Year of Women, followed by the first International Conference on Women from 19 June to 22 July of the same year in Mexico City. The guidelines matured and adopted in those days spoke of the adoption of concrete measures to remove the socio-economic structures that still relegated women to a position of inferiority. However, among the rights that were considered almost acquired was that of equal access to studies. Here too the path had been long and arduous. de Beauvoir recalls that in the 16th century women were still poorly educated. Very few were able to emerge in society and become acculturated due to their wealth or rank. We have to wait until the 17th century, when thanks to tutors, readings, conferences and conventions, women gain access to culture. Then followed the sciences, letters and philosophy. Finally, the women of bourgeoisie and the nobility were able to *participate* in political life. Again, de Beauvoir states that during the Ancien Régime, culture had represented a form of female emancipation (1997). But it would take over a hundred years for women to be granted access to higher and then university studies. Throughout this long journey, there was no shortage of thinkers and philosophers, detractors or men who were simply against it; even women hindered their daughters and granddaughters from reading, worried that such an occupation would take them away from family duties: 'knowing too much can lead to neurosis and forced celibacy' (Hoock-Demarle 1995: 253). Recalls de Beauvoir, in her volume *The Second Sex*, that a student had declared in the *Hebdo-Latin* that 'every female student who becomes a doctor or a lawyer steals a place from us' (1997: 23). It is not surprising that recently at a seminar on the status of women in Europe held at the university where I work, a student in his early twenties expressed the same conviction by stating that if women did not work, there would be more jobs for men.

In the words of this young man, we find the meaning of the illusion that had made women believe that, thanks to equal education, they would have the same opportunities as men. Because women had not anticipated a strong male aversion to their active entry into society and the world of work, a form of competition that was unexpected, sometimes aggressive, and still persistent.

The issue then shifts from getting an education to having an income, a salary, equated to one's skill level. As Scott states, women entered the world of work long before the advent of industrial capitalism. She is a seamstress, spinner, domestic servant, working in small family businesses, both in the city and the countryside. With her work, the woman contributes to the sustenance of the family. The problem arises when her work takes her outside the family unit. In a dimension in which the places of work and family are physically different and distant, in which work time is full time and, above all, generates a salary, the theme of the woman's body re-emerges forcefully: the sexed woman. The female worker by nature can only access certain types of work, mostly underpaid. Recall Scott that the economist Jean Baptiste Say stated that women's wages should always remain below subsistence level because of the possibility for some women to be able to rely on their families and not need to live on their wages (1995: 367). Therefore, by her physical nature, women are weaker, more suited to certain tasks, can only work during certain periods of their lives (when young and alone), are less specialised, nor can they aspire to improve. Over everything, however, prevails the protection of the role of the breadwinner invested with the task of the economic sustenance of the household. In this framework, women's wages are understood as a residual contribution that results in low wages. From the numerous studies on working women in the 19th century, we know that even the trade union struggled to accept working women and their demands. Both at the Marseilles Workers' Congress of 1879 and at the Gota Congress of 1875, which would establish the German Social Democratic Party, the delegates were clearly against the working woman (Scott 1995: 375). But women's labour is needed, it is useful to industry and the tertiary sector, which strongly demand it. As Lagrave points out, women actively participated in the *economic boom*: they mostly worked in the tertiary sector, were unskilled, and held low hierarchical levels. The subsequent period, defined as the period of *degrowth* (1975-1986), brought with it the concept of *flexible work*, which for women translated into part-time work, or a return to home-based work, often into unemployment or even undeclared work. As the scholar states, in those years the successes of a few women masked the condition of many others (1995).

At the conclusion of this brief but necessary excursus, it is possible to state that the body, education and salary have marked and determined the path of women's emancipation. We can also assert that education and salary have not yielded the desired results (the two illusions), but above all that the body has continued to determine the perimeter within which women have been able to exercise their freedom, has defined the role they have assumed in society. We can ask ourselves, and this is what we will do in the next chapter, whether the role of women in today's European society - in view of their culture and equality capacity, their skills in the field of work and research, and in the light of gender equality laws - is still limited today by the perception that society has - or intends to have - of women's body.

3. European Union: a pragmatic approach

According to the World Economic Forum's *Global Gender Gap Report 2023*, it still takes 131 years to close the gender gap and, as indicated in 2022, the year for achieving equality remains set at 2154. In addition, the drafters note, the pace of progress has slowed, with the exception of the education sector, where as many as 117 countries out of 146 indexed have closed at least 95 per cent of the gap. Within this framework, Iceland remains the country with the best gender equality score in the world, while in the Global Top Ten we find five European countries: Finland, Sweden, Germany, Lithuania and Belgium (World Economic Forum 2023). Let us see, therefore, how the European Union is acting to close the gender gap.

Since the creation of its first Communities, the European Union has addressed gender equality with the concept of *equal economic treatment*, equal pay according to the 1957 EEC founding treaty. We can say that this approach lies in the nature of the EU to pursue social progress through economic leverage at all levels (Benocci 2020). Operationally, the EU proceeds step by step: in 2000, gender equality is recognised as a fundamental right in the Charter of Fundamental Rights of the European Union and in 2006, the European Commission starts publishing the European Strategy for Gender Equality in which it indicates the measures to be taken and the date for achieving this goal. In 2016, the EU identifies 2025 as the target date for achieving gender equality. In 2017, however, a Eurobarometer survey, while noting a general sensitivity of European citizens to the issue, recorded that women earned on average 16 per cent less than men and the pay gap was largely due to less or poorer job offerings: lower-paid sectors with few opportunities for promotion, more career breaks and a worrying willingness of women to do unpaid work (European Commission 2017). Therefore, the European Commission presented a 2018-2019 Action Plan aimed at improving compliance with the principle of equal pay; it called on the European Parliament and Member States to quickly adopt the work-life balance proposal and, most importantly, to break the *glass ceiling* by funding projects to improve gender balance in companies at all management levels. Finally, the EU encouraged governments and social partners to take concrete measures to improve gender balance in decision-making. In 2020, the EU instituted the European Gender Equality Week to underline the importance of the topic, but the data, once again, is not comforting: only 67% of European women are employed, women's pensions are 30.1% lower than men's, and 75% of unpaid care and domestic work is still borne by women (European Parliament 2020-2025). In its move on the women's issue, which we can already now describe as pragmatic, the EU has recognised that there are still many obstacles to achieving gender equality within European society, not least the increasing violence against women offline and online. Before presenting the most recent actions implemented by the EU to support women, we offer some insights into the topic. Using EIGE data and specific OECD research, we will compare the status of women in three European countries (Italy, Finland, and Hungary), before moving on to the issue of violence against women, in this case supported by studies and surveys promoted directly by the EU.

3.1 A Comparison: the women status in Hungary, Italy and Finland

This section presents the similarities and differences in the status of women in three European countries, Hungary, Italy and Finland, through two survey instruments, the European Gender Equality Index (EIGE 2023) and an OECD survey on the level of education and access to work for women (2024). In addition to Italy, Finland and Hungary

were chosen for their policies on women, where Finland has pioneering legislation with high female representation, increased awareness and action for gender equality and greater protection for victims of domestic and sexual violence, while Hungary, although making efforts to improve the status of women, sees a reduced participation in political life and only a small percentage working in mathematical and technological science.

3.1.1 The European Gender Equality Index

The Gender Equality Index is an index measuring the progress of gender equality in the European Union². It consists of five domains: participation and power, health, well-being and lifetime, employment and income, training and education, and gender and violence. It should be mentioned that no European country achieves full gender equality in all these areas: against a European average of 67.4 points, Sweden is in first place with 82.2, while Romania is in last place with 56.1 points (EIGE 2023).

According to EIGE parameters, Hungary ranks 26th with 57.3 points out of 100. The country scores highest in health (87.2 points) and lowest in participation and power. As indicated in the report, the participation of Hungarian women in this area is still low, while there has been a marked improvement in the domain of work (the country has moved from 21st to 11th place). The issue of time as well as social and recreational activities outside the home remains weak; in fact, Hungarian women bear the brunt of caring for relatives and children (EIGE 2023a). As stated by the EIGE, Italy's score has increased by 14.9 points since 2010, jumping eight places in the ranking (the country now ranks 13th). This change is mainly due to improvements in the areas of health, time, care and social activities, and power. However, as in the case of Hungary, significant inequalities remain in the areas of work and money (Italy has ranked last since 2010); Italian women are still not fully autonomous in managing money or understanding financial processes (EIGE, 2023b). Finally, Finland ranks eighth in the gender equality index, with 74.4 points out of 100. Since 2010, its score has improved, mainly thanks to the results achieved in the areas of power, work and participation. Particularly interesting is its score of 87.4 in the area of money, which indicates that Finnish women have great confidence in economic and financial management. Despite these achievements, the authors of the Index point out that, since 2020, the country has seen a decline in points in the time domain, falling two places in the ranking (from 4th to 6th place), and a much more significant decline in the social activities sub-domain (-18.9 points), which has led to a drop in this ranking from 5th to 17th place. The editors point out that this is the fifth largest drop in points in this area among all Member States (EIGE, 2023c).

Following the reasoning of the Index's editors, although it may be considered a success story, the Finnish case can be interpreted as an early warning sign in Europe, as the country loses points in one of the most critical areas for women, namely time to devote to themselves.

² The index is published every two years by the European Commission's Research Centre. The maximum score is 100, while the minimum score is 0.

3.1.2 OECD and gender equality: education levels and employment

Continuing our analysis of the similarities and differences in the status of women in Hungary, Italy, and Finland, we now examine the results of the 2024 OECD survey of education systems across European countries in relation to female employment.

As shown in the following figures Italy, Finland and Hungary share certain aspects: in all three countries men and women have the same percentage of chances of obtaining a tertiary education (54%); in all three Countries women with an upper secondary education have fewer chances of finding employment than their male peers with the same level of education. Finally, in all three countries women in jobs commensurate with their level of tertiary education earn lower wages than their male peers with the same level of education. In fact, compared to an OECD average of 83%, in Italy women receive 58% of the salary received by a man with the same level of education, in Hungary 75% and in Finland 85% of men's compensation (OECD 2024).

Figure n. 1 Education

Italy	Hungary	Finland
Probability of obtaining a tertiary qualification	Probability of obtaining a tertiary qualification	Probability of obtaining a tertiary qualification
Women 54%	Women 54%	Women 54%
Men 54%	Men 54%	Men 54%
OECD average 41%	OECD average 41%	OECD average 41%
Effective attainment of a tertiary qualification	E Effective attainment of a tertiary qualification	Effective attainment of a tertiary qualification
Women 37%	Women 36%	Women 46%
Men 24%	Men 23%	Men 33%
in line with the OECD average	in line with the OECD average	in line with the OECD average

Source: OECD (2024), Education at a Glance 2024: OECD Indicators, OECD Publishing, Paris

Figure n. 2 Occupation

Italy	Hungary	Finland
Percentage employed without upper secondary education	Percentage employed without upper secondary education	Percentage employed without upper secondary education
Women 36%	Women 47%	Women 39%
Men 72%	Men 74%	Men 53%
OECD average	OECD average	OECD average
Women 47%	Women 47%	Women 47%
Men 72%	Men 72%	Men 72%

Percentage of employed with tertiary education		Percentage of employed with tertiary education		Percentage of employed with tertiary education	
Women	73%	Women	92%	Women	87%
Men	75%	Men	95%	Men	90%
OECD average		OECD average		OECD average	
Women	84%	Women	84%	Women	84%
Men	90%	Men	90%	Men	90%

Source: OECD (2024), Education at a Glance 2024: OECD Indicators, OECD Publishing, Paris

Figure n. 3 Salary

Italy	Hungary	Finland
Percentage of wages earned by women with tertiary qualifications compared to their male peers with the same level of education	Percentage of wages earned by women with tertiary qualifications compared to their male peers with the same level of education	Percentage of wages earned by women with tertiary qualifications compared to their male peers with the same level of education
Women 58%	Women 75%	Women 85%
OECD average 83%	OECD average 83%	OECD average 83%
Percentage of wages earned by women with upper secondary or post-secondary (non-tertiary) education compared to their male peers with the same level of education	Percentage of wages earned by women with upper secondary or post-secondary (non-tertiary) education compared to their male peers with the same level of education	Percentage of wages earned by women with upper secondary or post-secondary (non-tertiary) education compared to their male peers with the same level of education
Women 85%	Women 83%	Women 82%
OECD average 84%	OECD average 84%	OECD average 84%

Source: OECD (2024), Education at a Glance 2024: OECD Indicators, OECD Publishing, Paris

The OECD data show, once again, that women suffer forms of economic discrimination (Gender Pay Gap) and mortification of their high levels of education (Overeducation). In fact, highly educated women (tertiary education) are generally underemployed and often work part-time, with the result that they are destined to receive low pensions. This condition ends up taking on, due to their systematic nature, and in the writer's opinion, the contours of a form of indirect (non-physical) violence, which seriously undermines women's quality of life.

3.2. Violence against women in Europe and the consequence of pandemic by Covid 19

As stated by EU, in 2020, 33% of European women had experienced physical and sexual violence, 22% violence at the hands of their partner, and 55% sexual harassment. In general, as European observers point out, compared to a man, a woman was more likely to experience sexual harassment online (European Commission 2020). More recently, in 2022, on the occasion of Women's Day (8 March), the European Parliament commissioned a specific survey of European women to assess the impact of the pandemic on various aspects of their lives. The survey found that three out of four women believe that the pandemic has led to an increase in physical and emotional violence against women; 38 per cent of respondents said that the pandemic has had a negative impact on their personal income; 44 per cent that the pandemic has had a negative impact on their work-life balance; again, 44 per cent said women were more likely to worry about missing friends and family; 37 per cent were more anxious and stressed and 33 per cent worried about their future (European Parliament 2022). In general, therefore, after the pandemic crisis there has been a worsening of women's living conditions and an increase in levels of violence against women at European level. In 2021, the European Commission also noted that the pandemic had increased online crimes such as sexual harassment and hate crimes; that between 4 and 7 per cent of women in the Union had experienced online harassment, while between 1 and 3 per cent had experienced online stalking; that young women and girls were at a higher risk of experiencing online harassment and bullying; and that at least 12.5 per cent of bullying at school took place online (European Parliament 2021). In fact, as the *Mappa delle Intolleranze* reminds us, hate speech against women increases in the presence of women journalists, foreigners or women involved in politics; it increases dramatically in the presence of feminicides (2023)³. Finally, 90% of the revenge porn form of violence affects women. As has been observed, even at a European level, one of the most dramatic consequences of online violence is the withdrawal of women from any public role, with repercussions on their mental health and the possible loss of economic independence.

Economic independence is a necessary goal for women, because women who are not financially and/or digitally independent are particularly vulnerable. As regards the Gender Pay Gap, already mentioned, the lack of a personal income for women or the delegation to the partner of the keeping of family accounts contributes to the marginalisation and isolation of women. It is therefore interesting to recall the data collected annually by the European Commission on the Gender Digital Gap: still in 2024, significant disparities in digital skills, training or content creation and even online account-keeping between men and women remain. For example, in Italy only 55 per cent of women have an online bank account compared to the European average of 69 per cent, only 44 per cent of the sample have basic digital skills compared to 54 per cent at European level, and only 58 per cent have basic skills to create digital content compared to the 67 per cent European average (European Commission 2024).

³ In 2022, the authors of the *Mappa* emphasise, online violence primarily affects women (43.21%), followed by persons with disabilities (33.95%), homosexuals (8.78%), migrants (7.33%), Jews (6.58%) and Muslims (0.15%).

4. A significant but still not decisive European role for women

As has emerged from the analysis conducted so far, it is possible to affirm that at the European level, albeit with significant differences between the twenty-seven member states, women experience a freedom that is still conditioned by their education, salary and body; the latter has recently been the subject of a new hate speech that has found ample space on the web and through social media. For its part, in recent years, as shown in the figure below, the European Union has responded by stepping up its efforts first to make women economically independent, then free to use their time for themselves and able to balance work and motherhood. In addition, the EU is taking action by offering young female students more opportunities to acquire technological and digital skills. In short, the EU continues to push for the elimination of the gender pay gap and the gender digital divide, with the aim of overcoming the gender gap. At the same time, the Union has launched policies to combat violence against women offline and online, including by adhering to the Istanbul Convention and approving a first directive on violence against women.

Figure n. 4 EU Actions

EU actions taken to improve women working conditions	EU Actions taken to combat violence against women
<p>Directive on pay transparency (May 2023)</p> <p>Care Strategy and Recommendations on long-term care and on early childhood education and care improving accessible and quality of childcare (September and December 2022).</p> <p>Monitoring implementation: Work-life balance Directive (from August 2022)</p> <p>Directive on adequate minimum wages (October 2022)</p> <p>#EndGenderStereotypes Campaign (2023)</p> <p>In 2022, the Directive on gender balance on company boards was adopted with the aim of improving gender balance in decision-making positions in major publicly listed companies in the EU.</p>	<p>EU accession to the Istanbul Convention (October 2023)</p> <p>Digital Services Act for online platforms to remove illegal and harmful content (from August 2023)</p> <p>EU network on the prevention of gender-based and domestic violence (2023)</p> <p>Revision of the Directive on trafficking in human beings (politically agreed in January 2024)</p> <p>Directive on combating violence against women and domestic violence (politically agreed in February 2024)</p> <p>Recommendation on preventing and combating harmful practices against women and girls (expected in 2024)</p> <p>Facilitating a Code of conduct on gender-based cyberviolence (expected in 2025)</p> <p>Euro 500 million allocated to the global EU-UN Spotlight Initiative</p>

Source: European Commission. Championing Gender Equality in the EU and beyond. European Union 2024

It is important to reiterate that the many actions undertaken by the EU are designed as tools to liberate women from the many constraints and conditioning factors that affect them. The European effort in recent years has also been to change the image of women's role in European and global society, defining it as crucial to the development of society. We can argue also that the constant action taken by the EU, within the limits of its prerogatives and its pragmatism, has produced significant results. However, if we look at the case of Finland, where women are losing autonomy to devote to self-care, we understand that the EU has not yet managed to make an impact on a cultural level and therefore reach the heart of gender equality. There therefore remains a cultural vulnerability that European policies have not yet addressed or cannot address due to the specific intrinsic difficulties of the role of the European Union. The EU's attempts in recent years to set a definite date for overcoming the gender gap therefore remain unrealistic. Nevertheless, it can be argued that the *watch-dog* role assumed by the EU in recent years on the issue of combating violence against women represents an important instrument of pressure on national policies.

5. Women's body: a final reflection

Drawing our conclusions of this first contribution on the women question, we can state that when we speak of violence against women, it manifests itself not only as physical violence, not only as virtual violence, but also, as economic discrimination and mortification of women's high levels of education; in this case, we could speak of *indirect and systematic violence* that seriously undermines women's quality of life and women's freedom. It follows that a woman's role in society is not determined by her culture and critical capacity, nor by her skills in the field of work or research; even today her role seems to be severely limited by the perception society has - or intends to have - of the woman's body. In this perspective the remembered case of Finland is very indicative in respect of that cultural *vulnus* that prevents gender equality.

A further reflection on women's body is closely linked to the question of achieving full and definitive female emancipation. It is interesting to recall, in the event of Trump's election, a kind of online campaign, a word-of-mouth among American women inviting them to buy pregnancy tests and abortion pills, in the fear that the new administration would further reduce the current spaces of freedom in the area of contraception and therapeutic abortion (Shugerman 2024). It is clear from the behaviour of these women that women's body is once again in danger. This is even more true in today's world, characterised by power politics, i.e. constant confrontation between states, and by the presence of right-wing governments, even in Europe, which appeal to the principles of race and the traditional family, proposing demographic policies aimed at increasing the national population. These political orientations are in stark contrast to the global demographic policies of recent decades, which advocate limiting birth rates to combat overpopulation and ensure sustainability. In this framework, women's freedom (women's body) becomes a political issue. Some, even among the supporters of these policies, argue that a free woman can choose to devote herself to her children and prioritise a caring role. But as we have seen, it is difficult to talk about free women. Even in Europe, women's freedom is severely limited or conditioned: stifled higher education, low income, little influence in centres of power, violence against women's bodies. The issue is rather complex and thorny: faced with these limitations, a woman may be led to embrace the role

of mother and wife – once again confined to the four walls of her home – by backward but de facto “reassuring” national policies. In this context, women's inability to resolve the issue of motherhood also plays an important role. Today, as in the past, there is a lack of female reflection on the issue of women's freedom to procreate or not. However, women should not leave it to others (men, governments, institutions, etc.) to make important decisions about women's bodies, least of all in the emotional wake of national demographic decline. As de Beauvoir rightly observed, there is still no female “we”. A “we” that should help women no longer have to define themselves as women but, as is already the case for men, simply be women.

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Law-in-Action and Denied Justice in Gender-Based Violence for a Participatory Professional Culture in the Social Work

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Abstract

The instrumental and transversal use of the legal system, of law, to achieve purposes contrary to those for which the system was created or to provide justice, can produce real forms of denied justice in terms of gender-based violence. In this sense, it is necessary to analyze the current interaction between social and professional roles connected to regulatory and/or legal action, law and social norms, the social and legal context where the interaction takes place, in order to highlight its impact on the phenomenon of gender-based violence in relation to the Social Work sector. These are aspects that fully place the Social Service Institution and its professionals within the legal sphere, considered here not only as a social control agency, considered collectively and individually, aimed at intervening efficiently and effectively in relation to the management of specific cases of gender-based violence and crimes directly and/or indirectly related to it, but also and above all as a primary and secondary socialization agency that operates not only towards the perpetrators and victims of crimes, but also and above all towards the members of the Social Service Institution. These elements underscore the need to identify the most suitable tools not only to build and strengthen a shared and participatory professional culture between institutions and social workers, but also and above all to prevent the instrumental and transversal use of the law to achieve specific interests and goals, unrelated to the Social Services sector.

Keywords: Gender-based violence; Social Work; Law; Social Legal professional roles; Legal system; Training; Culture

1. Design and purpose of the analysis

The most recent years of Italian history highlight the growth, albeit non-linear, of a serious social phenomenon, consisting of an increase in violent crimes perpetrated against weak and vulnerable individuals such as women, minors, disabled people, migrants, and the elderly, etc. (Istat 2024; Department of Public Security - Central Directorate of Criminal Police - Criminal Analysis Service 2024). While these acts of violence cause

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serious physical and psychological suffering, in the most serious cases and more frequently than in the past, even fatal effects, they also determine further consequences, not least economic ones, capable of reverberating throughout the entire social context, increasing the overall discomfort and conflict caused (Pitch 1975; Tomeo 1981: 85; Bilotta 1999; 2008; 2013; 2014; Malizia 2007; 2012; Barbagli, Colombo, Savona 2003).

The delineation and scope of this phenomenon in terms of the social impact it produces (Friedman [1975] 1978) appears neither simple nor linear, when compared: on the one hand, with the obscure number of crimes that are not even reported and detected, remaining completely unknown to statistics, even judicial ones; on the other, with the qualitative selection made by social media, not only information and communication, which often appear more interested in the news story than in understanding-explaining, or resolving, the phenomenon in question, distorting, in both cases, the level of explanatory and predictive analysis. These are aspects to which must be added a still little-discussed topic, consisting of judicial proceedings that have never begun, and those that have been held and concluded but in a manner that differs from the expectations of the social subjects involved. Reference is made to certain judicial practices, including compensation offers made before the courts, access to special or alternative procedures, reformulation of charges, and the parties' procedural conduct, to name just a few, which can have significant effects on the phenomenon of gender-based violence. This issue raises and requires in-depth analysis, critical and self-critical reflection, on the law, on the social roles associated with legal action, not least social workers and the Social Services Institution, on the social context, in their mutual interactions, as well as on possible medium, and long term remedies, considered in light of the phenomenon of gender-based violence.

The wave of violence, femicides, assaults, and the censorship of autonomy, of patriarchal, familial, and institutional culture, based on ignorance of natural processes and on stereotypes that have stratified and consolidated over time, increasingly highlights positions that are, if not maliciously, then culpably contradictory. These positions are designed to remove, if not deny, the clearest and most evident manifestations of gender-based violence. These positions are relegated to subordinate, accessory, peripheral, and insidious positions, capable of transforming the victim of a crime into someone directly or indirectly responsible for the unlawful conduct of others, according to a process not only of secondary victimization of the person harmed by the crime, now scientifically and sadly known, but also of tertiary and quaternary victimization, regarding the impact that the phenomenon of gender-based violence can have on the entire social context (Malizia 2007; 2012).

There is no doubt that in a historical moment like the current one, characterized by profound social changes and the crisis of traditional roles and identities, anxiety, frustration, and profound disorientation are generating in very diverse social spheres, including the socio-legal one. This has led to the reemergence of models of action that, while proposing liquidatory sanctions for social situations and phenomena that can no longer be postponed, also highlight an instrumental and transversal use of the legal system, of law, to achieve goals contrary to those for which the system was created, namely the delivery of justice, resulting in actual forms of denial of justice.

It is undeniable that civil society and institutions have long since acquired full awareness and knowledge of the relevance of, and the social impact (Friedman [1975] 1978) produced by, the phenomenon of gender-based violence: taking positions and initiatives aimed, if not at decisively addressing the phenomenon of gender-based violence, at least at curbing it in the

current situation and its most serious effects. The contemporary academic and scientific world is moving in this same direction, albeit with different aims, oriented towards studying and analyzing the phenomenon in light of the different implications and perspectives it assumes or can assume, within the context of a broad, interdisciplinary, multidisciplinary and transdisciplinary theoretical-empirical scenario. A scenario aimed at investigating, from multiple aspects and points of view, the numerous variables that concretely come into play and that appear capable of influencing, explaining, making people understand, predicting, but not only and solely sanctioning, often arriving too late, the phenomenon of gender-based violence.

While the phenomenon of gender-based violence requires the immediate development and implementation of a system of measures designed to meet the victims' basic needs, including healthcare, social protection, and the development of pathways to escape harmful relationships, addressing the immediate, often irreparable, harmful consequences, it is also a widespread social phenomenon, capable of generating significant social alarm. It also requires the development and implementation of a more comprehensive and complex action plan, capable of fostering collaboration and integration between diverse roles and professionals, such as sociologists, sociologist of deviance, psychologists, psychiatrists, criminologists, legal sociologists, legal practitioners such as lawyers, jurists, judges, prosecutors, legislators, bureaucrats, and, last but not least, institutions and social service workers, to name just a few of the professionals involved in managing the phenomenon. These are social roles that directly or indirectly interact not only with normative social action, but also and above all, for what concerns us here, with socio-legal action, therefore with law understood in the broadest sense, that is, as a legal system.

The interaction between social and professional roles connected to regulatory and/or legal action, the Social Service Institution, law and regulations, and the social and legal context in which this interaction takes place, is the subject of this reflection in relation to the phenomenon of gender-based violence. The aim of this reflection is to identify possible remedies in light of the concrete implications, and therefore the effects that this interaction can and often does have on the performance of Social Work and on both public and private policies (research, safety planning, reporting, evaluation parameters, etc.).

In this sense, it is necessary to reflect, from an internal and external point of view (Hart [1961] 1965), on the adequacy of the social system and specifically of the legal subsystem (Parsons [1951] 1965), considered in a broad sense as structure, functions, institution, organization, professional roles including social roles and law, not only to satisfy the primary needs and necessities of the victims of gender-based violence, identifying and implementing the best, possible, new, timely and effective measures and operational methods; but also and above all to outline the best medium and long-term action strategies, in terms of prevention, accountability, action and response of the overall social system and of the legal subsystem broadly understood to include the institution of the Social Service and its operators to the phenomenon of gender-based violence. These answers, if they involve the Social Service Institution, considered collectively and individually, as an agency of social control, then also invest it as an agency of primary and secondary socialization both from an extra-organizational point of view and, for what is of interest here, from an intra-organizational point of view. In this sense, it is necessary to analyse the current interaction between the social roles connected to legal action, including institutions and social service operators, the law and the socio-legal context in which this interaction takes place, in order to verify the aptitude of the socio-legal field of action (Bourdieu 1986: 3-19) connected to the phenomenon of gender-based violence, and no longer as has just been stated of the legal system, to address and resolve the different questions and problems

posed by this phenomenon: trying to identify the variables that appear most capable of influencing it, in light of the aptitude of socio-legal norms, generally the law in action as implemented by socio-legal actors, institutions and social operators, to address and resolve qualitatively and quantitatively changed problems, posed by a rapidly developing and continuously changing society.

The aim of this analysis is therefore to reflect on how, even in the socio-legal sphere, the reference to tradition, to the crystallization, institutionalization, and structuring not only of socio-legal processes, behaviors, roles, practices, institutions, and organizations, but also of law, can conceal a completely different reality or constitute a facade behind which an instrumental and transversal use of law is, or may be, hidden. The legal system is thus transformed from a tool for resolving declared conflicts (Ferrari 1997) into a privileged instrument for multiplying them, for strengthening and reproducing gender roles, models, and relations based on stereotyped references, in contrast with the processes of social change and differentiation characteristic of, and internal to, new generations and the modern and contemporary state, producing unequal and unfair treatment.

In these terms, it appears extremely useful to reflect on the attitude of the legal field (Bourdieu 1986: 3-19) to favor the phenomenon of gender-based violence, identifying as the object of analysis the current interaction between the social roles connected to socio-legal action, the Institution and the social service operators, the socio-legal norms and the socio-legal context in which this interaction takes place: focusing attention on the legal instrument, therefore on the law and more specifically on law in action (Pound: 1910), which should constitute the most suitable instrument to address and resolve the problems posed by gender-based violence rather than facilitating them, if not even aggravating them.

This approach, if it is geared toward investing in and implementing a culture of awareness-raising across generations and genders, including in the socio-legal sphere, should also foster the identification of abstract and concrete, general and specific, measures to combat and prevent gender-based violence in the medium and long term. This is true in a context like the legal sphere, which should be above suspicion, at least abstractly, since it is institutionally mandated to address and resolve declared conflicts, not implement them. If the newly acquired awareness of the current forms of gender-based violence requires a more rigorous and comprehensive critical and self-critical assessment of the measures adopted, implemented, and/or to be adopted thus far, then it is necessary to address these issues more closely and more effectively. Therefore, for a better understanding and explanation, prevention and containment of the phenomenon of gender-based violence, this awareness should start from and focus on an analysis of the socio-legal sphere, the sectors of law and the legal entities that operate within it or that come into contact with it, such as institutions and social service workers. These are aspects that rightfully place the Social Service Institution and its professionals within the legal sphere, considered here not only as a social control agency, considered collectively and individually, aimed at intervening efficiently and effectively in relation to the handling of specific cases involving gender-based violence and crimes directly and/or indirectly related to it (Malzia 2012), but also and above all as a primary and secondary socialization agency that operates not only towards the perpetrators and victims of crimes, but rather and above all towards members of the Social Service Institution. In this sense, we ask ourselves how they can constitute a useful tool aimed at curbing the transversal use of the law in relation to the phenomenon of gender-based violence.

2. A critical and self-critical reflection on law in action

Normative social action, the socio-legal one that is implemented through law, highlights an often unbridgeable gap between social practices and norms (Pound 1910): relevant not only from the perspective of the study and analysis of the phenomenon of gender-based violence, but also and above all from the point of view of the proposition of remedies, of the resolution of the problems that this phenomenon poses. These are aspects that lead us to reflect on the law, on the social roles connected to legal action, and on the socio-legal context where the action oriented towards the law takes place, or rather on the legal field thus outlined, in order to analyse what the impact could be (Friedman 1975 [1978]: 101ff) or the set of effects, often unexpected if not even contrary, that it is able to produce and often produces on the phenomenon of gender-based violence in order to be able to, if not resolve, at least reduce them through the intervention of the Social Service Institution, collectively and individually considered (Ghezzi 1996; Ferrari 1997; Febbraio 2009: 83ff; Malizia 2012).

If general sociology is the science that studies social action (Weber 1974) and legal sociology is the science that studies social action through law, as a modality of social action (Ferrari 1997: 56; 2004: 3), then the study of law in action concerning the phenomenon of gender-based violence cannot ignore the analysis of the social actors who act through it, specifically both legal and social actors, who operate in the socio-legal context where socio-legal action oriented by, and towards, the law takes place.

If society is a field of interconnected actions and communications in which social actors act to satisfy interests and achieve goals, also in light of their own and others' expectations, then social action through law cannot consist solely of actions and expectations of action oriented according to the law, since social actors more often appear to act in the social and legal sphere as acting subjects, or according to a teleological action, their own, rather than as subjects acting according to the normative action of others. In these terms, it must be emphasized that social action through the law also and above all consists in a continuous exchange of communicative messages between different subjects, between different members of social groups, including the current one among social workers belonging to the Social Service Institution: messages capable of influencing the actions of others by coordinating and/or opposing them, depending on the achievement of the goals and interests pursued, of normative and cognitive expectations (Weber 1974; Ferrari 1997: 100), in terms of rational instrumental action, and of being influenced by it themselves.

From this perspective, the legal norms that govern social actions and expectations, practices, institutions, organizations, social roles and social statuses of the subjects interacting in the legal field, constitute schemes of meaning, which qualify the action by attributing it a meaning, making the subjects involved assume the role of legal actors (Arnaud 2005): the social action resulting from the interaction between multiple subjects in the legal field is a predominantly, though not exclusively, communicative action, endowed with meaning as it is governed by the legal norms that attribute a legal meaning to such action (Ferrari 1997: 159-160).

If sociology, as a comprehensive science, before explaining social action as it occurs, seeks to understand it in the meaning attributed by acting subjects (Weber 1974: 259ff.), then the conscious human interaction endowed with meaning between social actors regulated by law, therefore between social roles connected to legal action including social workers, can, and must first of all, be understood in the meaning attributed by the same to

each communicative act, in light of the interests and goals that social and legal actors intend to achieve according to the rational instrumental action put in place.

From this perspective, understanding and explaining legal communication cannot ignore the use of systems of meaning, shared codes, and schemas of meaning, such as legal norms. Their purpose is to provide a key to understanding and therefore explaining social and socio-legal action, a shared meaning capable of ensuring social and legal communication in light of the concrete effects it is intended to produce.

From this perspective, law influences social and legal action not only through primary norms and sanctions, which guide actions and expectations of action, and through secondary norms that regulate social status and roles, practices, institutions, and legal organizations. But also, and above all, by giving social action a sense or meaning that enables communicative action through law, and, in much more concrete terms, the satisfaction of interests and goals aligned with one's tactical-strategic action according to rational instrumental action. This occurs also and above all in the socio-legal context, which can be traced back to the work of social services and their operators. In this sense, legal norms are simultaneously a system of social action and a system of meaning, definable in terms of a "system of social action through meaning" capable of producing concrete effects (Ferrari 2010: 18).

If it is true that law in its symbolic guise dependent on human action (Lasswell, Kaplan 1969: 24) is a social system created by and dependent on man, to organize and ensure the best functioning of human coexistence, created to satisfy specific interests and purposes that are allegedly collective and/or individual depending on the political-institutional system of reference, whether civil law or common law (Damiani di Vergada Franzetti 2012); then, it is true, that this social system is not always used to satisfy the prefigured interests and purposes that coincide with those formally and institutionally declared, this can very well happen even when dealing with the very delicate phenomenon of gender-based violence in relation not only to the operation of the social roles connected to legal action, but also and above all to the work of the Institution and of the social service operators. In this sense, it should be noted that the structure and functions of law depend to a large extent on the tactical-strategic action implemented by social actors (Habermas 1986), including socio-legal actors and social workers, and on the goals and interests they aim to satisfy. Law constitutes a modality, or a means, of social-juridical action through signification: which can be used both to resolve the problems posed by a rapidly and continuously changing reality according to an irenic function of conflict resolution and reduction of social complexity (Luhmann, [1966] 1991; [1972] 1977), and, paradoxically, to create new ones, according to a polemical function of conflict multiplication and increase of social complexity (Ferrari 1991). From this perspective, it is necessary to immediately clarify an aspect that constitutes a fundamental premise of this analysis: that is, underlining the fact that law constitutes a system of normative communication more often linked to conflictual rather than collaborative social relationships. This occurs most clearly, though not always clearly, in the legal field and in related areas such as the social sector. This aspect appears quite evident when considering the judicial process, where the opposition between the parties to the proceedings, simply between the accused and the victim of the crime, takes the form of a manifest conflict. However, it is no less evident when applied to all the other social roles connected to the legal action, such as the legal professionals involved in and by the judicial process, including those belonging to the Social Services who, in a personal and/or institutional capacity, side with one or the other

party to the proceedings, or neither, seeking to produce effects within the sphere of mutual action. From this perspective, it is important to emphasize that, although the law constitutes a mere communication system, it nevertheless possesses a particular effectiveness, understood as its capacity to produce concrete effects in the sphere of action of others. This is due to the fact that it is equipped and supported by sanctions, both rewarding, attributable to the law's promotional function, and sanctioning, attributable to the law's afflictive function. These sanctions are capable of attributing advantages and/or disadvantages, and therefore of producing concrete effects also within the sphere of social workers belonging to the Social Services, on a level that is obviously out of step with primary judicial disputes. Conflictual and/or collaborative interaction is manifested by the diversity of action plans, tactics and strategies adopted, by the divergences in interests and goals of the interacting subjects in the legal field, diversities often consisting in contrasting opinions on the facts, on the very rules with which the facts are described and legally treated, on the very procedures and protocols to be followed and adopted by social workers (Ferrari 2010: 43): contrasting opinions which, if they belong to the world of ideas, then are capable of producing and do produce concrete consequences in the world of facts, therefore in the professional world of social workers. This aspect is all the more evident when compared to the handling of cases of gender-based violence in both legal and extrajudicial contexts, which are often approached and addressed by legal practitioners and social workers according to a wide variety of tactical-strategic models and methods. These models are geared toward satisfying, through rational instrumental action, specific interests and goals that often differ from the formal and institutional ones declared by legal norms, yet can nevertheless produce concrete effects that are direct, indirect, unexpected, and perverse, if not even contrary to those formally declared by law, resulting in cases where justice is denied. In these terms, there is no doubt that the use and utilization of norms and law can and often does occur within the context of a communicative interaction that takes on the characteristics of a struggle for the choice and affirmation of the meanings attributable to the norms that each legal or social operator deems correct to attribute: in light of both the aims and interests concretely pursued by each social or legal subject acting according to a rational, instrumental tactical-strategic action, and of the innumerable and diverse variables that influence the law or social and legal norms (economic, political, cultural, etc.), on legal subjects (individual or personal, cultural, ideological, institutional or location-related, professional, etc.), on the socio-legal context (political, political-institutional, organizational, etc.), which in turn are capable of mutually influencing them (Damiani di Vergada Franzetti 2012: 275).

These aspects are all the more evident if we consider that the conflict regulated by legal and social norms permeates reality, social and socio-legal relations, because law is social conflict crystallized in a norm: it is "the structure of the conflict" and "represents the structural scheme of the conflict between interests and between groups", the path within which conflicts declared to appropriate, use and dispose of scarce resources, both material and symbolic, are channeled and dealt with (Dahrendorf 1963; Tomeo 1981: 85; Bilotta 1999; 2008; 2013; 2014; Ferrari 1991; 2010: 43). Accepting here the idea that legal norms depend largely, among other variables, not only on the economic-political system or on the social conflict for the acquisition of scarce resources (Hirsch, [1978] 1981; Ferrari, 1997: 233), but also on the cultural system where, before any other sphere, the processes of social change that always accompany social conflict manifest themselves: culture, social and professional, which must therefore constitute the object of particular attention and interest from the point of view of the remedies that can be adopted in relation to an instrumental use

of law (Gallino 1993: 186-187).

A conflict in which, even with regard to the phenomenon of gender-based violence, each legal entity, each social worker, willingly or unwillingly, takes a stance by participating, simply by supporting an interpretative solution to the scheme of meaning or significance offered by a legal and social norm in one sense rather than another, by supporting a certain opinion rather than another on the facts or on the very norms with which the facts are described and legally treated, on the very procedures and protocols to be followed and adopted by legal and judicial operators.

3. From the concept of law to its communicative, instrumental and transversal use

Since the word and concept of law have been frequently used, it is appropriate to clarify what is meant by this expression, highlighting at least two different meanings. In a first, narrow sociological sense, law refers to positive law actually in force in specific circumstances of time and place, as opposed to normative systems that, although called law, are not observed or enforced by the constituted authority in a defined territory (Ferrari 2010: 23). While in a second, broader sense, law includes both legal systems based on the primacy of written law emanating from a sovereign authority endowed with the power of command, in force in specific circumstances of time and space, and, no less importantly, written or unwritten legal systems, in any case observed by the community or by a community, with respect to which communities relate in practice (Ibidem: 24). This is a broad definition that highlights how social actors, including legal ones, often act on the basis of norms or normative messages, regardless of their source and whether they are spoken or written. They continually take a stance on these norms, expressing opinions about the facts and the norms by which they are described and legally treated, and about the procedures to be followed and adopted. With the obvious corollary that law is no longer, or no longer only, what is established in books, but also and above all what is constructed through the continuous processes of legal and extra-legal communication that take place within multiple media circles or fields of action. In this sense, law is no longer the end, whether it is produced, applied, or interpreted; rather, it is the means through which legal and extra-legal communication is realized; It is no longer the law written in books, but rather the law in action that is constructed within multiple communicative processes and fields of legal action, including that pertaining to the sector of Social Services and social workers. This law must therefore be the object of even extemporaneous analysis in light of the meanings attributed according to the aims and interests professed and pursued by social actors: on the basis, of course, of the variables that appear most capable of influencing the legal and extra-legal field of action in which the communicative processes around and about the law are realized, being in turn influenced by them.

From this perspective, it is therefore possible to include within the broad notion of law thus outlined, understood as a model of action or normative message addressed to the social roles connected to legal action, including social workers, the law, ministerial circulars, sentences, ordinances, decrees of judges, decisions of arbitrators, mediators and negotiators, agreements, contracts between private parties, conventions between public or private parties, etc. And not only that, because the notion of law can therefore include the opinions of judges, public prosecutors, lawyers, jurists, the opinions and views of technical consultants, clerks, academics, the legislator, bureaucrats, criminologists, sociologists of deviance, sociologists, sociologists of law, psychologists, psychiatrists, social workers, professional educators, the managerial and semi-managerial roles of the Social Service

Institution, etc., on and about the law.

Since these are normative messages, while they do not appear to have a strictly and/or directly legal nature in the sense indicated above, they nevertheless constitute normative communicative precedents endowed with a high degree of legitimacy, legitimacy, and cogency. These are the inspiration and ultimately adherence (conformance) of the individual social roles connected to legal action in order to achieve the goals and interests pursued in relation to the specific field of action in which they operate. These models of action, or normative-communicative messages, concern, as underlined, the most diverse social actors connected to legal action, such as legislators, politicians, bureaucrats, judges, academics, lawyers, public prosecutors, expert witnesses, psychologists, criminologists, litigants and private parties, social workers, professional educators, and senior and semi-senior officials of the Social Service Institution, etc.; Social actors, without exception, are influenced in a much less visible, but certainly no less decisive, way than the law, by a multitude of variables (individual or personal, political, economic, cultural, ideological, institutional or location-related, professional, political-institutional, organizational, etc.). This aspect must always be kept in mind when studying and analyzing the impact of the legal field on the phenomenon of gender-based violence in relation to the socio-legal roles involved.

From this perspective, there is no doubt that law can no longer be considered the subject of action, becoming if not the object, then certainly the instrument or even the motivation for action, one of the many modes of action not only of legal actors, but also and above all of institutions and social service workers, who not only act according to the law, but can even, and often do, act in function of and through it: with a view to satisfying interests and achieving goals according to a rational, instrumental, tactical-strategic action oriented towards the law. But there is more, because law, in the broad sense in which it has been understood, as a mode of social action, communicative-normative action, also constitutes a symbol or symbolic projection of the power held by the subject who exercises it: not only if power is understood in the more traditional sense of coercion, but also, and even more often, if power is instead understood in the broad sense of decision-making. In this sense, the exercise of decision-making power, in whatever direction it is expressed, relies on the symbolic presentation of norms, normative-communicative messages, or action models, which justify, or as is more often said, legitimize, the action both towards those to whom the action is directed and towards those who witness it, including social workers: communicative action through the law, implemented by the social roles connected to legal action in relation to the phenomenon of gender-based violence, becomes the source of legitimacy, or rather, self-legitimacy, of the acting subject through the law, a sort of self-fulfilling prophecy.

If studying law, legal norms, from a sociological and/or sociological-legal perspective or as a mode of social action (Ferrari 1997: 56; 2004: 3), means studying the nature of law, analyzing the social factors that induce deviation from the law, examining the social processes that lead to defining behaviors as deviant or to producing legal norms, or even investigating the effects that arise from their creation, application and interpretation; then reversing the analytical perspective, investigating the social roles connected to legal action in relation to the phenomenon of gender deviance means studying the communicative nature of normative messages, including legal ones; analyzing the social factors that induce legal practitioners to deviate from the law or to act in function of and through it; examining the social processes that, in relation to socio-legal roles, lead to defining certain behaviors as deviant or to producing models of action or normative-legal-communicative messages

that deviate from those established; or analyzing the effects that arise from the creation, application, and interpretation of norms. Investigating these aspects in relation to the tactical-strategic action carried out by the social roles connected to legal action, not only legislators, judges, public prosecutors, arbitrators, lawyers, mediators, negotiators, bureaucrats, academics, doctrinaires, procedural parties, but also social workers, professional educators, managerial and semi-managerial roles of the Social Service Institution, etc., means assuming full awareness that even social workers connected to legal action often act and/or can act not only according to, but also through and as a function of the law and social norms, according to a rational, instrumental tactical-strategic action aimed at satisfying interests and purposes that do not always coincide with those formally and institutionally declared and prescribed by the norms themselves (Habermas 1986; Ferrari 1997: 85).

4. Possible remedies for building a shared academic culture: TLC, SSQCC, DEH, MOOC, Peer mentoring, NAESR, NCIPT, PhD, the Professional Training Effectiveness Indicator

If the above reflections clearly express the doubts and risks associated with the performance of both the institutional tasks of social services and the professional activity of social roles connected to legal action, then we must also ask what remedies might be available, what expected objectives might be achieved, and what methods should be adopted to ensure a responsible presence in the social, legal, and professional spheres. There is no doubt that if social service institutions and professionals aim to carry out their mandated activities with the greatest professional freedom (Damiani di Vergada Franzetti 2022), maintaining maximum epistemological and methodological credibility, then they must face the dilemma of being subordinated to power structures or assuming a responsible presence in society (Crespi 1994: 291ss; Treves 1962; Ferrari 1997).

