

DOMESTIC VIOLENCE

Guidance notes from the National Spiritual Assembly of the United Kingdom

Revised 1st April 2009

It is clearly evident from the Bahá'í teachings that no husband should subject his wife to abuse of any kind, much less to violence; such a reprehensible action is the antithesis of the relationship of mutual respect and equality enjoined by the Bahá'í Writings – a relationship governed by the principles of Bahá'í consultation and totally devoid of the use of force to compel obedience to one's will. Of course, the prohibition against subjecting one's marriage partner to physical force applies to women, as well.

(Universal House of Justice letter to National Spiritual Assembly of UK 25 September, 1987)

Principles

Acts of violence might properly be regarded as a negation of the persistent emphases on concord, understanding and unity which are at the heart of the Bahá'í Teachings, and the sacred writings are replete with advice as to how these positive objectives may be attained. His "Tablet of the World" Bahá'u'lláh states,

... The distinguishing feature that marketh the pre-eminent character of this Supreme Revelation consisteth in that We have, on the one hand, blotted out from the pages of God's holy Book whatsoever hath been the cause of strife, of malice and mischief amongst the children of men and have, on the other, laid down the essential prerequisites of concord, of understanding, of complete and enduring unity. Well is it with them that keep My statutes.

Elsewhere in the same Tablet the "*people of God*" are forbidden "*to engage in contention and conflict.*" In view of such statements and the stress laid by both Bahá'u'lláh and 'Abdu'l-Bahá on love and harmony as the hallmark of marriage, the law for which Bahá'u'lláh describes as a "*fortress for well-being and salvation;*" and in view of 'Abdu'l-Bahá's exhortation that each member of the family must uphold the rights of the others, it becomes obvious that violence in the family is antithetical to the spirit of the Faith and a practice to be condemned.

If the broad structure of society is to remain intact, resolute efforts should be made to curb acts of aggression and exploitation within families, particularly their extreme forms of wife beating by husbands and child abuse by parents. Other common forms of abuse should not however be ignored: these include coercion, intimidation, threats of violence, damaging property, corrupting, transgenerational violence, violence by the women against men and stalking. It is worth noting that less extreme aspects of domestic violence may not even be recognized as abusive. Tolerating, ignoring or denying domestic violence in

any form is a grave disservice not only to the abused but to the Bahá'í community, to society at large and to the offender as well. The policy is restricted to the definition of domestic given here and is not intended to cover every possible form of distressing relationship, nor is it intended to act retrospectively, i.e. after a possibly abusive relationship has ended.

This is a matter of fundamental importance, for if the friends are not able to maintain harmony within their families, on what other basis do they hope to demonstrate to a sceptical world the efficacy of the pre-eminent character of the Revelation of Bahá'u'lláh? What possible influence could they hope to exert on the development of nations and the establishment of world peace? The following statement by the beloved Master sheds illumination on these points:

... Compare the nations of the world to the members of a family. A family is a nation in miniature. Simply enlarge the circle of the household, and you have the nation. Would it add to the progress and advancement of a family if dissensions should arise among its members, all fighting, pillaging each other, jealous and revengeful of injury, seeking selfish advantage? Nay, this would be the cause of the effacement of progress and advancement. So it is in the great family of nations, for nations are but an aggregate of families.

(Universal House of Justice letter to National Spiritual Assembly Canada, 22 September, 1983)

The purpose of this document is to assist local Assemblies to develop their capacity to recognise and effectively address domestic violence in all its manifestations. The hope is to ultimately eradicate such destructive and deplorable behaviour from the life of the Bahá'í community.

Procedure

It is more than likely that, by the time any case of domestic violence becomes known outside a home, urgent action will be essential. Local Assemblies should try to follow the procedure formulated by the National Spiritual Assembly when a case is brought directly to their attention. If this is not possible, it should be reported immediately to the National Secretary. In applying this procedure the Assembly should use extreme care not to take any action that it or the abused person feels might further endanger anyone.

