

Beyond Physical Violence: Recognising and Fighting Coercive Control as a Form of Abuse

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Abstract

Coercive control is a subtle but extremely dangerous form of abuse in couple relationships, characterised by systematic behaviour of intimidation, manipulation and isolation, exercised by the abuser to dominate and control the life of the victim. This form of abuse includes restriction of personal freedom, social isolation, financial abuse and constant monitoring, with serious effects on the physical and mental health of victims. Despite its high prevalence, coercive control is often overlooked in legal systems because it does not necessarily involve overt physical violence. This article explores the definition, mechanisms and consequences of coercive control, highlighting the importance of including this form of abuse in anti-domestic violence legislation. Prevention and intervention strategies are also discussed, including educational measures, legal support and victim protection, to prevent escalation to serious violence and to ensure victims' rights and safety. The study supports the need for an integrated approach that recognizes and sanctions coercive control as a distinct crime, helping to protect human rights and promote gender equality.

Keywords: coercive control, crime, manipulation, social isolation, financial abuse.

JEL Classification: K14, K38

1. Introduction

The issue of domestic violence has evolved significantly over the years, from a strictly legal understanding to a broader theoretical framework that recognises the complex aspects of power and control involved in these dynamics. One of the fundamental concepts that has gained prominence in this new field is that of 'coercive control'. This approach redefines and expands our understanding of abuse by providing more detailed insights into how abusive relationships operate.

Coercive control is defined as repeated or continuous behaviour that has a serious impact on a person, causing them to fear violence or seriously affecting their daily activities. This type of behaviour includes not only physical violence but also psychological, emotional, social and economic abuse. In this context, the behaviour must occur between people who are or have been in an intimate, family or cohabiting relationship.

The main features of coercive control include:

- Social isolation: Limiting the victim's contact with friends, family or other support networks to make them dependent on the abuser.
- Constant monitoring: Monitoring the victim's daily activities, including checking phone, email or social media accounts.
- Economic abuse: Controlling the victim's financial resources by preventing

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access to money or other forms of material support.

- Threats and intimidation: Using fear and threats to enforce obedience and limit the victim's ability to act independently.

- Emotional manipulation: Inducing feelings of guilt, shame or fear in the victim to keep them under control.

Unlike physical abuse, which can be obvious through physical injury, coercive control is subtle and difficult to detect, but can have equally devastating effects on the victim's mental and physical health.

2. The distinction between physical violence and coercive control

Physical violence and coercive control are two distinct forms of abuse in a relationship, but they can co-exist and profoundly affect the well-being of the victim. Physical abuse involves concrete acts of physical violence, such as hitting, pushing, shoving, choking or other forms of bodily aggression, having an immediate and visible impact on the victim's body. Coercive control, on the other hand, is a subtle and often invisible form of abuse that does not require physical aggression to cause suffering, but uses manipulation, threats, intimidation and isolation to undermine the victim's autonomy and make them feel completely controlled and dependent.

The main objective of physical violence is to cause pain or intimidate the victim through acts of direct aggression. This is a method of immediate control and often serves to maintain a constant state of fear in the victim. Physical violence can also be used as a punishment to discipline or control the victim's behaviour when the victim does not comply with the abuser's orders or wishes.

Physical violence is therefore a means of domination by force, and through the direct manifestation of aggression, the abuser imposes control in a visible and subtle way. The effects are usually immediate and tangible, leaving physical and mental scars that make the victim more likely to succumb to pressure.

Coercive control aims at long-term psychological and emotional control over the victim. Unlike physical violence, which is often overt, coercive control is often invisible to outsiders. It aims to destroy the victim's autonomy, isolate them from support resources such as friends or family, and gradually limit their ability to make independent decisions.

Instead of imposing fear through violent physical acts, the abuser uses subtle manipulative and psychological strategies to induce a sense of insecurity, guilt or even emotional dependence. The ultimate goal is to achieve total submission on the part of the victim, so that she no longer perceives her life and decisions as her own, but as a reflection of the abuser's wants and needs.

Therefore, while both methods are used to control and manipulate, the essential difference lies in the means and long-term intentions of the abuser: while physical violence is used to produce immediate fear and submission, coercive control aims at a continuous and systematic degradation of the victim's independence and autonomy. Both have devastating effects on victims and require appropriate interventions and protection.