From this perspective, enhancing professionalism and promoting the active participation of social workers in training and refresher courses, improving theoretical learning and the practical implementation of their work, constitute a fundamental aspect not only from the point of view of the acquired and renewed critical and self-critical capacity with respect to the socio-legal reality, but also and above all from the point of view of an acquired autonomy and independence from the institutions in which they operate, from the social, economic, political and cultural centres of power with which they inevitably come into contact (Treves 1962). In this sense, training, methodological updating, and the improvement of the professional activity of social service workers could find in the design and development of "Teaching Learning Centers" (TLC) within private and public territorial local and national entities; in the implementation of projects aimed at ensuring the quality of both the professional activity carried out and the professional capital acquired, including through the establishment of a "Social Service Quality Control Center" (SSQCC), conceived within the framework of social sector development policies promoted by public and private territorial local and national entities; valid tools for preserving the objectives of autonomy and independence of the Social Service Institution, and the critical and self-critical skills of its social workers with respect to the context in which they operate (Lombardinilo 2010; 2014).

These are certainly distinct areas and initiatives, the first focuses on the development of professional methodologies, resources, and support for social workers and service users; the second focuses on assessing the quality of professional activity and learning achieved

through the analysis of data collected by the aforementioned institutions. These initiatives and areas, along with the establishment of Departments of Education or Pedagogy (DEP) in appropriate public and private bodies (municipal, provincial, regional, and national), responsible for overseeing the development and evaluation of strategies and professional programs adopted, could contribute not only to the advancement of educational innovation, research, and development within the institution and social work professionals, but also, and above all, to the construction of a shared interdisciplinary and transdisciplinary professional culture (Ibid.).

From this perspective, building a transdisciplinary professional institutional culture in the sector (Pennisi 1998) can only occur through enhancing the professionalism of social workers, actively participating in training and continuing education activities, and improving their learning and professional practice. The role of Teaching Learning Centers (TLC) and Social Service Quality Centers (SSQC) in the training and methodological development of social workers could become a fundamental tool not only for improving the professional capital acquired and the practical work performed, but also, and consequently, for ensuring the development of a shared transdisciplinary specialist culture in the social field. These initiatives cannot be undertaken in isolation, but should be part of, and coordinated with, the Social Work Professional Development policies of each relevant public and private, local, and national entity. In this sense, if the TLC and SSQC mentioned are coordinated with the development policies of public and private territorial bodies for the improvement of teaching, there is no doubt that the development policies of these bodies must in turn coordinate with national and international academic networks in order to create, through the creation of "Digital Education Hubs" (DEH), web portals capable of collecting large quantities of "Massive Open Online Courses" (MOOC), online training and professional courses created by individual universities, returned and made available to all potential users, referring both to the managerial and semi-managerial roles of the Social Service Institution, as well as to the social workers operating within them for the improvement of the tasks undertaken and the activity carried out (Lombardinilo 2010; 2014).

These are aspects and themes that raise important questions and reflections regarding the need to plan and implement medium, and long-term strategies, at least systemic in scope, capable of contributing to the growth of the professional development of social workers. In this direction, a "National Agency for the Evaluation of Service and Research in the Social Sector" (NAESR) should be established, an institution, as is the case in other European countries, whose task could consist of evaluating the quality of both the professional education provided and the research carried out, verifying whether public and private territorial bodies, universities, the courses of study they program, and the research produced in this particular social sector respect the quality standards that may have been set (Lombardinilo 2010; 2014): the most recent international and national strategic directions relating to the professional field, albeit in very different sectors, in fact require the need to implement, within the framework of unitary structured systems, the professionalism of social workers through the creation of specific structures dedicated to the promotion, recognition and valorization of the specific professional skills acquired and required (ANVUR 2023: 4).

Possible initiatives aimed at improving and innovating the quality of professionalism offered by social workers and institutions, in connection with the creation of a shared cultural habitus, could also include the introduction of a peer mentoring process. Building a supportive and guiding relationship between social workers at similar stages of their

professional or career paths, based on the sharing of experiences and knowledge among peers, could constitute a further tool for the creation of a participatory cultural model.

Furthermore, the establishment of a "National Center for Innovation and Improvement of Professional Teaching" in the social sector (NCIIPT), in close collaboration with university leaders and local and national public and private entities, in line with their Strategic Plan, with a regulation recognizing it as a TLC, closely linked to the Peer Mentoring program. This center aims to design and implement initiatives designed to improve the training, teaching, professionalism, and knowledge of professional methodologies of social workers; to promote and test professional innovation as a strategic priority; to foster the implementation of research activities, projects, seminars, and initiatives at the local, national, and international levels; to share academic best practices; to encourage the adoption of both new technologies and Artificial Intelligence (AI), exploring their limitations, potential, and risks; and to strengthen user-centered work strategies. The establishment of this center could also be a valuable tool for building a shared cultural habitus.

But even the establishment of a Doctorate in Social Work, as has been done in some Italian universities, which cuts across the various departments of public and private, local and national institutions working in the sector, as well as the relevant university and its faculties, could constitute an effective tool for creating a common cultural model among social workers.

Finally, the establishment of an "educational effectiveness" (EF) indicator, consisting of the recording of hours spent in training activities for learning, capable of highlighting not only the actual professional level acquired, the ability to achieve the planned objectives by producing significant learning, but also how the learning achieved has influenced the expected results, consisting of the acquisition by operators of knowledge, skills and competences related to Social Work, could constitute a further tool for the implementation of a common cultural approach.

There is no doubt that the effectiveness of the proposed training system must be achieved through synergistic, systemic action between TLCs and SSQC, thus ensuring the maximization of the expected results regarding the level and quality of the professional qualification achieved. In this sense, it is necessary to abandon the voluntary approach to professional training, adopting a method that is as structured as possible, capable of adapting to the needs and types of interventions required. Furthermore, it would also be necessary to continuously plan moments of reflection, sharing, and exchange of best practices in professional training adopted at the local, national, supranational, international, and transnational, public, and private levels. This latter aspect is extremely delicate for the purpose of building a shared transnational academic cultural form capable of, if not eliminating, at least reducing the risks of easy exploitation and/or suspected inactivity, and of a transversal use of the law (Lombardini 2010; 2014).

5. What are the expected objectives for the Institution and the Social Service operators?

If what has just been described constitutes the general framework for the ongoing training and learning process of social workers, and for the specific tools available to the Social Service Institution, let us now try to consider what the expected objectives might be in relation to the overall functioning of the system described, both for the Institutions and for individual workers, in light of the broader expected effect consisting in the construction

of a shared transnational cultural form.

From the first perspective, the system described could foster the implementation of systematic initiatives to improve the teaching provided by individual Social Work Degree Programs, including through the preparation and publication of calls for proposals for the creation of new courses that meet specific professional and social needs. This could create a sort of virtuous circle capable of promoting the implementation of scientific studies focusing not only on the programs adopted by each university and/or public territorial entity, but also, and comparatively, on those adopted by other academic institutions and public and/or private territorial entities, whether national, supranational, international, or transnational. This would collect and provide useful information for the purpose of improving professional practice to the governing bodies of the institutions involved, public and private, territorial, national, and local entities, universities, etc.

From a second perspective, the system described could also provide not only basic skills and ongoing training for staff working in the social sector, but also, and above all, new skills and advanced tools for both operators and those in managerial and semi-managerial roles working in the social sector.

These are aspects that have significant effects on the Social Service Institution and the professionals who work within it, from multiple perspectives such as ethics, motivation, participation, planning, discussion, active training, awareness of the existence of multiple intelligences, user-centered communication, systemic attention to professional quality, evaluation of professional activity provided, and the establishment of Peer Observation sessions. All of these aspects, by retroactively and actively impacting the professional activity provided and/or planned, also for the purposes of professional growth and improving the quality of the activity to be performed, can contribute to the creation of a shared professional cultural form specific to a social "community," the latter understood in the broadest sense of the term (Cotterell 1995; Ferrari 1997; Ferrari 2004: 133).

6. Conclusions: the construction of a shared cultural form in the field of Social Work

There is no doubt that the prospect of common objectives among the various actors and sectors of the Social Service, the greater strength in proposing initiatives to enhance the professional skills of operators, the investment in projects that allow for greater sharing of good practices, the joint work for the monitoring and evaluation of joint actions, can represent and constitute important tools for the construction of an intellectual community in which we can recognize ourselves and be recognized (Ferrari 2004: 133).

From a sociological perspective, these aspects highlight multiple differences between the experiences, training paths, and professional development paths of the individuals involved, yet they also underscore essential points of contact and uniformity. First and foremost, in Italy and elsewhere, is access to the social profession, which requires and requires the acquisition of a professional qualification as well as prior experience, as well as exposure to a lasting and pervasive secondary socialization process (Crespi 1994) (experiences of solidarity, often volunteer work, membership in associations with mutualistic and/or solidarity purposes, completion of a higher education program related to the social sector, attendance at a university program qualifying for the profession, taking the national professional qualification exam, placement in a public and/or private structure, etc.).

These are differences that, if they do not eliminate the common sensibility of social workers, then once again highlight the underlying unity that characterizes them, a common

professional cultural background, which suggests that the symbolic world of the workers and of the social institution to which they belong constitutes the characterizing factor of a "community" that distinguishes it and makes it capable of distinguishing itself from other intellectual communities (Cotterell 1995; Ferrari 2004: 133). A community that is characterized by a particular specialized form of culture that brings together and unites its members regardless of the social and professional differences that distinguish them (Friedman 1975 [1978]; 1994; Nelken 1997; 2001; Pennisi 1998; Crespi 1998; Gallino 1993: 186-187; Nelken and Feest, 2001; Ferrari 2004: 162).

There is no doubt that this is an intellectual environment that is difficult to classify or refer to in sociological terms as a specific social group, and even difficult to affirm that social workers who share this type of cultural education and experience constitute the simplest form of stable community, a group, and obviously not even a class, united by the same culture and social background (Crespi 1994; Weber [1922] 1974; Ferrari 2004: 134). In fact, it cannot be ignored that the number of social workers has not only increased over time, but has also undergone a process of disintegrating social differentiation, of upward and downward mobility, which has involved all social classes and which in many countries, including Italy, now appears quite visible (Ferrari 2004: 134; Ufficio Parlamentare di Bilancio 2024; Istat 2024).

Nonetheless, from this perspective, not only those who perform or participate in socially related professional activities, but also those who perform or participate in training and professional development activities in the same sector can be defined as a professional "community": a term that uniformly designates the multiplicity of individuals who practice the social profession, who hold specific roles and assume specific statuses within the Social Work field. This is certainly a broad term that highlights how experts emerging from experiences, schools, training and professional development programs in the social field do not constitute a clear and well-defined social grouping; it highlights how groups and subgroups of social workers are not always and necessarily composed of experts; however, it equally clearly underscores the existence of a "community" associated with a very specific cultural form that can be defined as a specialized social culture (Cotterell 1995; Ferrari 2004: 134).

There is no doubt that this mental habitus and the experiences lived in the social sector can constitute for the Institution and the operators of the Social Service, according to the methods of construction and sharing described in the previous paragraphs, a valid tool not only for the acquisition of a renewed critical and self-critical capacity towards the social reality being analysed and intervened upon, but also and above all for achieving greater autonomy and independence with respect to the economic, political, cultural and social centres of power (Crespi 1998; Ferrari 2004: 133) or, from a different perspective, to guarantee a responsible presence in society, if not eliminating, at least reducing the risks associated with an instrumental and transversal use of the law in relation to the phenomenon of gender-based violence.

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Underestimating gender-based violence in care: the silent burden of informal female caregiving

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Abstract

Informal female caregiving remains a deeply gendered phenomenon, embedded in cultural norms that perpetuate systemic violence against women. In Italy, caregiving continues to fall predominantly on women and is often framed as a moral duty rather than recognised as labour (Hochschild 1983). Drawing on Amartya Sen's (1993) capability approach, this study explores how informal caregiving, frequently imposed rather than chosen, affects women's well-being and sustains patriarchal structures. Specifically, it addresses the following research question: How do culturally embedded expectations regarding the caregiving role shape informal female caregivers' self-perceptions and contribute to forms of systemic micro-violence?

Using qualitative semi-structured interviews with informal female caregivers of people with Parkinson's disease (n=25), the research identifies three caregiving configurations emerging from the intersection of attitudes, behaviours, and role expressions: "*I am, therefore I care*", "*I love, therefore I care*", and "*I must, therefore I care*". These types reveal the continuum between agency and coercion that shapes women's caregiving experiences.

The findings highlight two intertwined forms of violence: symbolic violence, which normalises caregiving as an inherent female duty, and structural violence, rooted in institutional neglect and inadequate welfare support.

By linking empirical insights to theoretical frameworks, the study demonstrates that informal caregiving operates as a subtle yet pervasive form of gender-based violence, sustained by cultural expectations and policy silence. It calls for a gender-sensitive welfare model capable of dismantling patriarchal norms, enhancing caregivers' capabilities, and promoting caregiving as a shared social responsibility rather than a naturalised female obligation.

Keywords: *women; care; capacity; symbolic violence; structural violence*

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1. Introduction. Reasons for the research

This contribution arose serendipitously (Merton 1948) as part of a broader qualitative investigation focusing on life trajectories contexts of chronic illness and the configurations of informal care. During interviews with people with Parkinson's disease and their informal caregivers, the research question that emerged was: why does caregiving within the family continue to be predominantly carried out by women in Italy? More importantly, what motives lie behind the seemingly comforting guise of dedication, love or responsibility in assuming the role of informal caregiver?

At first glance, invoking the concept of *violence* in the analysis of family care may seem forced or excessive. It could be argued that such a perspective risks flattening the complexity of emotional relationships or reducing the ethical dimension of care – as proposed by authors such as Tronto (1993/2006) – to a rigid regulatory device. However, precisely because caregiving is often described in terms of a natural female vocation, it is urgent to question what happens when the narrative of care as a gift is intertwined with cultural devices that operate as forms of symbolic violence (Bourdieu 1998), normalising the unequal distribution of care work.

Care is a central hub for understanding the dynamics through which social order is reproduced (Di Nicola and Viviani 2020) and, as such, it is also a field traversed by potential forms of violence, both symbolic and structural. The inequalities that emerge in formal care work (Landolfi 2023) and the multiple shortcomings that characterise it – from institutional gaps to job insecurity and lack of recognition – reveal dynamics of systemic violence that are often normalised. Added to this is the historical association between women and care, the result of a process of differential socialisation that transforms a social function into a gender-based moral imperative. This association, which has its roots in the social reproduction of biological difference (Cersosimo 2023), has confined women to the private sphere, assigning them roles of emotional and relational responsibility and depriving them of public and rational legitimacy.

This cultural construct, supported by deeply internalised social expectations, tends to naturalise the act of caring, transforming it into a vocation, a mission or an innate duty of women (Hochschild 1983). However, the implications of this representation are significant, especially when the role of caregiver is assumed in the absence of real alternatives or as an automatic response to an internalised symbolic order, creating conditions that can lead to forms of invisible oppression. Help in the relationship between those living with illness and those who care for them informally cannot be considered an exclusively individual act, but should instead be interpreted as a social process involving strong moral, political and relational dimensions. When this help is asymmetrical, generating disadvantageous dynamics even without conscious intentions, it can become a means of oppression (Cabiati 2025) and, ultimately, lead to forms of violence. It is therefore not care itself that causes disrecognition, but the fact that it is culturally attributed to women (Tronto 1993/2006).

This occurs through socialisation processes which, although seemingly neutral, systematically reproduce the gender division of labour (Cersosimo and Landolfi 2024). This process is part of a broader patriarchal structure, historically rooted in the Italian Mediterranean family model (Ferrera 1996), which has made care not only invisible but also a service defined as a female task.

Therefore, this paper proposes an analysis of informal caregiving not based exclusively on the daily practice of care, but rather on the moment – explicit or implicit – when the role of caregiver is assumed. It is in this transition, too often taken for granted,

that forms of symbolic and systemic violence take root, acting in the silence of family expectations, cultural representations and power asymmetries.

Discussing care through the lens of violence does not mean denying its ethical dimension, but rather highlighting its contradictions, revealing how behind a gesture of help there can lie a structure of violent male domination over female bodies, abilities and lives.

2. Care and coercion: violence in female caregiving relationships

The figure of the informal caregiver, often embodied by women who take care of a family member living with an illness on a daily basis, falls into a grey area between emotional duty and social imposition. The physical, psychological and emotional burden that accompanies continuous, unpaid care is particularly evident in the context of neurodegenerative diseases such as Parkinson's, where the quality of life of caregivers tends to decline dramatically, especially when the person being cared for is male and the caregiver is the female partner (Aamodt et al. 2024).

Lesley et al. (2025), in a systematic review, identify social isolation, lack of institutional support, emotional overload and the duration of the caregiving commitment as the main predictors of burden in informal caregivers of people with Parkinson's disease, as a prolonged burden, if unrecognised, can lead to burnout and depression, increasing the risk of exposure to psychological and physical violence. Sánchez-Guzmán et al. (2022) highlight how psychological violence, which is more prevalent in Parkinson's care settings, manifests itself through devaluation, hostility and daily microaggressions, often amplified by pre-existing dynamics of violence in intimate relationships. In most cases, it is women caregivers who bear the brunt of this violence. The element of gender-based violence is crucial in the context of care, suggesting an overlap between the levels of illness, intimate relationships and structural asymmetries, in which the variable of time emerges as a critical factor in the construction of violence in care relationships: the longer the period of caregiving, the more violent dynamics become entrenched, often internalised or normalised (Sánchez-Guzmán et al. 2022). The continuous availability required of the caregiver creates fertile ground for exercises of power, symbolic domination and emotional coercion, configuring a form of obedience to power, whose legitimacy is based on the condition of illness and vulnerability of the person being cared for, ultimately structuring the caregiving relationship as a system of normalised asymmetry. There are clear associations between depression, care burden and violence experienced by caregivers who care for adults with chronic illnesses (Pinyopornpanish et al. 2022). Verbal and physical aggression by people with Parkinson's disease and related disorders is not uncommon, especially in the advanced stages of the disease (Macchi et al. 2022).

Italian female caregivers are therefore exposed to violence that takes place in the privacy of their homes but is often silenced or ignored by social and health services. In this context, it is useful to recall that some forms of abuse, such as psychological and moral violence, although often invisible and difficult to recognise, have profoundly damaging effects on women's self-esteem, freedom and self-determination, even within apparently non-conflictual family relationships (Serban 2023).

Young women who are economically dependent and not in full-time employment are particularly vulnerable to violence perpetrated by people with severe mental disorders (Labrum et al. 2024), contexts in which the role of caregiver, determined exclusively by structural conditions, exposes them to an intrinsic risk of violence. The scarcity of

resources, the lack of support during symptomatic crises and the absence of institutional alternatives, create an environment that favours the reproduction of violent dynamics.

This scientific evidence converges on one essential point: informal care, far from always being a voluntary and affectionate act, can represent a space in which widespread, multifaceted and often invisible violence is exercised, linked to cultural, economic, psychological and emotional factors.

In light of these considerations, such a conceptual approach allows us to interpret the experiences of informal female caregivers from a perspective that brings together substantive freedom, systemic inequality and the forms of violence that lurk within social structures.

3. Lack of choice and structural violence

According to Galtung (1969), violence is not limited to physical or overt acts, but manifests itself whenever a human being is prevented, due to social conditions, institutional structures or symbolic relationships, from fully developing their physical and mental potential. From this perspective, violence is the cause of the difference between potential and actual, between what could have been and what is (Galtung 1969: 168). When this gap is avoidable and stems from modifiable systems, violence is present, even if silent, invisible or culturally legitimised. Galtung observes, for example, that death from tuberculosis in the 18th century would not have been defined as violence, whereas the same death today, with adequate resources and knowledge, is. In other words, 'when potential is greater than actual, it is by definition avoidable, and when it is avoidable, then violence is present' (ibidem).

Applying this perspective to informal caregiving, the assumption of the caregiving role by women – when it does not stem from a genuinely free choice but from normative, cultural or organisational pressures – can be interpreted as a form of structural violence. Although culturally represented as an affectionate and spontaneous gesture, care work can coincide with a systematic denial of alternative opportunities: an experience of silent deprivation, in which women see their possibilities for self-determination and development compromised.

In this theoretical context, Sen's (1993) capability approach offers a further insight. Unlike models that measure well-being based on available resources or subjective satisfaction, Sen proposes to assess well-being through substantive freedom: the real ability of people to make choices that they value and to engage in activities (doing and being) that they consider meaningful in relation to social and environmental factors that affect their capabilities (Naz 2016). Capabilities therefore represent actual possibilities, not just formal options. When women caregivers take on a role that involves giving up other dimensions of life – professional, relational, existential – not because these are considered worthless, but because they are unattainable, we could, and should, consider this condition as a form of structural violence. In this sense, informal caregiving is an ambivalent practice: on the one hand, it brings meaning and social recognition, and on the other, it can be a vector of systemic deprivation and denial of well-being. This interpretation fits into the broader theoretical framework that recognises gender and violence as social determinants of health (Cersosimo 2025). Recognising this ambivalence does not mean denying the emotional value of caregiving, but emphasising that, in the absence of real freedom, even the most socially valued practices can conceal subtle and pervasive forms of violence.

4. Research design

This study addresses the following research question: How do culturally embedded expectations regarding the caregiving role shape informal female caregivers' self-perceptions and contribute to forms of systemic micro-violence?

4.1 Data & Methods

This study addresses the following research question: How do culturally embedded expectations regarding the caregiving role shape informal female caregivers' self-perceptions and contribute

Between February and May 2023, 25 semi-structured interviews were conducted in Italy. The sample consisted of 25 informal female caregivers (average age 62.8 years), recruited through self-selection following a public call disseminated via local associations. Therefore, the sampling strategy was non-probabilistic and aimed at capturing a range of caregiving experiences rather than statistical representativeness. Interviews were carried out either individually (12) or jointly¹ (13), i.e., with the simultaneous presence of the caregiver and the care recipient². Each interview lasted approximately one hour, was audio-recorded, transcribed verbatim, and anonymized in accordance with ethical and privacy standards.

The discursive analysis of the interviews and the analysis of the field annotations followed the iterative logic of Grounded Theory (Glaser and Strauss, 1967), adopting Strauss's concept-indicator model (1987) to ensure consistency between empirical data and emerging concepts. Coding was carried out through multiple readings and constant comparison, supported by NVivo software.

Three fundamental concepts guided the initial phase of open coding, the results of which will be presented in the following paragraph:

- A) Attitudes: emotional dispositions and expressive modes through which the participants describe their caregiving role;
- B) Behaviours: concrete care-related actions;
- C) Expression of the role: discursive constructions through which caregivers attribute meaning to their experience.

Empirical indicators were associated with each concepts, including non-verbal cues (pauses, hesitations, silences), which were treated as integral elements of meaning construction.

5. Results

The results of the discursive analysis of the interviews and field annotations were organised into three macro categories, referring to the guiding concepts used in the coding

¹The difference between individual and joint interviews was initially assessed as a potential source of analytical imbalance, considering that the presence of the person being cared for may influence the caregiver's discourse. However, the subjective choice to participate alone or in pairs was itself treated as significant analytical data, capable of providing insights into the representation of the caregiving role and the underlying relational dynamics.

²Although characterised by the presence of people with Parkinson's disease in order to maintain consistency with the research question, the analysis only took into account the narratives of informal caregivers, in order to focus on their subjective representations and the emotional and relational dynamics implicit in non-professional care.

process: attitudes, behaviours and role expression. Each of these is divided into three subcategories (Table no. 1), which emerged from an in-depth analysis of the codes.

Table no. 1. Categories emerging from the analysis

A. ATTITUDES		
1) Reticence	2) Catharsis	3) Internalisation
B. BEHAVIOURS		
1) Resilience	2) Redemption	3) Sacrifice
C. EXPRESSION OF ROLE		
1) Recognition	2) Aversion	3) Acquiescence

5.1 Attitudes

The attitudes category includes the initial ways in which caregivers related to the interview experience and, more generally, to the opportunity to talk about their caregiving situation. These attitudes – reticence, catharsis and internalisation – are not fixed but dynamic: they often intertwine and change during the dialogue. They are important indicators of the cultural and relational context in which care is experienced and communicated. The subcategory *reticence* indicates an attitude of caution, doubt or suspension, especially evident at the beginning of the interview. Informal caregivers tended to ask for clarification on the content of the interview, the role of the researchers and the use of the information collected. This hesitation also translated into implicit resistance towards the tape recorder, the presence of the interviewer or the choice of location.

First of all, I said: who knows what sociologists want to know about a chronic illness. We know about it because we have lived it ourselves. So, I was a little surprised... I insisted a little to ask what the interested party was. Then I understood better (Luisa,³_71)⁴.

I sincerely thought it was something more clinical... at the level of the disease. That's how I understood it, but obviously I misunderstood (Rosaria_45).

On the contrary, the attitude defined as *cathartic* expresses an active and positive willingness to narrate, often already present at the time of recruitment. The participants expressed the feeling of finally being listened to, of giving voice to an often invisible condition and of contributing to a process of knowledge and social recognition.

³ The names used in this work are fictitious to ensure anonymity and protect the privacy of the participants, in line with the ethical principles of sociological research.

⁴ Legend: Pseudonym of the informal caregiver interviewed_age

It's a beautiful thing. I never thought anyone would want to interview me. When they told me about the thesis on Parkinson's, I thought, 'Wow, they chose us!' (Federica_44).

Every drop helps. It helps patients, but also the people close to them. There are difficulties, so anything that can improve our lives is welcome (Aurora_70).

Finally, the *self-internalisation* subcategory includes cases where participation in the interview was seen as inevitable or necessary, a habit or a sense of duty. In these situations, involvement appears passive, often accompanied by a sense of fatalism.

It could have been a way of sharing the journey we are on. Which, unfortunately, we are on. As I always say to him: 'We're in this boat together, so we have to keep going (Luigia_64).

Let's say I have to participate with my mother, because she's not someone you can leave alone (Serena_44).

5.2 Behaviours

The first subcategory identified in the area of behaviours is resilience, which manifests itself as an attitude of control and limitation of communication, both externally (towards the researcher) and within the dyad with the person being cared for. This behaviour highlights a need for protection, but also a selective exercise of communicative and interpretative power. Caregivers often show reluctance to allow their own experiences or those of their loved ones to emerge fully, interrupting or correcting what is said during the interview. When it was not possible to exercise this control by correcting directly during the joint interview, some caregivers explicitly requested to be interviewed first, with the aim of anticipating, filtering or defining the narrative framework.

Let's say you didn't accept it. I think you're starting to understand what this disease is now. [...] He didn't really understand what kind of disease it was, even though we tried to explain it to him, sometimes gently, sometimes harshly (Anna_45).

The second subcategory concerns a behaviour of redemption, aimed at constructing an autonomous space for both the caregiver and the person being cared for. In some cases, this stems from a clear negotiation of roles; in others, it represents a strategy for coping with the fatigue of caregiving. Autonomy is claimed as a means of mutual protection and manifests itself in the balanced distribution of responsibilities, the management of boundaries and a relational attitude that avoids excessive fusion. This behaviour represents a form of non-violent resistance to the potentially destructive symbiosis of the care relationship, in which the identity of one risks being annihilated in the other. The narratives also reveal an implicit reflection on the risks of domination, which can manifest itself, even unintentionally, in the overlapping of caregiving roles. In this sense, redemption becomes a tool for protecting the vulnerable person from the possible invasiveness of their caregiver.

I avoid passively accepting delegation. [...] It's your commitment. Invest in your situation (Laura_65).

If I see that he really needs it, I help him. Otherwise, I pretend everything is fine (Giovanna_62).

Finally, the third subcategory includes behaviours explicitly oriented towards active, daily sacrifice, both material and emotional. Female caregivers interviewed show their presence in small gestures, in mediating with health services, in promoting the autonomy of the person being cared for whenever possible, and in managing family organisation. Sacrifice is thus a practical response to the impact of the disease, but also a form of mediation with regard to the conditions of vulnerability that can lead to isolation, feelings of inadequacy and stigmatisation, to the detriment of well-being. Sacrifice is part of a delicate balance between protection and control, between care and absorption.

If it weren't for us (meaning informal caregivers), they would have been left alone in the silence of their homes (Serena_44).

I am at your service as a driver. (Maria_75)

5.3 Expression of the role

The last area that emerged from the analysis concerns the ways in which informal caregivers express and negotiate their role in the care relationship. The three subcategories that make up this section – recognition, aversion and acquiescence – represent discursive and pragmatic attitudes that reflect subjective adaptation to the caregiving task, as well as the different ways in which women caregivers deal with more or less overt forms of symbolic, systemic and relational violence.

The subcategory *recognition* includes narratives in which the role of caregiver is assumed with awareness and declared in terms of responsibility, competence and active presence. However, this recognition is rarely spontaneous or free of ambivalence: it is often the result of prolonged exposure to fatigue, overload and the normalisation of female sacrifice. In many testimonies, caregiving is described as natural, but it is precisely this naturalisation that outlines a form of invisible violence, which presupposes an unlimited, non-negotiated availability of women's time and energy. In this context, recognition does not come from outside – institutions, social or family networks – but is constructed by the caregivers themselves in an attempt to make sense of an often precarious and exhausting position.

I felt involved from the very beginning. It was normal for me to take care of it. No one asked me, it just happened (Giulia_70).

We are the ones who keep everything going. We know it, but no one recognises it. (Emma_72).

On the other hand, the subcategory of aversion includes experiences in which the role of caregiver is perceived as imposed, unfair or even hostile. In these cases, caregiving is perceived as a form of coercion that generates anger, frustration and a sense of imprisonment. The violence here is direct and explicit: it is the violence of an asymmetrical burden, of time taken away, of identity reduced to the function of care. These voices express the rejection of a role taken for granted and denounce the violence implicit in

social expectations that prevent people from naming their discomfort or escaping the role of caregiver.

I didn't want this life. I didn't choose it. And now I can't back out (Gina_80).

I don't feel free. I'm angry. Not with him, but with everything else. As if it were normal for me to keep quiet and do what I'm told (Eleonora_51).

Between recognition and aversion lies the subcategory of *acquiescence*. This represents a form of passive adaptation to the role, lacking both full identification and open opposition. Caregivers in this position seem to give up the possibility of negotiating or critically reworking their experience, accepting the caregiving task as inevitable. Violence, in this case, is expressed in a more subtle way: it manifests itself in the suspension of conflict, in resignation, in the gradual erasure of individual needs.

That's just the way it is now. There's no point in getting angry (Tiziana_68).

Sometimes I feel like a spectator. Things happen, I'm there (Gabriella_67).

Acquiescence is probably the most insidious and pervasive form of symbolic violence, because it blends into everyday life and is consolidated through a sense of duty. The renunciation of conflict thus becomes an effect of power that asymmetrically structures care relationships, rendering subjective fatigue silent – and therefore even more profound.

6. Discussion

Results led to the identification of three types of informal caregivers, which emerged from the intersection of categories constructed on three empirical dimensions: attitudes, behaviours and modes of expression of the role. Each type represents a specific configuration of the position taken by caregivers with respect to the care relationship, their role and the illness. In all the types analysed, elements of structural violence emerge – in a more or less explicit form – which manifest themselves both in the naturalisation of care expectations and in the tension between individual agency and moral duty:

1) I am, therefore I care

This type includes caregivers who define themselves based on their family relationship: 'I am a wife, therefore I care', 'I am a daughter, therefore I care'. Caregiving is experienced not as a choice but as an identity obligation, inscribed in gender roles that are assumed passively and rarely questioned. The prevailing attitude is reticence: the interviewees speak cautiously, motivated by a desire to protect the sick person, but also by a profound difficulty in claiming a subjective space. The behaviours observed reveal forms of communicative resistance and control – particularly during joint interviews – where caregivers try to manage or filter the content expressed by the other. The role is assumed fully, but conformist and automatic, as if it were a non-negotiable continuation of the emotional bond. This stance reveals a subtle but pervasive form of symbolic violence: care is not imposed by an external authority, but by an internalised social order that assigns women the task of 'being there' unconditionally, without recognition and without alternatives.

2) I love, therefore I care

This type includes caregivers who participate enthusiastically in the interview, expressing a desire to talk about themselves and an awareness of their role. The main motivation behind their actions is emotional: care stems from love, not from a social obligation. However, this very 'love that cares' can prove to be ambiguous. The line between freedom and obligation becomes blurred, and the relationship risks producing a form of invisible emotional bond. At the behavioural level, these caregivers alternate gestures of support with strategies to safeguard their own independence and that of the sick person. The role is taken on critically, with forms of selective aversion: not towards the loved one, but towards the logic that transforms love into systemic fatigue, denying its spontaneity. In this configuration, violence is less evident, but it creeps into the emotional pressure and the continuous redefinition of the self in relation to the other, in a dynamic of adaptation that leaves little room for self-determination.

3) I must therefore care

The third type is where systemic violence (Žižek, 2007) manifests itself most explicitly. Caregivers who fall into this category experience caregiving as an inevitable fate, with no alternatives. The attitude with which they participate in the interview is often marked by resignation: they feel stuck in a role they did not choose, but which they must fulfil due to a lack of resources and support. The behaviours observed revolve around continuous sacrifice, which leaves little room for recognition or self-care. The role is expressed through acquiescence: the interviewees adapt, support, mediate, but in doing so they dissolve. In this configuration, violence is invisible but systemic, because it is produced by the absence of services, loneliness, the inadequacy of institutional responses and the lack of recognition. Their role becomes functional in filling the gaps of a deficient system, and for this very reason it is unavoidable. Their voices are marked by silent endurance, which prevents them from even naming their discomfort, the result of a context that makes care an invisible but all-encompassing obligation.

In conclusion, the three types of caregivers identified in this study perform a social buffer function (Costa 2022), embodying the role formally introduced into Italian legal discourses by Law No. 205 of 27 December 2017, Art. 255, which recognised the figure of the "family caregiver" for the first time. However, this legal definition recognises the role without specifying rights, protections or structural support, thus reinforcing a gender-connoted and gender-oriented configuration of care.

This absence translates into an implicit form of institutional violence, which is intertwined with the symbolic violence described by Bourdieu (1998): a cultural mechanism that, under the rhetoric of dedication and love, legitimises the moral obligation of women to take on the responsibility of care. In this sense, the structural violence theorised by Galtung (1969) manifests itself in the gap between what women could be and what they are socially and institutionally allowed to be, a gap that limits their capacity for self-determination. Sen's (1993) capabilities approach allows us to interpret this gap as a denial of substantive freedom: when care is taken on out of necessity rather than choice, it becomes a form of systemic coercion that deprives women of the possibility of planning their own lives. Bridging the gap between theoretical reflection and policy design, and recognising care as an area of social justice, is therefore essential to transform a field currently marked by invisible violence into a space of freedom, recognition and equal opportunities.

7. Conclusion

Reading the phenomena of informal caregiving through the lens of structural violence represents a fundamental epistemological operation for revealing and deconstructing the invisible forms of oppression that permeate the daily lives of women caregivers. As theorised by Galtung (1969), structural violence does not necessarily take the form of an act performed by an agent, but rather a systemic mechanism that produces inequalities of power and opportunity, making the pain and suffering of victims the result of an unequal and deeply unjust social order. Farmer (2013) broadens this perspective, denouncing how such mechanisms are often hidden beneath the surface of institutions, not attributable to individual blame but to a self-perpetuating system of oppression that imposes disproportionate burdens on vulnerable individuals, in this case informal female caregivers.

The qualitative evidence presented here highlights how, across different configurations of attitudes, behaviours and role expression, caregivers reproduce and internalise social norms that naturalise care as a gendered duty. Whether motivated by identity, affection, or moral obligation, their experiences converge in exposing the tension between agency and constraint, and the systemic nature of the micro-violences they endure.

However, for the purposes of this contribution, it is crucial to emphasise that this violence is not perpetrated by the sick person, nor by the act of care itself, but by a socio-cultural and political system which, by failing to take responsibility for caring for sick people, delegates and obliges women to take on unsustainable burdens. The absence of effective public intervention, the lack of a fair support network and patriarchal cultural inertia thus translate into a form of oppression that is as psychological as it is material.

Defining gender-based violence to include these structural and systemic dimensions means breaking with the narrow view that confines violence to its visible manifestations, and recognising how it operates in subtle, everyday and institutional forms. Sociology has the task not only of revealing these hidden mechanisms, but also of informing political and institutional action capable of addressing them. At different levels, this requires coordinated responses: at the micro level, supporting caregivers' recognition and well-being; at the meso level, improving inter-agency collaboration and the inclusion of caregivers in service design; and at the macro level, promoting policies that redistribute care and challenge the cultural norms that naturalise women's responsibility for it. The study attempts to offer analytically transferable insights into how structural and gendered violence is reproduced through everyday care practices. Future research should further examine these dynamics in comparative and institutional terms.

Only through an integrated approach that links empirical understanding with policy innovation can a model of care be built that is equitable, sustainable and respectful of dignity and rights. Otherwise, women will remain bound to roles of sacrifice and silence, perpetuating the structural and gendered violence that undermines social and gender justice for all women born and living in Italy.

8. Limitations

The main limitation of this research lies in the non-representativeness of the self-selected sample, which does not allow for statistical generalisation. In addition, the analysis did not systematically consider possible socio-demographic or contextual variations that may influence caregivers' experiences and these constraints limit the scope of inference.


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Violence against Migrant Women. Reflections on Patriarchy, Migration and Gender-Based Violence

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Abstract

The article aims to demonstrate that the condition of migrant women, analyzed through the lens of gender-based violence, represents the persistence of patriarchy in contemporary societies. Focusing specifically on the Italian case, the analysis shows that migrant women have been invisible in the public debate on migration for decades, and have only emerged in the last twenty years in relation to the phenomenon of gender-based violence. In fact, their representation as victims of violence makes them vulnerable and subject to the public powers of the host state, and reinforces and legitimizes security policies against migrants. The argument proceeds in three steps: 1) A philosophical-political reconceptualization of the nexus between gender, migration, and violence; the argument draws on Hannah Arendt's philosophical analysis of the deprivation of citizenship rights of stateless persons and Toni Morrison's sociological reconstruction of the processes of *Othering*. 2) A critique of international humanitarian law from an intersectional and postcolonial perspective; through Jane Freedman and Simon Turner's theories on vulnerability and victimization, the article aims to demonstrate how discourse on gender-based violence prevents genuine processes of empowerment and escape from violence. 3) The application of this approach to reception practices, starting from *Leaving Violence Living Safe* project, promoted by the anti-violence centers of the D.i.RE network in collaboration with UNHCR.

Keywords: *gender, gender-based violence, migration, patriarchy, intersectionality, postcolonialism*

1. Introduction

The condition of migrant women represents a paradigm of contemporary patriarchy. This thesis will be explored in the present article through a philosophical-political critique of the ways in which violence and migration are currently associated in cultural

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representation, political discourse and the administrative management of migration with particular attention to the Italian case. Asylum seeking, refugee, undocumented and with residence permits women – who now constitute a significant percentage of both the migrant population and the overall population – stay in our country for many years, suffering the profound effects of triple discrimination: exclusion from the public sphere as both women and non-citizens; political and social subjugation due to their diverse cultural backgrounds; and violence experienced during the migration process, within families, at work, and in social and institutional contexts.

Despite having been a driving force in migration flows from the beginning, women have long remained invisible to both politics and society, hidden behind their partners or relegated to families where they perform all-encompassing caregiving roles (Coccia, Demaio and Nanni 2023). Their marginalization has legitimized the absence of policies addressing their needs, particularly concerning integration into the labour market, education, and society, and has led to the acceptance of a double standard in the discourse on rights. While public initiatives aimed at gender equality have gained increasing importance in national and local policies, the growing segment of the female population lacking citizenship rights continues to be silenced.

In recent decades, migrant women have gained visibility and an increasing number of regulatory measures have been dedicated to them – but at a high cost: the cost of being victims of violence. The female component of migration is analysed in political discourse primarily through the lens of sexual and gender-based violence as inseparable issues. Migrant women have gained public attention, legal recognition, and social and political action only as victims. This perspective aligns with the security and emergency approach that host countries continue to adopt toward immigration (Belliti 2024). However, the commitments made by states regarding violence against migrant women – without addressing its structural causes – fail to produce meaningful change, as they are inherently insufficient to reduce the phenomenon.

To examine the deep interconnections between patriarchy, the condition of migrant women, and gender-based violence, I will structure my argument in three stages. First, I will propose a philosophical-political reconceptualization of the migrant figure from a gender perspective. Second, I will critic the current public discourse on gender-based violence in migratory contexts. Finally, I will advocate for an intersectional and postcolonial approach, drawing on both theoretical frameworks and field experiences.

1.1. Data and Methods

References and data on the condition of migrant women in Italy are drawn from texts on the sociology of migration published over the last ten years. The analysis of the body of international humanitarian law relating to gender-based violence is conducted according to critical theory methodology, with the aim of deconstructing and reconstructing the conceptual frameworks that inspire the norms and practices governing migration policies. Exposing the link between gender, migration, and violence as a structural component of the patriarchal system aims to initiate a transformative process in thinking, law, and the management of migration, both at the political and administrative levels.

2. Patriarchy, migration, violence

My contribution to philosophical research on migration starts from a gender perspective applied to the entire migration phenomenon¹. I will attempt to demonstrate how today migrants experience a condition analogous to that of women under patriarchy and how migrant women represent the most evident form of patriarchy's persistence in our societies, despite the many successes achieved by white women over the past century.

2.1. What is Patriarchy?

Patriarchy can be defined as a specific form of social organization that places women "in a generalized condition of servitude and subordination to male power, in every area of public and private life" (Facchi and Giolo 2023: 10). Regarding its origins, three main theories have attempted to provide an explanation. The first is the anthropological theory, which traces the foundation of patriarchy to the violence that men have historically exercised over women to satisfy their instinctive desire for mating. According to this view, men – anatomically predisposed for penetration and the conquest of the female body – forced women into submission to a father, brother, or husband in exchange for protection from other males (Brownmiller 1975). This hypothesis suggests that patriarchy dates back to the dawn of humanity, rooted in a presumed natural difference between the male and female sexes, with the former considered the universal and neutral One, and the latter the Other – destined to be dominated and included within the One (de Beauvoir 1949).

The second theory emerges from the materialist conception of history from a Marxist and Engelsian perspective, which argues that patriarchy began with the institution of private property. According to this view, as productive labour performed by men outside the family became increasingly central to subsistence, it overshadowed reproductive labour, which was entirely assigned to women within the domestic sphere (Engels 1884; Dalla Costa 1972; Mies 1986). In this sense, capitalism has significantly transformed and reinforced patriarchy, as women's reproductive labour – essential yet unpaid – contributes to the continuous and large-scale accumulation of capital.

The third theory, rooted in political theory, defines patriarchy as the result of the social contract that underpins the modern state, from which women are excluded because of a natural right – rooted in religious, cultural, and symbolic traditions – that grants men power over the public sphere while relegating women to the private sphere (Pateman 1988). However, even within the private sphere, a contract exists – the marriage contract – which designates men as the heads of their families.

2.2. Non-Citizen Women

For this reason, scholars have spoken of women's original exclusion from citizenship and their delayed and reversed path to acquiring rights compared to men. According to classical citizenship theories, the recognition of rights has historically progressed from civil rights to political rights and, finally to social rights (Marshall 1964). In contrast, the first rights that women gained access to were social rights, particularly those related to

¹ These reflections draw on Italian studies carried out so far on human rights and migration (Calloni, Marras and Serughetti 2012; Boiano and Serughetti 2021) and on philosophy of migration (Di Cesare 2017; Cavalletti and Solla 2020).

work-life balance, which preceded political rights – such as voting and electoral participation – and civil rights, which were later expanded to encompass new gender-related claims (Facchi and Giolo 2023: 69).

On a symbolic, social, and political level, women represent the Other/Difference, as opposed to the One/Male Identity, which defines the normative order. They are associated with the female gender – linked to bodies, nature, and emotions – in contrast to the male gender, which is aligned with the mind, culture and reason that uphold the anthropocentric order. For centuries, women have been the "angels of the domestic hearth," excluded from the public sphere – namely politics and full citizenship as realized within the state order.

2.3. Migrant, the Otherness

Now, let us examine the condition of the migrant. Having left their community of origin, the migrant becomes the Other in relation to the Self of the national community – a human being with no status beyond mere survival. The only rights they possess are human rights which can only be protected within a state authority that inherently discriminates between citizens and non-citizens.

Arendt spoke of bare life in reference to stateless persons – individuals who, deprived of a homeland and citizenship, lack all protection and recognition to the extent that they can be illegally yet legitimately confined in internment camps. She also extended this concept to minorities, such as Black people, who, recognized only as such within a community, lose “with the right to equality that freedom of action which is specifically human” (Arendt 1955: 204).

Without citizenship and excluded from the public sphere, the migrant experiences a condition of exclusion and domination akin to that suffered by women under patriarchy. The only difference lies in the nature of their otherness: while women exist within the community and their otherness is defined by gender, migrants come from outside, and their otherness is marked by race.

This is precisely what Toni Morrison highlights in her analysis of the mechanism of “alterisation”. Morrison states: “Race has been a constant arbiter of difference, as have wealth, class, and gender – each of which is about power and the necessity of control” (Morrison 2017: 3). However, it is within the community that the process of alterisation leads to exclusion. Those who arrive after renouncing the citizenship of their country of origin are no longer *hospes* – a sacred guest to be welcomed – but *hostis*, an enemy, someone who threatens order by being illegal by definition.

Thus, the migrant is effectively thrust back into a state of nature, where one is inherently exposed to violence. However, unlike in the Hobbesian state of nature – where violence is a constant threat among individuals who are free and equal by natural right – here, violence stems from an inequality of status. This violence can be private, when carried out by native citizens fueled by hatred and intolerance, or public, when exercised by the state through the exclusion of non-citizens. In this case, the migrant is subjected to the violence of sovereign power, which deems such exclusion both permissible and necessary.

In the relationship between migration and violence we find another analogy with gender relations. Violence against women stems from a male power that, in order to assert its dominance, must subjugate the female Other; similarly, violence against migrants serves to reaffirm state power with respect to the foreigner, who is Other from us by race. This is why violence against migrant women cannot be abstracted from the context of structural violence that connotes migration as such, determined by that mechanism of

“othering” typical of the patriarchal organisation of society. Gender violence in migration is grafted within violence in migration tout-court, as the result and consequence of discrimination, oppression, relations of domination based on gender, race, and any form of otherness.

Finally, another element reinforces the link between patriarchy and migration: the legacy of colonization, which was built on the intensive, extractive, and predatory exploitation of territories, populations, and animal species. Ecofeminism firstly highlighted the triple dimension of violence exerted by patriarchal capitalism – on women, the peoples of the Global South, and nature (d'Eaubonne 1974; Merchant 1980; Mies 1986). Today, this violence dangerously extends across the entire planet through climate change, the depletion of natural resources and the unsustainability of demographic pressures. In this sense, migration represents the inevitable *nemesis* of the chain reaction triggered by the overlapping of all capitalist forms of oppression, exploitation, and violence.

2.4. An intersectional analysis on gender and migration

Being a migrant is thus one of the consequences of the patriarchal system and an exemplary manifestation of *intersectionality*, a concept defined by Kimberlé Crenshaw (1989) as the interweaving of different forms of domination and oppression, which together create a unique, particular, and subjective condition of subjugation. Migration itself constitutes a distinct axis of domination, characterized by the condition of *naked life* – a life deprived of citizenship and exposed to the violence of established powers. Analysing sexual and domestic violence, Crenshaw (1991) identifies three different levels of intersectionality. The first is *structural intersectionality*, shaped by the intertwining of race and gender as fundamental axes of domination. The second is *political intersectionality*, which marginalizes and renders violence against racialized women invisible – both within anti-racist discourse (which primarily focuses on men) and within anti-sexist discourse (which predominantly centres on white women). The third is *representational intersectionality*, referring to the cultural constructions produced by these same axes of domination and oppression.

Within the interplay of these intersectional dimensions, violence against migrant women has entered public discourse. The violence resulting from the intersection of race and gender is framed within the migrant's process of *alterisation* and confined to their culture of origin. This framing allows such violence to remain excluded from anti-racist discourse – where acknowledging it might contradict political, social, and cultural inclusion efforts – and from anti-sexist discourse, where it is neutralized through cultural stereotypes imposed on non-Western societies. Finally, violence against migrant women is often instrumentalised within neo-colonial narratives, reinforcing the stereotype of the "violent foreign man" and the "victimized foreign woman" – an ideal construct used to legitimize anti-immigration policies.

3. Contradictions of humanitarian law

Migration thus entails a form of *structural violence* rooted in the patriarchal organization of our societies – one that also encompasses violence against migrant women. Separating the latter from the former serves to reinforce securitarian policies and border rejection strategies, which distinguish between *foreigners* (the unwanted and

disturbing Other) and *victims* (the *others* – deliberately written in lowercase – who are deemed ready to be rescued from the misfortune of their origins and assimilated into our culture).

3.1. The naturalization of women's vulnerability

Migrant women, depicted as inherently vulnerable, as victims incapable of autonomous redemption, become the focal point of the paradox of humanitarian intervention. Examining the condition of migrants in refugee camps, Michel Agier had already observed how “these adrift and waiting creatures” were forced to survive solely on humanitarian aid. He questioned whether humanitarian agencies, while striving to protect people from harm, were in fact unwittingly assisting the *perpetrators of ethnic cleansing* – functioning as low-cost agents of exclusion and, more significantly, as mechanisms designed to offload and placate the anxieties of the rest of the world. In doing so, they absolve the guilty, soothe the conscience of the scrupulous, and defuse the sense of urgency and fear surrounding contingency. In the same vein, Bauman wrote: “Putting refugees in the hands of aid workers and closing one's eyes to the armed guards in the background seems the ideal way to reconcile the irreconcilable: the irresistible desire to dispose of these human refuse, while at the same time gratifying one's burning desire for moral rectitude” (Bauman 2005: 96).

It is within this humanitarian response that the discourse on violence against migrant women is framed. They embody a triple dimension of otherness in relation to the native white man: they belong to another gender, another race, and lack citizenship. Yet, unlike migrant men, they can be subjected to both private and public violence without necessarily being publicly hated. They can be invisible behind the role of breadwinner of their partners, prevented from emerging in the illegal paths of trafficking (Abbatecola 2018), reabsorbed into family relationships or enlisted in cheap care services (Garofalo Geymonat, Marchetti and Palumbo 2023), if not drowned in the Mediterranean (Schmoll 2022). These forms of violence can be both private and public. Private violence is inflicted by criminal human trafficking organizations, exploiters of illegal labour, and those who commit rape – whether driven by sheer desire or in exchange for basic necessities. Public violence, on the other hand, arises as a consequence of border rejection policies and the failure to conduct sea rescues – practices that have been widely condemned as acts of violence and violations of human rights (GREVIO 2022: 161).

When migrant women enter the public sphere, they are portrayed as victims – defined solely by the violence they have endured since their departure and categorized as a vulnerable group. This constitutes a form of public and institutional violence, exercised by a state that wields exceptional powers. It imposes rigid assistance pathways, sets unattainable formal requirements for obtaining residence permits or international protection, and often conditions their legal status on judicial cooperation (GREVIO 2022: 147-148).

3.2. Humanitarianism as state of exception

Migrant women bear the full weight of the ambivalence of humanitarian law. On one hand, it applies to those who have lost everything and been reduced to *bare life*, ensuring only their mere survival. On the other hand, it restricts freedom of movement and stifles autonomy. Humanitarian aid for vulnerable groups is granted only on the condition of submission to the *state of exception* – administered within controlled spaces and through

regulatory practices that continuously reaffirm state power. According to the Italian Cutro Decree², only those from the humanitarian corridors and those declared vulnerable during their stay in temporary reception facilities (minors, unaccompanied minors, elderly people, pregnant women, single parents with minor children, people with serious illnesses or mental disorders, victims of trafficking and violence) are then brought into the reception and integration system. There is therefore first a passage of ascertaining vulnerability, not codified by the law and therefore subject to the discretion of those working in the temporary structures, and then insertion into paths that guarantee basic assistance and orientation services, while the procedures for the recognition of forms of protection and asylum take place. The physical and psychological displacement of migrants in a state of vulnerability reflects all the ambivalences of humanitarian law. It oscillates between a relative privilege – when compared to those subjected to expulsion and clandestinity – and a persistent stigma that reinforces their otherness within the host community.

Jane Freedman (2019) highlights how the classification of vulnerability for both groups and individuals is shaped by racial biases and gender stereotypes. Rather than being understood as a condition that arises from specific contexts and relationships, vulnerability is often perceived as a fixed, objective reality – defined from an external perspective that labels certain situations as inherently dangerous.

"Vulnerability is not an intrinsic condition but a relational one, meaning that individuals may find themselves vulnerable at certain moments in their lives due to specific personal circumstances. Women who have experienced sexual violence, for example, are not necessarily vulnerable *per se*, but they may be *made* vulnerable – or their vulnerability may be exacerbated – by being forced to share spaces with unknown men or by being pressured to recount their experiences to a male immigration officer. Conversely, those not typically considered vulnerable – such as women traveling with husbands or family members may – in reality can be victims of violence and face even greater risks precisely because of the assumption that their husbands will protect them" (Freedman 2021: 240-241).

The automatic association of vulnerability with migrant women not only strips them of agency but also creates conditions for further discrimination and marginalization, even within spaces meant for refuge and protection.

3.3. The neocolonial perspective of the humanitarian law

The same stereotypical representation of vulnerable groups would transpire from the acts and norms of international humanitarian law dedicated to gender-based violence in migratory contexts. According to Simon Turner (2017), the emphasis that international authorities and agencies are now placing on this issue is based on politically and culturally prejudiced assumptions, such as the claim that the displacement of masses of people generates social and moral chaos, which in turn triggers violent male sexuality by black men.

"Such assumptions about sexual and gender-based violence tend to be based on, as well as reproduce, orientalist and neocolonial representations of sexualities and violence in the Global South ... Apart from such assumptions on violence obscuring our understanding of the mechanisms of violence, they may also add harm to damage because

² <https://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:decreto.legge:2023-03-10;20>.

they reinforce gender and race stereotypes, constructing the male refugee of colour as a threat to humanitarian care and human rights" (Turner 2017: 45).

This humanitarian approach, which looks at women as necessarily victims of violence perpetrated in their countries of origin and by male migrants, on the one hand tends to reinforce the choice of repressive and rejectionist policies, and on the other neutralises the figure of the migrant woman, denying her political subjectivity and access to public discourse. The country of arrival deresponsibilises itself by taking charge of the problem of violence, without guaranteeing the victims the economic, social, and cultural resources necessary to build an autonomous life project. The consequence of this approach is the lack of a data control and monitoring system and the absence of coordinated social inclusion policies at the national level. As an example: the Department of Public Security of the Italian Ministry of the Interior does not monitor migration data by gender³; the Italian Ministry of Labor and Social Policies breaks down the data by gender, but the latest update dates back to 2021⁴; the latest analysis of gender-based violence by ISTAT (the National Institute of Statistics) dates back to 2014, and data on migrant women published year after year is collected from D.i.Re reports⁵.

4. Decolonising the view

If humanitarianism is conditioned by a neo-colonial vision that limits itself to acting on the effects, it is necessary to adopt a gender-sensitive and multidisciplinary approach to female migration (Freedman, Sahraoui and Tastsoglou 2022; Di Stasi et al. 2023; Salehin 2024) and decolonise the gaze; only in this way grasping the roots of violence in migratory contexts is possible.

4.1. The coloniality of gender

According to some postcolonial (Duraccio 2021) and decolonial feminisms (Torre, Benegiamo and Dal Gobbo 2020), understanding the condition of migrant women requires going beyond the intersectional approach itself. The different axes of oppression and domination related to gender, race, class, sexual orientation, age, ability, etc. should be analysed not as distinct from each other, but as all generated by the same process of conquest and colonisation that the West has imposed on the rest of the world: gender would also be, like race, a product of colonialism. Lugones (2010) speaks of a “modern colonial system of gender”⁶, based on a multiplicity of dichotomies: from that of human/non-human, which discriminates populations on the basis of the concept of race, to that of man/woman, which is the foundation of the concept of gender and the consequent patriarchal and heterosexual order. The “coloniality of gender”, which recurs in migration, can only be overcome by acting out an alternative and resistant form of life to the dichotomous colonial one, expressed in a “historicised and embodied intersubjectivity”

³ https://www.interno.gov.it/sites/default/files/2025-10/cruscotto_statistico_giornaliero_06-10-2025.pdf

⁴ <https://integrazionemigranti.gov.it/it-it/Dettaglio-approfondimento/id/45/Le-comunita-migranti-in-Italia-Edizione-2021>

⁵ <https://www.istat.it/statistiche-per-temi/focus/violenza-sulle-donne/il-fenomeno/violenza-dentro-e-fuori-la-famiglia/il-numero-delle-vittime-e-le-forme-di-violenza/>

⁶ Lugones quotes Quijano, who defines the concept of coloniality as that specific form of domination and exploitation that is constituted in the world capitalist system of power (Quijano 1991).

(Lugones 2010: 746) capable of critiquing gender oppression and transforming the social sphere, where the everyday life in which women act takes place. On the other hand, Rita Segato argues that gender pre-existed the colonial order in the form of a *low-intensity patriarchy*, which capitalism then radically transformed, intensifying its oppressive and violent dimensions. Like Lugones, Segato criticizes the Eurocentric notion that merely extending existing rights frameworks is sufficient to uphold the rights of non-white, Indigenous, and Black women in colonized regions – framing such efforts as an attempt to present modern civilization as having overcome its patriarchal structures (Segato 2016). However, unlike Lugones, Segato views gender as a critical resource capable of generating autonomous subjectivity.

4.2. "Facultad" of the margin

Whether through gender or other embodied identities, migrant women must mobilize that particular *facultad* described by Anzaldúa (2012) – an acute awareness that "communicates through images and symbols," a *sensibility* unique to those who are "extremely open to the world". This heightened perception belongs to those who endure the most attacks: "women, homosexuals of all races, dark-skinned people, the renegades, the persecuted, the marginalized, the foreigners" – all those who inhabit borderlands, existing at the crossroads of bodies, identities, cultures, and oppression.

This *facultad* aligns with what Freedman terms the "strategic use of vulnerability" (Freedman 2019: 10) – a reversal of the victim's position into that of an agent who has consciously chosen migration. Such individuals navigate both the opportunities migration presents – whether economic advancement or the pursuit of freedom, which may mean escaping oppression, gender-based violence, or other forms of subjugation (Brambilla et al. 2022: 17) – and the inherent risks of encountering further violence.

4.3. An example of postcolonial approach

The meaning of this *facultad* has been well understood by the anti-violence centres of D.i.RE national network, which in 2019, in partnership with UNHCR, developed the *Leaving Violence Living Safe* project⁷ aimed at providing appropriate responses to the welcomed foreign women.

The encounter between migrant women and native women working in the centres was possible thanks to the transformative power of mutual recognition between culturally different subjectivities. The handbook on reception methodologies, that was published at the end of the project (D.i.RE 2019-2020), returns an intense process of deconstruction of stereotypes and reconstruction of a shared space, in which welcomed women and operators put themselves on the same level to compare, from their respective points of view, the meaning of the language of reception. The operators aimed to develop and solidify an intersectional methodology by engaging in *decoloniality exercises*, acknowledging the privileges, benefits, and advantages inherited through "color and epistemological positioning", and actively working to avoid reproducing *us/them*

⁷ <https://www.leavingviolence.it/en/>. The project aimed at training for the centres' operators, mediators, experts and lawyers, networking with other territorial actors dealing with violence and migration a methodology of reception practice, awareness-raising for asylum-seeking and refugee women, advocacy for institutions at all levels.

dichotomies. Their goal was to rethink relationships beyond "paradigms and assumptions in which women do not recognize themselves" (Carbone 2022: 190), thereby enabling the creation of pathways out of violence and life projects that align with the imaginaries and desires of those affected.

D.i.Re's experience shows that decolonizing and depatriarchalizing thought and language is essential to addressing gender-based violence among migrant women. This experience can and must be replicated within local anti-violence networks and the reception system. Gender-sensitive training, requested by GREVIO for social and reception operators (GREVIO 2022: 154-160), must be accompanied by socio-cultural training capable of communicating with migrant women. This is a real challenge for a new welfare system that needs to change its organization, services, and staff skills in response to the phenomenon of migration. Firstly, the reception system, in conjunction with the territorial commissions for the recognition of international protection, must be able to coordinate with the territorial anti-violence networks through the presence of dedicated and trained staff. Secondly, all services in the network must be trained in a socio-cultural perspective, with the qualified presence of linguistic-cultural mediators. Social and health services, legal and psychological assistance, and volunteers at anti-violence centers must share a holistic approach, communication methods, and risk assessment, capable of building relationships of listening, empathy, and trust with migrant women. The ability to recognise their resources and capacity to escape violence and build their own freedom on the basis of their culture, their life plans and their interpretation of reality is a prerequisite for combating gender-based violence in migration.

Conclusions

In this article, I have sought to demonstrate how humanitarian law and migration policies are shaped by the production of the *Other*, a process deeply rooted in patriarchal societies with colonial legacies. This mechanism of *othering* operates with the highest degree of humanitarian ambivalence when applied to migrant women.

To really assert the rights of migrant women, who are survivors of sexual and gender-based violence, a perspective shift is essential. A gender-sensitive approach – understood in its broadest and most inclusive sense – has to be adopted to recognize gender in migration as both a marker of historical oppression and a site of situated experience for women and other marginalized subjects. The challenge lies in extending the relationship of mutual recognition, already fostered between native and migrant women in the anti-violence centres of the D.i.Re network, to institutional and social contexts within the reception system and local anti-violence networks.


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Anti-violence law in Italy between reforms empowerment and self-criticism need

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Abstract

The contribution preliminarily outlines the evolution of Italy's anti-violence legislation, analyzing the various dimensions through which the Italian legal system has responded to the substantive and procedural challenges posed by gender-based violence against women. Within this framework, Law No. 69/2019 (the "Red Code") and Law No. 168/2023 represent only the most recent "islands" of a broader "legislative archipelago" in which, as emphasized by the Supreme Court, legal practitioners are called to navigate. The analysis encourages a focused reflection—free from purely theoretical digressions—on the structural limits of the legal system, emphasizing the need for institutional self-criticism repeatedly urged by the monitoring bodies of binding international conventions for Italy, such as the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the Istanbul Convention. Furthermore, the contribution examines the sanctions imposed on Italy by the European Court of Human Rights, highlighting the persistent shortcomings in the practical implementation of legislative provisions, especially with regard to the protection of victims exhibiting forms of discrimination intersecting with their gender.

The paper aims to demonstrate that, despite an extensive normative framework, a significant gap remains—documented by women's experiences and the data gathered by anti-violence centers—between the formal dimension of legal provisions and their actual effectiveness. Echoing the concerns expressed by the European Court of Human Rights, it advocates for systemic measures, including coordinated training and awareness initiatives jointly developed with civil society actors such as anti-violence centers, feminist shelters, and organizations promoting women's rights.

Keywords: *gender-based violence; anti-violence legal reforms; Italian legal system; Istanbul Convention implementation; victim protection; legislative effectiveness*

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1. Introduction: Focus on anti-violence legislation in Italy.

The provisions introduced by law 24 November 2023, no. 168 “don’t allow to understand the overall framework of measures that Italian legal system has got, after twenty years of continuous legislative production, but often without an organic perspective. It’s useful to illustrate the different axes along with the response of the Italian legal system has unfolded to the problems of substantive and procedural law that the social issue of gender violence against women has raised over time, see law no. 168/2023, that constitutes only the last and most recent “island”, of that “legislative archipelago” in which, according to the Supreme Court (United Sections ruling, 01. 20. 2016 no. 10959) (Boiano, 2023), the legal practitioner in Italy has to move (Michelagnoli, 2016). With Law 5 August 1981 no. 442 “repeal of the criminal relevance of the cause of honour”, the Italian legislator had limited itself to formally expunging from regulations those provisions that legally sanctioned the social tolerability of gender violence against women, repealing the specific mitigating circumstances of murder and injuries, even aggravated, to the detriment of the spouse, daughter or sister or of anyone who is in an illegitimate carnal relationship with them due to “a state of anger determined by the offense caused to his or her family’s honor” (article 587 of the criminal code) (Peroni, 2021; Demurtas & Taddei, 2023).

It was only in the aftermath of the action plan adopted in Beijing following the Fourth World Women’s Conference (4-15 September 1995), that Italian Government undertook to outline an action for the prevention and repression of “violence in personal relationships”, setting itself the priority objective of establishing a permanent observatory and a legislative introduction of urgent precautionary measures in the event of “domestic violence”. With law 15 February 1996, no. 66 “Regulations against sexual violence”, the incriminating cases of the offense against sexual freedom were finally placed among the crimes against the person, eighteen years after the popular initiative law (Virgilio, 1997).

The first reform, the result of a discussion with feminist anti-violence centers, was law 5 April 2001, no. 154, concerning “measures against family violence”, for example the precautionary measure of family removal order (article 282-bis of the criminal code) and the protection from family abuse order (article 342-bis) (Di Lorenzo, 2016). Over the years, additions and modification to substantive and procedural criminal law have followed through legislative decrees, confirming the prevalence of an emergency reading of the issue, outside of a systemic framework, as well as interventions resulting from the alarm generated by the pressing case in the news: the decree-law 23 of February 2009, no. 11 converted by law 23 of April 2009, no. 38, introduced the crime of persecutory acts, configured in the penal code in article 612-bis, the specific precautionary measures of the ban on approaching the offended person (article 282-ter c.p.p.) and the atypical precautionary institution of the Police Commissioner’s warning, burdening the police with the obligation to inform offended people about the anti-violence centers available in the area (Peccioli, 2016; Amoroso, 2016).

Furthermore, access to the benefit of legal aid at state expense has been provided for all people offended by the crime of sexual violence regardless of income, as a tool to facilitate the possibility for offended people to make use of an experienced technical defense in the sector. The decree-law of 14 of August 2013 converted by law 15 of October 2013, no. 119, labeled by the press in the terms of the law “on femicide”, is the first initiative taken after law 27 of June 2013, no. 77, ratifying the Council of Europe Convention for the prevention and the combat against women and domestic violence (later on the Istanbul Convention), that however didn’t immediately, completely and coherently fulfill the obligations arising from the newly ratified international act (Tierney, 1982). Law

no. 119/2013 introduced changes to the criminal code, to the code of criminal procedure, extended the warning and introduced the residence permit for non-European citizen victims of domestic violence. Criteria have been included for the priority treatment of criminal proceedings for crimes of mistreatment, stalking, sexual violence and other spy crimes. Furthermore, the system of planning and management of protection measures has been outlined, committing the legal system to the adoption of a periodic national anti-violence plan with the provision on a regional basis of programmed financial resources, to strengthen the existing anti-violence centers and to increase their diffusion across the territory, in compliance with international qualitative and quantitative standards regarding the reception and support of women according to a gender and feminist approach (Di Nicola Travaglini & Menditti, 2019).

On 19 of July 2019, law no. 69 was approved and from the press was defined “red code”, borrowing the expression from the name of the emergency routes that give access to A and E, as it is aimed at giving a boost to speed in the handling of criminal proceedings in the matter through an accelerating deadline for the assumption of summary information from the offended person (within three days of the news of the crime). Law no. 69/2019 has also expanded the catalog of crimes affected by accelerated treatment in the trial phase pursuant to article 132-bis disp. Att. C.p.p. with new incriminating cases such as forced marriage (article 558-bis of the criminal code), the deformation of person’s appearance through face permanent injuries (article 583-quinquies of the criminal code), the illicit diffusion of sexually explicit images or videos (article 612-Ter criminal code), violation of precautionary measures and protection orders (article 387-bis criminal code). Law no. 69 also established that minors under the age of eighteen, witness of mistreatment, must be considered victims of the crime, thus codifying the so-called “witnessed violence” (Boiano & Condello, 2019). The interventions on the criminal procedure code are united by the aim of avoiding that any stagnation between acquisition of the news of the crime, its registrations and the start of preliminary investigations, could delay the adoption of measures to protect the persons offended by the crimes of mistreatment, sexual violence, persecutory acts and aggravated injuries committed in family contexts or within cohabitation relationships.

The aforementioned specific legislative interventions have been interspersed with further initiatives that, although not expressly dedicated to the issue of gender violence against women, have made changes to substantive criminal and procedural law relevant to the implementation of international obligations and European law. Furthermore, we recall the procedural reforms referred to in law 23 of June 2017, no. 103 (so-called “Orlando” reform) and Legislative Decree 10 of October 2022, no. 150 (so-called “Cartabia” reform). Meanwhile, in 2018 with the law of 16 of February no. 4, measures were introduced to support orphaned children following femicide, while, after the repeated condemnation by the Presidency of the council to pay compensation to victims of crimes for failure to transpose Council Directive 2004/80/EC of 29 of April 2004 relating to the compensation of crime victims, the European law 2015-2016, of 7 of July 2016, no. 122, regulated the compensation in favor of victims-resident or not in Italy-of malicious crimes committed with violence to the persons, as well as of the crime referred to in article 603 bis of criminal code. (Illicit intermediation and exploitation of labour), with the exclusion of the crimes referred to in articles 581 and 582 of the Criminal Code apply.

A composite picture of interventions emerges, in which the legislator’s favorite area remains criminal law, with the formulation of new crimes, a progressive increase in

penalties and further declination through the aggravating circumstances of the specificities of illicit conduct. Another context of constant change was the criminal procedural context integrated by provisions aimed at implementing the right of access to justice, considered internationally to be the essential prerequisite for women to be guaranteed a life free from violence in practice (Cedaw Committee, General Recommendation no. 33 on women's access to justice, 2015), to be configured according to a multidimensional scheme, with a prohibition on alternative methods such as mediation and conciliation or other institutions that may involve contact between the victim and the perpetrator of the crime (article 48 Istanbul Convention). Starting from law no. 69/2019, the prevention and administrative measures have also been redesigned; the suspension of the sentence conditional on access to dedicated recovery paths was envisaged, while with the "Cartabia" reform specific provisions were introduced which ensure a timely response from the civil judge based on the principle of the most extensive and rapid protection in the event of "allegations of violence" (Razzi, 2023), as well as further criminal procedural changes, including restorative justice institutions, a field of investigations and reflection still open, also in light of the delays in the implementation of the system of necessary services.

2. The new provisions of law no. 168/2023.

Law no. 168/2023 is made up of nineteen articles that contain amendments to the Criminal Code, criminal procedure code, prevention and administrative measures. The general purposes of the law are the prompt handling of cases, the adequacy of protection before, during and after criminal proceedings, without neglecting the implementation issues of the recovery paths for perpetrators of violence. Furthermore, indications relating to the specialization of offices and the training of operators, including the judiciary, are introduced, as well as the possibility of requesting, if the victim is in need, an advance payment of compensation paid by the State.

The legislator has provided for a strengthening of measures regarding warning and information to victims of gender violence. In detail, the article 1 of the aforementioned law provides that "in the cases referred to in articles 581, 582, 610, 612, second paragraph, 612-bis, 612-Ter, 614 and 635, committed or attempted, of the penal code, in the context of domestic violence, the police commissioner, even in the absence of a complaint, can proceed having obtained the necessary information from the investigative bodies and having heard the people informed of the facts, at the warning of the author of the fact". A significant innovation concerns the duties of the police in cases in which they have news of crimes committed in the context of domestic violence as amended by the co. 5 of the Legislative Decree No. 93/2013 (converted, with amendments, into Law no. 119/2013). This rule in fact provides that: "The measures referred to in paragraph 1 of article 11 of the legislative decree of 23 of February 2009, no. 11, converted, with amendments, by law 23 of April 2009, no. 38, are also applied in cases in which the police, health facilities and public institutions receive from the victim news of crimes referred to in articles 581, 582, 610, 612, second paragraph, 614 and 635 of the penal code in the scope of domestic violence referred to in paragraph 1 of this article".

This provision therefore provides that, in the event that Police Force receives from the victim a report of a crime relating to the hypotheses referred to in articles 581, 582, 610, 612, second paragraph, 614 and 635 of the penal code committed in the context of domestic violence, they are obliged to provide the victim with all information relating to the anti-violence centers present in the area and, in particular, in the victim's area of

residence. Other innovations that impact on the activity of the police force can be found in articles 10 and 12 of law no. 168/2023. Article 10, entitled "Deferred arrest in flagrante delicto", inserts the art. into the Code of Criminal Procedure 382 bis, rule according to which: "in the cases referred to in articles 387 bis, 572 and 612 bis of the Criminal Code, anyone who, on the basis of video-photographic documentation or all type of materials legitimately obtained from computer or telematic communication, from from which the fact emerges, is the perpetrator, provided that the arrest is carried out no later than the time necessary for his identification and, in any case, within forty eight hours of the fact".

Therefore, on the basis of this new regulatory provision, if the offended person, victim of domestic violence, promptly goes to the police to report crimes referred to in the articles 387 bis, 572 and 612 bis of the Criminal Code whose existence emerges from video-photographic documentation, the police forces can proceed the perpetrator of the aforementioned crimes within forty eight hours from the moment of the commission of the crime, being able to speak, in these cases, of deferred flagrancy. Article 12 of law no. 168/2023 modifies numerous rules of the Code of Criminal Procedure, including art. 275 bis of the Code of Criminal Procedure, dedicated to the regulation of precautionary measures for wich the application of the electronic bracelet is envisaged. In detail, paragraph 1 of the art. is amended 276 bis c.p.p., the current wording of which provides that: "In ordering the measure of house arrest also as a substitute for precautionary custody in prison, the judge, unless he deems them unnecessary in relation to the nature and degree of the precautionary needs to be satisfied in the specific case, prescribes control procedures using electronic means or other technical tools, subject to verification of the relative technical feasibility by the judicial police". The modification made by the Legislator is therefore aimed at preventing precautionary measures such as house arrest or the ban on approaching the offended person from not being effectively monitored due to the lack of control tools such ad the "electronic bracelet"; it is for this purpose that the Legislator had provided for a "preventive assessment", delegated to the judicial police, aimed at verifying the actual availability and functioning of these control tools (Kelly & Dubois, 2008; Pietrobelli, Gadda, & Misiti, 2020; Inverno, 2008; Scheeringa & Zeanah, 1995).

3. The limits of the order and self-criticism need.

The common denominator of the legislative interventions that have followed one another over the years, except in the case of law no. 119/2013 and the restorative justice services outlined by Legislative Decree no. 150/2022, is the financial invariance clause, a political choice that certainly represents one of the substantial limits that most affects the concrete operation of the institutes introduced or reformed (Boiano, 2023).

Despite, in fact, the composite compendium of legislative provisions described above and considered abstractly suitable as a whole to guarantee a response compliant with the obligations of international law and European law (Cedaw Committee-Concluding observations on the eight report if Italy, of February 2024), from the experience of women, as documented by anti-violence centers and feminist shelters, a deep distance emerges between the formal plan of the institutes introduced and the substantial plan of their effectiveness and efficacy. In fact, on the one hand, there's an overall underestimation of the precautionary needs in criminal proceedings that arise from women's complaints for one or more forms of gender violence, with the effect of compromising the legal system's ability to ensure that the offended persons from the crime the "primary" protection, namely

that set of measures useful to protect against the repetition by the suspect/ accused of further violent conduct. On the other hand, it is necessary to guarantee adequate protection "internal" to the process against "secondary and repeated victimisation, intimidation and retaliation, including the risk of emotional or psychological harm, and to safeguard the dignity of the victim during interrogation or testimonies" (Art. 18, Directive 2019/29/EU).

The distance between the formal legislative plan and the substantial plan of the implementation of the provisions introduced has been highlighted over the years as a problematic profile of the Italian legal system by the monitoring committees of the international conventions binding for Italy, such as the Convention for the elimination of any form of discrimination against women (CEDAW) and the Istanbul convention (this is what emerges from GREVIO's Basic Evaluation Report on the legislative and other measures to be adopted to give effect to the provisions of the Convention of the Council of Europe on preventing and combatting violence against women and domestic violence) (GRETA, 2020). This gap has received many criticism: firstly the extraordinary commission of the Senate for human rights in 2012 and then the parliamentary commission of inquiry of the Senate on femicide as well as on every form of gender violence, over the years have highlighted the application problems and shortcomings of the law on violence against women, highlighting the secondary victimization of women as a widespread problem both in criminal trials and in civil proceedings relating to parental responsibility (Sanlorenzo, 2021). The Italian legal system (Serban, 2023a) was then repeatedly scrutinized by the European Court of Human Rights, that, following the appeals of women and their families, found serious and widespread problems of effectiveness in the application practice of the various provisions introduced, especially with regard to protection in cases of gender violence, in violation of article 14 of the Convention.

The decision of the European Court and of the CEDAW Committee, clearly highlighting the gaps in the legal system and the violations committed by the authorities in individual cases, have, in any case, certainly contributed to the most recent legislative reforms, also giving a signal in terms of social reparation towards the direct victim of the violation. They also promoted a path of awareness and self-criticism among legal practitioners; however, the level of ascertainment of the individual responsibilities of those who, representing the internal authorities, produced ascertained violations is unsatisfactory, if not even consistent with a substantial impunity which undermines social trust in the effectiveness of the measures envisaged by the Legislator.

Therefore, alongside systemic initiatives, including training and awareness-raising planned together with civil society (in particular anti-violence centers and feminist shelters, organizations promoting women's rights) that law no. 168/2023 doesn't adequately valorize and that instead would be desirable to actively involve, the need arises to ensure effective and accessible internal accountability mechanisms, from disciplinary and self-control measures to criminal investigations into the omissions reported (or ascertained before international bodies) of those acting as representatives of the authorities, as well as accelerating the establishment of an independent human rights monitoring authority with specific expertise on gender-based violence against women, as lastly recommended by the CEDAW Committee; this is also in consideration of the fact that the most recent initiatives for monitoring the legal system, such as for example the commission, are dedicated to a prevalent, certainly meritorious, work of documenting violations and of bad practices that limit women's access to justice, providing the legislator with a panorama of corrective measures to new adopted, but don't outline or recommend a

sanctioning or remedial response to the violations that emerged in the concrete cases under investigation (Tumminiello, 2021; Cardinale, 2021; Fullone, 2021).

4. Conclusion: The Historical and Contemporary Context: Brief Notes

Historians and writers have explored the phenomenon of gender-based violence (Serban, 2023b) since ancient times, leaving evidence of it imprinted in countless texts across centuries and cultures. In every era and at every latitude, femicide has remained tragically relevant—a persistent and dramatic constant extending into the contemporary age, even in the Western world, which has so masterfully celebrated “gentle love.”

From forced marriages and domestic abuse in Venice, the “Queen of the Seas,” to rapes in Bourbon Sicily; from violence against women in Byzantine and ancient Rome, to the witch hunts of the Middle Ages; from the persecution of women in France and Germany to psychological abuse and crimes in the Duchy of Milan, and to the violated women and “evil spirits” of Florence—these accounts illustrate the historical continuity of violence. Femicide and threats against women have afflicted Eastern Europe and even the most remote societies, bearing witness to deep-rooted stereotypes and prejudices that, transformed into structural discrimination, persist to this day.

When such attitudes evolve into obsession, they often culminate in lethal outcomes: men killing women who defy them—who reject their authority, excel in study, work, or sport, or expose their fragility by refusing to conform to their dominance. Indeed, if “*homo homini lupus*,” one can also say, with tragic accuracy, “*homo mulieri lupus*.”

The murder of a woman, yesterday like today, is the tragic outcome of a sick obsession that germinates and takes shape in the attackers head when thoughts become action and frustration turns into violence. The germ of wickedness that characterizes these gruesome events, has never been eradicated throughout centuries, evidences are found in ancient Rome too, as amply demonstrated. Every year, on August 15th, Italian Ministry of the Interior, publishes all data relating to its activities, the annual trend of crimes and a focus on gender violence.

The data relating the numbers of feminicides in Italy from 2021 to 2024, speak of a massacre, genocidal numbers (ISTAT, 2024). During 2021 there were 119 victims of murder, almost the 90% victims of femicide; during 2022 there were 126 murders of women, the 92,7% of them killed by men. During 2023, 120 female victims, 62 killed by partners or by ex-partners. From the first of January to 18 of August 2024, there were 62 women who were victims of feminicides (Ministero dell’Interno, 2024). So from the first of January 2021 to 18 of August, 427 feminicides took place in Italy, 427 women are no more among us, 427 broken lives because of men. We remember them through a story, unfortunately true. Few people know that the 25 of November is the day in which Institutions invite us to reflect about the atrocious phenomenon of feminicides; this date was chosen by the UN in 1999. During 1960, in Dominican Republic, three women were murdered: Patria, Minerva and Maria Teresa. They were killed because of fight against the authoritarian regime of Rafael Trujillo, dictator from 1930 to 1961.

During his charge, he repressed all forms of opposition he also encouraged gender violence. Trujillo became infatuated and obsessed with Minerva Mirabel converted in his victim. Minerva and her sisters tried to stop his power and they adopted a code name for their clandestine activity: “*Mariposas*”, a Spanish word meaning “butterflies”. The dictator declared that the presence of the three women hindered the exercise of his power. He gave a public speech and to its end the chilling discovery: in a desert and remote street, the

"Mariposas" were found dead after a brutal beating. This assassination disturbed people, probably awakened their conscience, as consequence the end of dictatorship. The story of Mirabel represents the symbol of women's resistance against a corrupt and bloody regime and can demonstrate how a butterfly flapping wing is able to oppose the storm (BariSeraNews, 2022).

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High-conflict separations and intimate partner violence: A document-based case study from a Family Counselling Centre in Northeastern Italy

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Abstract

The phenomenon of separation in Italy is increasingly marked by rising level of conflict that, in many cases, escalate into high-conflict situations or even domestic violence. In such cases, the role of the Family Counselling Centre proves to be crucial, as a local public service dedicated to the protection and well-being of women and children.

This research therefore aimed to explore whether the Family Counselling Centre is capable of identifying complex situations, activating appropriate integrated care pathways, and promoting the protection of women and children in critical family contexts. Through a qualitative document analysis was conducted on 311 case files managed between 2020 and 2023 by a Family Counselling Centre in Northeastern Italy. Within this broader group, 26 cases (8.4%) were classified as high-conflict situations. For these cases, the study examined the sociodemographic characteristics of the victims, the forms of violence experienced, the access pathway to service, the interventions implemented, and the outcomes of case management. Findings show that physical violence was reported in 85% of cases, and psychological or verbal violence in more than half. In 80% of cases, contact with the service originated from Court orders, while spontaneous access by women accounted less than 20%. Case outcomes were heterogeneous: in about one-third of cases, conflict levels were reduced, and family autonomy was restored; in another third, protective custody or suspended visits were required to safeguard children; the remaining cases required long-term monitoring or further Court intervention. The Family Counselling Centre demonstrates its ability to effectively differentiate between symmetrical conflict and intimate partner violence, activating diversified pathway aimed at ensuring comprehensive protection for the women and children involved and preventing institutional re-victimization.

However, it becomes essential to strengthen its institutional recognition and to develop inter-service protocols capable of ensuring more timely, coordinated, and continuous interventions.

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Keywords: *High-conflict Separation, Intimate Partner Violence, Domestic Violence, Gender-Based Violence, Social Service, Family Counselling Centre*

1. Introduction

In recent years, the landscape of marital separation in Italy has undergone significant transformations, not only in quantitative terms but also in its qualitative dimensions. According to Italian National Institute of Statistics data (ISTAT, 2023), while the number of legal separations and divorces declined (-8.4% and -3.3%, respectively) compared to the previous year, a less visible yet socially relevant phenomenon has emerged: that of high-conflict separations. In a substantial portion of these cases, conflict does not represent a temporary disagreement but becomes a chronic and pervasive element of relationships that are marked by power imbalances and often-overlooked dynamics of violence. As early as 2002, the Eurispes–Telefono Azzurro report highlighted that nearly one in five separations can be classified as “high-conflict”, a trend that has intensified over time. These situations are characterized by persistent tensions in multiple spheres of daily life – particularly in co-parenting – and by heightened intensity that is manifested through verbal aggression, denigration, emotional manipulation, and, in more severe cases, physical or psychological violence.

International research (Romito 2008; Beck et al. 2013; Gueta and Levy Ladell 2024) report that a significant proportion of divorce and custody proceedings (estimated between 28% and 34%) involve documented or suspected histories of violence that are often misrecognized or misinterpreted as mere relational discord. In many instances, such violence pre-dates the separation but remains unreported, unrecognized, or institutionally invisible. ISTAT (2015) reports that 31.5% of Italian women have experienced physical or sexual violence in their lifetime, a percentage that rises to 51.4% among separated or divorced women. However, only a minority turn to social services (20.5%) or file a formal complaint (13.9%). As a result, when the separation process begins, support services and judicial institutions often lack crucial information, relying instead on partial, fragmented, or distorted narratives.

Excluding violence from the interpretative framework of family separation processes leads to distortions in protection pathways. There remains a persistent tendency to apply inappropriate methods, such as family mediation in cases of domestic or intimate partner violence¹, and to underestimate the protection needs of victims, both adult and minor. Even in the presence of medical documentation or detailed testimony, women are often treated as parties in mutual conflict rather than as victims of asymmetrical and coercive relationships, in contradiction to Article 48 of the Istanbul Convention and the recommendations of the UN’s Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW 2017). Meanwhile, children exposed to domestic violence - classified as a form of maltreatment by Italian Coordination of Services against Child Abuse and Maltreatment (CISMAI 2009; 2017) and the World Health Organization (WHO 2016) - are still too often regarded as passive objects in

¹ For the purposes of this paper the terms, domestic violence and intimate partner violence are used interchangeably. Although they emphasize different analytical dimensions, they are here intended to refer to the same phenomenon of violence perpetrated within intimate relationships against women.

parental disputes rather than as individuals having rights, as recognized by the UN Convention on the Rights of the Child (1989).

This situation results in an enduring emphasis on co-parenting as the primary goal, even in contexts of elevated risk, rather than on adopting a differentiated approach focused on integrated protection, harm assessment, and the prompt interruption of dysfunctional dynamics. Such a framework risks producing secondary victimization and undermining the effectiveness of protection systems, highlighting the urgent need for operational reform that affirms the credibility of women's narratives and places the best interests of the child at the heart of intervention strategies.

This research is situated within this complex landscape. Its aim is to investigate the role of the public service known as the Family Counselling Centre in managing high-conflict separations, paying particular attention to its ability to detect, recognize, and address hidden dynamics of violence. As a multidisciplinary, community-based, and low-threshold service, the Family Counselling Centre serves as a privileged observatory for the early identification of dysfunctional family dynamics. Through an analysis of social case files, operational procedures, and intervention strategies, the study explores how - and to what extent - such services are capable of offering protection to vulnerable individuals, particularly women and children, and of supporting meaningful pathways of violence.

2. High-conflict dynamics and violence in intimate relationships

In the context of separation and post-breakup parenting decisions, it is essential to distinguish clearly between high-conflict dynamics and intimate partner violence, with particular attention to male violence against women. Although these two phenomena may appear similar in their external manifestations - frequent arguments, prolonged tension, and emotionally distressing atmospheres - they differ fundamentally in their relational structure, intent, power asymmetries, and consequences for victims.

High-conflict dynamics are typically characterized by symmetrical and reactive interactions, which may escalate during separation but are not rooted in a desire to dominate. Emotions such as anger, disappointment, and resentment are prevalent, often accompanied by mutual accusations, blame, and emotional manipulation. Both partners, though with varying degrees of responsibility, contribute to the persistence of the conflict. In such cases, intervention tools like family mediation, parenting coordination, co-parenting support focused on emotional regulation and communication, or supervised visitation in neutral spaces, may be appropriate.

Conversely, intimate partner violence - defined by the WHO as “behaviour within an intimate relationship that causes physical, sexual or psychological harm, including acts of physical aggression, sexual coercion, psychological abuse and controlling behaviours”² - is rooted in structural gender inequality (Alhabib, Nur and Jones 2010; Boxall, Morgan and Brown 2015; Archer-Kuhn 2018). However, beyond this structural dimension, the literature widely acknowledges that it is not possible to outline a single or homogeneous profile of victims or perpetrator of intimate partner violence, as experiences of violence are influenced by a range of individual and contextual factors (Anderson 2002; Garcia-Moreno et al. 2006; Abramsky et al. 2011; Santambrogio et al. 2019).

Johnson's (2006; 2008) typology identifies several forms of intimate partner violence, including coercive controlling violence (the most pervasive and dangerous), situational couple violence (episodic and non-controlling), violent resistance (a defensive reaction by

² <https://apps.who.int/violence-info/intimate-partner-violence>

the victim), and separation-instigated violence (Johnson and Leone 2005; Kelly and Johnson 2008; Crossman, Hardesty and Raffaelli 2016). In such cases, the woman is not engaged in an equal conflict but is the target of a relational project founded on coercion and control. Violence often continues post-separation through tactics such as the instrumentalization of children, legal institutions, or retaliatory complaints.

In high-conflict family contexts characterized by domestic violence, children are not merely exposed to dysfunctional environments but are often actively involved in coercive relational dynamics, becoming instruments of control against the mother. This configuration aligns with the definition of “witnessed violence,” recognized as a form of child maltreatment by both the CISMAI Guidelines (2009; 2017) and the WHO (2016). From a social work perspective, it is crucial to recognize that protecting children cannot be separated from protecting their mothers in that the psychosocial integrity of the maternal figure is a prerequisite for ensuring the safety and well-being of the entire family unit. This underscores the need to build intervention pathways based on a relational understanding of risk, moving beyond neutral conflict paradigms and acknowledging the structural asymmetry inherent in gender-based family violence.

Moreover, failing to distinguish between conflict and violence can lead to severe consequences since treating asymmetrical power dynamics as mutual disputes may result in inappropriate decisions, such as mandatory mediation, parenting coordination, shared custody, or unsupervised contact between children and abusive fathers. In the presence of gender-based violence, such tools risk becoming instruments of institutional re-victimization, normalizing abuse and discrediting the victim’s narrative. Recommendations from the national survey on Family Counselling Centres from the Italian National Institute of Health (ISS 2022) and various regional guideline or inter-institutional protocols in Italy call for caution and preliminary risk assessment, acknowledging that what appears as conflict may in fact conceal coercive control, which is incompatible with symmetrical negotiation frameworks.

3. Family Counselling Centres and their role in addressing high-conflict marital separations

In the current social context, Family Counselling Centres occupy a strategic position in managing complex family situations, especially when marital separation assumes characteristics of high conflict or is intertwined with dynamics of violence. Established by Law 405/1975³, Family Counselling Centres operate in compliance with the Essential Levels of Care, promoting a multidisciplinary, integrated approach aimed at the overall health of the population. These services are characterized by their ability to activate preventive and protective interventions coordinated with other local services, with the goal of early identification of risk situations and timely intervention to promote relational well-being and the protection of vulnerable individuals, with particular attention to the physical and psychological health of women, minors, and families.

In the presence of highly conflictual separations, the Counselling Centre can represent the first frontline service capable of reading dysfunctional relational dynamics and activating pathways of support and protection. Its preventive and community-based

³ *Establishment of Family Counselling Centres* (Istituzione dei consultori familiari); Official Gazette of the Italian Republic, n° 212. This Law created multidisciplinary public services for family and reproductive health within the Italian National Health System.

vocation makes it particularly suitable for detecting early signs of distress, manipulation, power imbalance, and potential forms of hidden violence, especially in cases where the woman has not yet filed a report or initiated legal protection procedures.

The approach that is adopted is multidisciplinary and based on the integration of psychological, social, educational, and health expertise. This enables a systemic reading of family situations and the possibility to design interventions tailored to needs, both in a reparative logic and for secondary prevention. The most frequently activated services include family mediation or parenting coordination, individual or couple psychological counselling, parenting support, and referral to specialized services such as addiction services, mental health services, anti-violence centres, or local social services.

Despite their potential, Counselling Centres still too often operate under conditions of low institutional recognition, with resources that are unevenly distributed across regions, staff shortages, and a lack of shared protocols with the justice system. When such protocols do exist, they enable the Counselling Centre to participate in the development of integrated pathways for protection, monitoring, and support, especially for women and minors at risk.

Recently, the Cartabia Reform⁴ (Legislative Decree 149/2022) introduced significant innovations in civil proceedings, particularly in the management of family law cases. The reform places the best interests of the child at the centre and acknowledges the need to ensure protection for victims of domestic and witnessed violence, strengthening the judge's obligation to assess the presence of violent or manipulative behaviours even in the absence of a formal complaint. This new legislative framework further reinforces the strategic role of Counselling Centres as stable interlocutors of the judicial system, capable of providing qualified observational data, technical reports, and intervention proposals based on a deep understanding of the context and family relationships.

4. Research

Aim and objectives

The study is situated within the context of growing institutional attention toward high-conflict marital separations and the hidden dynamics of domestic violence. Adopting an exploratory qualitative approach, it analyses how a public Family Counselling Centre, traditionally engaged in supporting couples and family during separation and divorce, is capable of identifying and managing situations of relational distress and violence.

The research explores the role of the Family Counselling Centre as a local public social service responsible for activating integrated care pathways and safeguarding the well-being of women and minors involved in high-conflict family contexts. Specifically, it examines how the Centre intervenes, which professional tools and procedures are applied, and how effectively it responds to the protection and support needs of adults and minors.

This aim was addressed through a general objective that sought to assess the capacity of a Family Counselling Centre located in Northeastern Italy to identify and manage cases of high-conflict and intimate partner violence.

This general objective was operationalised through the following specific objectives:

⁴ *Implementation of Law n° 206/2021 on the reform of civil justice*, (so-called “Cartabia Reform”) (Attuazione della legge n° 206/2021 sulla riforma del processo civile); Official Gazette of the Italian Republic, N° 243. This reform reorganized civil proceedings, including family and juvenile justice, with the aim of improving efficiency and protecting vulnerable parties.