3. Recognition and criminalisation of coercive control in law

The recognition and criminalisation of coercive control in international law is an important step in protecting victims of domestic violence. These laws recognise that abuse is not just limited to physical violence, but can also include subtle forms of control and manipulation that have a devastating impact on victims' lives. Different countries have begun to adopt legislation to tackle this form of abuse, and its recognition as a separate offence marks a major shift in understanding and tackling domestic violence.

3.1. "Domestic violence" versus "family violence"

Internationally, there is a diversity of approaches and terminology when discussing the issue of domestic violence. The two main notions used are '*domestic violence*' and '*family violence*', both of which are relevant to understanding the complexity of the phenomenon.

Differences between '*domestic violence*' and '*family violence*' at international level:

- *Domestic violence* is a broader term used in international laws and conventions. It includes any form of abuse - physical, psychological, sexual or economic - perpetrated against a person in a domestic setting, not only within the family, but also in cohabiting relationships or between ex-partners.

- *Domestic violence* generally refers to violence between members of the same family, including spouses, children, parents or other relatives living together.

The Council of Europe Convention on preventing and combating violence against women and domestic violence, also known as the Istanbul Convention, is one of the most important international instruments in this field. According to Article 3 of this Convention, the term "domestic violence" is defined as any act of violence - physical, sexual, psychological or economic - occurring between family members, within a domestic unit or between former or current spouses or partners, regardless of whether the perpetrator lives or has lived with the victim.²

In contrast, national legislation in different countries may have slightly different interpretations and wording. In some countries, the term '*domestic violence*' is favoured and used in legislation to describe acts of violence occurring strictly between members of the biological or extended family. This choice of terminology may reflect cultural and legal differences in approaching and recognising issues of violence.

According to the authors Corcea N. and Năstas A.³, the concept of "*domestic violence*" designates a criminological phenomenon and cannot be defined in a purely legal-penal sense. Thus, domestic violence constitutes a threat, made in the present or in the past, to cause physical, moral or material harm or the provocation thereof, which is characterised by a constant tendency to escalate and a major likelihood of repetitiveness,

² EC Convention on preventing and combating violence against women and domestic violence (Istanbul, 11.05.2011) Available: <http://www.coe.int/t/dghl/standardsetting/convention-violence/convention/Convention%20210%20Romanian.pdf>.

³ Nicolae Corcea, Andrei Nastas, (2019) *Fapte infracționale de violență în familie: general și particular*. In: Valeriu Cușnir (coord.), *Dezvoltarea cadrului juridic al Republicii Moldova în contextul necesităților de securitate și asigurare a parcursului european (Partea a II-a)*, ÎS FEP „Tipografia Centrală”, Chișinău, 2019, p. 217-229.

within the relationship between social partners, regardless of their legal status or domicile. In another opinion, Năstas A.⁴, maintains that the notion of family in the criminal law sense is not identical to that of family law and civil law, being broader, which would correspond to the purpose of the criminal law protection of the inviolability of the person in the family. In the criminal law sense, the family is a social group of persons united by blood relations, common marriage and emotional ties based on mutual moral and legal obligations arising from marriage, cohabitation, kinship or adoption.

Ganley A. L.⁵, defines "*domestic violence*" as: a pattern of assaultive and coercive behaviours, including physical, sexual, and psychological attacks, as well as economic coercion, that adults or adolescents use against their intimate partners. According to the US Office on Violence against Women, domestic violence is a "pattern of abusive behaviour in any relationship that is used by one partner to gain or maintain power and control over another intimate partner"⁶.

Therefore, domestic violence is a sub-category of domestic violence, being centred on intimate relationships, whereas family violence covers a wider range of family relationships and includes other dynamics such as intergenerational conflict or abusive discipline. Understanding and harmonising the terms '*domestic violence*' and '*family violence*' at the legislative and international level remain important challenges to ensure effective protection of victims and to facilitate legal cooperation between states.

3.2. Criminalisation of coercive control in international legislation

In English law, coercive control is recognised as a distinct offence through the Serious Crime Act 2015⁷, in particular section 76. This Act was introduced to combat subtle and persuasive forms of abuse within domestic relationships, thus providing enhanced legal protection for victims of domestic violence.

Conditions for criminalisation:

- The behaviour must be repeated or continuous.
- The offence applies when the conduct causes the victim serious suffering, either through fear of violence on at least two occasions or through a significant impairment of the victim's well-being or freedom.
- The relationship between offender and victim must be a close one (partners, family members or people living together).

The offence is punishable by up to 5 years in prison, a fine, or both.

The importance of legislation:

- The recognition of coercive control as a criminal offence marked an important step in UK law, providing a legal framework to tackle psychological abuse and coercive

⁴ Andrei Nastas, (2022), „Summary of the Results Obtained in the Scientific Investigation of Crimes of Domestic Violence (Part I)”. *The Annals of "Dunarea de Jos" University of Galati, Legal Sciences*. Fascicle XXVI, Vol. 5, No 1, pp. 19-25.

⁵ Anne L. Ganley, *Understanding domestic violence*, Chapter 1, 2008, p. 16. <https://www.familyjusticecenter.org/resources/understanding-domestic-violence-chapter-1/>.

⁶ Jonas Poelmans, Paul Elzinga, Stijn Viaene, Guido Dedene, „Formally analysing the concepts of domestic violence”, *Expert Systems with Applications*, Vol. 38, Issue 4, April 2011, pp. 3116-3130, <https://doi.org/10.1016/j.eswa.2010.08.103>.

⁷ Serious Crime Act 2015, UK Public General Acts, 2015 c. 9, Part 5, Domestic abuse, Section 76, <https://www.legislation.gov.uk/ukpga/2015/9/section/76>.

behaviour in intimate or family relationships.

- The law also encourages victims to report abuse that isn't necessarily physical, but has devastating effects on their mental and physical health.

The legislation has improved the ability of the police and the legal system to protect victims, and has focused on recognising psychological and emotional abuse, not just physical abuse.

With this regulation, England became one of the first countries to incorporate the concept of coercive control into criminal law, setting an example for other jurisdictions wishing to tackle domestic violence more effectively.

Coercive control is also recognised and regulated in various forms in other countries' legislation. For example Scotland passed the Domestic Abuse (Scotland) Act 2018⁸, which explicitly criminalises coercive control and abusive behaviour in domestic relationships. The Scottish Act defines domestic abuse as a combination of physical violence and psychological, emotional or economic abuse, emphasising the importance of coercive control. It recognises that abuse does not have to be physical to be harmful and protects victims even in the absence of physical harm. The law is considered one of the most advanced in the world in combating domestic violence, as it includes a comprehensive definition of abuse and clear sanctions for coercive control.

In Ireland, the Domestic Violence Act 2018⁹ includes coercive control as a separate offence, similar to the legislation in England. The Act provides that coercive behaviour and control in intimate relationships can be criminalised if it has a significant impact on the victim, restricting their liberty or causing them to fear violence.

In the USA, the law on coercive control is not uniform at federal level and its recognition as a criminal offence depends on the laws of each state. Some states, such as California and Connecticut, have recognised aspects of coercive control in local law and incorporated them into domestic violence laws.

In France, coercive control is integrated into criminal law in the form of psychological abuse, which was recognised as a criminal offence in 2010. The French Penal Code provides for sanctions for repetitive behaviours of moral and psychological harassment within family or couple relationships. This legal framework has enabled victims of domestic violence to obtain protection orders and made it easier to criminalise non-physical abusive behaviour.

Recognising coercive control in legislation reflects a more comprehensive understanding of domestic violence that is not limited to physical abuse. The holistic approach to domestic violence enhances the protection of victims.

Laws criminalising coercive control have also been accompanied by public education campaigns and training for law enforcement, leading to better identification and management of cases of abuse. By criminalising coercive control, victims can obtain restraining orders and other protective measures before the abuse becomes physical.

These examples show a growing international trend to recognise coercive control as an abusive behaviour requiring clear regulation and appropriate sanctions. Legislation differs from country to country, but there is a growing consensus on the need

⁸ Domestic Abuse (Scotland) Act 2018, Acts of the Scottish Parliament, 2018, asp 5 <https://www.legislation.gov.uk/asp/2018/5/contents>.

⁹ Domestic Violence Act 2018, Number 6 of 2018, Revised, Updated to 2 September 2024, <https://revised.acts.lawreform.ie/eli/2018/act/6/front/revised/en/html>.

to protect victims from this type of psychological and emotional abuse.

4. Empirical evaluation of coercive control

Stark (2007¹⁰, 2012¹¹) traced the roots of coercive control to a history of systematic coercion of women through patriarchy and saw coercive control as primarily a behaviour of men to exploit and maintain their privileged access to money, sex and other resources. Women can become coerced into abusive relationships by socially constructed gender expectations that their partners coercively exploit.¹²

Schechter (cited in Kuennen, 2007¹³) argues that physical violence is the essential element that initiates coercive control. According to this view, once the abuser demonstrates his or her power through acts of physical violence, the submissive partner begins to comply, and physical violence becomes less necessary over time because fear and subjugation have already been established.