1. Determine the incidence of cases of high-conflict and violence;
2. Analyse the sociodemographic characteristics of the victims;
3. Explore the forms of violence;
4. Identify the modes of access to the Family Counselling service;
5. Map the interventions activated in favour of the family unit, distinguishing between those directed at adults and those directed at minors;
6. Evaluate the outcome of the care process.

Method

This study adopts an exploratory case study design aimed at describing and interpreting case management practices in situation of high-conflict separation and divorce, using a qualitative document-based approach applied to social case files archived at a Family Counselling Centre between January 2020 and December 2023. This method proves particularly suitable for investigating institutional practices and care pathways in contexts of high relational complexity, such as those related to high-conflict separations. Through a systematic analysis of documents produced independently of the researcher, it is possible to access non-reactive information, thereby reducing the risk of distortions resulting from the researcher-subject interaction (Corbetta 2015).

Social case files represent the main informational and managerial tool used within social and health-social services such as the Counselling Centre. These files are structured records that gather personal data, social and psychological assessments, descriptions of needs, intervention plans, team meeting minutes, and inter-service or court reports. In addition to documenting the operational steps and outcomes of the care process, they constitute a valuable resource for monitoring the evolution of cases and for retrospectively analysing the effectiveness of public intervention in managing social and relational vulnerability.

From an epistemological standpoint, analysis of social case files not only allows for descriptive insight but also contributes critically to reflections on the role of the Counselling Centre as an institutional actor in the prevention of secondary victimization and in the construction of integrated protection pathways.

Data and Procedure

The empirical universe of the research consists of 311 case files archived between January 2020 and December 2023⁵ by a Family Counselling Centre located in the Northeastern Italy, serving a population of approximately 50,000 inhabitants. In accordance with ethical standards for social research and data protections (Regulation UE 2016/679), all case files were anonymised prior to analysis, and no identifying information was retained. Access to documentation was authorized by the Family Counselling Centre. Given the sensitive nature of the data, all results are presented in aggregate form to protect the privacy of the individuals involved.

From this database, 26 cases (representing 8.4% of the total) were selected because they contained clear and documented evidence of high conflict and elevated risk factors. These indicators included explicit reports of physical, psychological, or sexual violence; evidence

⁵ I wish to thank Anna Benetti for collecting the data as part of her thesis work.

of coercive control and threats; and activation of protective measures by courts or welfare service.

These 26 cases were subjected to a thematic qualitative analysis and systematised using a predefined grid of variables designed to enable cross-case comparison. The analytic grid was developed deductively from the research objectives and theoretical framework and then refined inductively during the initial stages of data familiarisation. To strengthen the credibility of the finding, coding decisions were cross-checked with service professionals to ensure interpretative consistency. Field notes were used throughout the process to document analytical decision and reconstruct trajectories of care and intervention. The variables included were as follow:

- Sociodemographic characteristics: age, gender, occupation, and marital status;
- Family and relational composition: presence or absence of children, and any separations or divorces;
- Types of reported violence: physical, psychological, economic, or sexual violence;
- Perpetrator of the violence: identification of the aggressor to understand power and gender dynamics;
- Description of the relationship by both partners: assessment of how each party perceives relational and conflictual dynamics;
- Type of access to the Family Counselling Centre: spontaneous, referred by other services, or mandated by court;
- Court dispositions: measures ordered by the court and assigned to the services responsible for the case;
- Interventions implemented for adults: e.g., individual psychological counselling, parenting support, assessment of parenting capacity;
- Interventions implemented for children: e.g., psychological support, supervised visits, or in-home educational support;
- Case outcome: decisions and follow-up measures at case closure.

The adoption of this grid made it possible to systematically map the characteristics and needs of the individuals involved, while also providing insight into how the Family Counselling Centre interprets and enacts its institutional mandate to protect women and minors within violent family contexts.

Sample

The ages of the 26 women involved in the analysed cases range from 27 to 68 years, with an average age of 42.5 years. This figure highlights wide variability in age, reflecting the transversal nature of the experience of high conflict and violence, which, even in this sample, appears to be independent of the stage in the life cycle.

Fifteen couples are composed of both Italian partners, six couples are of immigrant origin (respectively Albanian, Lithuanian, Moroccan, Moldovan, Romanian, and Ukrainian) with both partners from the same country, and five couples are of mixed origin.

Regarding female employment, there is a clear prevalence of employed women: 18 of 26 (69.2%), while only 7 of 26 (26.9%) women are inactive, unemployed or housewives. The distribution of professions shows a high degree of heterogeneity: the women are employed in various sectors (healthcare, education, catering, craftsmanship), with roles ranging from managerial and self-employed to manual, with administrative employees being the category represented most highly.

From the analysis of male employment, there is again a predominance of active workers (21 of 26), while inactive men represent 11.5%, equal to 3 individuals. However, they appear to have a lower professional profile than the women, with those engaged in manual labour representing 34.6% of the sample, i.e., 9 of 26.

From a civil status perspective, half of the sample were legally married at the time of reporting (13 of 26, 50%), while the other half were separated, divorced, or cohabiting. This data confirms the persistence of dysfunctional dynamics even after the formal breakdown of the marital bond.

We also note that 25 of 26 couples, nearly all, have children. Of these, 13 couples have one child (52%), 9 couples have two children (36%), and 3 couples have three or more children (12%).

5. Results

The qualitative analysis of the 26 social case files containing elements of domestic violence and/or high conflict made it possible to highlight a series of significant findings, offering an overview of the sociodemographic characteristics of the individuals involved, observed family dynamics, modalities of access to the service, and outcomes of case management. The data were organized into four main areas: **a. characteristics of the violence, b. access to the Family Counselling Centre, c. intervention modalities of the services, and d. observed outcomes.**

a. Types of Violence

The qualitative examination of violence typologies reveals a pronounced predominance of physical violence, which is reported in 22 of 26 cases (84.6%). This finding underscores the critical severity of the cases and the urgent need for timely protective interventions. The visible and injurious nature of physical aggression often facilitates recognition by institutions and may elicit swifter responses from social services and the judicial system.

Verbal violence, present in 16 cases (61.5%), emerges as the second most frequent form. Although frequently underestimated in service assessments, it significantly affects victims' psychological well-being, contributing to emotional instability and diminished self-esteem. Psychological violence, identified in 14 cases (53.8%), is manifested through coercive control, threats, intimidation, and emotional manipulation, patterns that are less overt but deeply harmful in their cumulative effect.

Other forms of abuse, such as economic violence, sexual violence, and stalking, are less frequent in the sample but nonetheless relevant in shaping the overall risk profile. From a social work perspective, the recurrence of multiple forms of violence within a case reinforces the need for a holistic, intersectional risk assessment and for multidisciplinary responses. The perpetrator is predominantly the male partner or ex-partner, with only one case in the sample involving a female perpetrator. This aligns with international social work and gender-based violence literature, which frames intimate partner violence as a structurally gendered phenomenon rooted in asymmetrical power relations and reinforced by cultural and institutional tolerance of coercive dynamics. In the narratives provided by spouses during interviews regarding the causes of their relationship crisis, men tend to identify external and tangible factors more frequently, such as the birth of a child (3 of 26 cases, 11.5%), financial difficulties (4 of 26, 15.4%), or the wife's infidelity (3 of 26, 11.5%). In contrast, women focus more on the partner's aggressive (3 of 26, 11.5%) and controlling behaviours (7 of 26, 28%).

b. Access to the Family Counselling Centre and judicial measures

The findings reveal that most women did not initially approach psychosocial public services directly. Of the 26 cases analysed, 8 women (30.8%) sought support from legal professionals (lawyers), 5 (19.2%) contacted Anti-Violence Centres, and 4 (15.4%) reached out to law enforcement agencies. Only 5 women (19.2%) accessed Social Services or the Family Counselling Centre as a first contact, and just one woman turned to a hospital emergency department. This pattern suggests limited visibility and perceived accessibility of local psychosocial services. It may also reflect a lack of trust or fear of repercussions, such as potential loss of custody, which often discourages women subjected to intimate partner violence from engaging with institutional actors.

The majority of cases (21 of 26; 80.7%) were referred to the Family Counselling Centre by court authorities. Specifically, 14 cases (53.8%) were referred by the Ordinary Court, and 7 (26.9%) by the Juvenile Court, while only 4 cases (15.4%) involved self-referral. These figures highlight the predominant role of the judiciary in activating support pathways and raise concerns about the limited ability of services to proactively intercept risk situations.

The main judicial measures issued included:

- Mandatory submission of periodic reports by social and health services (100%)
- Implementation of supervised parent-child visits in 16 cases (61.5%)
- Assessment of parental ability in 15 cases (57.7%)
- Psycho-social monitoring of minors and temporary custody assigned to Social Services in 9 cases (34.6%)
- Determinations on custody arrangements, including both sole and joint custody (each in 15.4% of cases)
- Parenting support interventions (30.8%) and family background investigations (26.9%)

This data reflects the centrality of judicial input in the activation of child protection and family support mechanisms, underscoring the need for enhanced integration between social work services and the legal system. Furthermore, it calls for increased outreach, accessibility, and trust-building strategies to ensure that women and families in distress are able to seek help before they reach the threshold of legal intervention.

c. Interventions for Adults and Children

Among the interventions implemented for adults, those most frequently recurring were the assessment of parenting abilities (18 cases, 69.2%), followed by parenting support programs (17 cases, 65.4%) and supervised parent-child visits (11 cases, 42.3%). A notable element is interdisciplinary collaboration: 38.5% of the women (10 of 26) were also supported by an Anti-Violence Centre, and 4 cases (15.4%) involved joint work with other specialized services (e.g., Addiction Services, Mental Health Units). All cases were subject to ongoing monitoring, underscoring the pivotal role of social services in managing and containing risk in complex family situations.

Regarding minors, the most frequently applied interventions included:

- Supervised visits with one of the parents (13 cases, 50%)
- Evaluation of psycho-physical well-being through the involvement of Child and Adolescent psychiatry Services (16 cases, 61.5%)

The case records suggest that these interventions are not applied uniformly but are instead based on individualized risk assessments and a consideration of the child's emotional readiness to engage in the proposed contacts.

d. Outcomes

The analysis of case outcomes reveals a diverse and nuanced landscape:

- In 2 cases (8%), the couple reached a mutual separation agreement with joint custody.
- In 6 cases (23%), supervised visits were suspended due to improved parent-child relationships, signalling progress toward autonomy and emotional safety.
- In 6 cases (23%), sole custody was granted to one parent to ensure a more stable and protective environment.
- In 4 cases (15.4%), supervised visits were extended due to continued environmental risk, although conditions did not warrant suspension.
- In 3 cases (11.5%), supervised visits were discontinued due to the father's withdrawal, attributed to personal vulnerability, inability to sustain the process, or a return to the country of origin.
- In the remaining 4 cases (15.4%), protective measures were intensified, including out-of-home placement of the child, judicial reporting, or documentation of parental inadequacy.

Overall, in 32% of cases, the intervention resulted in a reduction of conflict and the family's transition toward autonomy. In 36% of cases, it was only possible to provide protection from conflict by establishing protective custody arrangements or suspending supervised visitations. In the remaining 32%, it was necessary to either maintain the service's involvement in the case or report it to judicial authorities. Notably, the number or type of reported violent acts did not appear to correlate with a specific outcome. These findings seem to highlight how, despite the high complexity of the cases addressed, social services demonstrated the ability to activate effective protective processes and to promote significant transformations in family dynamics.

6. Discussion

The results highlight the multifaceted and structurally gendered nature of domestic violence and high-conflict family situations encountered by social services.

Particularly notably, the data indicate that just under 10% of couples experiencing crisis and separation who seek support from public social services are involved in high-conflict situations, within which intimate partner violence emerges as a central and systemic issue. In fact, in 85% of the analysed cases, women were identified as victims within asymmetrical relational dynamics marked by power, control, and devaluation, typically enacted by male partners or ex-partners.

The frequent co-occurrence of physical and psychological violence underscores the urgent need to develop comprehensive operational practices for both risk assessment and service delivery. Such practices must be firmly grounded in intersectional and gender-informed frameworks that consider the complex interplay of social categories such as gender, class, ethnicity, and migration status. These approaches are essential not only to accurately identify patterns of coercion, control, and harm, but also to ensure that interventions are context-sensitive, equitable, and responsive to the lived experiences of those affected by gender-based violence.

Another significant concern relates to the pathways through which women access support services: only a small proportion contacted the Family Counselling Centre independently. This pattern raises critical questions about the capacity of public services to act as first-line resources and highlights the need to enhance their accessibility, visibility, and perceived trustworthiness among women experiencing violence. These services may,

in fact, be viewed as inaccessible, stigmatising, or insufficiently responsive to the complex needs of those subjected to abuse. Structural barriers to early engagement (i.e. lack of information, fear of losing custody, language obstacles, or prior negative experiences with institutions) must be addressed proactively through outreach initiatives, culturally competent practices, and trust-building strategies capable of reaching women before a crisis escalates. By doing so, public social services can play a more effective role in both early intervention and prevention.

With regard to outcomes, it is important to emphasise that the limited presence of shared parenting arrangements should not be interpreted as a relational failure, but rather as a reflection of broader issues concerning social justice and gender equity. Moreover, the diversity of case outcomes, from regained family autonomy to continued monitoring or escalated protective measures, demonstrates both the complexity of these situations and the transformative potential of social work interventions. The absence of a clear correlation between the type of violence and the intervention outcome further highlights the importance of examining contextual and relational variables, rather than relying solely on incident-based assessments.

7. Conclusion

This study reaffirms the significant presence of high-conflict relationships and domestic violence in the context of separation and divorce, underscoring the pivotal role of public services such as Family Counselling Centres. These services are essential for recognising and addressing violent situations without reproducing forms of institutional violence and in mitigating social inequalities. Strengthening the institutional recognition and visibility of Family Counselling Centres, building and reinforcing inter-service collaboration, enhancing advance professional training on gender-based violence, and developing targeted tools and practices to address intimate partner violence effectively is crucial to improving the effectiveness of their interventions.

The Family Counselling Centre appears to navigate a delicate balance between providing support and managing risk, demonstrating a clear capacity to interpret the dynamics of violence and mobilise resources. Continued investment in these services is essential to prevent adverse outcomes that significantly affect not only the lives of those directly involved, but also the wellbeing of professionals and the sustainability of the services themselves (Payne and Triplett 2009).

The study has several limitations that should be acknowledged. First, as an exploratory case study based on a single Family Counselling Centre, the finding cannot be generalised to all services or territorial contexts. Second, the retrospective nature of the data prevents direct observation of the decision-making processes and professional reasoning that guided case management. Third, the categorisation of violence types and interventions is inevitably influenced by the quality and completeness of the information recorded in the case files.

Future research should aim to expand and deepen the understanding of how public services address high-conflict separation and divorce and domestic violence. Comparative studies involving multiple Family Counselling Centres, both within and across regions, could help assess the effectiveness of different intervention models. Integrating document analysis with interviews would allow researchers to capture the perspective of both professionals and service users, enriching the understanding on how institutional responses are shaped by everyday practice.

Conflict of interest

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Against Silence as Violence: De- and Re- centering Gender-based Violence through Intersectionality as Interconnectedness

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Abstract

The aim of this contribution is reconstructing the complex path of intersectionality as an approach enriching and enlarging the conceptual framing of Gender-Based Violence (GBV from now onwards) through a concurrent analysis of multiple forms of inequalities, oppression and discrimination, usually silenced and (made) invisible. Such a reconstruction will consist of three steps.

First, the reconstruction of the peculiar path of intersectionality, from practice and activism to theory and back, until the official entry in the OED in 2015 (Perlman 2018), more than two decades after its appearance in literature (Crenshaw 1989, 1991).

Secondly, intersectionality allows to go beyond the sole GBV, at once de-centering and re-centering the role of gender by a series of affiliated motives/origins of violence and oppression. It is not a matter of listing multiple sources of inequality, rather the way multiplicity is framed through accumulation, intersection and interlocking, as well as “asking the other question” as critical method (Lutz 2024).

Third, intersectionality as a concept will be re-framed looking at the weight and violence of classification systems and their consequences: inclu-exclusion, orphanage and infrastructural violence based on “layers of silence”, torquing of individual and collective lives, and marginalization of borderlands and multiple vulnerabilities (Star and Strauss 1999; Bowker and Star 1999). If silencing the margins can worsen GBV, mapping and giving them a voice (hooks 1984) can trace a path to enhance strategies of prevention and care.

Silence is a form of communication (Watzlawick Beavin and Jackson 1967), largely unavoidable and unintentional. However, it can be a powerful and opaque form of violence, especially in complex information infrastructures (Bowker and Star 1999). As silence constructs otherness and invisibility, its violence can take multiple forms as well,

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as in the enforced cancellation of DEI policies at the beginning of Trump's second term (Ng et al. 2025).

Keywords: *intersectionality; GBV; multiplicity; silence; infrastructural violence.*

1. Introduction

Since its initial and 'official' formulation across the fields of legal practice in civil rights and critical race theory by Kimberlé Crenshaw in 1989-1991, the concept of intersectionality has characterized the transformation of the Feminist field through the dialectical and conflictual confrontation between Western mainstream feminism and Black/Post colonial feminisms, where the plural is compulsory to describe and analyze the heterogeneity internal to the movement.

The concept has become both the basis of Intersectional Feminism and of a distinct field of study (Cho, Crenshaw and McCall 2013; Davis and Lutz 2024a), gaining increasing popularity not only in academic and scientific circles as a theory and practice compass, but also as a source of inspiration for action and collective movements.

Crenshaw's key intuition that social identities configure themselves as multiple, cumulating with power and intertwined oppression structures in a non-linear way, rather through interactive connections and simultaneity of interlocking patterns, has evolved over three decades.

Of course, such structures of power and oppression are strongly interlinked to violence and especially GBV, and affect multiple, marginalized identities at risk of suffering and further marginalization in vulnerable social contexts. Therefore, the concept of intersectionality can be of inspiration in a variety of fields, for example to understand conceptualizations of vulnerability, ranging from resilience in the context of climate change (Chaplin, Twigg and Lovell 2019) to public health issues and medicine (Bowleg 2012).

Such a ductility and flexibility of the concept of intersectionality has been questioned within the feminist movement and its multiple, transnational and transatlantic articulations, in the end configuring intersectionality as a 'traveling theory' (Davis and Lutz 2024b) at risk of constant misunderstanding, 'originalism' (Nash in May 2024), and willful ignorance or erasure (May 2024) of its deep and complex Black Feminist roots elaborated in the US.

First of all, this paper briefly reconstructs the peculiar path and multi-level history of intersectionality (par. 2), going back to Crenshaw's formulations and the core issues raised in the literature about the conundrums and dilemmas of commodification of intersectionality as a buzzword and umbrella concept, and the lack of contact and loyalty to its Black feminism origin.

Secondly, this contribution aims to precise the specificity of de-and re-centering the category of gender to understand the phenomenon of GBV in an intersectional manner (par. 3), shifting the perspective from a single axis of analysis to an intersectional perspective, and emphasizing the consequences of this shift in terms of agency, policy and practice against GBV.

Indeed, the core argument of this paper is that the main lesson of intersectionality is about interconnectedness, namely on the one hand, not silencing anymore multiplicity, heterogeneity and impurity as opposed to fragmentation, purity and centralized control; on the other, enabling *mestizaje* as practice to resist the reduction of multiplicity (Lugones 1994). Silence is a form of involuntary, inevitable communication (Watzlawick, Beavin

and Jackson 1967), but can become a subtle form of violence, very difficult to identify and recognize. Silencing Otherness and reducing reality to a single category is at the basis of forms of domination, orphanage and suffering in information infrastructures (Bowker and Star 1999), built upon classification systems and standardization processes which exclude and marginalize borderlands and multiple belongings/identities.

Therefore, the fourth paragraph of this paper is dedicated to a cross-fertilization between the concept of intersectionality, *mestizaje* (Lugones 1994) and concepts rooted in the field of Science and Technology Studies, such as non modern hybrids (Latour 1991); cyborg and partial perspective (Haraway 1991, 1988); monsters and borderlands (Bowker and Star 1999). All of them allow to frame multiplicity and heterogeneity as instances crucial to re-articulate power, oppression and inequalities but also to contrast the suffering of perpetual exclusion constitutive of classification systems.

Eventually, the fifth paragraph tries to go further in relation to the concept of infrastructural violence, re-formulating it as more than inherent to big infrastructures, spatial justice and urban settings (Rodgers and O'Neill 2012; Truelove and O'Reilly 2021), as a phenomenon related to information infrastructures and the *torquing* of individual and collective lives subjected to the various and sometimes stubborn contradictions of classification systems, as in the classification(s) of race under the South African Apartheid regime (Bowker and Star 1999: chapter 6). GBV can emerge and be exacerbated by forms of infrastructural violence, misclassifications and willful erasure of categories, as in the case of the cancelling of DEI policies and lemmas from administrative information systems at the beginning of the second Trump term, in January-February 2025 (Ng et al. 2025). Intersectionality as a word was banned along with many other key words concerning gender, equity and diversity, and non binary gendered language, recognizing two sexes only (Wendling and Epstein 2025). Such an act(ion) produces a meta silencing and a form of pervasive infrastructural violence, an impoverishment of the articulation of the public debate which envisages new forms of oppression and inequality and calls for new forms of resistance and *mestizaje*.

Data and sources for this article were selected through a literature review oriented by key concepts and founding authors, updated to the latest collective works in the field. Further methodological approach is the intersection with other fields, and the comparison of different conceptual frames to-think GBV considering 'other' questions and categories, in line with Matsuda's "asking the other question" method (see Lutz, 2024).

2. A peculiar path: from practice to theory and codification, and the way back to policy

Few facts and dates about intersectionality can configure the complexity and non-linearity of the path which shaped "what has rightfully been called feminism's most famous travelling theory" (Davis and Lutz 2024b: 11).

First, intersectionality was added as an entry from the sociology field to the Oxford English Dictionary only in 2015 (Perlman 2018), even if its first coin dates to Crenshaw's seminal article on "demarginalizing the intersection of race and sex" (Crenshaw 1989). And it is codified as follows: "The interconnected nature of social categorizations such as race, class, and gender, regarded as creating overlapping and interdependent systems of discrimination or disadvantage; a theoretical approach based on such a premise" (Oxford English Dictionary 2015).

Compared to the recent, quick adding of buzzwords such as ‘post truth’, ‘woke’, and ‘cancel culture’, the official acknowledgement of this concept came very late despite its transnational circulation (see Davis and Lutz, 2024b).

Secondly, the roots of the concept pertain to a longer history of Black women activism dating back to 19th century, as in the case of Sojourner Truth’s 1851 discourse ‘Ain’t I a Woman’ quoted by Crenshaw (1989), and many other Black women (see May 2024), whose missed or insufficient recognition brings about many conflicts and debates in the context of intersectionality studies as a field (Cho, Crenshaw and McCall 2013). To the list can be added the male pioneer sociologist W.E.B DuBois, who “(...) in works, including *Black Reconstruction* (1935) and *Damnation of Women* (1920), (...) broke new ground by analyzing class, race, and gender interactions (...) Du Bois prefigured intersectionality and critical race paradigms. (...) [whereas] [white sociology ignored how systems of domination interlocked, reproducing social inequality” (Morris 2020).

However, it is only in the late ‘80s that Kimberlé Crenshaw, in two fundamental articles (Crenshaw 1989, 1991), put a milestone on the critique towards White Western Feminism from the perspective of critical race studies and legal activism.

“Crucial for Crenshaw’s framing of the concept is the interaction of the macro level (inequality structures functioning as social positioning) with the micro level (subjective experiences of discrimination and identity formation as an excluded group). In summary, it was the analysis of the specific socioeconomic situation of black women in the US which made it possible for the first time to speak of the simultaneity and mutual co–constitution of different categories of social differentiation, and to emphasize the specificity of the experiences shaped by these interactions” (Lutz 2016: 424).

Intersections are multiple, diverse and differently interlocked. As Crenshaw put it, “My focus on the intersections of race and gender only highlights the need to account for multiple grounds of identity when considering how the social world is constructed” (Crenshaw 1991: 1245). The issue at stake, as I will show in par. 4, is the multiplicity of levels, grounds and configurations of identity, all shaped by power, discrimination and oppression in structures of inequality.

Black women’s condition is co-constitutive of intersectionality:

“With Black women as the starting point, it becomes more apparent how dominant conceptions of discrimination condition us to think about subordination as disadvantage occurring along a single categorical axis (...) This focus on the most privileged group members marginalizes those who are multiply-burdened and obscures claims that cannot be understood as resulting from discrete sources of discrimination” (Crenshaw 1989: 140).

Through two metaphors of the everyday, the horizontal one of the traffic intersection, and the vertical one of the basement (Hoffart 2024), Crenshaw (1989) made visible the multiple sources of discrimination which subjugate Black women, opening since then a long “quest for the right metaphor”, which according to Hoffart (2024) seems to obey to the need “to transcend the additive dimensions of the original conceptualisation in Crenshaw and lead[s] us to more (and more) complex accounts of categorical interrelatedness” (Hoffart 2024: 147).

Along with this metaphorical and theoretical dimension, intersectionality has evolved as an increasingly complex field, a critical method (Lutz 2016, 2024; Colombo and Rebughini 2022) and a ground for practice and policy, tracing back (not always faithfully, see May 2024; Davis 2024) to its antidiscriminatory and Black feminist theoretical origins. One of the most debated issues is the necessity to keep alive Black feminist and activism

role both in the past and currently, whereas European and white reception/appropriation of intersectionality has been often accused of commodifying and “de-coupling” the concept from its Black background (see Davis 2024; May 2024). However, as pointed by Davis (2024: 327, 329) “(...) the very willingness to uproot, displace and transform are integral to any feminist enquiry. (...) Proprietary notions that intersectionality belongs to one author or to a particular school of thought or a specific geographic location should be abandoned in favour of understanding and thinking critically how theories travel and in doing so take on different meanings and are used for different purposes”.

3. De- and re-centering gender in GBV: a matter of methodology

Putting intersectionality at the centre of GBV means de- and re-centering gender in discourses, practices and policies against violence. This means going beyond an only-gender gaze, by following the “Asking the other question” method (Davis and Lutz 2024c) and “violence beyond the experiences of women alone (...) [which means] to mostly focus on the experiences of white, cis-gender women, reflecting the perspective of what is presented at the “ideal” survivor (...) and leaving the assumptions behind the conflation of “violence against women” and “gender-based violence” unquestioned” (Humbert and Strid 2024: 5).

Therefore, when moving toward an intersectional perspective on GBV, there is a methodological and analytical shift in considering how forms of inequalities are affected by the different power dynamics which characterize social relations.

In other words, “(...) the meaning, strength and effects of individually experienced categories depend on their specific inter-section, and the specific contexts of interaction. Gender, class, and ‘race’ – to consider the basic categories of many reflections on intersectionality – are not defined in unitary and static terms but acquire meaning and relevance as ‘social facts’ in the connections that they mutually establish from time to time” (Colombo and Rebughini 2022: 224).

Assuming the Feminist perspective of violence as a *continuum* (Kelly 1988 in Lieber 2023) and acknowledging the multiple forms of inequalities within diverse social relations, an intersectional approach to GBV can increase awareness of factors “that may contribute to disadvantages, vulnerabilities, and differential consequences” (Humbert and Strid 2024: 5).

Intersectionality allows to go beyond the single-axis (gender itself) approach, not only recognizing multiplicity and diversity of violence and its victims (apart from women and girls) but also and above all enabling a more effective contrast of discrimination, racism and patriarchy (see Crenshaw 1991). Intersectionality configures itself as a methodological approach and especially as an “analytical sensibility” (Cho, Crenshaw and McCall 2013: 795), where categories are “heuristic devices” (Cho, Crenshaw and McCall 2013: 786), more than too static, reified or unstable structures of difference (Humbert and Strid 2024).

Putting GBV at the centre of an intersectional approach and vice versa means also recognizing the enduring transformative path of violence, from an individual and casual analysis to a systemic, structural and multifaceted continuum, where psychological, economic, cultural, symbolic and infrastructural dimensions are strongly interconnected to multiple structures of oppression.

As Crenshaw noted 25 years ago, violence has to do with identity and identity politics in particular: “This process of recognizing as social and systemic what was formerly perceived as isolated and individual has also characterized the identity politics of

African Americans, other people of color, and gays and lesbians, among others. For all these groups, identity-based politics has been a source of strength, community, and intellectual development” (Crenshaw 1991: 1241). And this since “the violence that many women experience is often shaped by other dimensions of their identities, such as race and class. Moreover, ignoring difference within groups contributes to tension among groups, another problem of identity politics that bears on efforts to politicize violence against women. (...) Although racism and sexism readily intersect in the lives of real people, they seldom do in feminist and antiracist practices. And so, when the practices expound identity as woman or as woman or person of color as an either/or proposition, they relegate the identity of women of color to a location that resists telling” (Crenshaw 1991: 1242).

Contrasting this resistance to intersections and moving against either/or proposition is the ultimate scope of an intersectional approach to GBV: only by de-centering gender, this category can be re-centered, and conceptualizations, discourses, practices, policies against violence be enriched. “Through these processes, images of victims of gender violence become significantly more diverse and analyses of their experience simultaneously broader and more focused” (Creek and Dunn 2011: 319).

4. Framing multiplicity and heterogeneity: intersectionality and STS

To consistently offer a simultaneously broader and more focused analysis of intersectionality, I now turn to the field of Science and Technology Studies (STS) to go in depth into the issues of multiplicity and heterogeneity which constitute the core theoretical components of intersectionality as a sensibility and a methodological approach.

Going into cyberfeminist approaches (Haraway 1991) and the ecology of information infrastructures in which classification and its consequences has a crucial role (Bowker and Star 1999), I will show how different images of intersectionality can benefit from and fit other debates. Putting at the centre the very conceptual and methodological core of intersectionality - multiplicity, impurity, hybridation - I carry out a brief overview of how metaphors of intersectionality can be reinterpreted through STS frames, going beyond the temptation and the limit to transcend additivity and to reach a “pure impurity” (Hoffart 2024: 148).

Not by chance, “The logic of impurity, or *mestizaje*, provides us with a better understanding of multiplicity, one that fits the conception of oppressions as interlocked” (Lugones 1994: 475). How can this be preserved and maintained, not expunging “the need for messiness” (Hoffart 2024: 148) as an appropriate posture towards intersectionality and politics of identity?

The cyborg configuration along with the privilege of the partial perspective (Haraway, 1988, 1991) is a good path to reach such an objective, as much as the study of classification and its consequences in terms of generating residual categories, orphans of infrastructures and monsters in borderlands (Bowker and Star 1999). Why so?

Crossing boundaries among what is human, animal, and artificial is the core of Haraway’s political cyborg manifesto (1991), a multiplicity constituted by “the intermingling of people, things (including information technologies), representations, and politics in a way that challenges both the romance of essentialism and the hype about what is technologically possible. It acknowledges the interdependence of people and things, and it shows just how blurry the boundaries between them have become” (Bowker and Star 1999: 301).

The very act of crossing boundaries, categories and identities is constitutive of intersectionality, too. “Discrimination, like traffic through an intersection, may flow in one direction, and it may flow in another. If an accident happens in an intersection, it can be caused by cars traveling from any number of directions and, sometimes, from all of them” (Crenshaw 1989: 149). This very popular and vivacious metaphor, even if charged with additivity, is particularly evocative. “By metaphorically visualising black women’s experience of discrimination as the experience of being run over by traffic from multiple directions, Crenshaw provided particularly evocative imagery to accompany her analyses of legal cases in the USA (...)” (Hoffart 2024: 140).

Crossing an intersection, therefore, means also to go beyond purity. Intersection is mixed up, at the crossroads of blurred categories, what Lugones names as *mestizaje* (Lugones 1994). In this respect, a convergence between Lugones and Latour’s non modernity (Latour 1991) can be traced. Artificiality and fictionality are the core of modern Constitution according to Latour: the paradox of non modernity is just the proliferation of hybrids, which are denied and at the same time increasingly inevitable as abstract, artificial dichotomies and separations through which modernity affirms itself (Latour 1991). Accordingly, Lugones pointed out that “The urge to control multiplicity expressed in modern political theory and ethics is an understanding of reason as reducing multiplicity to union through abstraction, categorization, from a particular vantage point (...)”. (Lugones 1994: 464). In this sense, fragmentation is deeply connected with domination, since “The urge for control and the passion for purity are conceptually related” (Lugones 1994: 465). A politics of heterogeneity is, therefore, necessary and, above all, inevitable. It is also constitutive of agency “as the outcome of a plurality of interrelated dimensions that produce different, sometimes contradictory and always changing social locations (...)”, in which intersectionality can have a methodological value in recognizing the ambivalence of the structure-action and the power of situatedness (Rebughini 2021: 6). Intersectionality, therefore, overcomes the violence of silencing heterogeneity, multiplicity and plurality, in a world where “no one is pure. No one is even average. And all things inhabit someone’s residual category in some category system” (Bowker and Star 1999: 300).

5. Layers of silence, torquing and orphanage: infrastructural violence and intersectionality

Since classification systems contain privileges and discriminations and raise struggles and conflicts by silencing otherness through metrology (see the case of tuberculosis, Bowker and Star 1999: chapter 5) there is a form of constitutive infrastructural violence, inherent in the hospitalization system but traceable in other settings as well. In the case of tuberculosis, “Patients begin observing how other patients are treated. There is a complex edifice of privileges in tuberculosis hospitals based ostensibly on how well the person is perceived to be” (Bowker and Star 1999: 180). Furthermore “Both physicians and patients struggle to find a standard and to localize it, in the face of a constantly shifting interpretive frame” (Bowker and Star 1999: 182). Silencing otherness in standards and during standardization movements is a form of constitutive infrastructural violence, generating what Leigh Star acutely defined as orphans of the infrastructure, at constant risk of exclusion and suffering because they belong to multiple communities of practice, life trajectories and struggles. Theirs is a kind of monstrous existence, conducted in an idiosyncratic time, a border terrain constructed and maintained through trajectories and twists which create a strong tension between the topology of body-

life and the typology of classification. Such a tension is coped with negotiations from which a constant risk of torquing arises (Bowker and Star 1999: 191).

Since multiplicity and heterogeneity are the rule, not the exception, and pervasiveness of classifications and infrastructures (the human need for ordering) marginalizes this evidence, there is a basic need to question the purity of categories so to recognize the production and reproduction of monsters and borderlands, as in Donna Haraway's cyborg (1991).

I propose here to reconsider intersectionality as a crucial antidote to torquing and *situated infrastructural violence*, a concept elaborated in urban settings departing from the evidence that “Infrastructure can be a key means through which social improvement and progress is distributed throughout society. A key conceptual challenge, then, is to understand when it is that infrastructure becomes violent, for whom, under what conditions and why (...) infrastructure is not just a material embodiment of violence (structural or otherwise), but often its instrumental medium, insofar as the material organization and form of a landscape not only reflect but also reinforce social orders, thereby becoming a contributing factor to reoccurring forms of harm” (Rodgers and O’Neill 2012: 402-403).

Infrastructural violence, therefore, points to the potentially deleterious consequences of infrastructure as a privileged channel to (re)distribute power and regulate society by hindering multiplicity and heterogeneity.

What does an intersectional approach say to the understanding of these dynamics, given that infrastructure works on an installed base, is relational and ecological, and visible upon breakdown (Star and Ruhleder 1996)?

The crossroad of intersectionality, STS approach of ecological infrastructures and GBV can be very fruitful, emphasizing the dynamics of gendered power in the context of complex sociomaterial assemblages. This is the case of a sanitation infrastructure in Indore (India), where an intersectional approach reveals the production of gendered shame before and after “making the India’s cleanest city” (Truelove and O’Reilly 2021). The complex intertwined infrastructure of urban sanitation crosses, intersects and is entangled within race-gender-class-caste locations, resulting into “Gendered bodies, specifically those of lower-caste women, (...) [as] the disproportionate subjects of new policing tactics that made the physical and affective experiences of already inadequate sanitation in predominately poor and informal settlements even worse” (Truelove and O’Reilly 2021: 731-732).

As Star and Strauss point out with reference to computer mediated work, “On the one hand, visibility can mean legitimacy, rescue from obscurity or other aspects of exploitation. On the other, visibility can create reification of work, opportunities for surveillance, or come to increase group communication and process burdens” (Star and Strauss 1999: 9) The same can happen in the complex and tremendous layering of silence, visibility and invisibility which textures *intersectional infrastructural violence*. The concept of “articulation work” as “*invisible to rationalized models of work*” (Star and Strauss 1999: 10, original emphasis) can be of interest to understand how in the subtle intertwining of (in)visibility, intersectionality can make visible forms of silencing and articulation work which would otherwise be obscured. In this regard, it is of the greatest importance to note that intersectionality as a term was banned and the DEI policies in the US were targeted at the beginning of the second Trump mandate (January-February 2025), with the risk of “widening existing inequalities, particularly for marginalized groups that depend on these programs for support and representation. The executive orders have

deepened political polarization surrounding DEI (...) the suppression of DEI-related activities within the USA is changing conversations about fairness and equity beyond its borders. This not only hampers constructive dialogue but also obstructs collaboration on vital issues of social justice” (Ng et al. 2025: 139). The same issue of GBV as a topic of research and public policy is at risk as “the executive order attempts to preclude gender identity minorities in the United States of America from operating as self-determining, agentic subjects and positions them as objectifiable bodies to be defined, categorized and regulated by and through the state” (Ng et al. 2025: 142).

Therefore, new forms of infrastructural violence and torquing emerge through the silencing and cancellation of intersectionality from public administration vocabulary, calling for a new and more effective agency in the field of GBV and its entanglements with intersectionality, heterogeneity and multiplicity banned through formal political acts.

Policy and practice implications concern a more accurate design of classifications and evaluation systems in policies against GBV. Keeping such systems more open to multiplicity can empower the reach and scope of policy and practice. Preserving spaces of autonomy and action from below for situated policies is also of the greatest importance to contrast the emerging backlash and meta-silencing operations running in the current US context.

6. Conclusions

The core issues raised in this contribution deal with the relationship between intersectionality and GBV. Intersectionality is a heuristic approach, developed through a complex path oscillating among practice, policy and theory, as well as a method rooted in Black feminist movements, then successfully widespread and adapted transnationally as a travelling theory.

Intersectionality is of the greatest importance as it allows us to overcome the silencing and reduction of multiplicity, recognizing Lugones’ *mestizaje* as the way towards a politics of heterogeneity where intersections, interlocking and overlapping structures of oppression and discrimination can be recognized and made accountable. In so doing, GBV can be at once de- and re-centered, shifting from a single-axis analysis to a more complex, situated and plural account of multiple and intertwined forms of violence.

By drawing on concepts from the STS field, such as ecological infrastructures, cyborg, and non modernity, multiplicity is considered as the core of intersectionality, the possibility to go beyond and against silence as violence, namely silence as invisibility, orphanage, monsters and borderlands emerging from multiple memberships on the boundaries of classification systems which, by definition, create exclusion, suffering and torquing.

Intersectionality questions the purity of categories and the constant need to classify, to put order as a form of domination which generates and exacerbates GBV and violence at large.

Drawing from intersectionality studies and STS, the concept of situated and intersectional infrastructural violence is proposed for future and further research, to understand the complex intertwining of GBV in classification systems and sociomaterial infrastructures, especially with reference to the cancellation of DEI policies by Trump administration in early 2025.

The issue of silence as a form of violence and classification systems as originating torquing and orphanage is more urgent than ever, in front of the banning of the very words

and terms which define and constitute theories, practices and policies against GBV, from ‘gender’ to ‘intersectionality’, to DEI itself.

The act of erasure, as it was with Black women and their lives and identities, again calls for a resistance to take in account multiplicity and mestizaje in an affirmative way, a politics of heterogeneity as the basis of a renewed intersectionality approach to confront with multiple forms of violence.

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Dysfunctional Couple Communication as Precursor to Gender-Based Violence: From Silent Threat to Overt Aggression

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Abstract

Gender-based violence is never a sudden event, but rather the culmination of a gradual relational and psychological process, triggered by complex dynamics that often manifest below the threshold of immediate recognition.

This article analyzes the precursors of gender-based violence—such as implicit or explicit threats, coercive control, social isolation, cognitive distortions, and traumatic bonding—considering them as early warning signs of risk. In clinical settings, recognizing these early indicators is essential to prevent escalation and interrupt the cycle of violence before it evolves into more severe forms.

Through an interdisciplinary perspective that integrates criminological, psychopathological, and sociological literature—supported by institutional sources (EIGE, WHO, FRA)—this contribution aims to identify those “weak” behaviors that precede violent escalation and that, if properly recognized, allow for effective preventive interventions.

The early detection of these elements enables us to interpret violence as a progressive sequence rather than an unexpected episode, thus providing both theoretical and practical tools for risk assessment and targeted intervention. The discussion concludes by emphasizing the need for a coherent system of monitoring and multidisciplinary response, one that translates risk awareness into protective action. Viewing violence as a progressive sequence rather than an isolated incident also allows for the refinement of clinical and operational tools in risk evaluation and targeted clinical intervention.

Keywords: *gender-based violence; precursors acts; coercive control; early warning signs; relational risk; escalation; dysfunctional factors.*

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1.Introduction

Gender-based violence (GBV) represents one of the most complex and persistent violations of human rights in the contemporary era, with an impact extending far beyond the individual level, affecting family, social, health, and economic spheres. Contrary to common perception, it does not manifest as an isolated or sudden act; it is often a silent, insidious process that finds fertile ground in patriarchal cultural models, structural inequalities, and deeply rooted emotional distortions.

This paper aims to provide a technical-scientific exploration of the precursor acts of gender-based violence—behaviors and relational dynamics that, while not immediately constituting crimes, represent genuine risk indicators for escalation toward more severe forms of abuse. Through an interdisciplinary examination integrating criminological analysis, psychopathological perspectives, and sociocultural reflection (Calderaro et al., 2025a), this work seeks to construct a theoretical and operational framework capable of identifying these sentinel signs.

Drawing from definitions developed by authoritative international bodies such as the European Institute for Gender Equality (EIGE) and the World Health Organization (WHO), this paper examines the primary early indicators of gender-based violence, highlighting their predictive value within the phenomenon's cyclical dynamic. Special attention is given to risk assessment models, such as the SARA and ZEUS protocols, which serve as operational tools to translate theoretical insights into concrete prevention and protection interventions.

2. The Structural Roots of Gender-Based Violence

Gender-based violence is a structural, systemic, and transversal phenomenon rooted in patriarchal sociocultural models where gender inequality is normalized and often legitimized by implicit norms and historical legacies.

According to the United Nations' definition, gender-based violence includes “any form of aggression based on gender that causes, or is likely to cause, physical, sexual, or psychological harm or suffering to women. This definition also encompasses threats, coercion, or arbitrary deprivation of liberty, regardless of whether they occur in the public or private sphere” (United Nations, 1993; World Health Organization, 2021).

Gender-based violence can affect both women and men, but the majority of victims are women. This type of violence is not an isolated event but a social, cultural, and relational process that manifests in various forms, from domestic violence to femicide, stalking, and sexual violence. It is fueled by structural inequalities and mechanisms of power and control. Data from the European Institute for Gender Equality (EIGE) show that approximately 33% of women in Europe have experienced at least one episode of physical or sexual violence by a partner or ex-partner in their lifetime (European Institute for Gender equality (EIGE), 2024; European Union Agency for fundamental rights (FRA), 2014; WHO, 2021).

The phenomenon takes on particularly alarming connotations when considering the growing number of femicides, many of which are preceded by behavioral and psychological signs that are underestimated or not detected. In response to this critical issue, EIGE published a strategic document in 2021 that identifies a series of early indicators of violence in intimate relationships, useful for assessing the risk of escalation and developing effective prevention interventions (European Institute for Gender Equality (EIGE), 2019).

In this context, it can be said that gender-based violence is part of a behavioral continuum that escalates from symbolic prevarication to physical subjugation, including less

overt but no less damaging forms such as economic abuse, systematic devaluation, emotional isolation, and control exerted through digital tools. This continuum is supported by a cultural framework that legitimizes the idea of possession and submission of women, reinforcing male dominance.

In the legal field, the 2011 Istanbul Convention, ratified by Italy in 2013, officially recognized gender-based violence as a human rights violation and a form of discrimination. The text emphasizes that such violence is both a cause and a consequence of structural inequality between sexes and requires integrated policies, educational interventions, and institutional commitment to be effectively counteracted (Council of Europe. Council of Europe Portal. Action against violence against women and domestic violence Istanbul Convention, 2011).

Beyond its individual and relational dimensions, the phenomenon also has a collective and systemic impact: it produces significant consequences in terms of public health, social well-being, and collective safety. Gender-based violence is a primary risk factor for the mental and physical health of women, with effects often extending to children, family members (Serban, 2023, 2025), and the community as a whole (World Health Organization (WHO), 2021).

Furthermore, the literature highlights a significant link between exposure to gender-based violence and socioeconomic inequalities.

Women with fewer economic resources, lower levels of education, or those belonging to ethnic minorities are more vulnerable, both in terms of risk exposure and in their ability to access protection and support services (United Nation Women, 2022). Such inequalities further aggravate the power imbalance between victims and perpetrators, making it more difficult to report abuse, leave a violent relationship, and undergo psychological recovery.

3. Typologies of Gender-Based Violence and the Phenomenon's Scope in Europe

Gender-based violence manifests through a plurality of forms, each acting with different intensity, visibility, and impact, but all aimed at maintaining an asymmetrical power dynamic between the perpetrator and the victim. The main typologies recognized by European institutions are: physical violence, which includes pushing, slapping, punching, biting, strangling, burning, and the use of blunt objects or weapons; sexual violence, which includes rape, forced intercourse, harassment, and any form of non-consensual sexual coercion; psychological violence, expressed through threats, humiliation, intimidation, isolation, pathological jealousy, and coercive control; economic violence, which is achieved by imposing financial dependence, preventing access to money or employment, and controlling resources; and stalking, a pervasive form of persecution that often precedes or intertwines with relational violence and can include surveillance, shadowing, unwanted contact, and recurring threats.

According to data collected by the European Union Agency for Fundamental Rights (FRA) in a survey of over 42,000 women in 28 EU member states, 22% of respondents reported having experienced physical violence by a partner at least once in their lifetime, while 5% reported episodes of rape or attempted rape by a partner (European Union Agency for Fundamental Rights (FRA), 2014). Psychological violence is the most widespread, with 43% of women reporting at least one episode of threats, humiliation, isolation, or coercive control (European Union Agency for Fundamental Rights (FRA), 2014).