Also, Stark¹⁴ brings a different approach, extending the concept of coercive control beyond physical violence. He identifies four main components:

- Physical violence - it is not the primary source, but just part of the armoury of tactics.
- Isolation - restricting access to family, friends and other support networks, keeping the victim dependent on the abuser.
- Degrading - making people feel worthless, often through humiliation and verbal attacks.
- Psychological and economic tactics - such as financial control and emotional manipulation, which maintain a state of continuous subordination.

Stark believes that physical violence is not mandatory to achieve compliance and that in many cases violence may even decrease over time as other forms of control become more effective.

As a comparison we can conclude that:

1. In Schechter' traditional perspective physical violence is the foundation of domestic abuse. He considers acts of physical aggression as the main method of control and intimidation. Schechter's approach focuses on visible and tangible violence, considering that fear of physical injury or retaliation underlies the victim's submission. Within this framework, legislation and interventions focus on protecting against physical violence and penalising direct aggression, without giving equal weight to non-physical coercive tactics.

2. In the modern perspective - Evan Stark brings to the forefront the idea of

¹⁰ Stark E. (2007) *Coercive control: The entrapment of women in personal life*. Oxford University Press, p. 76.

¹¹ Stark E. (2012). „Looking beyond domestic violence: Policing coercive control”. *Journal of Police Crisis Negotiations*, 12(2), 199-217. <https://doi.org/10.1080/15332586.2012.725016>.

¹² Crossman, K. A., & Hardesty, J. L. (2018). „Placing coercive control at the centre: What are the processes of coercive control and what makes control coercive?”, *Psychology of Violence*, 8(2), 196-206. <https://doi.org/10.1037/vio0000094>.

¹³ Tamara L. Kuennen (2007) „Analysing the impact of coercion on domestic violence victims: how much is too much?” *Berkeley Journal of Gender, Law & Justice* 22(1): 1-30, https://digitalcommons.du.edu/law_facpub/144/.

¹⁴ Schechter S (1982) *Women and Male Violence*. Boston, MA: South End Press, p. 87.

coercive control as a psychological and social strategy for maintaining power that works even in the absence of physical violence. Stark argues that abusers can use a wide range of tactics, including emotional manipulation, social isolation, financial control, and the imposition of rigid rules to limit the victim's autonomy. In this view, coercive tactics are not only complementary to, but independent of, physical abuse, with the ability to destroy a victim's autonomy and self-confidence through invisible but highly effective methods.

This distinction between approaches reflects the evolution in the understanding of domestic abuse, from a view centred on physical violence to a more complex and tailored to subtle tactics of control.

Recent research tends to support Stark's perspective, showing that coercive tactics can have devastating effects on the mental and social health of the victim, even when not accompanied by physical violence. In this regard we refer to several studies on coercive control in relationships, providing a complex perspective on this form of abuse, such as:

- "Interpersonal Violence"¹⁵. This study examines controlling behaviours, such as psychological abuse and financial exploitation, that occur in intimate relationships in both heterosexual and queer couples. It highlights the impact of coercive tactics on victims' mental health;

- "Coercive Control in LGBTQ+ Intimate Relationships"¹⁶. The research explores coercive control in LGBTQ+ relationships, a relatively new field, showing the complexities and vulnerabilities specific to this community to psychological and social abuse tactics;

- "Intersecting Inequities: A Scoping Review of the Gendered Relationship Between Unpaid Care Work and Intimate Partner Violence During COVID-19 Lockdown"¹⁷. This study details the interaction between unpaid domestic work and partner abuse during the pandemic, showing that unregulated household work may increase vulnerability to coercive control;

- "Maternal Decision-Making About Social Media After Leaving an Abusive Relationship"¹⁸. Analyses how women leaving abusive relationships are affected by coercive control tactics, including restricting access to social and informal resources;

- "Schools as Part of a Carceral Ecosystem"¹⁹. The paper examines over-regulated educational environments that promote obedience and compliance, an environment that can mirror coercive tactics similar to those found in abusive

¹⁵ Annie Fukushima, Kathy Franchek-Roa, Sonia Salari, „Interpersonal Violence”, *Utah Women's Health Research* 12 (special issue), 2024, <https://uwhr.utah.edu/interpersonal-violence/>.