Economic violence, although less frequently reported, affects approximately 12% of women who live or have lived in intimate relationships, highlighting a subtle and progressive pattern that often accompanies other forms of abuse (European Union Agency for

Fundamental Rights (FRA), 2014). Stalking also presents significant data: one in five women (18%) reports having experienced obsessive harassment, in most cases by an ex-partner, with an average duration of episodes exceeding six months (European Union Agency for Fundamental Rights (FRA), 2014).

EIGE, in its monitoring of the phenomenon in Europe, highlights that the prevalence of violence is higher in countries with significant gender inequalities and less access to protection services. The Gender Equality Index shows an inverse correlation between the degree of gender parity and the prevalence of domestic violence: the more fragile the system of equality, the higher the social tolerance for abusive behaviors appears to be (European Institute for Gender Equality (EIGE), 2023).

4. Sentinel Behaviors and Dysfunctional Factors in the Genesis of Abuse

Gender-based violence does not emerge suddenly but develops through a gradual process, marked by a series of precursor behaviors that manifest over time, often in the form of disturbed relational dynamics, the exercise of control, and the progressive erosion of the other person's freedom. These acts, also known as early warning signs, represent structural risk indicators in both a preventive and investigative and judicial context.

The behavioral models that precede gender-based violence outline a testable and predictable trajectory that can be used for early risk identification. Among these, the "Cycle of Abuse" model, introduced by Lenore E. Walker in 1979, is a central reference. Based on an extensive survey conducted through interviews with 1,500 women victims of violence, Walker identified a cyclical model composed of three recurring phases: the first phase is the **"tension-building phase,"** where the partner shows the first warning signs, is irritable, possessive, and threatening, acting in an intimidating or aggressive manner while the woman tries to avoid conflict through emotional control and appeasement; this is followed by the **"acute violence phase,"** where the incident occurs. This phase is characterized by sudden and very intense explosions of anger and physical and sexual violence. This leads to the third and final phase, the **"honeymoon phase,"** where the partner shows remorse, apologizes for their actions, tries to reconcile with the victim, justifying themselves and promising to change, thereby reinforcing the victim's emotional bond and dependence (Walker, 1979).

This last phase is followed by a period of apparent calm, and then the cycle repeats with increasing escalation. The moments of calm reinforce the victim's hope, while promises of change mask control strategies.

A central aspect of the precursor acts of gender-based violence consists of the perpetrator's **cognitive distortions**—dysfunctional ways of processing reality and the relationship with the partner that create a favorable context for the emergence of violent conduct. These distortions tend to manifest from the initial stages of the relationship and can take various forms, including a dichotomous view of the partner, who is initially idealized and then systematically devalued. To this is added the external attribution of responsibility, through which the abuser shirks responsibility for their actions by justifying their behavior with statements such as: "you provoked me," "it's all your fault," or "I lost control because you..." This dynamic also includes the denial of the harm inflicted and the tendency to minimize the severity of their own behaviors. According to a 2025 study published in *Behavioral Sciences*, the main predictive variables for these distortions are: ambivalent sexist attitudes, i.e., the coexistence of protective and denigrating elements in the perception of women; low self-esteem; traumatic childhood experiences; and relational instability (Medinilla-Tena, Badenes-Sastre, & Expósito, 2025). These factors contribute to building

an internal narrative that justifies or rationalizes violence, making it difficult for the perpetrator to recognize its scope and for the victim to understand the risk.

A further anticipatory element is **traumatic bonding**, a psychological construct that describes the strong attachment that can develop between a victim and an aggressor in the presence of an intermittent abusive relationship. Dutton and Painter, pioneers in the study of this phenomenon, have shown how the cyclical nature of abuse, particularly the alternation between violent acts and affectionate or protective displays, triggers a form of emotional dependence in the victim very similar to that observed in contexts of captivity or in dysfunctional relationships with parental figures during childhood (Calderaro et al., 2025b). The trauma is not only caused by the violence but also by the emotional confusion that results from it. The victim struggles to distinguish between safe and dangerous moments and develops coping strategies that strengthen the bond rather than breaking it. This type of attachment, based on emotional discontinuity and the intermittent reduction of the threat, can be a decisive factor in the victim's failure to report the abuse, self-blame, or social withdrawal (Dutton & Painter, 1993).

Another key precursor to violence is the social and cultural normalization of abusive behaviors, often disguised as forms of attention or care. Obsessive jealousy, controlling movements, interfering in family or friend relationships, and the invasion of digital privacy are frequently presented as expressions of love or concern. In educational and cultural environments lacking emotional literacy, these signs are not recognized as dangerous by either the victim or the social context, but are accepted as personality traits or aspects of a couple's life. The most recent literature highlights how social tolerance for victim-blaming, controlling attitudes, and possessiveness constitutes a powerful risk amplifier, delaying external intervention and hindering the victim's request for help (Inmaculada Valor-Segura, 2011).

The European Institute for Gender Equality (EIGE) highlights that within the framework of intimate partner violence risk assessment and management, it is possible to identify a series of specific behavioral indicators that serve as reliable predictors of the evolution and potential recurrence of violence. These dynamics tend to emerge from the initial phases of the relationship but are frequently underestimated or misunderstood by both the victim and the surrounding social context. Among the most relevant are: the social isolation of the victim, carried out by progressively separating her from family, friends, work, and school contexts, making the woman increasingly dependent on her partner.

Associated with this is systematic coercive control, which is expressed not only through rigid behavioral demands but also through the use of technology to exercise a form of continuous digital surveillance (checking messages, geolocation, access to social media profiles, etc.). Another indicator with high predictive value is pathological jealousy, frequently associated with feelings of possessiveness and a constant need to exert exclusive control over the partner—elements that can degenerate into both psychological and physical violence. To these is added economic violence, which involves controlling resources, bank accounts, and/or wages, or prohibiting work, with the aim of making the victim completely dependent on the partner. Finally, previous violent behavior, even in prior relationships, is a key indicator. According to EIGE, every past episode, even if isolated, increases the risk of recidivism, especially if accompanied by explicit threats of death or physical harm (European Institute for Gender Equality (EIGE), 2019).

These signs are not mere communication difficulties but are part of a coercive pattern in which the violent individual tends to establish systemic dominance over their partner to

create a progressive relational asymmetry. The relationship thus becomes a space of power, not reciprocity.

From a psycho-behavioral perspective, precursor acts are often linked to learned dysfunctional models rooted in the perpetrator's childhood or adolescence. Early exposure to violent family models, witnessing episodes of domestic violence, and the absence of emotional containment and balanced educational figures are factors that increase the risk of acting out abusive behaviors in adulthood (Ellsberg et al., 2015).

The World Health Organization (WHO) clearly identifies three levels of early warning signs:

- **Behavioral level:** includes observable behaviors that suggest a coercive process is underway, such as verbal threats, repeated humiliations, manifestations of obsessive jealousy, social isolation of the victim, and attempts at extreme control over relationships, movements, and/or communications.
- **Psychological level:** this level includes more subtle but equally significant attitudes, such as obsessive control, constant surveillance of the partner, inability to handle rejection, systematic use of intimidation as a tool for control, and the adoption of a dichotomous view of the partner, alternating between phases of idealization and moments of devaluation. All are signs of a pathological dependence disguised as attention or constant presence. These are signs that indicate a structural fragility of the self and a predisposition to relational violation.
- **Environmental level:** includes all external factors to the relationship that create fertile ground for violence. These can be economic stress, job insecurity, social isolation, substance use and abuse, and belonging to violent and marginalized contexts. This level also integrates the cultural and normative level, which leads to the social acceptance of rigid gender roles or tolerance for subjugation (World Health Organization (WHO), 2010).

The WHO model helps to understand the complexity of the phenomenon and allows for an integrated risk assessment in which signs from different contexts contribute to producing a more precise mapping of vulnerability.

Within the legal system, assessment tools have been developed to identify the risk of violent escalation and, in particular, femicide. One of the most widespread is the **SARA protocol (Spousal Assault Risk Assessment)**, which integrates static factors (such as prior violence, psychiatric diagnoses, etc.) with dynamic factors (reactions to separation, access to weapons, etc.).

Specifically, SARA is one of the most widely used international tools for assessing the risk of recidivism in domestic violence, particularly against intimate partners. Originally developed in Canada by P. Randall Kropp and Stephen D. Hart in 1995, it has undergone numerous revisions over time, including the most recent, SARA-V3 in 2015.

Unlike algorithmic predictive tests, this protocol is based on a Structured Professional Judgment (SPJ) approach, which is a structured but flexible assessment by qualified professionals, such as criminologists, forensic psychologists, social workers, and law enforcement (Randall Kropp & Hart, 2000).

SARA was originally structured on a 20-item grid covering two main areas: risk factors related to the propensity for violence and risk factors related to the joint relationship between the perpetrator and the victim. These were rated on a scale of 0 to 2, allowing for a total score range from 0 to 40. The factors assessed ranged from previous violent conduct, substance use, and the presence of behavioral disorders to the relational history, threats, and attempts at control (European Federation of Psychologists' Associations (EFP), 2016).

The SARA-V3 protocol, on the other hand, consists of 24 assessment items divided into three sections:

- **Nature and Context of Abuse (Intimate Partner Violence - IPV):** includes eight items aimed at analyzing the frequency, severity, and methods of the assaults, with particular attention to the potential presence of recent escalation.
- **Perpetrator Risk Factors:** composed of ten items that include the presence of previous convictions for violence, psychiatric diagnoses or personality disorders, problems related to alcohol or substance abuse, and childhood abuse or violence witnessed. These elements represent "immobile" variables that cannot be changed but form the basis of accumulated risk over time.
- **Victim Vulnerability Factors:** assesses, through six items, conditions that increase the victim's exposure to risk, such as economic dependence, social isolation, linguistic or cultural barriers, the presence of minors, or pregnancy (Risk Management Authority, 2019).

The SARA protocol allows precursor signs of violence, which might be underestimated, to be placed in an evaluative grid capable of capturing the relational dynamics pre-violence. It thus becomes a preventive reading device, able to recognize the evolution of abusive behavior from its earliest manifestations.

In Italy, initiatives such as the **ZEUS protocol**, originally implemented at the Milan Police Headquarters, provide for the perpetrator of threatening conduct to be formally warned and then referred for a series of psycho-educational interviews aimed at raising awareness and modifying the violent behavior. The data collected show that intervention in the pre-criminal phase can prevent escalation and significantly reduce recidivism (State Police (Polizia di stato), 2023).

5. Conclusion

The analysis of the precursor acts of gender, the SARA protocol, allows precursor signs of violence, which might be underestimated, to be placed in an evaluative grid capable of capturing the relational dynamics pre-violence. It thus becomes a preventive reading device, able to recognize the evolution of abusive behavior from its earliest manifestations.

In Italy, initiatives such as the **ZEUS protocol**, originally implemented at the Milan Police Headquarters, provide for the perpetrator of threatening conduct to be formally warned and then referred for a series of psycho-educational interviews aimed at raising awareness and modifying the violent behavior.

The data collected show that intervention in the pre-criminal phase can prevent escalation and significantly reduce recidivism-based violence allows for moving beyond a merely emergency and repressive perspective, favoring the adoption of a genuinely preventive approach based on the recognition of "weak" signals and the promotion of a relational culture based on awareness and mutual respect.

As demonstrated by the data reported by bodies such as EIGE, the World Health Organization, and the European Commission, violence never arises from a neutral context, but is the result of progressive interactions, control strategies, and systemic failures in protection.

Elements such as the perpetrator's cognitive distortions, relational asymmetry, traumatic bonding, and social tolerance for abusive behaviors represent central components in the management of abuse. The timely recognition of these signs, supported by structured assessment tools and validated operational protocols, allows not only for safeguarding the

safety of victims but also for intervening with potentially dangerous individuals before they commit a crime.

The integration of behavioral, environmental, and psychological data, as proposed by the WHO and the most recent SPJ (Structured Professional Judgment) models, represents an advance in the field of violence prevention. In particular, tools like the SARA-V3 and the ZEUS protocol show that action based on early risk assessment can genuinely reduce the probability of recidivism and prevent the transition from tension to a harmful event.

However, the challenge remains to build a coherent and multi-level system of monitoring and response that integrates theoretical analysis with timely operational practices. Knowing the signs is not enough; this knowledge must be transformed into alert and intervention mechanisms to act in the pre-criminal phase and break the cycle of violence before it turns into a tragedy.

In this context, prevention means reading what is not yet visible and acting on what could still be avoided.

Authors contributions

The authors share the structure of the article and the content; however, Monica Calderaro wrote the paragraphs 1, 2, 3, and 4; Vincenzo Mastronardi wrote paragraphs 1, 2 and 5; Ionut Virgil Serban wrote the paragraphs 1, 4, and 5; Camilla Fruet wrote the paragraphs 1, 2, and 5; Marta Pinna wrote the paragraphs 1 and 5.

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Defusing gender-based violence. A center reserved to men perpetrators of violence

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Abstract

The paper explores gender-based violence to identify practices to counter the phenomenon through the analysis of a case study: the Center for Authors of Violence. Initially, the socio-cultural context is analyzed in all its complexity. Men who commit acts of violence are conditioned by the logic of male domination exercised in a patriarchal context, in which violence is a manifestation of power. Subsequently, the peculiarities of the case study and the detection techniques used are illustrated. The information obtained is then analyzed to highlight critical issues of the mission and processes activated for the implementation of the project. In conclusion, some useful considerations for the design and implementation of similar services are highlighted, emphasizing the importance of prevention and training measures to combat the phenomenon.

Keywords: *perpetrators violence; Responsible Men Project; violence; change*

1.Introduction

The phenomenon of gender-based violence is pervasive in society. It expresses itself in hugely heterogeneous episodes and takes different forms as revenge porn in virtual space (Bassi and Della Putta 2024) or the most diverse forms of physical violence (Walby and Towers 2017). The Istanbul Convention (Council of Europe 2011), ratified by Italy in 2013 (Law No. 77 of 2013), recognizes violence as a structural problem rooted in inequality between women and men, which prevents women from totally free and equal lives (Praticò 2021). Gender-based violence emerges in any act «that causes 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» (Yanyi and Sitawa 2015: XII).

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In this historical period, the sources of violence against women seem to multiply. Lifestyles inspired by hegemonic masculinity (Connel 1995) lose their legitimacy, and a section of men lose their orientation in the management of affective relationships since different narratives, such as feminist and Queer theories (Butler 1990), overlap with the narrative of male domination (Bourdieu 2014). This field becomes fertile for the growth of gender violence, which becomes not only a power issue (as the superiority of one gender over the other) but a cultural issue (like the inability to manage the relationship).

The paper focuses on the possibilities of defusing gender-based violence by working on the perpetrators of violence; in the Istanbul Convention, Article 16, devoted to *Preventive and Therapeutic Intervention Programs*, calls for all necessary measures, including legislation, to support programs and interventions aimed at perpetrators of domestic violence. In Italy the Law No. 69 of 2019: “Measures concerning domestic and gender violence”, also known as the “Codice Rosso” (Red Code) provides individuals convicted of violent crimes with the opportunity to participate in rehabilitation programs to suspend their sentence potentially (Peroni 2019). After describing the phenomena of violence emerging as a result of power and cultural change, this study starts from the description of a center that works on *male perpetrators of violence*¹. In particular, the research explores the structuring and implementation of a project. The findings show that to reduce gender-based violence, it is important to promote a network model that values an ecological approach (Bronfenbrenner 1979).

2. Violence: an expression of power and cultural change. A theoretical framework

The actions of the feminist movements against social inequalities and the separation of gender roles, the imposition of normative models, misogyny, and machismo have also had the merit of raising the issue of gender violence (Knoblock 2008).

The forms of violence in the plurality of its definitions, from intimate violence and domestic violence to gender-based violence (Gianturco and Brancato 2022), show a climate of high conflict. Men who fear losing their dominant positions act indirectly and subtly or directly and aggressively to repress the emancipatory process emerging from affective and emotional relationships.

This change does not occur with a simple and linear path but within a radical and traumatic upheaval because the different approach implies a replacement of the cultural approaches that people use to orient themselves in the world. Indeed, a process of transformation of the *weltanschauung*, as stated by Karl Mannheim (1991), implies an encounter/clash between ideologies, which justify the existing social system, and utopias, which propose new interpretations. Within such a transition, we can place the flanking and overlapping of cultures inspired by male dominance and hegemonic masculinity - on the one hand - and feminist and queer emancipatory theories on the other.

¹ The Centers for Men Who Commit Gender-Based Violence (hereafter CUAV) are specialized facilities that provide intervention programs for men who have perpetrated domestic, sexual, or gender-based violence. These programs aim to facilitate behavioral change and prevent recidivism by promoting respectful and non-violent relationships (Conferenza Stato-Regioni 2022).

Today, the narratives of the feminist and queer movements (Buttler 1990) are coming alongside the mainstream ideology. Male domination, which has exercised a widespread and undisputed power for centuries, was able to impose categorization and construct subjectivities that uncritically respected its discipline (Foucault 1972). Symbolic forms of violence (Bourdieu 2000) that legitimize male power and relegate women to a subordinate role within social and cultural structures are less recognized and accepted by society. The increased women's freedom and independence of women leave a portion of the male population unprepared.

Within this framework, relationships between individuals and sentimental relationships between women and men experience a repositioning of the balance of power. Male identity figures are more directly affected by this. In addition to the violence that originates from the ancient and, unfortunately, never-ending affirmation of power, other forms emerge that are fueled by a disorientation of male figures. The process of socialization that transmits the forms of hegemonic masculinity ends up disabling men from sentimental relationships. Connel and Messerschmidt (2005) describe, in fact, hegemonic masculinity with specific dimensions: physical prowess, economic success, heteronormativity, the devaluation of feminine attributes, the suppressing emotions to show strength and stoicism. The combination of all these characteristics can lead to toxic practices. When they emerge within the dynamics of a couple, the relationship becomes unacceptable for women who have experienced an emancipatory process.

In this contest social and cultural work with perpetrators of violence is essential to break the cycle of violence, to promote responsibility and to propose life alternatives. At the same time, to prevent the dangers of reoffending, programs for perpetrators of violence must prioritize the safety of the partners and children involved at all levels to avoid the risk of reproducing violent dynamics in future relationships (Babcock et al. 2016). To this purpose, initiatives have been started at international and national level: the European Network for Working with Domestic Violence Perpetrators (OAK Foundation 2021), founded in 2014 as part of the European Daphne project, that aims to define shared operational practices, assessment tools and standards while strengthening collaboration with institutions (Fritz, 2023); RELIVE (Relationships Free of Violence) is a network that acts at the national level and, like the European one, connects civil society realities, organizations and institutions (Demurtas e Peroni, 2021).

A national survey conducted by the Institute for Research on Population and Social Policies, 94 centers were mapped. Data from indicate a further rise in access: 4.502 men contacted the centers. However, not all of them proceeded to initiate a support program (Regione Toscana 2025). The results highlight the existence of a demand that the system is not yet able to fully meet. It should be noted that aggressive and violent behavior escalates in 85% of cases without intervention, and it is rare for perpetrators of domestic violence to regain control after an initial episode of violence without external support (Observatory on Violence against Women 2022).

The paper proposes to highlight the overlapping of the sources of violence related to the maintenance of power and how counteracting and preventive actions can translate into practice through the observation of a case study.

3. The case study: methods and data collection

The research focuses on a case study. The information, which forms the basis of the analysis, was collected in two stages: the first was through participant observation, and the second was interviews conducted through key informants selected for their role in the organization.

Choosing a case study allows us to understand the processes and actions of the social actors involved in the observed phenomenon (Harrison 2017). In this way, it is also possible to better understand the findings that emerge in the analysis (Merriam 2009). Inside a relational approach the perspective addresses the male dimension without neglecting the female experience (Bozzoli et al., 2013); instead of “abusers” or “violent man” it’s preferable to use the concept of “male perpetrators of violence” (hereafter MPV) that reflects the chance to promote cultural change in the fight against gender-based violence to act on the responsibility of the abusive subjects, in accordance to the report of *Senato della Repubblica* that suggests adopting the expression: “men who commit violence”. This choice would emphasize an approach that underlines how violent behavior is not innate and can be changed. As the report states, without direct intervention on the behavior and cultural norms of perpetrators, a comprehensive response to violence against women is not possible (Senato della Repubblica, 2022). The aim is to take responsibility by overcoming denial and reconstructing an identity to overcome stigmatization.

The case study involved the anti-violence center of Carrara, which carries out activities through an organized reality of civil society, the Italian Women's Center. It is partner of a network of Third Sector Organizations, local administration, and police institutions. Also, the center has chosen to join the Zeus project since 2022, which provides interventions to work on MPV (Cuciti and Crapanzano, 2024). The focus is on the *Project Responsible Men* developed to fight gender-based violence, with a particular focus on male dynamics and perspectives. Its objective is to prevent and counteract gender-based violence by encouraging perpetrators of violent behavior to take responsibility.

Three criteria lead the choice of this center. *accessibility*: the center involved supported the research project, ensuring access to both data and operational contexts; *cultural and social background*: the Carrara area enabled the exploration of territorial specificities in the management and delivery of services for perpetrators of violence; *exemplarity criterion*: the case was considered illustrative due to its specific operational features and the effective collaboration among the various actors within the anti-violence network. This aspect proved particularly relevant for observing the inter-institutional dynamics that characterize work with MPV.

The research was carried out in the period 2023–2024. Participant observation and interviews were conducted in October 2023, while communication with the relevant institutions continued throughout 2024 to gather further clarification and to monitor ongoing developments.

Participant observation and semi-structured interviews are the two techniques of social research used. The first aims to identify professional methods and to analyze the rehabilitation process and the of the operators. The focus was on the project aimed at MPV men, among other activities at the center. Three issues guided the collection of information:

1. Observation of the methodologies, tools, and strategies used by the center
2. Analysis of collaborative actions with other local entities to combat and prevent violence against women
3. Participation in teamwork to identify obstacles and emerging resources.

The semi-structured interviews with four key informants (see Table no.1) aims to gain a deeper understanding of the actions and the processes activated by the center.

Table no. 1. Key informants

Key informant	Gender	Age	Educational degree	Activity
1	female	39	PhD	Coordinator of the anti-violence center
2	male	64	High school degree	Coordinator of the Responsible Men project (volunteer)
3	female	54	Bachelor's degree	Social Worker
4	female	78	PhD	President of the Association (CIF)

Each interview, adapted to the specific role of the key informant, is structured around four topics: 1. Organization and structure of the center's processes and how they have adapted to the needs; 2. Techniques and strategies for supporting victims; 3. Structuring the project on MPV, the methods of prevention, and contrast; 4. Importance of the network of services.

The triangulation of the results obtained from the two detection techniques allows a comparison between the issues observed by the qualitative investigation (Maxwell 2013). The researcher engages with the vital world in which the phenomenon develops through participant observation, with which the relationships between the actors and their choices are better understood, the researcher empathizes with them, and the knowledge of their actions is improved (Quarta 2020). Interviews allow for the in-depth study of specific topics and issues about the research theme. Structured phases within a survey strategy conduct the dialogue between researcher and respondent (Bichi 2005) to allow the boundaries of the topics studied to widen and to describe their complexity (Corrao 2005).

4.The interviewees: a difficult mission

The interviews reveal, on the one hand, an awareness of the mission of the project analyzed, often perceived as distinctive compared to a traditional CAV, and, on the other hand, the complexity of implementing the service provided.

«According to the Law, the service provides two modes of access»², as the interviewees declare: the first mode concerns perpetrators of violence reported through Code Red (Law no. 69 of 2019), who can only receive a suspension of their sentence by participating in organized programs (Cannito and Torroni, 2023). The courts, UEPE offices, or lawyers compel the MPV. The second mode of access is voluntary: they are welcome to understand their needs, analyze their condition to face them, and provide the necessary support.

² Key informant no. 4: f. 78, PhD, President of Association.

Data of the Center show the number of citizens in the rehabilitation programs designed to promote behavioral change are activated in two different ways, in the last two years: in the first case, the court compels the MPV to the Centre (compelled in the tab. no. 2); in the second case, the MPV decides to contact the Centre voluntarily (volunteer in the tab. no 2).

Table no. 2 – Access at the project MPV

Year	Italian compelled	no Italian compelled	Total compelled	Italian volunteer	No Italian volunteer	Total volunteer	Total MPV
2023	15	4	19	9	5	14	33
2024	30	4	34	9	3	12	46

Source: Project Responsible Men Carrara 2025

The increase in the number of people accessing the service indicated in the table shows a growth in demand. As the center's President also comments during the interview: «the data highlights how violent behavior is perceived more by Italians than by foreigners»³. Above all, the data shows an increase in access due to court requests. This is an indicator that highlights both the trust that other institutions have in the service offered and the lower incidence of voluntary access. The latter requires a commitment to greater training and information efforts.

Zeus Protocol, for interviewers, represents a tool to identify risk situations and to prevent the escalation of violent behaviors. The protocol is an agreement between the Anti-Crime Division of the Police and the center to raise awareness of the social damage and negative impact of aggressive and violent actions to prevent recidivism. In this regard, the head of the Responsible Men project explains during the interview:

The Zeus Protocol represents a non-criminal approach to addressing the issue of violence. Many individuals may be reluctant to report to their partners but still wish for the violence to stop. Through its discussions and administrative interventions, the Zeus Protocol has proven effective in preventing numerous instances of violence. It is also important to note that many individuals may not be aware that their behavior could result in criminal charges⁴.

This procedure can be applied when someone is reported for violent behavior, but his situation is not yet clear. The police service invites the individual to contact the center to engage in a free program to address problematic behaviors, such as anger management. This rapid and integrated intervention aligns with the best practices recommended by the Istanbul Convention, providing a comprehensive response to address the complex issue of gender-based violence (Garbarino and Giulini, 2019).

The screening process for perpetrators of violence is conducted according to the admission criteria established by the Cener. Following individual assessment interviews, if

³ Key informant no. 4: f. 78, PhD, President of Association.

⁴ Key informant no. 3: m. 64, High school degree, Coordinator of the Responsible Men project.

the individual does not demonstrate an adequate level of awareness or willingness to engage, the process is discontinued. As noted by coordinator of *Responsible Men project*, «referrals to external services typically occur in cases involving significant mental health conditions, psychiatric disorders, or substance dependency»⁵. This approach aligns with the findings of the Tuscany Report, which indicates that such conditions constitute exclusion criteria in 74% of CUAVs at the national level (Regione Toscana 2025).

As one interviewee states, the aim of the project is first to change the perception of the violent action perpetrated and then to initiate a change in the participant:

The first five individual meetings aim to modify the participants' perceptions. We want to show the intention to offer support, not to judge. By the second cycle of meetings, we begin to observe the early stages of change in the participants.

The areas of origin of the perpetrators of violence involved in the project include Massa, Carrara, Lucca, and the surrounding municipalities. A team of psychologists and psychotherapists with solid experience in the field manage the service of the center. In addition, the service also provides legal support through the office of a lawyer.

The network's work has been made possible through shared training. In this regard the coordinator of the anti-violence center, states:

*We have provided training for several professional groups, including law enforcement officers and magistrates. [...] This exchange of perspectives has proven to be highly formative, significantly enhancing our understanding of the issue. It has allowed us to identify solutions and explore new approaches beyond our specific areas of expertise. We are firmly convinced that collaboration and training with external professionals are crucial for raising awareness of gender-based violence and developing more effective strategies to address it.*⁶

A synergistic network approach is essential to provide a punctual and integrated response in the treatment of perpetrators of violence. In this regard, a social worker emphasizes that:

*A shared commitment to developing a common language between different professions facilitates collaboration. We recognized the legitimacy of each role and worked together toward a common goal. While each of us has our institutional responsibilities, mutual recognition of this legitimacy has been crucial for delivering an integrated response*⁷.

Collaboration between the Project for Abusive Males and the Anti-Violence Center is crucial. The operator maintains ongoing contact with the partners of the individuals involved, ensuring direct and continuous support. Additionally, the two organizations

⁵ Key informant no. 3: m. 64, High school degree, Coordinator of the Responsible Men project.

⁶ Key informant no. 1: f.39, PhD, Coordinator of the anti-violence center.

⁷ Key informant no. 2: f. 54, bachelor's degree, Social Worker.

collaborate to conduct awareness campaigns and promote a coordinated response in the Carrara area.

Prevention is another theme that emerges from interviews. It is crucial to recognize that gender-based violence is deeply rooted in cultural norms and values, which shape how violence is understood and addressed. President association affirms:

Gender-based violence is a facet of a broader problem of widespread violence. Many people use it to resolve conflicts at various levels. [...]. It is crucial to place the issue of gender-based violence within a broader cultural discourse aimed at promoting change that promotes equality and respect.⁸

Male violence against women is a social issue stemming from a system of values that both men and women internalize from childhood. The center proposes an integrated primary prevention response in collaboration with the project. The coordinator of the anti-violence center reports that:

We have conducted awareness campaigns through training activities in schools. We propose moments of reflection and spaces for discussion. Our goals are to raise awareness about gender perception and promote a culture of respect, both in the school environment and in society. We also aim to increase awareness of the available services.⁹

While awareness campaigns focus on primary prevention, perpetrator programs are a form of secondary prevention. This distinction highlights that prevention efforts are complementary at different stages of the process, from raising awareness in schools to offering interventions for those who have already adopted violent behaviors.

5.Participant observation: the project implementation

Observation within the center highlights how methods and strategies are employed in the Responsible Man project. The program for MPV includes two phases. The first phase, *assessment of suitability for intervention*, involves individual interviews, group sessions, and a one-on-one feedback session to assess participants' motivation and compatibility with the program. If participants are deemed eligible, they advance to the second phase, *re-education intervention*, which involves led-by-experts group sessions. Group sessions take place for at least 6 months, and each meeting lasts approximately 1 hour and half.

Each meeting is devoted to a specific topic, offering participants a safe and welcoming environment in which to share their thoughts, if they wish, without any pressure. Participants also receive documents containing questions and reflections on the topics covered. Group coordinators describe it as stimulating new ways of seeing reality. The method prioritizes the development of skills to recognize and manage the emotions that drive anger and

⁸ Key informant no.4: f. 78, PhD, President of Association.

⁹ Key informant no. 1: f. 39, PhD, Coordinator of the anti-violence center.

aggression, thereby reducing the risk of recidivism and preventing the escalation of violent acts.

Professionals, involved in the case study, use the IMPACT Toolkit (2025) to measure and monitor changes in the MVP's behavior. The tool proposes five questionnaires that evaluate aspects such as behavioral change, safety, well-being, responsibility and impact on children. In the early stages of the process, behavioral checklists help men identify actions that they had not previously recognized as abusive. In later stages, the questionnaires measure the MVP's commitment to change and their motivations. The toolkit also includes questionnaires to be administered to victims (partners or ex-partners) at different stages of the rehabilitation process. For victims or survivors, the questionnaires also encourage reflection on their own wellbeing and situation. Their participation is essential to fully understand the changes and their impact on family dynamics (Hester et al. 2014).

To inform the woman about the progress made by the perpetrator of the violence and the support services available to her, while fully respecting her right to refuse. As the experience of the CAM in Florence also shows, this practice is also a valuable tool for both assessment and ongoing monitoring, especially when the woman is already receiving assistance from anti-violence centers or social services (Cannito and Torrioni, 2023).

Observation of the methodologies applied in the rehabilitation process also reveals a focus on new tools such as the introduction of the S.A.R.A. method (2), which is already being tested. This tool collects specific information from the person at risk and is used to assess the degree of risk to the victim, classifying the risk of danger posed by the perpetrator of the violence. This method helps to determine the priority of the interventions necessary to ensure the victim's safety (Baldry 2016).

The intervention works preventively through group discussion forums, which are particularly effective in promoting change and encouraging reflection on the relational methods used. These proposals aim to recognize emotions and encourage participants to share their feelings. The work proposed in the group aims to explore and address topics such as gender stereotypes, anger and emotion management, goal setting, responsibility, parenting and emotional alphabetization.

Participant observation allowed us to observe some of the critical issues faced by operators. One of the main concerns relates to the costs of the program, which hinder men with limited financial means and therefore create economic inequality. Participation is free for those who enter voluntarily or after being formally warned, while those admitted under Law no. 69 of 2019 (the Red Code) are required to contribute financially. A second difficulty is the fact that the professionals participating in the project work entirely free of charge. This could affect the sustainability and functioning of the center. Finally, it is very important to improve the conditions of the facilities and premises that house the center in order to create a welcoming environment that affects the quality of well-being of all those involved in the project.

6.Discussion

The description of the results shows that the Responsible Man project takes the ecological model into consideration. It allows social workers and scholars to consider violence in intimate relationships as the result of an interaction between various cultural, social and psychological factors (Hester and Lilley 2014, Pauncz 2016). This approach

considers the individual as part of a complex network of relationships, structured in concentric layers corresponding to key developmental contexts (Bronfenbrenner 1979). Individual behavior is the result of the interaction of these overlapping systems. Interpersonal relationships, including family, friends and partners (micro level), can increase this risk, particularly when individuals are constantly exposed to interactions with potential aggressors or negative peer influences. The community (meso level) highlights the role of environments, such as neighborhoods and schools, where marginalization or social isolation can foster violence (Smith et al. 2014). Finally, social factors, cultural attitudes, and social inequalities (macro level) significantly influence the acceptance of violence and contribute to its perpetuation. All these levels underscore the complex interactions between individual, relational, and community factors, highlighting the need for integrated and comprehensive strategies to address violence (Dalhberg and Krug, 2002).

Although the ecological model provides a comprehensive framework for understanding the factors that fuel harmful behaviors, it is equally important to consider how relational and emotional deficiencies influence the attitudes of MPVs. Furthermore, the emotional difficulties experienced by perpetrators of violence, as described by the interviewed coordinator of the Responsible Men project, help to understand the deficit in the affective domain, which manifests itself in difficulty managing emotions and an inability to adopt appropriate coping strategies when faced with stressful events. This emotional void complicates the perpetrator's ability to recognize and regulate their impulses, further exacerbating their inability to form healthy and respectful relationships.

The program aims to raise awareness among men about the implications of masculinity, particularly on their links to violence and patriarchal structures. It also encourages reflection on relationship models and parenting roles, advocating for a change in the patterns of power and control associated with masculinity that perpetuates female subordination.

Grifoni (2016) notes that perpetrators of violence manifested primarily an inability to communicate their needs and engage in reciprocal interactions. This breakdown in communication leads to aggression and dominance in their relational patterns, reflecting a fundamental difficulty in establishing relationships based on cooperation and true intimacy. Such harmful behaviors are not isolated acts but serve as mechanisms to maintain control, stemming from a lack of emotional and relational skills. Over time, these actions are continually constructed and perpetuated as an attempt to exert power and dominance over others. The violent act is also a choice rooted in the refusal to confront one's vulnerabilities. It emerges as a dysfunctional response to problems and a misguided attempt to ascribe meaning to events within intimate relationships. In this context, these violent actions serve as an illusion to control and dominate power dynamics and manage the unpredictability of life (Ciccone 2017).

Working with men who perpetrate violence involves a balance between prevention and protection. However, it should be considered a preventative measure, even if violence has occurred already. In such instances, the intervention seeks to prevent reoffending. Prevention, therefore, takes on different forms depending on the time frame addressed, distinguishing between short-term and long-term prevention (Observatory on Violence against Women 2022).

7. Conclusion

The case study does not allow for generalizations regarding the phenomenon studied, both due to the exceptional nature of the context in which it is situated and the uniqueness of the experience. However, some points of interest regarding the design of CUAV services can be highlighted.

Analysis of the results of the interviews and participant observation offers three suggestions. Firstly, there is a need to set up a service within a local network that can support the work of the Center. Coordination between stakeholders is extremely important to bring about a change in the cultural models that influence MPVs. Furthermore, there is a request for the various internal and external professionals involved in the project to participate in joint training experiences to improve the synergy of the network. Secondly, during rehabilitation, particular attention is paid to victims who should assume – in safe conditions – the role of “pseudo” external consultants to prevent any future acts of violence. Thirdly, as often stated by the interviewees, educational and informational activities are essential to help people, including MPVs, recognize the early signs of aggression, so that rehabilitation programs can be activated preventively.

The study highlights a comprehensive and integrated approach in combating gender-based violence (Brancato and Gianturco 2022). The role of the networks in a local context reflects a strong awareness of the problem involving various institutional actors who designed collaborative initiatives to promote cultural change. This integrated approach highlights the importance of collective action in effectively addressing the problem. For service design, therefore, it remains effective to adopt an ecological model capable of bringing together the various levels of intervention, not only to intervene in the rehabilitation of MPVs, but also to promote preventive actions.

Authors contributions

The authors share the structure of the article and the content; however, Andrea Casavecchia wrote the parr. 2. 3. 6., Margherita Di Stefano wrote the parr. 4. 5. parr. 1 and 7 were written together.

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Prevention and repression of domestic violence in the jurisprudence of the Strasbourg Court

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Abstract

The issue of the prevention and repression of domestic violence against women – especially within the family and close relationships – is analysed with reference to the jurisprudence of the European Court of Human Rights (ECtHR) and its impact on the Italian legal system. In particular, this contribution examines the crucial role that an international court can play in guaranteeing women's rights, especially when such guarantees are inadequately provided by their own national institutions. The analysis is based on the “unique” characteristics of the system of protection established by the Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR), which allows anyone who believes that their rights under the Convention have been violated to bring their case before the ECtHR. The Court can then determine the responsibility of their national State for breaching the obligations it has assumed by signing and ratifying the Convention.

Keywords: *Domestic violence; European Court of Human Rights (ECtHR); Gender-based violence; State responsibility; Istanbul Convention*

1. Domestic violence against women: responsibility, prevention, response, and actions

The jurisprudence of the Strasbourg Court on domestic violence will be examined in the light of the four key concepts highlighted in the title of this international conference – responsibility, prevention, response, actions – from the perspective of international law scholars.

It is now widely recognized that gender-based discrimination and violence against women remain among the most pervasive human rights violations in the world. A robust body of international instruments imposes obligations on States within the international community to take measures to prevent and respond to such violence. Notable examples include the Convention on the Elimination of All Forms of Discrimination against Women (adopted by the United Nations General Assembly on 18 December 1979) and the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention). The Istanbul Convention was also ratified also by the European Union on 28 June 2023. Both Conventions were ratified by Italy without

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reservation. In the context of the European Union, important legal instruments include Directive 2012/29/EU of 25 October 2012 - transposed into Italian law by Legislative Decree No. 212 of 2015 - which establishes minimum standards on the rights, support, and protection of victims of crime and replacing Council framework Decision 2001/220/JHA; the recently adopted Directive 2024/1385/EU of 14 May 2024 on combating violence against women and domestic violence, which EU Member States must implement by 14 June 2027.

Perhaps less well known to non-experts is the role of the ECtHR, an international court accessible not only to States that have signed and ratified the European Convention on Human Rights (ECHR), but also to individuals. The Court provides a forum for individuals to seek recognition of violations of the rights guaranteed by the Convention or the unjustified restriction of the freedoms it protects, with the possibility of establishing the responsibility of their own national State for such violations.

What role can the ECtHR play in both preventing and repressing domestic violence, a specific form of gender-based violence that occurs in close relationships, whether family or cohabiting? This issue is particularly pressing given the cultural roots of intra-family violence, which remains “structural” in nature. Despite significant social progress, this form of violence persists at levels that are incompatible with the values of a modern society in which gender inequalities should no longer exist.

2. From the *Opuz* case to the most recent ECtHR jurisprudence

It is widely acknowledged that the ECHR makes no explicit reference to women’s rights, gender-based violence, or domestic violence.

However, as with other rights not explicitly mentioned in the Convention, the Strasbourg Court has brought gender-based violence within the scope of its protection through extensive and evolutionary interpretation. Depending on the gravity of the violation, such cases have been brought under Article 8 (*right to respect for private and family life*), Article 2 (*right to life*), and Article 3 (*prohibition of torture*) of the Convention. In addition, although less frequently in recent years, Article 14 (*prohibition of discrimination*) has also been invoked in these contexts (Di Stasi 2020: 1).

Looking at the evolution of the Strasbourg Court’s jurisprudence from a diachronic perspective, a notable trend emerges over the last fifteen years: the increasing reliance on Article 2 (*right to life*) and Article 3 (*prohibition of torture*) of the ECHR, either instead of or in addition to Article 8 (*right to respect for private and family life*), clearly reflecting the growing severity of domestic violence, which is increasingly characterised by more egregious acts. This evolution has occurred despite the proliferation of normative instruments at the international and European level over the last two decades. Many national legal systems have been forced to introduce legislative reforms as a result of important ECtHR judgments. For example, in 2019, Italy introduced the Codice Rosso (Red Code) to strengthen protection against domestic and gender-based violence, following the Court’s decision in the *Talpis v. Italy* case (see below).

In the process of shaping domestic violence legislation at the international, European, and national levels, the ECtHR appears to play a kind of anticipatory role, as its judgments often seem to pave the way for the adoption of subsequent international instruments and national legislation.

To briefly review the relevant case law on this issue, we turn to the leading case decided by the ECtHR, *Opuz v. Turkey* (ric. 33401/02, Judgment 9/6/2009, paras. 72-86) which concerned fatal injuries inflicted on the mother of a woman by her ex-husband

(Londono 2009: 647; Viviani 2009: 671). In this landmark decision, the Court concluded that the mental and physical abuse inflicted constituted violations of Articles 2 and 3 of the ECHR, as Turkey had failed to implement an effective system of sanctions capable of punishing acts of violence and adequately protecting victims from serious violations of their personal integrity. With regard to Article 2, the ECtHR found that the authorities had failed to fulfil their positive obligation to protect the right to life by preventing and repressing crimes against individuals, despite being aware of a real and imminent risk at the time of the events. With regard to the violation of Article 2 of the ECHR, the judges, taking into account the seriousness of domestic violence, as demonstrated by references to the international practice of the United Nations and the Inter-American Court of Human Rights, stressed that in such cases the national authorities could not invoke the need not to interfere in private or family relations, since such interference was clearly necessary to protect the rights of others.

A violation of Article 3 was found because no action was taken despite the woman's repeated pleas for help until the ECtHR intervened by requesting information from the Turkish government.

Importantly, in the *Opuz* case, the ECtHR found for the first time a violation of Article 14 (*prohibition of discrimination*) in conjunction with Articles 2 and 3 of the Convention. The Court held that the State's failure, even if unintentional, to protect women who are victims of domestic violence constitutes a violation of their right to equal protection under the law. Furthermore, the judgement delivered in this case also acknowledged the obligation to initiate criminal proceedings even after the complaint has been withdrawn and against the victim's will, if justified by the seriousness of the offence, the injuries sustained, and the impact on minor children.

In a similar case, *A. v. Croatia* (ECtHR, Judgment of 14 October 2010, Application No. 55164/08), the Court found a violation of Article 8 of the Convention in the failure of the authorities to enforce court decisions to protect the applicant from her violent husband.

In *Valiulienė v. Lithuania* (ECtHR, Judgment of 26 March 2013, Application No. 33234/07), the Court condemned the respondent State for violating Article 3 by failing to adequately investigate reports of domestic violence, which included both psychological and physical abuse, as reported by the victim.

In *E.S. and Others v. Slovakia* (ECtHR, Sec. IV, Judgment of 15 September 2009, Application No. 8227/04), the Court found that the respondent State had violated both Article 3 and Article 8. In particular, the judgment highlighted the State's failure to prevent further violations of the rights of the applicant's wife and daughter, underlining the gravity of the alleged incidents and the established dangerousness of the perpetrator.

In its more recent decisions, the Court reiterated that the prohibition of inhuman or degrading treatment under the ECHR places an obligation on States parties to actively protect victims of domestic violence. This includes enacting and enforcing legislative measures to prevent such violence, and to hold perpetrators accountable.

In fact, according to the Court's jurisprudence, the fight against domestic violence, due to its specific characteristics, requires a *quid pluris* with respect to the general positive obligations (both substantive and procedural) incumbent on States that have ratified the Convention. These obligations include the establishment and enforcement of an adequate legal framework to ensure protection against acts of violence committed by private individuals, the establishment of an effective and independent system to identify the cause and perpetrator of a homicide, to sanction their actions and provide victims with appropriate

redress. In the context of domestic violence, these obligations take on a particularly preventive character. Given the unique circumstances in which such violence occurs, they must be accompanied by a standard of due diligence on the part of States, requiring the adoption of practical measures in addition to legislative and institutional responses.

Ultimately, prevention is the cornerstone of effective protection against domestic violence.

As a logical consequence of the binding nature of an international convention signed and ratified by States, such as the ECHR, the responsibility of the State and its institutions (including the judiciary) arises, with the primary obligation of the State to amend its legal system in order to protect essential, non-derogable rights (first and foremost Articles 2 and 3).

Moreover, even where a theoretically adequate national legal framework exists, the Court may find a violation of the Convention in the absence of effective measures. It is not enough, for example, to issue a protection order if its effective enforcement is not guaranteed.

This principle was emphasised in the *Buturugă v. Romania* judgment of 11 February 2020 (Application No. 56867/15). In this case, the ECtHR clarified that violence against women includes not only physical violence, but also psychological abuse, stalking, and cyber violence. The Court found that Article 3 and Article 8 (including confidentiality of correspondence) impose positive obligations on States to take both preventive and punitive measures, even in cases where women experience digital intrusions, such as unauthorised access to computers, social media accounts, or theft of intimate personal data and images.

In this ruling, the Court clarified that cases of domestic violence must be treated differently from other forms of violence, in line with the principles set out in the Istanbul Convention, and rejected the argument put forward by the national authorities regarding the “insufficient gravity” of the facts and the “weakness” of the victim’s reaction, which suggested that she had been negligent - also in terms of timing - in filing the complaints. According to the ECtHR, the national authorities failed to take into account the psychological impact of such forms of violence on women and the sense of isolation that leads victims to withdraw their complaints.

3. Case law concerning Italy

In the *Rumor v. Italy* case (Application No. 72964/10), decided on 27 May 2014, the ECtHR considered the complaint of domestic violence brought by an Italian citizen, Ms Giulia Rumor. Ms Rumor alleged that the national authorities had failed to protect and assist her following the violence she had suffered at the hands of her ex-partner, leaving her in a state of anxiety and fear, in violation of Article 3 of the Convention. She argued that the competent authorities had failed to respond to her situation and, invoking the combined application of Articles 3 and 14 ECHR, that these failures amounted to gender discrimination.

The applicant also claimed to be a secondary victim as a result of the actions (or lack thereof) of the national authorities in failing to assist, help, and protect her from the repeated violence inflicted by her ex-partner. She also argued that her right to information had been violated, as she had not been informed of the status of the criminal proceedings against her ex-partner, nor had she been informed when he was placed under house arrest. She claimed that she had been left in a vulnerable position and that the authorities had not provided her with adequate support or protection by failing to take the necessary measures to protect her from further assaults by her ex-partner. In contrast, the Government argued that the

competent national authorities had taken all reasonable steps to punish the perpetrator and to protect the applicant, particularly in view of the fact that her partner, who had been placed under house arrest, was still in detention and thus did not have freedom of movement. Furthermore, he had been placed in a secure rehabilitation facility, which was both safe and designed to support his rehabilitation, and he had agreed to undergo psychological therapy in a municipal centre.

The judgment in question is in line with the principles established in the aforementioned *Opuz* case.

The Court reiterated that “It is not the Court’s role to replace the national authorities and to choose in their stead from among the wide range of possible measures that could be taken to secure compliance with their positive obligations under Article 3 of the Convention.” Moreover, “... in accordance with the principle that the Convention is intended to guarantee not theoretical or illusory, but practical and effective rights, the Court has to ensure that a State’s obligation to protect the rights of those under its jurisdiction is adequately discharged” (para. 59).

The European judges further clarified that “The States’ positive obligations under Article 3 of the Convention include, on the one hand, setting up a legislative framework aimed at preventing and punishing ill-treatment by private individuals and, on the other hand, when aware of an imminent risk of ill-treatment of an identified individual or when ill-treatment has already occurred, applying the relevant laws in practice, thus affording protection to the victims and punishing those responsible for ill-treatment” (para. 63). In this particular case, the Court, in its examination of these obligations, found that the response of the national authorities was effective and in accordance with the due diligence required by Article 3 of the ECHR, since they had not remained passive (para. 64) and had established a legal framework that enabled them to take effective measures against persons accused of domestic violence, both to punish the perpetrator and to prevent further violent attacks on the victim’s physical integrity (para. 76). As regards the applicant’s claim that she had not been informed of the criminal proceedings against her violent husband, the Court held that the ECHR could not be interpreted as imposing a positive obligation on States to inform the victim of ill-treatment of the proceedings against the perpetrator or of any conditional release or transfer of residence. The Court also took into account the fact that the Italian legislation in force at the time provided that the victim was to be informed only if he or she had become a civil party to the proceedings, which the applicant had chosen not to do.

The ECtHR reached a contrary conclusion in its judgment of 2 March 2017 in *Talpis v. Italy*, Application No. 41337/14. In September 2012, Ms Elisaveta Talpis (of Moldovan and Romanian nationality), following further violence by her husband (of Moldovan nationality), filed a complaint for domestic violence, injuries, and threats, and at the same time requested the authorities to take urgent measures to protect her and her children. However, no protective measures or investigative action were taken until April 2013, when the applicant, after being interviewed by the police, changed her initial statements, downplaying the severity of the events and softening the accusations against her husband. On the basis of her revised account, and in the absence of any further acts of violence, the Public Prosecutor requested and obtained the closure of the case of domestic violence, while a trial was set for the charge of assault. A few days after receiving the summons to appear before the Justice of the Peace, the applicant’s husband killed her son and attempted to kill her. In 2015, the man was sentenced to life imprisonment for the murder of her son, the

attempted murder of his wife and domestic violence (under Article 572 of the Criminal Code). With regard to the sentence imposed, on 1 March 2018, the Court of Cassation overturned the aggressor's life sentence, noting the erroneous application of an aggravating circumstance, and referred the case back to the Venice Court of Appeal for a reassessment of the sentence (De Franceschi 2018).

In this judgment, the Strasbourg Court held the Italian authorities responsible for failing to protect the woman and her children who were victims of domestic violence by her husband, despite her having reported the abuse (Di Stasi 2025a; Gasparini 2019; Cerato 2018; Corti 2018; Nascimbene 2018; Tumminello 2018; Buscema 2017; Casiraghi 2017; Conti 2017; Macrì 2017; Nardone 2017; Peroni 2017; Trapella 2017; Van Leeuwen 2017; Pecorella 2016). The Court examined the question of the foreseeability, adequacy, and proportionality of the rules and measures adopted by the national authorities, and found a violation of two provisions of the ECHR, which constitute “core” (Conti 2017) rights enshrining the fundamental values of the Council of Europe's democratic societies. Also, the reference in para. 97 of the *Talpis* judgment to the absolute nature of the two rules and their non-derogability under Article 15 ECHR is crucial (Di Stasi 2025b: 16; Pustorino 2019: 87).

Specifically, the Court found a violation of Article 2, read in conjunction with Article 14, as the national authorities had failed to prevent the victim's death. Conversely, the Court found there was no need to examine the claims based on Articles 8 and 13 of the ECHR, which the applicant had invoked in support of her claims.

In the more recent cases of *Landi v. Italy* (ECtHR judgment of 7 April 2022, Application No. 10929/19), *De Giorgi v. Italy* (ECtHR judgment of 16 June 2022, Application No. 23735/19), *M.S. v. Italy* (ECtHR judgment of 7 July 2022, Application No. 32715/19), and *P.P. v. Italy* (ECtHR judgment of 13 February 2025, Application No. 64066/19), the ECtHR ruled on the inefficiency and delay of the response of the Italian authorities to the repeated appeals for help from women who were victims of domestic violence. In particular, in the *Landi* case, which concerned acts of violence culminating in the attempted murder of the applicant and the murder of her son, the Court found a violation of Article 2 of the ECHR. In the *De Giorgi*, *M.S.* and *P.P.* cases, the judges found that the Italian State had failed to fulfil its obligations in violation of Article 3 of the ECHR.

According to the principles laid down by the Grand Chamber in *Kurt v. Austria* (ECHR judgment of 15 June 2021, Application No. 62903/15), the Court criticised the Italian judiciary for failing to respond promptly to reports of domestic violence and not taking adequate and proportionate protective measures, despite being aware - or at least should have been aware - of the real and immediate risk of recurrent violent behaviour (and, in the *Landi* case, the risk to life of the applicant and her children). In order to avoid a violation of the cited Convention provisions, authorities must carry out a comprehensive, independent, proactive, and thorough risk assessment, taking into account the specific characteristics of domestic violence. In addition, where a real and immediate risk is identified, they must take preventive operational measures that are appropriate and proportionate to the level of risk identified.

The Court provided guidance on the elements indicating the existence of a repeated risk of violence, including the perpetrator's history of violent behaviour and failure to comply with the terms of a protection order, the escalation of violence posing a continuing threat to the health and safety of the victim, the victim's repeated requests for help by way of urgent appeals, as well as formal complaints and petitions addressed to the chief of police. Furthermore, in the *De Giorgi* and *M.S.* judgments, concerning the violation of Article 3

ECHR, the Court also framed the obligation to carry out effective investigations in cases of domestic violence in terms of due diligence, emphasising that the failure to carry out such investigations is tantamount to allowing acts of violence to go unpunished. The Court's reference to the substantial creation of a context of tolerance or acquiescence by the authorities towards acts of violence builds on its earlier findings in *Talpis v. Italy*, followed by the *Landi*, *De Giorgi* and *M.S.* judgments.

Contrary to the *Talpis* judgment, in more recent cases, the Court did not find a violation of Article 14 ECHR, concluding that the lack of protection for women victims of domestic violence does not constitute discriminatory treatment on grounds of sex. Applying the principles established in the landmark *Opuz v. Turkey* and *Volodina v. Russia* cases, the Court held that there was insufficient evidence of either a systemic failure of the Italian State to protect women victims of domestic violence (structural bias) or of specific discriminatory intent on the part of the investigating authorities involved (individual bias).

4. The European Court of Human Rights and the follow-up to the Istanbul Convention: the 5th General Report on GREVIO Activities

The intersection of sources imposing obligations on States with regard to responsibility, prevention, response, and actions against domestic violence is clearly evident in the Court's recent jurisprudence. This is reflected, for example, in several key passages of the *Talpis* judgment, which frequently refers to the obligations of States under the Istanbul Convention. This Convention, described as the first legally binding international instrument to establish a comprehensive legal framework for the protection of women against all forms of violence, fills gaps in the ECHR (subsequently filled by the Court's case-law), and strengthens the obligations of States to combat gender-based violence.

The Istanbul Convention established three basic pillars for its system of guarantees, commonly referred to as the three "P"s: *Prevention* (Chapter III), *Protection* (Chapter IV), and *Prosecution* (Chapter VI). These are complemented and strengthened by a series of political and social commitments in Chapter II, which emphasize the development of integrated strategies to combat and eliminate violence against women and domestic violence.

As is well known, Article 66 of the Istanbul Convention established the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO). This independent body is composed of 15 impartial experts of high moral character with expertise in the field of violence against women.

The importance of the actions taken by the ECtHR is highlighted in the 5th General Report on the Activities of GREVIO. In particular, the latest GREVIO report, dated 15 October 2024, draws a close link with the ECtHR, which through its jurisprudence requires State parties to take preventive measures against domestic violence by assessing the real and immediate risks to life and physical integrity.

The report outlines the main objectives achieved through its actions and the ways in which it can engage with State parties to promote respect for due diligence as a parameter of the legitimacy of State behaviour and to enable verification of the level of compliance with obligations to prevent, protect, and repress acts of violence. It is important to note that since 2006, due diligence has been recognized in United Nations documents as a measure of State compliance with treaty obligations to protect victims of violence. This concept must be based on the principles of prevention, protection, investigation, punishment, and redress.

The report also highlights the importance of increased training for authorities to better address different forms of violence, including psychological violence and digital manifestations of violence. The monitoring carried out by GREVIO in 2023 also emphasised that separation from an abusive partner can increase risks for children. This highlights the importance of integrating dynamic risk assessments in custody and visitation procedures, which could be used to perpetrate post-separation violence, including through the abuse of legal processes. A better understanding of post-separation violence is therefore essential to ensure the safety of victims.

A special thematic section of the report focuses on “the role and importance of risk assessment and risk management in preventing and combating violence against women”. Risk assessment is an essential tool for authorities to prevent human rights violations, particularly domestic violence and gender-based violence, which disproportionately affect women and girls, and contributes to the protection of fundamental rights, such as the right to life and physical security. Article 51 of the Istanbul Convention emphasises the importance of this assessment, as do Articles 52 and 53 on injunctions and protection orders, and Article 31 on child custody.

5. Some final remarks

In conclusion, domestic violence is not only a particularly sensitive issue in terms of the violations perpetrated and the context in which they occur. The cultural roots of gender-based violence, and domestic violence in particular, have long been tolerated and underestimated as an expression of deeply rooted social customs. It is only in recent decades that there has been a growing awareness at the national and international level, particularly in Europe, of the need to combat violence against women within the framework of human rights, which has led to the introduction of specific and effective legislation (such as the Istanbul Convention).

The sensitivity of this issue is accentuated by the fact that it calls into question crucial elements in the delicate relationship between individuals - especially women subject to (primary and secondary) victimisation - and the State. This concerns full confidence in the work of law enforcement and the judiciary to protect, including preventively, the right to life and physical integrity.

Despite some differences in the jurisprudence examined, the cases cited highlight the sensitivity of issues relating to forms of violence against women in relation to other equally sensitive issues concerning the exercise of power by the judiciary and public authorities. The balance between them must be achieved with reference to before mentioned four key concepts: responsibility, prevention, response, and action.

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Economic dependence and vulnerability: an intersectional perspective on risk factors for people in same-sex relationships

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Abstract

Intimate Partner Violence (IPV) can manifest in various forms: physical, psychological, sexual, and economic. In particular, economic violence can mark the onset of other forms of violence, from which the victim may find it increasingly difficult to escape. A context of inequalities, whether overt or subtle, in fact enables such violence by reducing the capabilities and agency of specific groups compared to others. Theoretical approaches focusing on access to resources and the inherent dependence highlight that asymmetries between partners could set the conditions for violence to occur, fuelled by power imbalances operating at both micro and macro levels, among other factors largely through gender-based differentiations. But in the absence of gender differentiation as an organizing principle of the intimate relationship, how are patterns of asymmetry and dynamics of dependence structured within same-sex couples?

The study applies a gendered and intersectional approach to the analysis of the conditions of economic dependence and vulnerability, in order to prepare the way to a further analysis of their impact across various domains, and outlines potential risk factors and their different manifestations according to gender and sexual orientation. Socio-demographic and economic indicators, including age, citizenship, education, employment, and property regime, are compared here, in order to explore asymmetries that may constitute potential risk factors of IPV and especially economic violence. The study uses a descriptive approach based on ISTAT data on marriages and civil partnerships (2019–2023).

The approach presented here is applicable across gender categories and able to highlight the specific outcomes for each group. In particular for LGBT+ people, who are exposed to specific gender-based violence that can foster conditions of vulnerability, increasing the risk of dependence on a partner, and creating a vicious cycle that is often difficult to detect before it escalates into violence.

Keywords: *Economic dependence; economic violence; same-sex couples; intersectionality; gender inequalities*

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1.Introduction

Economic dependence, and the resulting potential vulnerability of individuals, creates a need for research and further investigation, starting with the understanding that gender-based violence is rooted in power dynamics organized around relational asymmetries (Rubin, 1975; De Rosa *et al.*, 2022; Cantillon *et al.*, 2023; D'Agostino *et al.*, 2024). This premise has underpinned a large body of literature highlighting how gender-based violence is predominantly perpetrated by men against women.

Studies have shown that domestic violence and intimate partner violence (IPV) can negatively impact women's employment and earnings, leading to job loss, reduced productivity, and long-term economic insecurity (Boateng, 2024; Lindhorst *et al.*, 2007). This is often due to factors such as employment sabotage, where abusive partners undermine a woman's educational or career goals (Boateng, 2024), as well as the psychological and physical impacts of the violence (Lindhorst *et al.*, 2007).

At the same time, numerous studies have shown that IPV does not exclusively concern heterosexual couples but also affects couples belonging to the same gender (Badenes-Ribera, 2011; Carvalho *et al.*, 2011; Messinger, 2011; Baker *et al.*, 2013; Oliffe *et al.*, 2014; Rollè *et al.*, 2018; Barros, 2019; Laskey *et al.*, 2019; Bermea *et al.*, 2021; Trombetta & Rollè, 2023). Analyzing the potential risks in these couples is of particular interest since, in such cases, it is needed to complexify the prevailing paradigm. In relationships where both individuals belong to the same gender category, gender necessarily operates in a less obvious and direct way in the event of violence. At the same time, in this case it becomes necessary to reassess how gender intersects with other constructs functioning as power mechanisms, such as citizenship or employment status. The hypothesis is that different degrees and forms of vulnerabilisation experienced within a heteronormative social system are less identifiable in same-sex couples, as well as their links to IPV, and require simultaneous micro and macro level analyses. In particular, economic violence - one dimension of IPV - highlights the material dimension of the social relations thus produced.

IPV remains a pervasive form of gender-based violence, as evidenced by data from Italy's public helpline service (public phone number 1522). For instance, data from the first three quarters of 2024, gathered through an information storage platform recording calls, show that the majority of perpetrators of violence are partners (married or cohabiting) or ex-partners (ISTATb, 2024). These data also confirm that IPV is a gendered phenomenon disproportionately affecting women (D'Agostino *et al.*, 2024), with over 92% of calls to the helpline involving female victims. Moreover, the home emerges as the primary setting for violence. Out of the 13,312 calls, 9,789 (73.53%) reported violent acts occurring at home. IPV and domestic violence are often treated as synonymous, to the extent that the European Institute for Gender Equality (EIGE) defined IPV based on the definition of domestic violence provided in the Istanbul Convention. However, while domestic violence primarily refers to the context of violence, IPV points out the relationship between victim and perpetrator. Both aspects are crucial in producing gender and should be considered together.

In Italy (as in many other countries), data on economic violence within same-sex couples are lacking. However, we can examine the conditions that the literature identifies as conditions of vulnerabilisation and risk factors (D'Agostino *et al.*, 2024) to address the

following question: what does it mean to adopt a gender perspective in studying IPV within same-sex couples? In this context, risk factors will be viewed as “enabling” factors for violence, as they have the capacity to inhibit or promote the development of individual capabilities (Sen, 1992) in relation to a context, including the capability to escape violence (Strube, 1988; Sanders & Schnabel, 2006).

Building on the work of De Rosa, Inglese, and Napoleone (2022) on asymmetries within same-sex couples in Italy, this contribution seeks to set the terms of a potentially broader discourse cutting across micro and macro levels, while posing a theoretical and methodological issue. To this end, data on civil partnerships and marriages will be explored through an initial exploratory analysis to formulate an intersectional research proposal insofar as it will focus on the power relationship and not on the identity of the subjects involved in it. When direct information is lacking, it is indeed necessary to adopt a perspective that interrogates the limited available data, allowing possible and novel interpretations to emerge from them, serving as catalysts for future research directions.

It is important to clarify that the term “marriages” here exclusively refers to different-sex couples, while “civil partnerships” pertain exclusively to same-sex couples, as these two institutions remain segregated by sexual orientation.¹

Finally, it should be noted that in this context trans* people are invisible, as the only gender variable available in the dataset is the administrative sex marker, referred to by ISTAT as “sex” and “bride/groom.” In this context, the term “sex” refers exclusively to a strictly legal-institutional category, while “gender” encompasses the complex of meanings, norms, and social practices by which subjectification processes occur (Ellena & Perilli, 2012).

2. Economic Violence

When discussing gender-based violence, we refer to that specific form of violence rooted in power dynamics based on the sex/gender system (Rubin, 1975) and the asymmetries it generates (Vyas & Watts, 2009; Cools & Kotsadam, 2017; Laskey *et al.*, 2019). Among its various forms, economic violence particularly highlights the material conditions underlying these power dynamics.

The Istanbul Convention defines domestic violence as: “*all acts of physical, sexual, psychological, or economic violence that occur within the family or domestic unit, or between former or current spouses or partners, whether or not the perpetrator shares or has shared the same residence with the victim*” (Council of Europe, 2011). Based on this definition, the EIGE (2014) defines IPV as “*a form of violence which affects women disproportionately and which is therefore distinctly gendered*” and, in 2017, specifies economic violence as: “*Any act or behaviour which causes economic harm to the partner. Economic violence can take the form of, among others, property damage, restricting access to financial resources, education, or the labour market, or not complying with economic responsibilities, such as alimony.*”

However, to date, no universally agreed-upon definition of economic violence exists at the international level, hindering the harmonization of data. Moreover, economic

¹ The law which set the civil partnership in Italy is Law No. 76/2016.

violence remains the least addressed form of violence, often subsumed under psychological violence (Postmus *et al.*, 2020).

Nonetheless, the literature identifies three main dimensions of economic violence: control, sabotage, and economic exploitation (Postmus *et al.*, 2020). These dimensions could be analysed in terms of how they manifest among LGBTQ+ individuals and the role gender plays. For instance, sabotage might take the form of threats to out someone at work, thereby exposing them to the risk of losing their income. Additionally, discrimination in the labour market may render many LGBT+ individuals dependent and, in some cases, vulnerable to exploitation, as in instances where transgender individuals are compelled to engage in sex work to compensate for economic support from their partners (Goldberg, 2003; Laskey *et al.*, 2019).

Alongside this more liberal interpretation, another perspective focuses on access to resources, dependence, and the relationships between individuals involved (Farmer & Tiefenthaler, 1997; Pollak, 2005; Vyas & Watts, 2009; Eswaran & Malhotra, 2011; Bettio & Ticci, 2017; Cools & Kotsadam, 2017; Reichel, 2017). For example, the tripartition proposed by D'Agostino, Zacchia, and Corsi (2024) categorizes economic violence tactics into obstructing the acquisition and accumulation of resources, hindering the use and knowledge of personal and familial resources, and creating financial dependence. This proposal fits within the broader debate contrasting the view that violence is negatively correlated with wealth with the view that it is positively correlated with inequality (Cools & Kotsadam, 2017). While these two positions are compatible, they stem from different perspectives, shedding light on the dual micro and macro dimensions of gender-based violence. Consequently, there is a clear economic interest in adopting an intersectional perspective on the risk factors enabling IPV (Pearlin, 1975; Jewkes, 2002; Benson *et al.*, 2003).

3. Inequality and vulnerabilisation

Different hypotheses are supported in the literature: first, that same-sex relationships are organized in a more egalitarian manner, and second that they tend to reproduce patterns observed in heterosexual relationships (De Rosa *et al.*, 2022). However, it is unclear how the social reproduction of inequalities at the level of family relationships resonates with a social organization that is based on hierarchical elements of status and power differentials (Cantillon *et al.*, 2023). Economic violence in particular reveals how the couple and its internal dynamics are embedded within a broader system of social relations, with the context enabling the feasibility of economic violence.

Just as gender is a relational construct, violence itself has a relational nature insofar as it can be understood through the lens of interdependence between subjects whose positions must be interpreted in relation to one another (Rusbult & Van Lange, 2003). Vulnerability can be seen as a complex of conditions determining a person's capabilities (Sen, 1992) and agency, framed within the conceptual realm of precarity and its unequal distribution (Butler, 2004; Yuval-Davis, 2006).

In this sense, it is relevant to think in terms of conditions of vulnerabilisation. Vulnerability operates intersubjectively, enabled at the social level by specific power relations (Yuval-Davis, 2006; Orozco, 2021). These conditions are expressed across various

domains - gender, age, care responsibilities, citizenship, residence in an urban setting, education level, employment status and income, and financial literacy (D'Agostino *et al.*, 2024). For this reason, it is crucial to establish a foundation for further investigations into the inequalities - and the dynamics of power - that shape relationships among same-sex couples, avoiding simplistic binary interpretations of the role of gender in social relations.

4. Data & Methods

The data analyzed here come from civil partnerships and marriages surveys conducted by the Italian National Institute of Statistics (ISTAT). While the latter has existed since 1926, the former was created in 2018 following the enactment of Law No. 76/2016. A descriptive comparison between marriages and civil partnerships is made possible by these sources' harmonized indicators of couples' sociodemographic and economic traits.

Drawing from the literature that identify young age, migrant status, low educational attainment and difficulty in having one's own income, among others, as potential risk factors (Cools & Kotsadam, 2017; D'Agostino *et al.*, 2024), the variables chosen for this study include age at the date of the marriage or the civil partnerships, age gap between the partners, citizenship status, property regime, educational attainment, and occupational status.

The purpose of comparing formally recognized same-sex and different-sex couples is to identify patterns of heterogamy that might serve as enabling conditions for asymmetric power dynamics. Since the study's goal is exploratory, no inferential methods are used. Percentage distributions are used to summarize descriptive statistics. All of the utilized data is anonymized and available to the public.

It's important to note some limitations. First, the analysis uses administrative data, which means it can't capture the dynamics within intimate relationships that aren't officially recognized. Second, the ISTAT datasets only include the legally recognized gender of individuals, so they don't account for transgender or non-binary identities. Lastly, the approach used here is descriptive: given the limited availability of harmonized datasets and the absence of data on economic violence in Italian same-sex couples, it has not been possible to provide causal inference. Yet, the study can help suggest hypotheses and directions for future investigation.

5. Power differentials analysis: a comparison between marriages and civil partnerships

The comparison of married and civil partnerships couples with respect to the variables identified as relevant in the reference literature is presented below. The tables allow for a comparison of the frequencies calculated on the basis of the figures available in the ISTAT datasets.

5.1. Community or separation of property

Couples in civil partnerships tend to prefer community of property regime more frequently than those in marriages. However, this gap has narrowed over time, decreasing from a 5.7% difference in 2019 to just 0.9% in 2023 (Tab. 1a, 1b). Further qualitative research is needed to understand whether this preference stems from pragmatic or symbolic reasons, which will be explored in future studies.

Table 1a – Marriage indicators

	2019	2021	2023
Marriages with joint ownership of property (%)	27,2	26,6	25,7
Marriages with at least a foreign partner (%)	18,6	13,5	16,1
Mean age of men at marriage	38,66	39,17	40,54
Mean age of women at marriage	34,35	34,89	36,12
Mean age gap	4,31	4,28	4,42

Table 1b – Civil partnerships indicators

	2019	2021	2023
Civil partnerships with joint ownership of property (%)	32,9	29	26,6
Civil partnership with at least a foreign partner (%)	25,8	17,3	17
Mean age of men at civil partnership	44,46	46,38	45,9 ²
Mean age of women at civil partnership	39,62	39,4	38,98
Mean age gap of couples of men	8,86	8,91	8,34
Mean age gap of couples of women	5,51	5,25	5,3

Source: IstatData https://esploradati.istat.it/databrowser/#/it/dw/categories/IT1.POP.1.0/POP_MARUNION - Author's own elaboration

² Figure refers to 2022, the most recent available at the time of writing

5.2. Citizenship

As for citizenship (Tab. 1a, 1b), we observe a convergence: in 2023, in fact, the percentages of couples with at least one foreign person seem to align between marriages (16.1%) and civil partnerships (17%), where in 2019 we had respectively 18.6% and 25.8%.

5.3. Age

The average age at the time of entering a civil partnership is higher than the average age at marriage (Tab. 1a, 1b). We might think that this figure is related to the fact that civil partnerships have only been recognized for a few years, allowing older couples to formalize their relationships. However, the average age at civil partnership appears to be increasing rather than decreasing, which calls for further longitudinal research (De Rosa *et al.*, 2022). On the other hand, the average age at marriage is also rising, with the age gap between partners remaining relatively stable.

This age gap differs significantly across categories: civil partnerships between men have the highest average age gap (over 8 years), followed by civil partnerships between women (just over 5 years), and marriages (about 4 years). These findings prompt further reflection on gender's role in shaping relationships, not only in terms of sexual orientation, as men and women exhibit differing behaviours.

It would be beneficial also to integrate these findings with data about the average age gap in couples who are not in a civil partnership, to try to better understand what the formalization of the partnership represents for same-sex couples and what the implications are with respect to issues of autonomy, safety, and protection from violence. It is important to note that the data analyzed pertains solely to couples who have entered into a civil partnership and does not count other people in homoaffective relationships.

Without this age gap in the latter, it could be hypothesized that, among other reasons, the former opted to formalize the partnership because of the protections it offers, in view of the social and economic vulnerability associated with the younger partner's age. Conversely, if the same gap proved to exist across civil partnership and other couples, there is a possible role played by the presence of asymmetries in couple formation. In heterosexual couples, these asymmetries often relate to gender and associated roles, whereas in same-sex couples they may be expressed through other variables, such as age.

5.4. Education

Moving on to education attainment, it should be noted that women who are married to men tend to have the same or higher educational qualifications than their partners (Tab. 2). In 2023, 11.24% of couples in marriage had women with a high school diploma and men with a middle school diploma; in 8.88% of cases, wives had a master's degree and husbands a high school diploma. Educational homogamy (43.24%) occurred mostly for middle school diploma (8.73%), high school diploma (22.77%), and master's degree (8.75%). Grooms had higher educational qualifications than brides in only 20.27% of marriages.

Table 2 – Marriages, education level, 2023

Education level - bride Education level - groom	Primary school certificate, no educational degree	Lower secondary school certificate	Diploma of upper secondary education (4-5 years)	Short university degree	Long university degree	Post-university specialization or post-diploma AFAM	Total
Primary school certificate, no education	1.214	1.999	1.612	223	34	18	5.408
Lower secondary school certificate	1.673	16.096	20.710	3.337	3.972	122	45.910
Diploma of upper secondary education	1.161	13.233	41.953	11.930	16.374	453	85.104
Short university degree	111	905	4.517	4.010	5.280	155	14.978
Long university degree	275	1.591	7.507	4.959	16.121	682	31.135
Post-university specialization	9	63	259	209	867	265	1.672
Total	4.443	33.887	76.558	24.668	42.956	1.695	184.207

Source: IstatData https://esploradati.istat.it/databrowser/#/it/dw/categories/IT1_POP_1.0/POP_MARUNION

Aware of the role of education in mitigating the risk of violence, one might argue that the tendency to acquire higher educational qualifications might be a protection tactic for those most exposed to vulnerabilization mechanisms. Without overlooking the fact, however, that despite the higher educational attainment of wives, social norms and negative

stereotypes persist in Italy, anchoring a patriarchal model of society that is still bent toward episodes of IPV.

Table 3a - Civil partnership, education level, 2023 – Men

Education level partner 1 Education level partner 2	Primary school certificate, no educational degree	Lower secondary school certificate	Diploma of upper secondary education	Short university degree	Long university degree	Post-university specialization	Total
Primary school certificate, no education	6	11	7	1	3	0	28
Lower secondary school certificate	30	121	142	20	35	0	348
Diploma of upper secondary education	22	146	332	73	147	7	727
Short university degree	6	19	62	21	50	3	161
Long university degree	7	42	151	39	154	11	404
Post-university specialization	0	3	3	2	13	5	26
Total	71	342	697	156	402	26	1694

Source: IstatData https://esploradati.istat.it/databrowser/#/it/dw/categories/IT1.POP.1.0/POP_MARUNION

Table 3b - Civil partnership, education level, 2023 – Women

Education level partner 1 \ Education level partner 2	Primary school certificate, no educational degree	Lower secondary school certificate	Diploma of upper secondary education	Short university degree	Long university degree	Post-university specialization	Total
Primary school certificate, no educational degree	9	11	9	0	0	0	29
Lower secondary school certificate	8	102	103	16	17	0	246
Diploma of upper secondary education	10	117	299	74	80	3	583
Short university degree	2	15	54	38	46	2	157
Long university degree	5	19	99	37	121	6	287
Post-university specialization	0	0	4	2	12	5	23
Total	34	264	568	167	276	16	1.325

Source: IstatData https://esploradati.istat.it/databrowser/#/it/dw/categories/IT1_POP.1.0/POP_MARUNION

In contrast, educational homogamy was observed in 37.7% of male civil partnerships and 43.3% of female civil partnerships (Tab. 3a, 3b).

5.5. Occupational Status

In 2023, women entering marriages exhibited lower employment rates compared to their male counterparts (89.1% vs. 93.87%), although these rates increased from the previous year (87.57% vs. 93.27%). Data on marriages (Tab. 4) support the hypothesis of a traditional, patriarchal model of balance for married couples: women struggle to find and/or maintain employment, increasing the risk of economic dependence, though not necessarily subjugation. Employment levels were also lower for both men and women in civil partnerships.

Table 4 – Marriages, professional status, 2023

Status bride Status groom	Employed	Not employed	Housewife	Student	Retired	Other	n.a.	Total
Employed	158.715	5.055	6.354	1.275	497	255	769	172.920
Not employed	1.117	779	418	48	19	14	15	2.410
Housewife	29	2	8	3	0	1	1	44
Student	361	27	7	203	1	4	5	608
Retired	3.136	264	728	1	1.333	28	40	5.530
Other	114	22	49	4	3	61	15	268
n.a.	659	30	78	22	4	14	1.620	2.427
Total	164.131	6.179	7.642	1.556	1.857	377	2.465	184.207

Source: IstatData https://esploradati.istat.it/databrowser/#/it/dw/categories/IT1_POP.1.0/POP_MARUNION

Homogamy by employment status sees women in civil partnerships (Tab. 5b) ranked first with 89.35% of couples. Marriages follow, with 88.33% of couples, and civil partnerships between men (Tab. 5a), with 86.65%. But while the share of married couples in which the man is employed and the woman is not employed is similar to the share of couples in civil partnerships in which only one of the partners is employed, it stands out how in as many as 3.45% of marriages the woman is a housewife married to an employed man, a higher share than that of marriages with the husband employed and the wife not employed. In contrast, in the case of civil partnerships, the share of homemakers is practically non-existent. This difference could be explained by socio-cultural norms and role representations prevalent in heterosexual relationships that are not found in same-sex couples, thus bound more to the identity component of sexual orientation than to that of gender.

The 82.34% of male couples and 85.35% of female couples in civil partnerships have both partners employed. However, civil partnership couples also have the highest percentage of couples where both partners are not employed, at about 1.5% (though still lower than the 2.95% in 2022), compared to just 0.42% of marriages.

Table 5a – Civil partnership, professional status, 2023 – Men

Status bride Status groom	Employed	Not employed	Housewife	Student	Retired	Other	n.a.	Total
Employed	1.395	45	1	14	26	3	3	1.487
Not employed	25	25	2	7	5	1	0	65
Housewife	0	0	1	0	0	0	0	1
Student	10	1	0	13	5	0	0	29
Retired	54	5	0	3	28	1	2	93
Other	3	4	0	0	1	2	0	10
n.a.	5	0	0	0	0	0	4	9
Total	1.492	80	4	37	65	7	9	1.694

Source: IstatData https://esploradati.istat.it/databrowser/#/it/dw/categories/IT1_POP.1.0/POP_MARUNION

Table 5b - Civil partnership, professional status, 2023 – Women

Status Partner 2 Status partner 1	Employed	Not employed	Housewife	Student	Retired	Other	n.a.	Total
Employed	1.131	18	7	10	11	0	1	1.178
Not employed	23	19	1	7	1	0	0	51
Housewife	9	0	2	0	2	0	0	13
Student	20	3	0	18	0	0	1	42
Retired	12	3	2	4	9	0	0	30
Other	0	0	0	1	0	2	1	4
n.a.	3	1	0	0	0	0	3	7
Total	1.198	44	12	40	23	2	6	1.325

Source: IstatData https://esploradati.istat.it/databrowser/#/it/dw/categories/IT1.POP.1.0/POP_MARUNION

5.6. Territorial inequalities

An initial look at territorial differences offers interesting insights for future research developments that may possibly establish correlations between micro and macro levels.

The highest levels of homogamy by employment status are found in central Italy, with 91.2% and 92% of civil partnerships respectively between men and women (Tab. 7a, 7b), and 91.3% of marriages (Tab. 10). It follows the South (Tab. 8a, 8b, 11), with shares of 88, 92 and 88.3% respectively, and the North (Tab. 6a, 6b, 9), with 84.2 and 87.4% of civil partnerships and 88.3% of marriages.

Given the hypothesis that more than wealth it is inequality that contributes to the occurrence of IPV, these data were compared with primary income inequality, represented by the Gini index, calculated by ISTAT including imputed rents (ISTATb, 2024). This in 2023 was 44.5% in the North, 42.2% in the Center and 47.9% in the South. Clearly, the Center exhibits lower levels of inequality but also higher levels of homogamy for all types of couples. However, this correspondence is lost in the cases of the North and the South.

Table 6a - Civil partnerships, Northern Italy, Professional status, 2023 – Men

Status Partner 2 Status partner 1	Employed	Not employed	Housewife	Student	Retired	Other	n.a.	Total
Employed	761	33	0	12	18	2	2	828
Not employed	17	16	2	4	4	0	0	43
Housewife	0	0	0	0	0	0	0	0
Student	7	1	0	10	3	0	0	21
Retired	32	4	0	2	13	1	1	53
Other	1	3	0	0	1	2	0	7
n.a.	1	0	0	0	0	0	3	4
Total	819	57	2	28	39	5	6	956

Source: IstatData https://esploradati.istat.it/databrowser/#/it/dw/categories/IT1_POP.1.0/POP_MARUNION

Table 6b - Civil partnerships, Northern Italy, Professional status, 2023 – Women

Status partner 2 Status partner 1	Employed	Not employed	Housewife	Student	Retired	Other	n.a.	Total
Employed	636	12	4	7	3	0	1	663
Not employed	18	9	1	6	1	0	0	35
Housewife	6	0	1	0	2	0	0	9
Student	15	1	0	12	0	0	1	29
Retired	6	2	2	2	4	0	0	16
Other	0	0	0	1	0	2	1	4
n.a.	3	1	0	0	0	0	1	5
Total	684	25	8	28	10	2	4	761

Source: IstatData https://esploradati.istat.it/databrowser/#/it/dw/categories/IT1_POP.1.0/POP_MARUNION

Table 7a - Civil partnerships, Central Italy, Professional status, 2023 – Men

Status Partner 2 Status partner 1	Employed	Not employed	Housewife	Student	Retired	Other	n.a.	Total
Employed	372	4	0	2	4	0	0	382
Not employed	3	3	0	1	0	0	0	7
Housewife	0	0	1	0	0	0	0	1
Student	1	0	0	1	0	0	0	2
Retired	18	1	0	1	6	0	0	26
Other	0	0	0	0	0	0	0	0
n.a.	2	0	0	0	0	0	0	2
Total	396	8	1	5	10	0	0	420

Source: IstatData https://esploradati.istat.it/databrowser/#/it/dw/categories/IT1_POP.1.0/POP_MARUNION

Table 7b - Civil partnerships, Central Italy, Professional status, 2023 – Women

Status Partner 2 Status partner 1	Employed	Not employed	Housewife	Student	Retired	Other	n.a.	Total
Employed	275	2	3	3	6	0	0	289
Not employed	1	4	0	0	0	0	0	5
Housewife	3	0	1	0	0	0	0	4
Student	2	0	0	2	0	0	0	4
Retired	5	0	0	0	5	0	0	10
Other	0	0	0	0	0	0	0	0
n.a.	0	0	0	0	0	0	1	1
Total	286	6	4	5	11	0	1	313

Source: IstatData https://esploradati.istat.it/databrowser/#/it/dw/categories/IT1_POP.1.0/POP_MARUNION

Table 8a - Civil partnerships, Southern Italy, Professional status, 2023 – Men

Status Partner 2 Status partner 1	Employed	Not employed	Housewife	Student	Retired	Other	n.a.	Total
Employed	262	8	1	0	4	1	1	277
Not employed	5	6	0	2	1	1	0	15
Housewife	0	0	0	0	0	0	0	0
Student	2	0	0	2	2	0	0	6
Retired	4	0	0	0	9	0	1	14
Other	2	1	0	0	0	0	0	3
n.a.	2	0	0	0	0	0	1	3
Total	277	15	1	4	16	2	3	318

Source: IstatData https://esploradati.istat.it/databrowser/#/it/dw/categories/IT1_POP_1.0/POP_MARUNION

Table 8b - Civil partnerships, Southern Italy, Professional status, 2023 – Women

Status Partner 2 Status partner 1	Employed	Not employed	Housewife	Student	Retired	Other	n.a.	Total
Employed	220	4	0	0	2	0	0	226
Not employed	4	6	0	1	0	0	0	11
Housewife	0	0	0	0	0	0	0	0
Student	3	2	0	4	0	0	0	9
Retired	1	1	0	2	0	0	0	4
Other	0	0	0	0	0	0	0	0
n.a.	0	0	0	0	0	0	1	1
Total	228	13	0	7	2	0	1	251

Source: IstatData https://esploradati.istat.it/databrowser/#/it/dw/categories/IT1_POP_1.0/POP_MARUNION

Table 9 – Marriages, Northern Italy, Professional status, 2023

Status Bride Status Groom	Employed	Not employed	Housewife	Student	Retired	Other	n.a.	Total
Employed	68.357	2.259	2.715	665	364	143	373	74.876
Not employed	572	221	84	20	10	4	6	917
Housewife	14	1	5	2	0	0	0	22
Student	227	16	4	150	0	0	5	402
Retired	1.934	156	369	1	991	22	19	3.492
Other	54	9	21	2	3	37	3	129
n.a.	329	10	33	13	3	5	573	966
Total	71.487	2.672	3.231	853	1.371	211	979	80.804

Source: IstatData https://esploradati.istat.it/databrowser/#/it/dw/categories/IT1_POP_1.0/POP_MARUNION

Table 10 – Marriages, Central Italy, Professional status, 2023

Status Bride Status Groom	Employed	Not employed	Housewife	Student	Retired	Other	n.a.	Total
Employed	31.238	684	734	161	76	41	121	33.055
Not employed	148	87	22	3	5	4	2	271
Housewife	2	0	0	0	0	0	0	2
Student	67	3	1	18	0	0	0	89
Retired	581	57	128	0	210	2	10	988
Other	23	6	4	1	0	6	2	42
n.a.	124	3	10	1	0	4	295	437
Total	32.183	840	899	184	291	57	430	34.884

Source: IstatData https://esploradati.istat.it/databrowser/#/it/dw/categories/IT1_POP_1.0/POP_MARUNION

Table 11 – Marriages, Southern Italy, Professional status, 2023

Status Bride Status Groom	Employed	Not employed	Housewife	Student	Retired	Other	n.a.	Total
Employed	59.120	2.112	2.905	449	57	71	275	64.989
Not employed	397	471	312	25	4	6	7	1.222
Housewife	13	1	3	1	0	1	1	20
Student	67	8	2	35	1	4	0	117
Retired	621	51	231	0	132	4	11	1.050
Other	37	7	24	1	0	18	10	97
n.a.	206	17	35	8	1	5	752	1.024
Total	60.461	2.667	3.512	519	195	109	1.056	68.519

Source: IstatData https://esploradati.istat.it/databrowser/#/it/dw/categories/IT1,POP,1.0/POP_MARUNION

6. Discussion and conclusions

This study contributes to the discourse on IPV by proposing a framework inclusive of people outside the hetero-normative gender binary. While ample data about marriages are available to analyze patterns of heterogamy and homogamy and their potential contributions to household inequalities, the gender variable in civil partnerships operates in a less overt manner. This suggests that understanding gender's role in households requires examining its interaction with other factors. If distinct behaviours between women and men in civil partnerships are evident, it implies that asymmetries in family organization are not solely driven by partners identifying with different genders.

The most marked distinction within these categories pertains to age. Civil partnerships generally exhibit larger age gaps compared to marriages, with male couples demonstrating the greatest age disparities. Future analyses should explore whether these age differences correlate with other gaps, such as educational attainment, citizenship status, or employment conditions. Male civil partnerships, in particular, exhibit the highest asymmetries across multiple dimensions—age, education, and employment status—and warrant closer examination in contexts where more granular data are available.

Territorial differences shaped by structural and cultural factors—such as levels of homolesbobitransphobia—must also be addressed. These factors may influence decisions to formalize partnerships as well as access to education, employment, and familial support

networks for LGBTQI+ individuals. The phenomenon of *sexilio* (Lattera, 2024)—the migration of individuals to larger urban centers in search of safer and more inclusive environments—represents a dual dynamic. On the one hand, it may lead to increased economic and social vulnerabilities; on the other, it could foster the creation of alternative support systems outside the family of origin (D’Agostino *et al.*, 2024). Understanding this interplay is critical to assess how structural inequalities intersect with individual choices and broader societal trends.

This analysis contributes to highlight that the asymmetries within civil partnerships, particularly among male couples, are more pronounced than in other forms of couple formation and merit targeted investigation. Additionally, understanding how macro-level territorial and cultural inequalities interact with micro-level couple dynamics will be key to uncovering the structural drivers of disparities within partnerships.

Although the scope of this study is exploratory, its findings are meaningful not only for scientific research, but also in terms of social work practice. First, they highlight the need to check for signs of economic dependence and unequal access to resources in all types of couples, including same-sex relationships, where power imbalances might operate less overtly. In fact, in the absence of gender differentiation between the partners, the couple might organize itself around other disparity drivers.

Second, the study shows the importance of developing social services models capable of considering and addressing the intersectional challenges faced by LGBT+ people. Practitioners should be trained to spot signs of control, sabotage, or exploitation (Postmus *et al.*, 2020) even when not based on a heteronormative structure. As for measures to counter economic violence, when an approach focused on access to resources is adopted (D’Agostino *et al.*, 2024), it is important to design interventions that take into account the specific social barriers faced by LGBT+ people, such as workplace discrimination, limited social support, the fear of seeking help due to possible homophobic reactions or not being believed.

Finally, the results call for data harmonization. Without clear and standard measures of economic violence and without recognizing gender diversity in national statistics, both research and social work are hindered. Better data would support evidence-based policymaking and services, fostering more effective and structural actions against IPV.

Future research should seek to combine quantitative and qualitative methods to explore how economic dependence operates within diverse LGBT+ relationships and how institutional and socio-cultural contexts mediate these dynamics. In particular, deeper insights into the mechanisms through which structural inequalities are reproduced at the interpersonal level are needed.

Authors’ contributions

This article was conceived, structured, and reviewed by both authors. Nevertheless, while parr. 1 and 6 have been written together, parr. 2 and 3 can be ascribed to R. Patimo and 4 and 5 to M. Mogetti.

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Normative devices and the Institutionalization of Interactions Among Actors in Anti-Violence Networks

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Abstract

This article examines how normative frameworks shape relationships among actors within territorial anti-violence networks in Italy, focusing on the Lombardy Region as a case study. Since the adoption of the Istanbul Convention, integrated policies and territorial networks have been promoted as key tools for preventing and combating gender-based violence (GBV). While these developments have strengthened coordination and expanded service coverage, they have also introduced tensions between feminist-rooted practices and institutional requirements. The study explores how normative devices define the scope of action for anti-violence centers (AVCs) and shelters (SHs), shaping their practices and influencing the pathways available to women exiting violence. The research combines document analysis with qualitative data from twelve semi-structured interviews and six focus groups conducted with representatives of AVCs and SHs across Lombardy. This mixed-method approach captures both the historical evolution of policies and their implications for the practices and organizational structures of AVCs and SHs, as well as for women's trajectories of exiting violence. The findings reveal how institutionalization processes simultaneously expand service availability and ensure uniform territorial coverage, while also generating tensions that affect women's pathways out of violence as well as the practices of AVCs and SHs. At the political level, these dynamics may further produce a backlash, leading to the normalization of the phenomenon, obscuring its structural causes, and legitimizing depoliticized forms of management and intervention — thereby highlighting the ambivalent effects of institutionalization on feminist anti-violence practices.

Keywords: *antiviolence networks; antiviolence centers; women shelters; normative devices; standardization; depoliticization; subjectification.*

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1. Introduction

Since the adoption of the Istanbul Convention, integrated policies and territorial networks have been promoted as key tools for preventing and combating gender-based violence (GBV). In Italy, measures have developed through a complex interplay of feminist activism, legislative reforms, and institutional strategies. However, while feminist movements were instrumental in bringing GBV to the political agenda, recent institutional responses risk depoliticizing this struggle by translating it into standardized procedures and performance-based interventions. These dynamics resonate with international debates on multi-agency responses to GBV, where similar tensions between institutionalization and feminist practices have been observed (Harvie and Manzi, 2011; Abraham and Tastsoglou, 2016).

This article contributes to ongoing reflections on institutional architectures and policy trajectories in the field of GBV prevention and response in Italy. In particular, it focuses on how normative devices delineate the scope of action of anti-violence centers (AVCs) and women's shelters (SHs).

The indication of the Istanbul Convention is to adopt integrated policies and implement multisectoral and multiagency interventions capable of providing a holistic response to violence against women (Calloni, 2020). Developing such integrated and comprehensive responses requires that actors involved recognize themselves as part of an anti-violence network (Calloni and Belliti, 2023).

In Italy, especially following the ratification of the Istanbul Convention and Law No. 119/2013 on gender-based violence, institutional attention to coordination has intensified. The State-Regions Agreements defining minimum standards for AVCs and SHs, alongside the national strategic plans to combat male violence against women introduced since 2014¹, have acknowledged the importance of establishing territorial networks to deliver coordinated and effective interventions. Within this normative framework, anti-violence networks — similarly to broader social policies — are considered key instruments for shaping policies marked by integration and territorialization (Bifulco, De Leonardis, 2006), with AVCs and SHs recognized as central actors within these networks.

However, in the Italian context, the issue of relationships among actors and networking practices in the field of GBV remains underexplored (Cannito and Torroni, 2024). Although multi-agency collaboration is widely acknowledged as essential, scientific research has, over the years, focused primarily on its causes than on the functioning of networks themselves (*idem*). Moreover, most of existing studies tend to focus primarily on service composition and operational aspects, leaving a gap in understanding the institutionalization processes that shape relationships and practices.