¹⁶ Anna Rose Wehren, (2024), *Coercive Control in LGBTQ+ Intimate Relationships*, Emerald Publishing, <https://www.emeraldgrouppublishing.com/opinion-and-blog/coercive-control-lgbtq-intimate-relationships>

¹⁷ Alexandra Beukens, Julia Smith. (2024). „Intersecting Inequities: A Scoping Review of the Gendered Relationship between Unpaid Care Work and Intimate Partner Violence during the COVID-19 Lockdown in Canada.” *Global Health Action* 17 (1). doi:10.1080/16549716.2024.2411743.

¹⁸ Cara A. Davidson, Kimberley T. Jackson, Panagiota Tryphonopoulos, Ewelina Stoyanovich & Tara Mantler (2024), „Maternal Decision-Making About Social Media After Leaving an Abusive Relationship”, *Journal of Child and Family Studies*, Volume 33, pp. 3753–3766, <https://doi.org/10.1007/s10826-024-02942-8>.

¹⁹ Ashley Cureton, Vanya C. Jones, Christopher C. Morphew, *Creating Safe, Healthy, and Inclusive Schools: Challenges and Solutions*. Baltimore: Johns Hopkins University Press, 2024. <https://muse.jhu.edu/book/123254>.

relationships.

This more nuanced approach recognises the importance of a psychological and social approach to abuse, allowing a more comprehensive understanding of the impact of coercive control.

This development in the understanding of abuse supports the importance of more complex and comprehensive legislation that can identify and penalise all forms of coercive control, not just physical violence. Thus, Stark's perspective contributes significantly to building a legal and social framework that protects victims from subtle but devastating forms of abuse.

5. Preventive and intervention measures

Preventing and combating coercive control requires a comprehensive approach, including preventive measures, education, legal support and victim protection services.

Some strategies that can be implemented in this respect are:

- Organise local and national campaigns to inform the public about coercive control and subtle forms of abuse. These campaigns should include information about the signs of abuse and how to get help;

- Introduce educational programmes in schools that promote healthy relationships and gender equality. Lessons on empathy, conflict management and recognising forms of abuse can help prevent abusive behaviour in the long term;

- Health workers, police, social workers and teachers should receive special training to recognise and respond appropriately in cases of coercive control and other forms of domestic violence;

- Adopt laws to include coercive control as a criminal offence, providing a legal basis to sanction this type of behaviour. For example, the United Kingdom has since 2015 adopted a law recognising coercive control as a criminal offence;

- Extend and improve access to protection orders for victims of abuse so that they can be issued quickly and provide effective protection against the abuser;

- Provide free access to legal aid for victims of coercive control and other forms of domestic violence. This can help them navigate legal processes and obtain protective measures;

- Creation of specialised shelters for victims of domestic violence offering a safe space and psychological support. 24/7 hotlines can help victims get help and counselling quickly;

- Provide access to psychological counselling services to help victims rebuild self-confidence and manage trauma. Group therapy can also be beneficial to share experiences and receive emotional support;

- Providing support for victims in terms of social and economic reintegration, including help in finding employment, housing and temporary financial support;

- Developing community support networks to help victims find the resources they need. This may include partnerships between non-governmental organisations and public services;

- Implement rehabilitation programmes for perpetrators, including counselling and therapy to manage anger and change violent behaviour;

By adopting an integrated and collaborative approach, combining education,

legal support and protective services, the prevalence of coercive control can be reduced and the safety and well-being of victims improved.

6. Conclusions

This article emphasises the seriousness of coercive control as a form of relationship abuse, demonstrating that, although subtle and devoid of overt physical violence, it can have devastating effects on the mental and physical health of victims.

In contrast to physical violence, which is direct and overt, coercive control is systematic and continuous in nature, and is harder to detect and prove in court. Abuse involves restriction of personal freedom, isolation from family and friends, financial abuse and constant monitoring, all of which contribute to a climate of total control.

Despite its prevalence and severe impact on victims, coercive control is often ignored in legal systems due to the lack of explicit physical violence. Recognising and sanctioning this type of abuse can help to promote egalitarian and respectful relationships that protect the dignity and autonomy of each person.

Educational measures to combat coercive control are essential to raise awareness, legal support, and victim support programmes. These strategies are essential to prevent escalation to serious physical violence and to protect the rights and safety of victims.

In conclusion, treating coercive control as a distinct offence in national and international law would significantly contribute to the protection of victims' fundamental rights and the promotion of a fairer and safer society.

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