¹ The reference is to "Intesa, ai sensi dell'articolo 8, comma 6, della legge 5 giugno 2003, n. 131, tra il Governo, le regioni e le Province autonome di Trento e Bolzano, sui requisiti minimi dei centri per uomini autori di violenza domestica e di genere" (Rep. Atti n. 184/CSR, 14 September 2022 - <https://www.gazzettaufficiale.it/eli/id/2022/11/25/22A06691/sg>, last accessed on 6 October 2025) and the previous "Intesa, ai sensi dell'articolo 8, comma 6, della legge 5 giugno 2003, n. 131, tra il Governo e le regioni, le province autonome di Trento e di Bolzano e le autonomie locali, relativa ai requisiti minimi dei Centri antiviolenza e delle Case rifugio, prevista dall'articolo 3, comma 4, del D.P.C.M. del 24 luglio 2014" (Rep. Atti n. 146/CU, 27 November 2014, <https://www.gazzettaufficiale.it/eli/id/2015/02/18/15A01032/sg>, last accessed on 6 October 2025).

A review of recent Italian empirical studies (such as Cannito & al, 2022 and 2023; Cannito and Torrioni, 2024; Tuscany Region, Anci, 2017) combined with annual reports on AVCs and SHs published by the Italian National Institute of Statistics (ISTAT), reveals both the diversity and systemic complexity of anti-violence networks. These networks differ significantly in terms of composition, establishment processes, goals, nature and intensity of relationships, regulatory frameworks (Busi *et. Al.*, 2021; Gadda and Mauri, 2021). All these factors are shaped by a dense interplay of vertical dynamics (along the national – regional – local axis) and horizontal dynamics (Bifulco, 2005) including both collaboration and conflict, as well as tensions and convergences among institutions, general services, AVCs and SHs.

Within this heterogeneity, the hypothesis is that a common denominator can be identified in the institutionalization of relationships among actors through normative devices, social roles, and cognitive frames that "thicken interactions" (de Leonardis, 2001:22). Therefore this study addresses the following research question: How do regulatory instruments shape the relationships among institutions, AVCs, and SHs within territorial anti-violence networks, and what are the implications for feminist practices and for women's trajectories out of violence?

By focusing in the article on the normative devices and on how they delimit the field of action of AVCs and SHs, we explore the emerging repertoires of meaning, the consequences for the subjectivities of AVCs and SHs – understood as political bodies within the anti-violence networks – and the implications for women's pathways out of violence.

To interpret these dynamics, we draw on feminist studies to analyze how AVC and SH practices are channeled through regulatory devices and to highlight the risks inherent in structured interactions among actors. Specifically, we situate these processes within dominant neoliberal frameworks, particularly the notion of neoliberal feminism (Fraser, 2016; Fraser, 2020; Arruzza et al., 2019) - a variant of feminism that has led to the selective incorporation of feminist claims into the "new spirit of capitalism" (Boltanski and Chiapello, 1999). At the same time, drawing on Butler's concept of performativity (1997b), we conceptualize institutionalization as a process of subjectivation of AVCs and SHs.

Becoming nodes in the anti-violence networks entails a certain degree of submission to cooperative and institutional processes. This can lead to a blurring of differences among AVCs with different histories especially in networks where multiple AVCs coexist, and a blurring between feminist AVCs and more generalist services. These dynamics risk weakening the political and transformative dimensions of practices rooted in the feminist anti-violence tradition.

The article focuses on a specific case study, the Lombardy Region, where belonging to anti-violence networks and complying with certain conditionalities — such as the accreditation criteria for ACVs and SHs — are core elements of its anti-violence policies. Therefore, the Lombardy Region represents an exemplary context for observing the potential consequences of the mobilization of normative resources and constraints on how violence is framed and addressed, on the subjectivation of ACVs and SHs, and, ultimately, on women's trajectories out of violence.

The decision to focus the analysis on regional-level institutionalization processes aligns with the structure of the Italian system for the prevention and combatting of gender-based violence, which is characterized by strong regionalization. On the one hand, these are policies that fall under regional jurisdiction, with the role of the State limited to

defining the normative framework, strategic guidelines, and resource allocation. On the other hand, it was the Regions that, starting from the second half of the 1990s, began legislating and promoting — often experimental — interventions in this field. It was only in the early 2000s that the role of the central government began to consolidate, and even today it remains primarily responsible for overarching regulatory frameworks, guidelines, and funding distribution (Misiti and Toffanin, 2021).

The early activism of the Regions is linked to the role of feminist and women's movements which, since the late 1980s, brought the issue of gender-based violence to the public and political agenda, leading to the establishment of the first AVCs (Corradi and Stockl, 2016). As widely acknowledged, these movements acted as claims makers (Degani, 2018), framing male violence against women as a public and structural issue, and pushing institutions to respond through specific laws and public policies.

The paper is structured as follows: we first outline the methodological framework, then analyze the Lombardy case study, and finally discuss the potential risks of backlash (Verloo and Paternotte, 2018) against feminist achievements in GBV prevention and response.

2. Methodology

This research, conducted as the first phase of the fieldwork for a PhD project², adopts a qualitative research design to explore the processes of institutionalization and regulation within territorial anti-violence networks in the Lombardy Region. The study focuses on how normative frameworks shape the relationships between institutions, AVCs, and SHs.

The research pursued three main objectives: to analyze the evolution of regulatory instruments at national and regional levels and their impact on service organization; to examine how these instruments influence practices and meanings within AVCs and SHs; and to understand the implications for women's trajectories out of violence.

Building on a socio-historical approach, the research reconstructed the evolution of regional policies in Lombardy, highlighting both continuities and turning points. This phase was based on desk analysis of institutional documentation produced between 2012 – when the first regional policies on gender-based violence were introduced – and 2024. The desk analysis was then enriched with evidence gathered through interviews and focus groups with AVCs and SHs, which offered a critical perspective on political and organizational processes, allowing their historical complexity to emerge.

2.1 Data and Methods

The study combined three complementary data collection methods: document analysis, semi-structured interviews, and focus groups with representatives of AVCs and SHs.

The first step consisted of a systematic review of national and regional laws, policy documents, and administrative acts related to the prevention and response to gender-based violence.

Particular attention was given to documents defining minimum standards and accreditation procedures for AVCs and SHs. To systematically map and retrieve these

² The study presented was carried out as part of a PhD research project in Gender Studies at the University of Bari Aldo Moro, conducted at the University of Milano-Bicocca, which began in November 2023.

normative texts, the LARA database of the Italian National Research Council (CNR) was used³.

A total of twelve semi-structured interviews were conducted with representatives of key ACVs and SHs operating across Lombardy and accredited by the Region: four with SH managers, three with ACV managers, and five with representatives overseeing both types of structures. The organizations were selected to reflect a diversity of histories and orientations, including centers deeply rooted in feminist movements and historical anti-violence practices, as well as those emerging from generalist social services or broader welfare initiatives. This heterogeneity reflects a wider trend observed over the past decade, characterized by a significant increase in the number of AVCs and SHs alongside the expansion of public funding (Busi and Menniti, 2021). The interviews explored several dimensions, such as governance structures and internal organization, relationships and interactions with local authorities, and the perceived effects of standardization and accreditation processes.

To complement the interviews, six focus groups were conducted with staff members from the same AVCs and SHs, providing opportunities for collective reflection and comparison across different organizations and generating a deeper understanding of shared challenges and divergent perspectives.

All data were anonymized and coded thematically through a coding process aimed at identifying recurring themes and points of divergence. The analysis was organized into three main thematic categories: regulatory dynamics (laws, accreditation rules, governance models), organizational practices, and impacts on women's trajectories.

The research strictly adhered to ethical guidelines for sociological studies involving data collection through interviews and focus groups. Informed consent was obtained from all participants prior to data collection, and confidentiality and anonymity were guaranteed, with all identifying details removed from transcripts and reports.

Interviews were conducted at the premises of the anti-violence centers and at the administrative offices of the organizations managing the shelters, thus avoiding direct visits to the shelters themselves and ensuring that their addresses remained undisclosed. The focus groups were held in a neutral location provided by an institution that offered its spaces for this purpose.

3. Evolution of Anti-Violence Policies in the Lombardy Region

The Lombardy Region began addressing anti-violence policies with the adoption of Regional Law No. 11/2012 "*Interventi di prevenzione, contrasto e sostegno a favore di donne vittime di violenza*". This law was introduced as a popular initiative, promoted by AVCs, feminist movements, and women's groups. Its goals were twofold: to promote prevention, protection, and support measures for women who experience violence, and to establish planning tools for regional anti-violence policies.

Following the approval of the law, from 2012 to 2024, the Region has developed two Regional Plans for the prevention and fight against violence⁴. The most recent Plan

³ This database collects regional laws, regulations, and administrative acts related to policies aimed at preventing and combating violence against women, available in regional archives and adopted since 2001. The database is accessed at: <https://lara.viva.cnr.it>. For acts issued by the Lombardy Region prior to 2001, as well as for subsequent additions, a search was conducted on the Lombardy Region's official website.

⁴ The normative references are:

(covering the period 2020–2023) aimed to make the system for preventing and combating violence more structural and stable by reinforcing territorial governance, consolidating AVCs and SHs, and ensuring policies for the prevention of violence against women. In this framework, territorial anti-violence networks were identified as the main governance and implementation devices for regional strategies and actions.

Since 2019, 27 networks have been established, each coordinated by a local authority, covering all municipalities in Lombardy (Lombardy Region, D.g.r. XI-3029/2020). The establishment of the networks was encouraged by the Region through redirecting national funds allocated for AVCs and SHs: the resources, rather than being allocated directly to AVCs and SHs, were transferred to the local authorities encouraging them to take an active role in establishing the networks.

However, more recently, this governance model has been partially revised through the introduction of a role for the Health Protection Agencies (ATS) giving them responsibilities for guiding, supervising, and monitoring anti-violence activities (Lombardy Region, D.d.u.o. XII-2621/2024). These functions mirror those the ATS already perform in the social and health services sector. At the same time the Region introduced an accreditation process for shelters, modeled on the system used for health and social care services (Lombardy Region, D.g.r. XII-1073/2023).

This shift is also in line with what was established in the 2020–2023 Regional Plan, which, alongside the strengthening of networks, identified the socio-assistance and healthcare accreditation model as a tool to qualify the anti-violence system by standardizing the interventions provided to women. In other words, according to a model based on a health and social care service delivery approach, accreditation becomes a prerequisite for the provision of standardized services. At the same time, while the Region has structured the anti-violence system over the years as autonomous and independent from health policies, some elements of ambiguity have always been present, both at the legislative level and in the planning tools — although they had not been fully implemented until now. In fact, some references to the social-health accreditation model were already present in Regional Law No 11/2012, as well as in the first Anti-Violence Plan 2015-2018.

These developments laid the foundation for reshaping both the structure and the practices of AVCs and SHs, as discussed in the following section.

3.1 Structuring Relationships through Accreditation and Standardization

We can identify two main effects produced by the accreditation procedures: on one hand, the numerical growth and consolidation of AVCs and SHs, on the other, the adoption of performance-based procedures aligned with the principles of New Public Management, which have long inspired the regional social-healthcare system. The combination of these two effects reinforces the depoliticization of both the framing of gender-based violence and the responses to it — a trend already observed in previous analyses (Pitch, 2022).

It is important to highlight how this ongoing process in the Lombardy Region — of standardization, and depoliticization of anti-violence policies — accelerated significantly

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- Lombardy Region, D.c.r. No. X-894/2015 - *Piano quadriennale regionale per le politiche di parità e di prevenzione e contrasto alla violenza contro le donne 2015-2018*.
 - Lombardy Region, D.c.r. No. XI/999/2020 – *Piano quadriennale regionale per le politiche di parità e di prevenzione e contrasto alla violenza contro le donne 2020-2023*.

following the 2022 national definition of minimum requirements for AVCs and SHs⁵. For Lombardy Region, these standards provided an opportunity to implement a regional accreditation model (Lombardy Region, D.g.r. XII-1073/2023). While recognizing the value of experience and expertise in the prevention of violence against women and the centrality of a relationship-based approach among women, as well as the importance of confidentiality and anonymity, a different framework is simultaneously introduced that defines AVCs primarily as accredited service providers. This framework tends to marginalize the political, preventive, and culture change activities that have historically characterized feminist-based AVCs.

In terms of the number of AVCs and SHs, the accreditation procedures introduced by the Lombardy Region have favored the entry of new managing entities, reinforcing the ongoing trend of numerical growth. As of May 2024, there were 53 accredited AVCs and 37 accredited SH management entities, managing a total of 131 facilities (Lombardy Region, D.g.r. XII-2346/2024) — a significant increase compared to the previous decade. In 2013, the AVCs and SHs operating across the regional territory numbered 21 and 11, respectively (Lombardy Region, D.g.r. XI-3029/2020). Unfortunately, the number of facilities managed at that time is not available. This growth has also been facilitated, as previously mentioned, by the availability of national funding aimed at supporting the establishment of new AVCs and SHs.

This numerical expansion has enabled the Region to achieve its strategic goal of ensuring full territorial coverage, with at least one AVC in each local network. However, it has also raised concerns regarding the nature and mission of the managing entities now entering the field. Moreover, the high number of facilities managed by single organizations suggests a growing process of professionalization — one that often entails practices and values far removed from those historically promoted by feminist movements.

An analysis of accredited organizations shows that most have little or no connection to feminist movements. Instead, they primarily originate from the general social services sector. In particular, some SHs are managed by organizations with experience in operating “mother-child homes”, facilities based on assumptions and practices significantly different from those recommended by international guidelines for SHs⁶.

3.2 Tensions involving AVCs, SHs, Women’s Trajectories, and the Political Level

The introduction of accreditation procedures based on the socio-healthcare model represents a turning point in defining the scope of action of AVCs and SHs, with consequences not only for their practices but also for the way gender-based violence is addressed.

On one hand, the regional accreditation criteria (Lombardy Region, Dgr. XII-1073/2023) explicitly include, in their formal definition of AVCs, a reference to the methodology of relationships among women — a core principle of the historical feminist AVCs as outlined in the National Agreement. On the other hand, from a more substantive perspective, these same criteria also introduce mechanisms that risk undermining

⁵ The minimum standards for AVCs and SOS centers, defined in a State-Regions Agreement in 2022, are currently being applied on an experimental basis and are expected to undergo further revisions.

⁶ For an overview of international standards and guidelines, see Pietrobelli, M. (2021), “Centri antiviolenza e case rifugio: spunti e riflessioni sugli standard europei e italiani”. In Demurtas P. and Misiti M. (eds.), *Violenza contro le donne in Italia: Ricerche, orientamenti e buone pratiche*. Milano: Edizioni Angelo Guerini e Associati, 101-118.

methodology, pushing AVCs toward a more standardized, service-oriented conception and performance-based approach.

This tension raises key questions about the extent to which the feminist principles of relationships among women, anonymity and confidentiality can be reconciled with the requirements of accredited facilities operating under the socio-healthcare model, which rely on inspections, controls, and compliance with operational rules shaped by performance-oriented service delivery logics — requirements that sit uneasily with the ethos of feminist anti-violence practices.

Focus groups, despite involving AVCs with different histories and orientations, revealed that this methodology *«is based on respecting the timing and narrative each woman brings with her»* (ACV m1), where *«mutual knowledge is built [...] starting from listening in order to construct something together»* (ACV m5), and where *«there is no standardized intake interview: each woman brings her own story, her own needs»* (ACVm4). Reception is therefore also understood as a *«welcoming posture that characterizes the practice of the CAV»* (ACV m3).

A clear example of these tensions can be seen in a specific requirement of the accreditation rules: the obligation for the AVC team to develop an individual plan for each woman. This plan must include “short and medium-term objectives, necessary actions, methodology, timeline, and outcome indicators” (Lombardy Region, Dgr. XII-1073/2023 – Annex:26). While such a structure may be appropriate in healthcare or welfare settings, it poses significant challenges in the context of anti-violence intervention. The process of exiting violence is inherently non-linear and complex, making it difficult to standardize or measure. As a result, this approach clashes with the methodology of relationships among women, which emphasizes flexibility, attentive listening, and respect for each woman’s unique timing and journey.

Another critical area of tension concerns the requirement for women entering shelters to sign a “co-responsibility agreement”, in line with the institutionalized expectation model typical of neo-liberal welfare systems (Honneth and Hartmann, 2004). This model implies a representation of the woman as a victim to be protected and made responsible.

Within this framework, women are simultaneously framed as victims to be protected, and individuals responsible for their own process. Responsibility thus becomes a precondition for accessing services, with potential consequences in term of secondary victimization. These dynamics shift the focus from the collective and structural causes of gender-based violence to an individualized model, where women must demonstrate compliance with expectations and accountability in order to receive support.

The issue of shelter confidentiality highlights a broader area of tensions where feminist practices clash with institutional requirements, reflecting different operational understandings of secrecy: either as a prerequisite for safety or as a tool of security control. For feminist organizations, secrecy is not merely a technical necessity but a foundational and political principle. Historically, it has been central to creating women-only spaces where safety and autonomy could be collectively built. These shelters are conceived as transformative spaces of resistance and care, where the claims and visions of feminist movements remain alive (Cooper, 2016; Cossutta, 2023). As one focus group participant explained: *«I refer to the kind of space women originally needed to speak about violence: secret places where only women could guarantee safety, and where both their stories and their experiences were protected»* (SH m1).

However, as institutional regulations become increasingly detailed and control-oriented, secrecy risks being reframed in securitarian terms. This shift is evident in the everyday rules governing life inside shelters. A staff member described how, during emergency reception, *«women are not allowed to leave unaccompanied, clearly for their security. For the same reason, they cannot use the phone, except in special cases»* (SH m3). Even in semi-autonomous housing, restrictions remain, shaping the daily lives of women and children: *«The children would ask their mothers if they could invite friends over to play. Things that are completely normal in the daily life of any family are, of course, not possible in a shelter context»* (SH m5).

Rules initially designed to protect women may thus evolve into mechanisms of surveillance and responsabilization, subtly shifting shelters from spaces of feminist politics to disciplinary devices (Foucault, 1977). As one staff member reflected: *«We try to understand how the woman is adhering — or not adhering — to the rules of the shelter that she herself agreed to upon entering»* (SH m2).

The findings reveal a clear acceleration of a process that had already begun — though more cautiously — in previous years: the depoliticization of gender-based violence. Increasingly, violence is framed not as a structural and systemic problem, but rather as an emergency issue to be addressed through technical and measurable responses. This shift is closely linked to the attribution of the status of “victim” to women who have experienced violence. Following Butler’s perspective, this can be understood as an interpellation (1997b): an act that, far from merely describing an experience, actually constructs the subject itself.

On the one hand, this dynamic produces an essentialist construction of the “victim”, which, by obscuring the diverse experiences of women shaped by intersecting axes of discrimination (Crenshaw, 1989), facilitates the implementation of standardized, performance-driven logics. On the other hand, it promotes the individualization of problems and responsibilities, fostering a depoliticized reading of gender-based violence that overlooks the broader power dynamics at play (Pitch, 2022; Serughetti, 2019).

4. The Institutionalization of Interactions as a Backlash Against the Achievements of Feminist Movements?

The analysis presented in the previous paragraphs has highlighted several key processes currently underway: the legitimation of entities whose histories and origins are far removed from feminist movements to operate as AVCs and SHs; the centrality of standardization and a performance-based approach, with time-bound operational procedures; and the emphasis on women’s responsibility for their own pathways out of violence.

These processes risk leading to what Segato (2018) describes as an “amnesia of origins”: a loss — or rather, an erasure — of the memory of the struggles and processes that first pushed institutions to recognize violence against women as a public issue. In turn, this process risks taming and normalizing the issue, obscuring its structural causes and legitimizing depoliticized forms of management and intervention.

Drawing on Verloo and Paternotte (2018), these trends indeed suggest the possibility of a backlash against the achievements of feminist movements and historical AVCs in the field of preventing and combating male violence against women. As seen in the case of the Lombardy Region, these policies and regulatory devices tend to channel the work of AVCs

and SHs — and, consequently, women's pathways out of violence — along trajectories shaped by socio-healthcare models.

These policies tend to inform practices through frames, approaches, and strategies that are distant from those of feminist movements and historical AVCs — the very actors who, paradoxically, were instrumental in mobilizing Regions and the State to legislate and develop anti-violence policies (Corradi and Stöckl, 2016; Toffanin et al., 2020; Degani, 2018). Here, paradoxically — following Giddens (1994) — refers to a specific contradiction: the concrete pursuit of an original intention ends up distancing it from the likelihood of its realization. In this case, the commitment of feminist movements and historical AVCs to addressing violence against women — including by tackling its systemic and structural causes — now clashes with public policies and regulatory frameworks. Paradoxically, these frameworks are developed by the very institutions whose involvement in addressing the phenomenon was actively sought by those same movements and AVCs.

Principles such as activation, individualization, and self-realization — central to social policy within institutionalized models of expectations (Honneth and Hartmann, 2004) — risk becoming guiding principles for anti-violence interventions as well. These principles intersect with neoliberal feminism, and its mainstreaming gender perspective, which "tames" feminist grammars (Fraser, 2016 and 2020). By privileging problem framings rooted in individualism and personal responsibility, they risk reinforcing the invisibilization of the structural causes of violence, and supporting and reproducing the victim status. This dynamic can lead to consequences such as increased responsibility placed on women, the hierarchization of bodies, and the categorization of identities (Strippoli, 2024).

Within this framework, the very term victim plays a crucial role. Following Pitch, it evokes "a single action by individuals" (Pitch 2022: 32), with a double effect. On the one hand, it individualizes problems and responsibilities; on the other, it constructs a group identity based solely on the shared experience of violence. This risks erasing differences related to class, culture, ethnicity, sexual orientation, age, and other intersecting axes of domination (Serughetti, 2019).

Finally, regarding the processes of subjectivation of AVCs and SHs, it is useful to consider the tensions between the two dimensions of performativity that Butler (1997b) invites us to see as inseparable: on one hand, the processes by which AVCs are constituted and acted upon (being pre-constituted and shaped by norms and linguistic acts), and on the other, the conditions of possibility for action (the ability to act and re-signify). Normative frameworks, by defining the field of action, can weaken the political and transformative potential of feminist practices. This may lead to blurred distinctions between AVCs and SHs with different histories, and between feminist centers and general social services.

Returning to the case of the Lombardy Region, it is also possible to find some concrete examples of resistance. Some organizations have chosen not to accredit all the SHs they manage, communicating and sharing this decision with other actors in their local networks, particularly with the other AVCs and SHs.

This choice functions as a strategy to preserve spaces of freedom and experimentation beyond the regulatory frameworks imposed by the Region. By communicating and collectively reflecting on this decision, these organizations create opportunities for the emergence of alternative alliances and interactions that can generate new meanings and challenge the dominant interpretive repertoires shaping institutionalization processes. In

doing so, they not only resist the forces of depoliticization but also keep alive the potential for transformative feminist practices, even within highly institutionalized contexts (Butler, 2015).

5. Concluding Reflections

This article has examined the role of normative devices in structuring relationships within territorial anti-violence networks, focusing on the Lombardy Region. It has explored how these instruments delineate the scope of action for AVCs and SHs and how they shape organizational practices, women's trajectories, and the positioning of AVCs and SHs as political actors within the anti-violence system.

By analyzing laws, accreditation processes, and governance arrangements alongside qualitative evidence gathered from AVCs and SHs, we have shown how processes of institutionalization of the interaction among actors simultaneously strengthen expand "service" coverage and uniform territorial coverage, while also fostering depoliticization, standardization, and the responsabilization of women within interventions addressing gender-based violence.

Our findings highlight three interrelated levels at which these dynamics manifest.

At the individual level, these dynamics shape women's possibilities for embarking on pathways out of violence. The standardization of support processes and the expectation that women take full responsibility for their trajectories intensify the risk of secondary victimization. Moreover, there is a danger of reinforcing a narrowly defined and essentialized victim identity based solely on the experience of violence, at the expense of an intersectional understanding that considers intersecting axes of oppression and of approaches that pluralize women's experiences of violence (Gago, 2022).

At the organizational level, tensions emerge between feminist-informed practices and institutional requirements, affecting the subjectivities of AVCs and SHs. Accreditation processes risk transforming these organizations into service providers rather than political actors, thereby weakening their capacity for advocacy and their transformative role within the networks.

These dynamics may also generate a backlash at the political level, leading to the normalization of the phenomenon, obscuring its structural causes, and legitimizing depoliticized forms of management and intervention. This process risks resulting in what Segato (2018) calls an "*amnesia of origins*" — that is, the erasure of the memory of the struggles and processes that first pushed institutions to recognize violence against women as a public issue.

Nonetheless, our findings also reveal spaces of resistance. Some organizations actively experiment with alternative practices — for instance, by refusing to accredit all their shelters or by forming informal alliances to preserve feminist spaces and relational methodologies. These acts demonstrate the potential for alternative forms of institutionalization that embrace diversity and foster transformative action rather than depoliticized standardization.

This study is limited to a single regional context and a specific set of regulatory frameworks. Future research should include comparative analyses across regions and countries to explore how different governance models shape feminist practices and women's experiences. Nevertheless, it highlights the value of analyzing institutionalized interactions among anti-violence actors as a lens for understanding broader trends in anti-violence policies. Such an approach can illuminate the tensions, ambivalences, and transformative possibilities that characterize the field today.

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Helping to Dream Again What Support Do the Orphans of Femicide Need?

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Abstract

Although femicide represents the most extreme manifestation of gender-based violence, the condition of children orphaned by femicide remains an understudied issue (Baldry, 2017). These *special orphans* experience dual victimization: they often grow up witnessing domestic violence and then suffer the traumatic loss of their mother at the hands of their father or another family member (Baldry, 2017: 44-45). This reality underscores the urgency of targeted and multidisciplinary intervention to address both past trauma and future challenges.

In response to these needs, the S.O.S. (Support for Special Orphans) project, funded through the “A Braccia Aperte” initiative by *Con I Bambini*, aims to develop a national program for the timely and integrated care of femicide orphans and their foster families. Our contribution, as the monitoring group conducted by the Department of Cultures, Politics, and Society at the University of Turin (Italy), focuses on the North-West consortium operating in Piedmont, Liguria, and Valle d'Aosta.

This study presents initial findings from a multi-phase monitoring process (2021-2024) that employed participatory action-research through interviews and focus groups with 19 partners. By September 2024, the project had taken in 25 orphans, with educational grants addressing four main dimensions: basic needs, recreational activities, psychosocial support, and educational assistance. The analysis reveals critical challenges in identifying beneficiaries, communication fragmentation within the network, and the need for continuous specialized training on issues such as witnessed violence and the intergenerational transmission of violence (CISMAI, 2017; Bruno, 2022).

The findings emphasize that femicide orphans require personalized and multidimensional interventions that address educational, psychological, and relational needs, while foster families need both financial resources and specialized training. The project represents an important step toward building a more integrated support system capable of responding to the specific needs of one of the most vulnerable groups in society.

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1. Introduction

Male violence against women is never an isolated act: it is rooted in bonds, perpetuated through silence, and transmitted across generations. Inspired by the work of Anna Costanza Baldry (2017), these words succinctly encapsulate the intergenerational transmission of violence. They emphasize how exposure to domestic violence deeply impacts not only direct victims but also the life trajectories and relational patterns of their children. This reality underscores the urgency of a targeted and multidisciplinary intervention.

The phenomenon of children orphaned by femicide¹ remains an understudied issue in our country. To date, Baldry's work (2017) represents the first and most significant reflection on this subject: She coined the term 'special orphans' to emphasize the unique circumstances of those who have lost their mother to femicide. This term refers to individuals who experience the traumatic loss of their mother at the hands of their biological father. The adjective *special* underscores the distinct psychological and legal conditions resulting from this particular situation (Baldry, 2017: 44-45). According to the latest estimates from *Save the Children* and *Con I Bambini*, approximately two thousand cases exist in Italy. This paper focuses on the issue of witnessed violence and the condition of children orphaned by femicide to stress the importance of adopting an interdisciplinary and intersectional approach in designing support strategies.

In doing so, the research questions are:

- a) what reparative strategies effectively recognize and meet the complex needs of children and young people orphaned by femicide?
- b) What forms of support do persons orphaned by femicide truly need?

To address these questions, we analyze the preliminary findings from the monitoring of the **S.O.S. Special Orphans Project**, which operates in Italy, in the regions of Piedmont, Liguria, and Valle d'Aosta.

2. Dual Victimization

People orphaned by femicide experience a dual victimization:

- a) *Witnessed violence*: they often grow up in an environment steeped in abuse, witnessing physical, psychological and economic mistreatment of their mother, which exposes them to deep and lasting trauma;
- b) *Femicide*: they lose their mother in a tragic and violent way, at the hands of their father or another family member, suffering not only the deprivation of an important emotional bond, but also the social and material consequences of this loss.

This dual victimization exacerbates their suffering and underscores the necessity of an integrated intervention that addresses both past trauma and future challenges. Witnessing violence and femicide are intrinsically linked, as both stem from dynamics of patriarchal domination and coercive control within the familial sphere. Witnessing

¹ In this text, the term *femicide* specifically refers to the 1992 definition by Russell and Radford, which situates the phenomenon within a socio-cultural framework, defining it as the killing of women by men because they are women.

violence is defined by *Italian Coordination of Services against Child Maltreatment and Abuse* (CISMAI, 2017) as:

The experience, by a child or adolescent, of any form of abuse perpetrated through acts of physical, verbal, psychological, sexual, or economic violence, as well as stalking, against reference figures or other emotionally significant individuals, whether adults or minors (CISMAI, 2017: 17).

The harm caused by exposure to domestic violence—whether through direct observation or indirect awareness—is profound, multifaceted, and complex. A comprehensive discussion is beyond the scope of this paper. However, for the purposes of this analysis, it is essential to highlight some key elements that are commonly identified in the literature on this topic.

Growing up in a violent family environment entails a series of traumatic experiences that, if not promptly identified and mitigated through professional support, can severely compromise a child's development (Baldry, 2017: 44-45). The repercussions of witnessing paternal violence against one's mother can manifest in various forms and intensities, depending on factors such as age, gender, individual characteristics, external support systems, and the duration of exposure to violence (Bruno, 2022). Frequently observed consequences include premature adultification, anger, depression, anxiety, hypervigilance, concentration difficulties, sleep disorders, and behavioral dysregulation—symptoms commonly reported by professionals working with child witnesses of domestic violence (Baldry, 2017).

Furthermore, as Luberti (2017) notes, experiencing violence—whether direct or indirect—within one's primary environment from childhood can fundamentally shape perceptions of gender roles. Luberti (2017: 59) highlights that such children may internalize contempt toward women and individuals perceived as vulnerable or may struggle to differentiate between affectionate relationships and dynamics of dominance, leading them to conflate the two.

From a procedural, diachronic and intergenerational perspective, the violence suffered risks influencing how the affected children engage with the world (Bruno, 2022: 94):

Witnessing violence is a risk factor for other forms of victimization affecting minors, such as neglect, psychological abuse, physical abuse, and sexual abuse, as well as for the intergenerational transmission of violence (CISMAI, 2017:19).

In situations of domestic violence such as those described above, it is possible to break the cycle of violence through interventions targeting children and/or by supporting mothers in their efforts to escape abusive environments. With the help of the anti-violence network and professionals specialised in gender-based violence, distancing mothers and children from the violent dynamics often enables the reconstruction of the mother-child relationship and the learning of new, alternative behavioural models to those of domination and submission that have shaped the child's development within the couple (Bruno, 2022).

3. The Impact of Femicide on Special Orphans and the Limitations of Policies and Institutional Approaches

Femicide not only takes the life of a woman, but also leaves behind a profound trail

of pain, particularly affecting the couple's children. According to data from the *Italian Parliamentary Commission of Inquiry on Femicide* (Commissione parlamentare di inchiesta sul femminicidio, 2022), 74% of femicide orphans are children of the perpetrator of the violence. In one-third of cases, the father commits suicide after the murder (Solinas-Saunders, 2022; Tosini, 2020), while in the others he is arrested or turns himself in to the authorities (Todesco, 2021: 59-60). This double loss – of the mother through murder and of the father through arrest or suicide – causes profound psychological trauma, amplified by the intrinsic violence of the crime.

Children are frequently not only witnesses to such extreme acts of violence but also passive recipients of prolonged exposure to domestic abuse, which precedes and culminates in the homicidal act. They may be present during the murder or, in some cases, discover their mother's body (Commissione Parlamentare sul Femminicidio, 2022). The psychological consequences include severe post-traumatic effects (Alisic et al., 2015; Diano, 2005), but the damage does not stop there: relocation to other cities, loss of social network and interruption of school and recreational activities exacerbate the picture of instability (Baldry, 2017).

The complexity of the subject is useful to highlight how, in this particular field of investigation, the lack – or rather, the deficit in the production of data – constitutes a significant limitation not only for the understanding of the phenomenon but also for the development of actions and policies to deal with it, which would allow for the design of interventions tailored to the needs of orphans (Ibid.: 21-22). Institutional responses continue to be limited.

The First General Report on GREVIO activities (2021) points out that, between 2015 and 2019, Italian data on violence against women were not disaggregated by gender of victim and perpetrator nor by the relationship between them. Furthermore, cases with underage witnesses were not reported and there was a lack of harmonisation between data from law enforcement and judicial authorities (GREVIO, 2021: 28-31, 50). This information gap hinders the identification and support of special orphans.

An important step has certainly been taken with Law No. 4/2018, which introduces amendments to the Civil and Criminal Code to protect orphans of domestic crimes (Biginelli, 2020). However, its application encounters considerable difficulties: the provision of compensation is slow, leaving around two thousand beneficiaries without the necessary support (Autorità Garante per l'Infanzia e l'Adolescenza, 2020) and the absence of multidisciplinary protocols limits the creation of networks of territorial services, which are fundamental for both emergency and long-term support (De Carli and Pignataro, 2021). These institutional gaps contribute to secondary victimisation, which manifests itself in the judicial, economic and social spheres (Bourke, 2011). Orphans not only suffer the loss of their mothers, but also face material difficulties, such as the loss of their homes or lack of financial support.

To address this complex reality, a number of innovative projects were initiated. Among the first works, the *Switch-off* project (2013-2014), coordinated by Anna Costanza Baldry, analysed cases of femicide in Italy to understand the fate of special orphans (Baldry & Cinquegrana, 2015): where they were placed and what consequences they suffered (Baldry, 2017). This study laid the foundations for subsequent initiatives, highlighting the need for multidisciplinary and integrated interventions.

The research conducted by the Autorità Garante per l'Infanzia e l'Adolescenza (2020) expanded on these analyses, highlighting the lack of adequate tools for social and health workers, as well as for law enforcement agencies. Furthermore, it noted persistent

shortcomings in the implementation of the UN Convention on the Rights of the Child (CRC, 1989), particularly Article 12, which enshrines the child's right to be heard, and Article 3, which establishes the best interests of the child as a primary consideration. These shortcomings exacerbate the trauma experienced by children orphaned by domestic violence, undermining both their immediate well-being and efforts to prevent the intergenerational transmission of violence.

4. Searching for a National Protocol: the "A Braccia Aperte" Call by the Social Enterprise *Con I Bambini*

Building on the findings of the Switch-Off project, the *Impresa Sociale Con i Bambini* launched the "A Braccia Aperte" call, financed through the *Fund for the fight against juvenile educational poverty*. The main objectives include precisely the development of a national protocol for the timely and integrated care of orphans of femicide and their foster families (including psychological and educational support, etc.); the creation of guidelines for the management of emergencies and paths to autonomy; the training of specific multidisciplinary teams; and the development of anti-violence networks in Italy. At the national level, the funding supported four projects on four territories, each represented by a different partnership network: North East (Orphan of Femicide Invisible Victim), North West (S.O.S- Support for Special Orphans), Centre (Airone), South and Islands (RESPIRO - Support Network for Inclusion and Resilience Pathways with Special Orphans).

By the end of 2023, the four projects funded by Con I Bambini had taken in 157 orphans of femicide. This number is destined to grow, as a further 260 minors throughout Italy have already been intercepted by the managing partnerships and, shortly, they too will begin a path of support and accompaniment together with their families.

The highest percentage of orphans in the project is in the South. As of October 2023, the Respiro project has taken² in 100 orphans, with the percentage of beneficiaries still growing. Looking at the whole sample, 74% of these minors are between 7 and 17 years old, 17% between 18 and 21 years old, and 8% are under 6 years old. Most (95 per cent) have Italian citizenship, with 56 per cent being male.

About 36% of boys and girls were present at the time of the femicide, an event that leaves a devastating psychological impact, often associated with traumatic childhood bereavement syndrome, which prevents grief processing. In addition, 13% of the children had disabilities prior to the trauma, while 8% have special educational needs or psychological disorders. For 42% of the beneficiaries, placement is in foster families; 10% live in communities, another 10% with cohabiting couples, and only 5% were adopted. The socio-economic condition of foster families is often precarious: 83% face difficulties at the end of the month, although 52% receive income support. However, most living spaces are adequate.

A further critical element is that 65% of the households were not followed by social services before the event, despite vulnerabilities such as addictions or judicial problems. Moreover, in many cases, the children were exposed to witnessing violence, especially psychological violence, which is an alarm bell for future episodes³.

²<https://www.conibambini.org/bandi-e-iniziative/a-braccia-aperte-iniziativa-a-favore-degli-orfani-di-vittime-di-crimini-domestici-e-femminicidio/>

³ The data presented herein were obtained directly from the funding body, which has not yet made them publicly available within a comprehensive report that will be presented upon completion of the project call.

Consequence management requires constant training and supervision, as demonstrated by the cases where projects have helped families to communicate the truth about the incident to minors, a step often avoided due to lack of adequate preparation.

5. Towards Customized Support Models: The S.O.S - Special Orphans Support Project

Let us now turn our attention to the **SOS project: Support for Special Orphans** in the North-West area, a pioneering initiative led by the E.M.M.A. Anti-Violence Centres, which aims to offer concrete and innovative support to orphans of femicide, transforming the help network into a tool for change. The project activities are taking place in Piedmont, Liguria and Valle d'Aosta with the involvement of 25 organizations⁴. The initial overall duration of the project was 48 months (from August 2021 to July 2025). However, due to operational complexities and the need to ensure continuous support, the project received an extension, extending its duration until December 2026.

The project includes an extensive intervention plan targeting various groups, including:

- a) Mapping the current situation for both femicide orphans and the organizations in the network and their activities;
- b) Developing a standard methodology for initial interviews with orphans and foster families;
- c) Creating a protocol for *Integrated Support Plans* to be shared among network actors; ensuring consistency and fluidity in the personalized pathways;
- d) Training for operators and the educating community;
- e) Initiatives to raise public awareness.

The beneficiaries of the project are therefore persons orphaned by femicide up to 21 years of age, foster families, educating communities and the operators and professionals of the services and territorial network.

5.1 Data & Methods

The monitoring process, conducted by the research team of the Department of Cultures, Politics, and Society at the University of Turin⁵, focused on the development of the *SOS project* over the years, structured into four main phases.

The first phase of observing network dynamics began alongside the launch project activities, with feedback provided to lead partner every six months⁶. During this phase, action-building strategies were monitored across all project lines, with particular attention given to the internal and external training activities initiated in the project's first year. The second phase began in October and November 2023 with a participative action-research aimed not only at identifying, with the network of partners involved, critical issues, but at producing a positive change to be realised in the following months. The second phase ended with two moments of restitution: a first restitution through a report to the lead

They are a collection of data from the various monitoring bodies of each consortium. They can be found on the website indicated here: <https://www.conibambini.org/2023/11/20/orfani-di-femminicidio-presentati-i-dati-inediti-di-con-i-bambini/>

⁴ For more details on the composition of the partnership, see <https://www.centrososorfani.it/chi-siamo/>

⁵ The research group of the Department of Culture, Politics, and Society is composed of Paola Maria Torrioni (scientific lead), Anna Micol Tropeano (coordinator), and Linda Scali (research fellow). Cesare Bianciardi (research fellow) and Nicoletta Sciarrino (research fellow) have collaborated until 2023.

⁶ This is a phase that is still ongoing through the participation of the research group in meetings, events, and training sessions.

partner in March 2024, to allow an initial alignment by the project coordination itself, and a second final restitution to the partnership in June 2024. The methodological approach, in these phases, was mainly qualitative and envisaged the use of interviews (12) and focus groups (2), with a sample selected based on both availability and territorial balance, as well as between operational and institutional partners⁷. The monitoring involved a total of 19 partners out of the 27 presents at the start of the project.

The third phase consists of analysing the data regarding the beneficiaries of the project, which is the focus of this article. Specifically, the data analysed cover the period from July 2024 to December 2024 and were provided by the E.M.M.A.- Anti-Violence Centres. The inclusion criteria were: children and young people between 0 and 21 years old, orphans of femicide living in Piedmont, Liguria, or Valle D'Aosta. In this phase attention was given to the characteristics of the support requested by them. The analytical approach involved a reasoned re-categorization and descriptive analysis of the quantitative and semi-structured variables present in these records. The research team systematically mapped the various forms of support requested by the beneficiaries onto the four major thematic dimensions (basic needs, recreational, psychosocial, and educational) that structure the Findings section (§ 5.3).

The fourth phase of monitoring is currently ongoing, with a follow-up with project partners starting in the early months of 2025 to identify areas for further recalibration of project actions.

In the following paragraphs, we will illustrate the results of the first three phases, with particular attention to the second and third phases.

5.2 Identifying and Taking Charge of Femicide Orphans: Critical Issues, Challenges, and Proposals for Realignment

In the process of building the *SOS project*, EURES data (updated up to 2020) was used to trace a base of potential beneficiaries. From the initial analysis, 40 femicide orphans and 26 foster families emerged. In line with the project criteria, all selected orphans were aged between 0 and 21 years. Among these, 32 were residents in Piemonte, 8 in Liguria, and none were identified in Valle d'Aosta. Based on this information, the partnership initiated dialogue with the local network, particularly involving social services, to locate potential beneficiaries.

However, this process revealed some critical issues. Firstly, the likelihood of losing track of the orphans and foster families, especially when they are no longer followed by social services or involved in judicial proceedings, turned out to be unexpectedly high. Compared to the initial numbers, some foreign-born orphans had returned to their countries of origin. This problem also affected Italian nationals: it was common for orphans and foster families to move from the location of the femicide to other regions. Another critical issue concerns the project's age limit, which prevents the participation of beneficiaries over 21. Not all potential beneficiaries were eligible after a more thorough check. Considering these complexities, by September 2023, after two years of the project, 13 orphans had been

⁷ During the design phase, the decision was made to ensure the presence of key operational partners in each region, essential for the effectiveness of the initiatives, such as a women's shelter, private social organizations, and associations focused on labor market integration. At the same time, the involvement of institutional partners (such as the Piedmont Region, the Metropolitan City of Turin, etc.) was emphasized, considering that supporting orphans and their foster families requires an effective network approach, where public entities and institutions collaborate to ensure an integrated and coordinated strategy.

taken into care, 17 orphans had been connected across the three regions (7 of whom were adults), and 6 foster families were involved. The initial difficulty in identifying beneficiaries posed a significant obstacle, as it hindered the smooth construction of the network and marginalized several partners who were supposed to carry out direct activities with the beneficiaries. This situation generated tensions within the network, communication and coordination difficulties, and a widespread sense of isolation, disconnection, lack of cohesion, and synergy.

Other critical aspects, arising from the lack of participants, include the poor mutual understanding of roles, activities, and intervention opportunities between project partners, both regionally and interregionally. A discontinuity in the implementation of project activities was observed, with a strong need to create spaces for discussion on methods and practices for taking charge of beneficiaries. This highlighted the necessity for ongoing, targeted training within the partnership, focusing on femicide-related topics, such as the relationship with the father, grieving processes, and the impact of violence on children's behavior in assuming gender roles.

During the discussions in the focus groups and interviews, an uneven involvement of the different regional realities emerged, with a clear centrality of the Piemonte context (home of the lead partner), while Liguria's involvement was more limited, and Valle d'Aosta was completely absent. The absence of femicide orphans in the Valle d'Aosta was certainly the main reason for this complete misalignment, so much so that the Valle d'Aosta group did not participate in meetings for several months. Another identified cause was the communication and sharing difficulties within the network: there was a lack of clear and targeted communication, both among the partnership members and with local services and institutions not directly involved in the project.

The realignment proposals that emerged from the monitoring were divided into two categories: immediate actions and long-term actions. Immediate proposals (such as sending agendas, minutes, and reintroducing information about partners in the materials to be disseminated) aim to improve communication and provide more clarity on roles, reducing disconnection between partners and facilitating access to information. These actions were also designed to support the lead partner in initiating new strategies to locate femicide orphans (also using other databases and intensifying interviews with local social services). Additionally, the allocation of a budget for each territory was a step toward more balanced resource management, which helped address the regional disparity, particularly between Liguria and Valle d'Aosta.

As for long-term actions, the resumption of continuous training on specific issues such as femicide and its impact on gender roles helped strengthen cohesion and competence within the partnership. This addresses part of the criticality related to discontinuity in activity implementation and the need to align intake practices.

Since September 2024, the lead partner has implemented fundamental changes that have allowed the project and the consortium to establish a new shared and collective path. Some examples include the implementation of a new updated communication strategy⁸,

⁸ After approximately two years from the launch of the project, the communication methodology was renewed. Specifically, informational postcards about the project were sent to all professional orders, such as those of doctors, nurses, social workers, and journalists. So far, communications have been sent across the entire Piedmont region, and efforts are now beginning in the other two involved regions. Additionally, the project's presence at city events, such as the Book Fair in Turin, and the presentation of the project to local and national media outlets, has allowed for reaching an increasingly broad audience, which has helped identify new beneficiaries of the project.

accompanied by the realignment of operational staff within the lead partner, the redefinition of the meeting schedule, weekly minutes of activities, and the launch of new training courses. Furthermore, the identification of new beneficiaries and the appointment of a new territorial referent for Valle d'Aosta led to some progress. In the following paragraphs, we will analyze these changes in detail.

5.3. What Do the Beneficiaries of the SOS Project Ask For?

To overcome the complexities related to identifying beneficiaries, since September 2024, the partnership has made use of new information collection tools, such as the database created by *NonUnaDiMeno* on femicides, lesbicides, and trans*cides⁹. This database allowed for the recovery of data collected since 2020, extending beyond the EURES data (which had been used in the project design phase and only went up to that year). The implementation of communication strategies also enabled the arrival of new beneficiaries through services and the territorial network.

The data presented here were collected through beneficiary forms (forms filled out at the time of intake), minutes from the various steering committees¹⁰, and materials available on the Chairios platform, the *SOS Orphans project* platform used by all consortia participating in the “A Braccia Aperte” funding program.

Since September 2024, new femicide cases involving individuals under 21 years old have occurred, prompting the consortium to assess new strategies to disseminate the project and its opportunities so that orphans and foster families seek support and operators can offer a quick and effective intake. After two years from the start of the project, the situation is summarized in the table below:

Table no. 1. Number of beneficiaries considered within the SOS Special Orphans project, retrieved through the analysis of beneficiary forms, minutes, and the Chairios platform.

Regions	No. of identified beneficiaries	No. of beneficiaries contacted	No. of beneficiaries taken in charge	Total No. of potential beneficiaries taken in charge by the SOS project
Piemonte	18	11	13	42
Liguria	11	0	12	23
Valle d'Aosta	0	0	0	0
Total	29	11	25	65

Source: Centralized data collection platform for all consortia belonging to the Con I Bambini 'A Braccia Aperte' funding call. The data are not publicly accessible and have not been released.

Identified beneficiaries are those who have been identified starting from the reports of the territorial network and from EURES data and those identified in progress through

⁹ <https://osservatorionazionale.nonunadimeno.net>.

¹⁰ The steering committees are monthly online meetings where the entire operational partnership comes together.

the national database of *NonUnaDiMeno*¹¹. The number of *engaged* beneficiaries, on the other hand, means all the beneficiaries with whom, again through the territorial network, the health services or other public services, the *lead partner* has already had a first contact, by phone, via mail or with a meeting directly at the S.O.S. Centre¹². The first three columns represent distinct sets of individuals: the number of identified beneficiaries does not include the number of connected beneficiaries, just as the number of connected beneficiaries does not include those who have been formally taken in charge.

Table no. 2. The cases managed, both previous and new, at the start of the project across the three involved regions.

Regions	No. of femicide cases taken on during the project (in emergency)	No. of femicide cases taken on before the start of the project (Previous cases)	No. of cases taken on (emergency and Previous cases)
Piemonte	1	12	13
Liguria	8	4	12
Valle d'Aosta	0	0	0
Total	9	16	25

Source: Centralized data collection platform for all consortia belonging to the Con I Bambini 'A Braccia Aperte' funding call. The data are not publicly accessible and have not been released.

As for the number of individuals taken on, there are currently 25 young people receiving support from the *SOS project* in the areas of education, economics, and other relevant aspects. However, the changes in communication practices within the project activities, as previously discussed, have not only accelerated the identification of orphans but have also facilitated their faster inclusion in support pathways, contributing to a significant increase in the educational grants allocated.

Support interventions with beneficiaries are carried out through *educational grants*, which are *individualized assistance plans* aimed at providing educational goods and services to children, adolescents, and young people up to the age of 21, who belong to the target group of orphans of victims of domestic crimes. The grant is thus structured as a personalized plan, designed to meet the specific needs of each beneficiary, considering their age group and individual needs. It includes, for example, the distribution of goods, access to services provided by entities outside the partnership, expenditure for restricted goods (such as meal vouchers, both food and non-food, fuel vouchers, paper and electronic vouchers), reimbursement of expenses to beneficiaries, advances for documented expenses, advances for non-documented and unrestricted expenses, and access to services provided by the partnership.

¹¹ <https://osservatorionazionale.nonunadimeno.net>

¹² In November 2021, the S.O.S. Orfani Center was opened in Turin, serving as the central hub and coordination point for the network, which allowed for the institutionalization of the project and its activities.

Table 3. Numbers of beneficiaries and the educational grants provided across the three regions involved in the project.

Regions	No. of beneficiaries of educational grants	No. of educational grants distributed
Piemonte	6	11
Liguria	5	7
Valle d'Aosta	0	0
Total	11	18

Source: Centralized data collection platform for all consortia belonging to the *Con I Bambini* 'A Braccia Aperte' funding call. The data are not publicly accessible and have not been released.

Table 3 presents the numbers of grants awarded. The data refers to 11 beneficiaries, as the database update is still in progress. The number of grants is higher than the number of beneficiaries because some orphans have been assigned multiple educational grants, each identified through different needs.

The grants can cover various areas of intervention, each with specific objectives:

1. *Basic needs dimension:* Aims to meet the basic needs of beneficiaries in situations of economic hardship, providing support for food, housing, and clothing expenses.

2. *Recreational dimension:* Aims to promote and support, in a positive environment, the individual, relational, and social resources and potential of the beneficiaries. Activities can include theater, music, art, or sports workshops (e.g., swimming or basketball courses).

3. *Psychosocial dimension:* Seeks to enhance the emotional and relational well-being of children and young people through initiatives such as trips, summer camps, or vouchers for psychological support.

4. *Educational and school dimension:* Aimed at supporting minors in their educational path, offering motivation and assistance in learning and completing school assignments. Activities can include the purchase of books, academic tutoring, or remediation in school subjects.

According the data, the interventions are primarily related to basic needs (8 cases), particularly interventions such as payment for the driver's license course, the purchase of clothing, or support for the activation of a public transportation subscription for school transport. Another intervention was the payment of the IMU (Municipal Property Tax)¹³ for the house where the femicide occurred, which the orphans no longer resided in. Regarding other dimensions, in the recreational area (2 cases), support was provided, for example, for the annual membership for a soccer course, including costs for clothing, equipment, and travel for attendance, or swimming pool registration. In the only case where psychosocial support was offered, it was a path with a psychologist from the Torino Center, which is still ongoing. In terms of educational and school support (7 cases), the main assistance was provided, for example, through help with the purchase of books and

¹³ IMU (Municipal Property Tax) is a local tax on the ownership of real estate in Italy. It is levied annually by municipalities on property owners, including second homes, commercial buildings, and land.

stationery, payment of university tuition fees, and so on. Other important pieces of information to highlight include trends observed in the project cases, as confirmed by the literature (Baldry, 2018), which indicates that foster care typically occurs within the maternal family when present, or alternatively in residential communities. Only in one case was the person placed in a therapeutic community. Regarding the foster care of the 19 beneficiaries considered in our project (excluding six young persons who live independently), 6 were placed in communities, while the remaining 13 were placed with relatives. Of these 13, only 2 (siblings) were placed with the paternal family, while the others were placed with uncles or maternal grandparents. Another data point presented in the analysis of the project's beneficiary sheets is mostly previous cases¹⁴: out of a total of 25 orphans taken in charge, only 9 are recent cases. Others have been identified in recent months, with whom contact has already been made but who are not included in this count.

6. Conclusions and Policy Implications

6.1 Evidence Alignment and Overarching Findings

This paper analysed the main challenges and first results of the S.O.S. project, highlighting the complexity of intervention addressed to persons orphaned by femicide in the specific North-Western Italy. The multi-stage monitoring process empirically validated the need for a systemic, rather than an emergency-based, response.

The analysis of beneficiary data confirms that femicide orphans, often doubly victimised by the trauma of loss and the subsequent complex family dynamics, face unique and complex challenges that are multidimensional. Summarizing the main results of this study, the support needs observed and systematized from the project records are clustered across four critical dimensions (psychosocial, educational, basic needs, and recreational), which must be addressed holistically. Furthermore, the monitoring process highlighted significant systemic fragmentation in service delivery, communication, and resource allocation among the project partners, which poses the greatest barrier to effective intervention.

This evidence directly validates the urgency of overcoming the current fragmented approach and makes it crucial to implement a structured reparative policy that ensures the legal recognition of minors as direct victims and the development of a stable, integrated, and multidisciplinary system of services.

6.2 Delineating Practical Implications (Micro, Meso, and Macro Levels)

Our findings translate into specific and differentiated implications for policy and practice across three interconnected levels:

Micro-level (Direct Practice): At the individual level, the high incidence of psychosocial and relational needs necessitates the adoption of standardized assessment tools for complex trauma and risk screening for witnessed violence. Practice must be highly personalized and trauma-informed, particularly in managing delicate aspects such as the request for rapprochement with the offending father. This dynamic requires targeted training of social workers and practitioners to manage the difficult balance between the child's rights and their emotional needs, ensuring every decision is made solely in the person's best interest.

¹⁴ "Previous cases" refer to, as previously emphasized, all cases that date back to the years prior to the activation of the project in 2021.

Meso-level (Service Design and Inter-Agency Coordination): To address the fragmentation observed, the design of the support system must become user-centric, moving beyond the operational logic of individual partners. This requires a formalized approach to Service design should focus on: a) mapping the orphan's course of life (delineating every touchpoint, from initial contact to legal proceedings) to identify critical break points (e.g., long waiting times, repeated disclosure of trauma); b) creating holistic solutions to ensure that the four identified dimensions of support (psychosocial, educational, etc.) are delivered as a single, integrated flow rather than separate interventions; and c) standardizing protocol of intervention across regional contexts (Piedmont, Liguria, Valle D'Aosta).

These objectives must be implemented through *binding inter-agency protocols* among all institutional partners, ensuring the necessary data sharing, timely action, and continuous, multi-disciplinary training required to overcome operational silos and strengthen territorial networks.

Macro-level (Policy and Legislation): The structural gaps confirmed by this study demand that the Italian government move beyond project-based funding toward a national, long-term Reparative Policy Framework. This policy must implement structural funding mechanisms to sustain specialized services and legally establish the child's status as a direct victim, which is essential to effectively prevent the intergenerational transmission of violence and ensure homogeneous access to support across all regions.

6.3 Constraints, Trade-offs, and Future Research Directions

Despite the robustness of our multi-phase monitoring process, this study is subject to several constraints that influence the scope and limits of inference. First, the findings are constrained by the regional scope of the North-West consortium, limiting the external validity and generalizability to other national or international contexts. The beneficiary sample is also a convenience sample, meaning the needs described may not fully represent the entire population of femicide orphans in Italy.

The implementation of the S.O.S. model highlights a critical trade-off in service design: the need for specialized, high-quality, trauma-informed care (high cost) often conflicts with the political imperative of broad national coverage and resource sustainability (low cost/high scale). Addressing this conflict requires a systemic shift in financial prioritization.

To advance research in this critical area, future studies must prioritize longitudinal designs to assess the long-term efficacy of intervention models and work to overcome system-level data gaps at a national level to ensure more comprehensive policy planning.

Authors contributions

Anna Micol Tropeano coordinated the monitoring activities (data collection and methodological section) and analyzed the results.

Paola Maria Torrioni had the scientific responsibility for the project, contributed to the conceptual framework, and supervised the overall research design and literature review.

Linda Scali contributed to data collection and to the writing and revision of the methodological section. All authors discussed the results together and approved the final manuscript.

Declaration of conflicting interests

The authors declared no potential conflicts of interest with respect to the research, authorship, and/or publication of this article.

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The Sexual Exploitation of children through images: non-contact Violence

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Abstract

Sexual violence and the exploitation of children through images involve the depiction of a child engaged in real or simulated sexual activities, or the display of intimate parts of their body for sexual purposes. Both national and international legislation generally refer to such images as pornography (Unicef, 2014).

The term “child pornography or pedpornography” can now be considered inappropriate as it downplays the severity of the abuse. Therefore, the term “child abuse images” is preferred here, as it more accurately reflects the nature of this crime. “Non-contact sexual violence against a child” refers to any form of non-physical, verbal or non-verbal conduct, whether isolated or persistent, that involves unwanted references to any part of the body used for sexual activity or to the child's sexuality, including conduct facilitated by technology.

These include: “exposing a child to sexual abuse and pornography, even through technology; live streaming of a child's sexual abuse; online solicitation; sexual grooming, and so on.”

The focus of the intervention is on examining the shift in perspective on the issue, the different types of non-contact violence, the effects on children, and the main risk factors. It also highlights the indicators and sources currently available to measure the phenomenon emphasizing the need to bridge the information gap on this topic. These forms of violence have severe, lasting effects and remain difficult to measure. Bridging current data gaps through systematic and harmonized collection is crucial to guide prevention, strengthen victim support, and protect children in both digital and offline contexts.

This article frames non-contact online sexual violence against children as a continuum that includes child sexual abuse material (CSAM) and child sexual exploitation material (CSEM) grooming, sexting/sextortion, live-streaming abuse, and emerging AI-generated content. These phenomena are situated within the international and EU policy context of the Lanzarote Convention (Council of Europe, 2007) and Directive 2011/92/EU, as well as its trajectory of revision in 2024. At the international level, a set of minimum rules for criminal

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offences, penalties, and cooperation is settled, by supporting cross-border enforcement and information sharing to detect, investigate and combat these forms of violence against children. At the national level, Italy's law enforcement agencies (LEA) provide data and information on this topic on a regular basis, strengthened detection capabilities and enhanced cross-border coordination to prevent harm and improve victim support. Data are also gathered by the national hotline victims' support. LEAs (Polizia di Stato, Carabinieri, Guardia di Finanza) and national child-protection hotlines data are essential for giving the material's transnational nature, but it's also crucial to have a set of minimum common indicators to measure this fast-changing phenomenon.

The article stresses the need for standardized Italian data schemas aligned with the UNICEF-ICVAC (International Classification on Violence Against Children) taxonomy, by providing regular anonymized reporting, and robust data-sharing protocols across LEAs, prosecutors, hotlines, and other relevant sources of data, both at institutional and non-institutional levels. Measuring these emerging forms of violence against children presents unique challenges. These challenges are key both for understanding the current data landscape and identifying entry points for action to address data gaps.

Practical implications include establishing a national cross-agency task force, integrating platform takedown statistics with investigative data, and expanding frontline professional training on grooming, sextortion, and AI-generated content.

Keywords: *Violence against children; sexual exploitation of a child; Csam; Csem; non-contact violence, online sexual violence*

1. Introduction

Over the past years, the notion of “sexual violence”, commonly related to the rape of a child, has also been applied to other forms of violence as it is reflected in the developments of the international legal framework. Already in 1989, sexual violence and sexual exploitation of children were recognised by the United Nations Convention on the Rights of the Child as a serious violation of fundamental rights, in particular of the rights of children to the protection and care necessary for their well-being. The need to protect children against forms of violence that occur with a sexual connotation is also acknowledged by the Charter of Fundamental Rights of the European Union.

The Council of Europe Convention on the Protection of Children against Sexual Exploitation, otherwise known as the Lanzarote Convention (2007), requires the criminalisation of all kinds of sexual offences against children, the adoption of specific legislation and measures to prevent sexual violence, to protect child victims and to prosecute perpetrators. The Directive 2011/92/EU, adopted by the European Parliament in 2011 (replacing Council Framework Decision 2004/68/JHA), aims at combating the sexual violence and sexual exploitation of children and child pornography. In the international legal framework, there is a lack of agreement on the definition of sexual violence against children. One of the main references that has influenced the definitions commonly used in different contexts is the Declaration on the Elimination of Violence Against Women (1993), which addresses sexual violence with a multi-dimensional approach. The Lanzarote Convention (2007) also plays a crucial role in expanding the concept of the use of coercion.

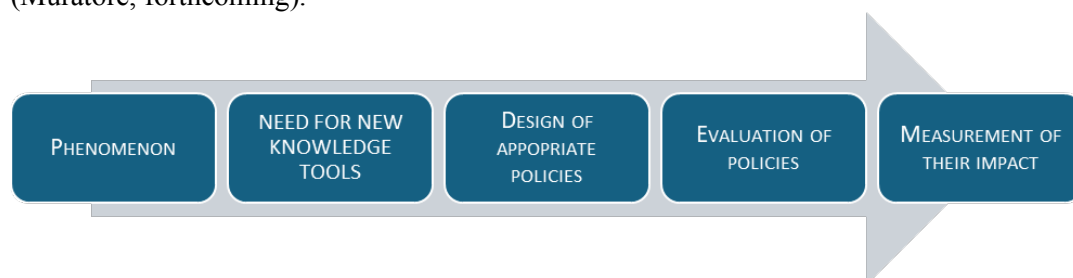
Despite the lack of agreement on the definition of sexual violence against children, it is consolidated the need to use an inclusive definition, considering, in addition to rape, other acts with sexual contacts and acts not involving contacts, as well as a broad idea of coercion.

In this respect, the definition of the International Classification of Violence against Children - ICVAC (UNICEF, 2023), represents the most suitable to be used. “The Sexual violence against a child is any deliberate, unwanted and non-essential sexual act, either completed or attempted, that is perpetrated against a child, including for exploitative purposes, and that results in or has a high likelihood of resulting in injury, pain or psychological suffering”.

With the DORA Project – *Data integratiOn for acknowledging Risks And protecting children from violence* – Istat is, for the first time, dedicating specific attention to the phenomenon of violence against children.

An inclusive approach not only strengthens conceptual clarity but also provides a foundation for shaping prevention strategies, guiding social-work interventions, and informing public policies aimed at protecting children more effectively in both online and offline environments.

Reliable data are essential to comprehend the scope of violence against children, to design and evaluate policies aimed at its reduction and elimination, and to capture the dynamic interplay between knowledge needs, resources, political priorities, and social change (Muratore, forthcoming).



2. The online forms of sexual violence

On 6 February 2024, under the EU strategy for a more effective fight against child sexual violence, the Commission submitted a proposal for a revision¹ of the 2011 Combating Child Sexual Abuse Directive. The revised rules expand the definitions of offences to include new forms of online child sexual violence, and introduce higher penalties and more specific requirements for prevention and assistance to victims. They also set minimum statutes of limitations to allow victims to seek justice effectively. Within the ICVAC framework, the online VAC (violence against children) is placed as a continuum from offline forms of violence, from which it is distinguished by the setting where VAC occurs. The different and new forms of online sexual violence should be considered as just a new setting of well-known forms of violence. However, the cyber sphere also leads to different and unique forms of violence (such as non-consensual intimate image exploitation or doxing) and can amplify the scale of harm compared to violence perpetrated in the physical world.

The online VAC is perpetrated across different cyberspaces, including social media platforms, messaging apps and video games. As the digital environment is constantly evolving, new technologies are bound to give rise to new and diverse manifestations of violence. For example, the metaverse is emerging as a new space for the perpetration of virtual rape and other forms of online VAC. The concept of the metaverse has gained significant attention in recent years, promising digital worlds where users can interact, learn,

¹ Proposal for a revision of the combating child on sexual abuse directive, (2011/93/eu), <https://www.europarl.europa.eu/legislative-train/theme-promoting-our-european-way-of-life/file-revision-of-the-combating-child-sexual-abuse-directive>, visited on the 12th of December 2024.

create, and explore. As underlying technologies like generative AI, haptic suits and eye-tracking evolve, it becomes crucial to examine the impact of the metaverse on children's experiences and address the concerns surrounding their online safety. World Health Organisation underlines that the field of online VAC is evolving, but the data are still scarce². Population-based surveys from high-income countries suggest that around one in nine youth experience unwanted online sexual solicitation, although not all of these are threatening or from adults (Madigan et al. 2018). And across seven European countries, one in ten children reports being cyberbullied (Attawell, 2019).

Online child sexual exploitation is a complex and multidimensional phenomenon which is constantly worsening globally. In Italy, the National Centre for Missing and Exploited Children recorded in 2019 an 87% increase in cases. The perpetrators of these crimes are often unsuspected people who lead ordinary lives and are 70% of the time under the age of 45 years (Polizia di Stato, 2024). In this regard, the progressive anonymisation of the perpetrators arises from the studies. Different types of perpetrators exist, including those commonly considered in a VAC context, such as relatives, acquaintances, and friends. However, the more violence spreads in online space, the more perpetrators can also be anonymous and/or unacquainted.

Detecting and studying online sexual violence against children is very tough for different reasons. First of all, in many cases, children are sexually abused by persons they know and trust, and on whom they are dependent. This makes these crimes particularly difficult to detect and to prevent. Moreover, the introduction of end-to-end encryption, while beneficial in ensuring privacy and security of communications, also facilitates access to secure channels for perpetrators where they can hide their actions from law enforcement, such as trading images and videos. Secondly, this serious crime has wide-ranging and serious life-long consequences for victims that are also very difficult to investigate and measure. In hurting children, these crimes also cause significant and long-term social harm.

The Council of Europe estimates that in Europe, one in five children falls victim to some forms of sexual violence and between 70% and 85% of children know their abuser: the vast majority of children are victims of people they trust. Moreover, about 1/3 of abused children never tell anyone, because of shame, fear of not being believed or simply because they don't recognise the violence. It also happens that children don't know who to tell (European Parliament 2024).

At present, the commercial sexual exploitation online, involving the dissemination of the acts of sexual violence on the internet, represents a higher concern at the global level. An alarming escalation in child sexual violence online is revealed by the fourth Global Threat Assessment Report (2023), which provides critical insights into the threats children face online in 2023. In fact, the report shows an 87% increase in reported child sexual violence material, and Conversations with children on social gaming platforms can escalate into high-risk grooming situations within 19 seconds. Sexual violence and sexual exploitation of children can take multiple forms, and they can occur both online (e.g. forcing a child to engage in sexual activities via live streaming) and offline (e.g. engaging in sexual

² In this regard the health sector plays an important role in generating data about health issues and risk factors through population-based surveys which measure exposure to violence. Existing large-scale surveys include, e.g., the Global School-Based Student Health Survey (GSHS), Demographic Health Surveys (DHS), Multiple Indicator Cluster Survey (MICS) and other dedicated surveys such as the Violence Against Children Survey (VACS).

activities with a child or causing a child to participate in child prostitution). Most of the victims are girls: in the same vein, girls presented higher mean scores in cyberbullying victimisation and online grooming and in problematic Internet use. To combat and prevent online sexual violence, concrete actions have been implemented at the European level. Europol, for example, supports law enforcement cooperation among Member States to form a united front against (online) sexual exploitation of children in the EU and beyond. Eurojust supports judicial cooperation among Member States to facilitate the prosecution of child sexual violence perpetrators in cross-border cases. Furthermore, INHOPE is a network of hotlines combating online child sexual violence material, which analyses and reports illegal content. It is also worth quoting WePROTECT Global Alliance (2023), which develops political and practical solutions to make the digital world safe for children and seeks to prevent online sexual violence and long-term harm. Finally, the Internet Watch Foundation, co-funded by the EU, provides a hotline for reporting online sexual violence content globally and raises awareness through prevention campaigns.

3. Non-contact sexual violence against a child: child sexual exploitation material, grooming and other forms of violence

3.1 From Child Pornography to child sexual exploitation material

According to the ICVAC definition, “non-contact sexual violence against a child” refers to any form of verbal or non-verbal non-physical conduct, whether isolated or persistent, that involves unwanted references to any part of the body used for sexual activity or to the sexuality of the child, including conduct facilitated via technology. The forms of non-contact sexual violence against a child include: sexual harassment, including via information and communication technologies (ICTs); exposure child to sexual exploitation and pornography, including via ICTs; live streaming sexual exploitation of a child; online solicitation; sexual grooming, including cyber-grooming; sexual bullying and/or unwanted sexual jokes, taunts or comments; exposing of sexual organs sexual extortion; coercing and blackmailing a child for sexual purposes; non-consensual image-taking of the sexual organs of or sexual activities with a child, including when amounting to sexual violence.

So, the sexual violence and exploitation of children through images involves the representation of a child engaged in real or simulated sexual activities or of his or her sexual body parts for a sexual purpose. National and international legislation usually refers to such images as pornography (UNICEF, 2014). The term ‘child pornography’ is almost universally used to refer to recorded images of children made the subject of sexual violence for the very purpose of producing such materials. However, numerous institutions concerned with children's rights have criticized this term as inappropriate (i.e. INHOPE, Save the Children) as it downplays the seriousness of the violence. They therefore prefer to use the term ‘child abuse images or material’, which more accurately reflects the nature of this crime. Child exploitation images are a visual record of sexual violence on a child and constitute evidence of a crime committed; the children who appear in these images are subjected to degrading, abusive and humiliating actions of a criminal nature. In some of the images, they are beaten or burned or subjected to sexual depravity that includes torture. When they are forced to pose in sexually charged scenes with other individuals (who may be other children), they are subjected to coercion and manipulation, which leaves marks on the psyche. No image of child sexual abuse (‘pornographic’ image) has ever really been produced without suffering or exploitation of the child (Save the Children, 2009).

The ICVAC standardized categories with operational definitions and the disaggregating variables are applicable to diverse types of data sources, including administrative records,

dedicated surveys on violence against children, and generic surveys that incorporate questions on such violence. Data on technology-facilitated violence against children can be produced through these different data sources and by various stakeholders.

3.2 Child sexual exploitation material and live streaming of child sexual abuse

One of the earliest references to child exploitation material is provided by the 1989 Convention on the Rights of the Child, which refers to “the exploitative use of children in pornographic performances and material”. However, no definition of this term is provided. The Budapest Convention contains the term ‘child pornography’, which is defined as ‘pornographic material that visually depicts: (a) a minor engaged in sexually explicit conduct [sexually explicit conduct is defined in the same way as in the Lanzarote Convention] (b) a person appearing to be a minor engaged in sexually explicit conduct; (c) realistic images representing a minor engaged in sexually explicit conduct’. The Lanzarote Convention of 2007 uses the term ‘child pornography’, which is defined as ‘any material that visually depicts a child engaged in real or simulated sexually explicit conduct or any depiction of a child’s sexual organs for primarily sexual purposes’.

The International Criminal Police Organisation (Interpol) defines child pornography as: “...the consequence of the exploitation or sexual abuse perpetrated against a child. It can be defined as any means of depicting or promoting sexual abuse of a child, including print and/or audio, centered on sex acts or the genital organs of children.”

According to the International Classification of Crime for Statistical Purposes (ICCS), child pornography is procuring, arranging, facilitating or controlling a child for the purposes of creating child pornography and/or possessing, disseminating, broadcasting, transmitting, exhibiting or selling child pornography.

Regardless of the content of the picture, each time that an image of a child is accessed for a sexual purpose, it victimizes the individual concerned. It is difficult to be precise about the extent of child sexual exploitation images, especially with the transposition of the phenomenon on the Internet. But all available evidence points to it being a major and growing problem. At any one time, there are estimated to be more than one million pornographic images of children on the Internet, with 200 new images posted daily (Chawki, 2021).

In 2022, the National Centre for Missing and Exploited Children (NCMEC, 2024) received more than 31.8 million reports of Child Sexual Exploitation and Abuse (CSEA) around the world through its Cyber Tip line, an increase from 21.7 million reports in 2020. Each report is an instance of apparent CSEA comprising one or more unique pieces of content. While the increase is partially attributable to better detection methods, international agencies, including INTERPOL, have expressed concern that CSEA continues to expand in scale and severity, potentially overwhelming law enforcement's ability to respond effectively. It is possible to distinguish the material in:

- Child sexual abuse material – CSAM. It refers to imagery or videos which show a person who is a child and engaged in or is depicted as being engaged in explicit sexual activity.
- Child Sexual Exploitation Material – CSEM. It refers to sexualized content depicting minors that is exploitative in nature but does not fall within the classification of nationally illegal child sexual abuse material (CSAM). The nature of CSEM can make it more

challenging to identify and investigate. Furthermore, across many countries in Europe and beyond, the legislation does not properly define or address CSEM (INHOPE, 2022).

We can even distinguish between Non-Consensual Intimate Imagery (NCII) and Self-generated Child Sexual Abuse Material (SGEM). SGEM is sexually explicit content created by and featuring children below the age of eighteen. These images can be taken and shared intentionally by minors, but are in many cases a result of online grooming or sextortion. NCII and SGEM are often interchangeable, while self-generated content can refer to both consensually and non-consensually produced intimate images. In 2023, the Internet Watch Foundation (IWF, 2023) investigated its first report of child sexual abuse material (CSAM) generated by artificial intelligence (AI). The technology is fast, and accurate images usually fit the text description very well. Many images can be generated at once. These AI CSAM can be so convincing that they are indistinguishable from real images.

Moreover, there is the live online child sexual exploitation that often represents a dual violence against the child. She/he is coerced to participate in sexual activities, alone or with other persons—an act that already constitutes sexual exploitation. The sexual activity is, at the same time, transmitted live through ICT and watched by others remotely. Live online child sexual exploitation is often transmitted to viewers through ‘streaming’ over the Internet (Ecpat, 2022). Importantly for the viewer, streaming leaves no trace on the device, because no file is downloaded; when the streaming is stopped, the child sexual exploitation material is gone, unless the offender deliberately records it. This increases the perception of the offender’s impunity and creates specific challenges for post-event investigation, particularly relating to the recovery of evidence and the identification of victims and offenders. Live streaming may also be referred to as “on-demand child sexual exploitation” (Ecpat, 2016).

3.3 The online solicitation of children for sexual purposes: Online Grooming, Sexting, Sextortion and coercing and blackmailing a child for sexual purposes

The grooming of children for sexual exploitation is a premeditated behavior that commences with sexual offenders choosing a location or target area likely to be attractive to children. Social networking sites have become a relevant element in the child grooming process. Online grooming refers to the process of establishing/building a relationship with a child, either in person or using the Internet or other digital technologies to facilitate either online or offline sexual contact with that person (Ecpat, 2020; O’Connell, 2003; Howitt, 1995). The most common definitions of grooming use the term ‘paedophile’ to describe perpetrators and people accused of initiating sexual activity with children (Craven et al, 2006; Choo, 2009).

Child grooming is a process that begins with sexual predators choosing a place that may be attractive to children (Lang and Frenzel, 1988). Perpetrators take a special interest in the child victim and make him or her feel special, with the intention of creating a bond to gain the child’s trust. As noted by Terry and Tallon (2004: 22), a “methodical and deliberate tactic to engage a victim in sex involves a process that initially introduces the victim to the idea of sex and then gradually involves the victim in sexual activity”. The Internet allows perpetrators to make contact with children and even disguise themselves as children in cyberspace to secure their trust and cooperation, and after a period, introduce a sexual element into the online conversation and finally arrange a physical meeting (Choo, 2009). So, grooming usually precedes sexual exploitation, whether it takes place online or offline, but new technologies provide offenders with easy access to children and enlarge the

possibilities for manipulative interaction through interactive channels, allowing free access to children.

In addition to grooming, the predators may use the flaming, a system used by paedophiles in chat rooms, consisting of the use of explicit and scurrilous language, likely to affect minors on the network psychologically. Recent research has found that victims often act consensually, aware that they are communicating with adult strangers, and avoid confronting reference adults (parents, teachers) about such experiences (Senato della Repubblica, 2020). Moreover, sexting is the term used to describe the sending of sexually suggestive or explicit messages or photographs, typically via mobile phone, and sextortion is a kind of blackmail. The perpetrator demands sexual favors, money, or other benefits under the threat of sharing intimate or sexually explicit material. When carried out against children, sexual extortion involves a process whereby children or young people are coerced into continuing to produce sexual material and/or told to perform distressing acts under threat of exposure to others of the material that depicts them. (Ecpat, 2016). Although sexual coercion and sextortion of minors also happen for financial gain, in the majority of cases, the aim is to obtain new sexual exploitation materials.

4. The data available in Italy

4.1 Sources of data and methods

Focusing on cases or victims whose violence has been reported, some data on non-contact sexual violence against children are provided in Italy by the law enforcement agencies and by the specialized helplines for children. Here are considered the latest available data, taking into account that statistics from the Interforce Informatic System (SDI) database are annually collected and released by the Ministry of Interior and Istat, allowing analysis of time series, while data from the Service Postal Police and Communications (C.N.C.P.O.) are available only occasionally, in reports. The 1.96.96 Listening and Counselling helpline and 114 Childhood Emergency helpline release data about their activities in a dedicated report annually.

4.2 Data from the law enforcement agencies

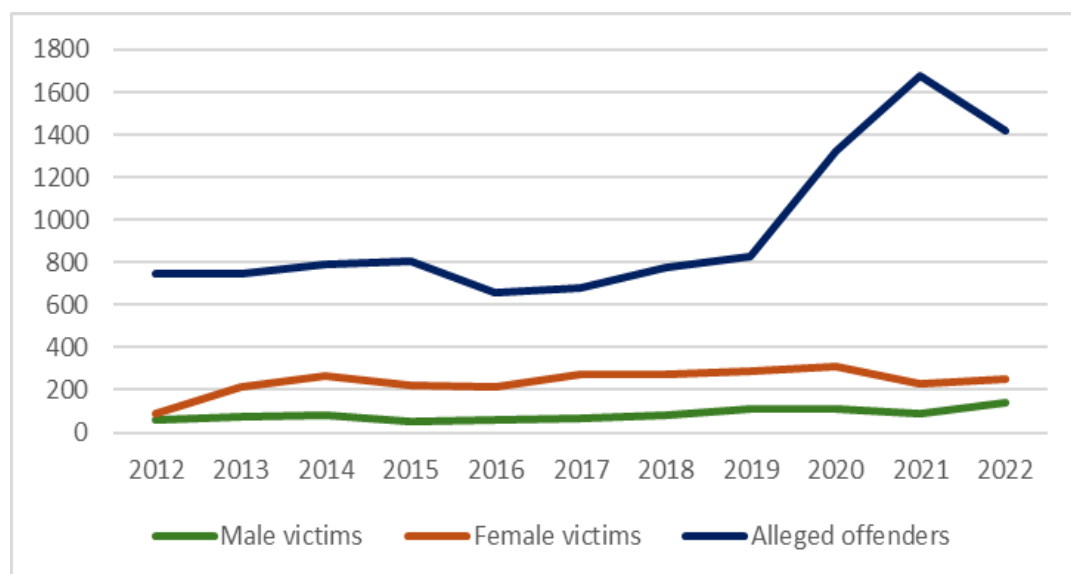
Looking at the statistics from the Ministry of Interior, in 2022 (latest available data), the Law enforcement identified 248 victims of female sex and 143 male (respectively 63.4% and 36.6% of the total) with reference to the crime defined in the Italian penal code as child pornography and possession of paedo-pornographic materials.

Among them, in 2022, there were 129 victims aged 0-13 (66.7% girls) and 112 aged 14-17 (74.1% girls). The rest of the identified victims were aged 18 and over (150 victims, i.e. 38.4% of all victims), although they were children when the violence occurred. Looking at the data over the last 10 years confirms that over time, the majority of victims are girls.

The number of alleged offenders of this crime is greatly higher than the number of identified victims, reflecting the additional difficulties of reaching the victims, even in cases of disclosure of violence and the fact that for this kind of crime, the investigations detect

multiple perpetrators. The sex of perpetrators is in almost all cases male: in 2022, only 6.8% of the total are female, and this quota has always been below 10% over the last 10 years.

Figure 1. Number of victims of all ages and alleged offenders of “child pornography and possession of paedo-pornographic materials” by law enforcement. Years 2012-2022



Source: Istat, Ministry of Interior, SDI-SSD.

https://esploradati.istat.it/databrowser/#/en/dw/categories/IT1_Z0840JUS.1.0/JUS_CRIMINAL/DCCV_AUTVITTPS/IT1.73_230_DF_DCCV_AUTVITTPS_3.1.0

In Italy, revealing intimate images without consent was recognised as a crime in 2019. Since then, the relative share of female victims still represents the majority of cases, despite having decreased over time. In 2022, the number of minor victims of this crime was 171, in particular 117 girls and 54 boys.

It is worth mentioning that in Italy, since 2008, there has been a special body, the National Centre for combating online pedophilia (Centro Nazionale per il Contrasto alla Pedofilia Online - C.N.C.P.O.). The mission of the Centre is to systematically monitor websites that disseminate CSAM. However, statistics about the results of the C.N.C.P.O.’s activities are not publicly available.

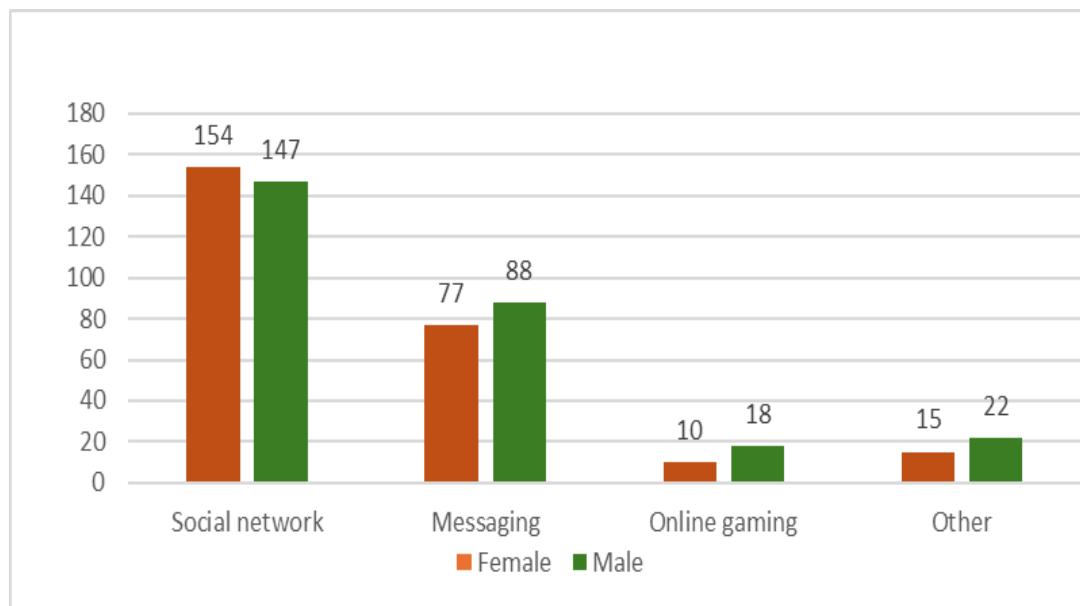
Some information is realised in a Report issued in 2022 by the C.N.C.P.O. – Servizio Polizia Postale e delle Comunicazioni, with the contribution of Save the Children Italia (C.N.C.P.O., Save the Children Italia, 2022). The analysis considers data referring to 2021 and includes several forms of sexual violence such as CSAM, corruption of a minor, exploitation and abetting prostitution.

Data highlights that in 2021, cases identified by the authorities sharply increased compared to the previous year, due to the increased use of the Internet following the Covid-19 pandemic: 5,316 cases in 2021 versus 3,243 in 2020, with an increase of 47%.

The perpetrators of the exchange of CSAM were 1,421, and among them, authorities identified 208 groomers (15% of the total), based on their *modus operandi*, typically patient and manipulatory, trapping the child in a pseudo-sentimental relation. Among the groomers,

the Police identified 49 minors, especially boys. Children receiving sexualised contacts from a groomer on the web were 531 in 2021. The majority of them were aged between 10 and 13 (306 children), followed by those aged 14-16 (193), while 32 children were aged less than 9. In this case, there were no significant differences between boys and girls.

Figure 2. Children aged 0-17 victims of online grooming by channel of contact and sex. Year 2021



Source: Ministry of Interior – Service Postal Police and Communications

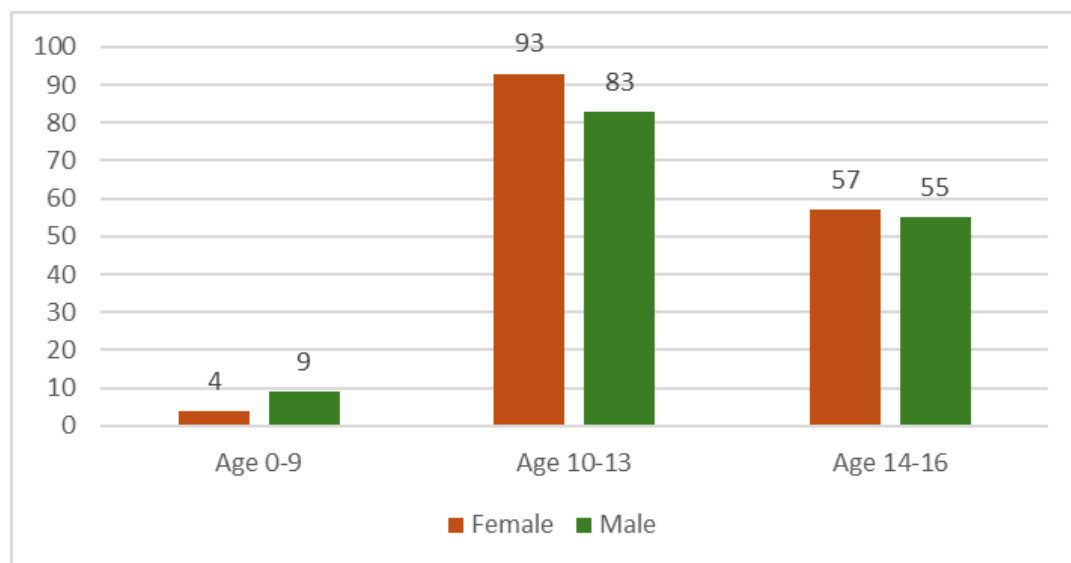
<https://www.savethechildren.it/cosa-facciamo/pubblicazioni/labuso-sessuale-online-danno-di-minori-il-dossier>

According to the report, children using the Internet appear to be more at risk when using social networks. In particular, the report underlines the relatively high number of children aged 10-13 contacted by groomers on social networks, even though, according to the provisions of the European Union GDPR (General Data Protection Regulation³) and the policies of the main social networks, the use of these services should be prohibited to children under 13. It is also underlined the emerging risk represented by online gaming, designed for children and raising the attention of groomers who take advantage of the related

³ [Regulation \(EU\) 2016/679](#) of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC.

chat, messaging and offering services, giving the possibility to have further advantages to offer to children.

Figure 3. Children aged 0-17 victims of grooming on social networks by age and sex. Year 2021



Source: Ministry of Interior – Service Postal Police and Communications

<https://www.savethechildren.it/cosa-facciamo/pubblicazioni/labuso-sessuale-online-danno-di-minori-il-dossier>

4.3 Data from the specialized helplines for children

These forms of violence have harmful and long-lasting consequences on the children. Some signs of the caused distress are visible on the data from the helplines dedicated to the support of children: the 1.96.96 Listening and Counselling helpline and the 114 Childhood Emergency helpline. These services receive, among their requests for help, some that are due in particular to such kinds of sexual violence, reflecting the difficult situation that the involved minors have to face. Data from these sources are not systematically released. However, some information is available in occasional analyses.

Between 2015 and March 2023 (Telefono Azzurro, 2023), there were 526 children followed by the 1.96.96 Listening and Counselling helpline due to online exploitation, while 417 were helped by the 114 hotline for the same reason in the same period.

In 2022, ‘online violence’ concerned 29 children, followed by the Counselling helpline and 69 children by the 114 helpline. Children supported by the Counselling helpline reported as reasons to ask for help (in total 30 motivations) sexting (13), sextortion (12), grooming (3), CSAM (1) and sexual harassment (1). Among the requests for help to the 114 Emergency helpline, there were more often cases of CSAM (26), grooming (21), sextortion (12), sexting (11), sexual harassment (5) and exposure to online sexual content (2).

Girls are involved more often (55.6% and 58%). Not-binary children were only 3.7% among those followed by the Counselling helpline. The biggest group of children involved are those

aged 15-18 (61% and 48%), followed by children aged 11-14 (39% and 36%). There is only a minority of children aged 0-10 among those followed by the 114 helpline (16%).

Based on the Counselling helpline, the alleged perpetrator was an adult stranger in 22% of cases, a friend or acquaintance in 17%. In 7% of cases, the age of the perpetrator was unknown, while it was a minor in 14%, and an adult in 10%. For 56% of cases, followed by the 114 helpline, the perpetrator was an acquaintance, while for the rest (44%), an adult stranger.

As UNICEF-ICVAC (United Nations Children's Fund, 2025) underlines it is important to consider that the nature of violent acts facilitated through technology may be dependent on the use of ICTs, while others may be enabled or assisted by the use of ICTs. This means that, in practice, any violent act in the ICVAC that does not require physical contact, as for example "exposure of a child to other violent experiences", may qualify as technology-facilitated violence against children when facilitated through ICTs. Another important element when measuring technology facilitated violence against children is the setting where the violent act occurs (such as social media, social gamins platforms, discussions forums, dark web and other digital spaces). These considerations underscore the importance of applying both ICVAC categories and disaggregating variables in order to accurately identify and analyse technology-facilitated violence against children across the varying nature of violent acts.

5. Conclusion

Non-contact forms of violence, such as grooming, sextortion, online harassment, and the dissemination of child sexual abuse material (CSAM), are uniquely challenging to identify and address due to their non-physical nature and the use of digital platforms that can obscure the activities of perpetrators.

The fight against non-contact sexual violence against children relies heavily on the availability, quality, and comparability of data. It's extremely important to understand the scale of the problem, and comprehensive data collection is essential for grasping the prevalence and patterns of non-contact sexual violence. Current data highlight an alarming increase in online violence, but gaps remain, particularly in capturing less visible forms of exploitation, such as live-streamed sexual exploitation or self-generated CSAM. Without accurate data, it is difficult to prioritize resources or develop effective interventions.

Moreover, it is fundamental to enhance detection and prevention. The dynamic and rapidly evolving nature of digital sexual violence necessitates real-time data collection and analysis. Also, we need to raise awareness and guide interventions among stakeholders to understand risks to children, while using data to empower families and communities to recognize and report non-contact sexual violence.

As seen before, data reveal that certain groups, particularly adolescent girls, are at higher risk of non-contact sexual violence. However, boys and younger children are also targeted, especially in online environments. Detailed data on victim demographics and their interactions with perpetrators are critical for tailoring support and prevention efforts to the specific vulnerabilities of each group.

At the end, non-contact sexual violence, particularly when facilitated by digital platforms, often transcends national boundaries. Harmonized data collection and sharing between

countries are essential for tracking perpetrators and dismantling international networks of sexual exploitation.

The analysis of data from the available sources does not allow for an exhaustive measurement either of the adequate indicators or of the phenomenon of non-contact violence against children. The measurements currently available are fragmented. They help to identify only certain forms and provide an initial understanding of the phenomenon, but often capture only its visible part—the “tip of the iceberg.”

Methodological tools are required to address the multifaceted nature of violence against children—online and offline, in family, school, and social contexts—while considering risk factors and digital influences. These tools should be scientifically rigorous and based on high-quality data, integrating different sources such as direct surveys with minors, dedicated modules within existing surveys, administrative data, and systematic monitoring of online violence. In conclusion, the collection and analysis of data are not merely supportive tools but foundational elements in addressing non-contact sexual violence against children. This implies micro, meso and macro impacts for practitioners and policy-makers.

At the micro-level, this collection must adopt common indicators and a measurable description of the phenomenon by collecting comparable data in order to observe the phenomenon over time and identify changes in space using microdata for cross-country comparisons. At the meso level, accurate, timely, and comprehensive data empower all stakeholders and practitioners to understand the scope of the problem, develop evidence-based interventions, and protect children effectively in an increasingly digital world.

At the macro level, investing in robust data systems and international collaboration is not just an option but a necessity in combating this growing form of violence. Properly informing policymakers so that they can take timely and appropriate action is the only way to reduce the hidden and frightening nature of the phenomenon.

Authors contributions

Although the result of reflection and joint work: paragraphs 3 and 5 are written by Sara Corradini, the abstract and paragraph 2 by Claudia Villante and the paragraph 1 and 4 by Lucilla Scarnicchia.

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