- ❖ To further this purpose and the efficient application of this policy as a whole, the National Assembly strongly advises all Local Spiritual Assemblies, as an immediate priority, to research and identify relevant resources available in their area, such as local protection and support services. A good place to start is the Women's Aid National Network at their website: <http://www.womensaid.org.uk> (or ring them on 08457 023 468).
- ❖ They should also widely disseminate knowledge of the existence of this policy.
- ❖ Once the reality of domestic violence has been confirmed the National Assembly should be informed though not necessarily or routinely involved.

The assumption throughout these guidance notes will be that the far commoner situation of aggression by the husband against the wife has taken place. The procedures can easily be adapted to the reverse case. At the end of these notes is a set of suggestions, adapted from the guidance issued by the National Spiritual Assembly of the United States, which can be used to guide initial responses to being informed that domestic violence has taken place.

1. When a wife calls alleging that her husband hits her or if there are credible reports from other sources that this is the case, it should be dealt with by the first member of the Assembly who gets to hear of it and as fast as possible. If that member cannot take speedy action, the matter should be referred to another Assembly member to take the appropriate action. Under no circumstances should a person alleging such abuse be advised, for the good name of the Faith or for any other reason, to keep the whole matter hidden from those who could help, either inside or outside the Bahá'í community,
2. The Secretary of the Assembly should be informed immediately, and kept informed.
3. If the informant is the victim of the alleged abuse, the Assembly member should deal with her in such a way as to build up her trust in the Bahá'í administration and confidence in the love and support of the Assembly, including prompt practical action. In the initial stages, for

safety's sake, the matter should be handled on the basis that the allegations are assumed to be true, but without prejudging the issue, until the Assembly has access to the husband's side of the story and any corroborative evidence. If information from some other trusted source is involved, every effort should be made to determine the exact nature of the situation before taking action. If action is necessary, contacting the victim in a way that does not jeopardise her safety becomes the priority. Once she has been contacted the same principles apply to govern the conduct of that relationship as are outlined in this policy.

4. The wife will normally be apprehensive on several scores:
 - a. That she will not be believed.
 - b. That nothing will be done.
 - c. Her husband's reaction when he learns that she has told others.
5. The wife should be contacted, preferably in person, but if this is not practical, by telephone. If that is not practical, then she should be contacted through an intermediary who can deliver a letter by hand or if necessary an oral message.
6. The wife should be given immediate assurance on several matters:
 - a. Should she find herself in immediate fear of further violence she should be informed that she is free to tell her husband that such behaviour is totally unacceptable and that if he hits her once more she will take the matter officially to the nearest local Assembly.
 - b. If she does not wish to do this, or finds it does not work, and wishes to leave the violent situation, with or without her children, the Faith will find her a short-term refuge whilst the matter is being sorted out.
 - c. A wife who is subjected to domestic violence can obtain a court order within 24 hours on application to a magistrate, excluding her husband from the matrimonial home, whoever owns it. The following points should be emphasised:
 - i. The court is likely to act first and ask questions afterwards.
 - ii. She should take advice from a solicitor as to what she may need to do to protect her position in her own circumstances both for her own reassurance and in case there is any action she feels she should take

immediately¹.

- iii. If she gets an exclusion order, reconciliation is likely to be much more difficult².

Once outside authorities do become involved, the Assembly should not expect to be engaged in the investigation of material facts.

- d. If a husband is brought to the point that he recognises he has a problem, and wishes to do something about it, there is every prospect that he can successfully be taught techniques to control his temper.
 - e. The Assembly's attitude will be to do everything it can to resolve the problem and bring about reconciliation, assuming this is possible without risking further violence. To this end the matter must be dealt with confidentially and discreetly, without involving the local community, and the National Spiritual Assembly can be requested to arrange for counselling within the wider Bahá'í community if this is appropriate.
7. The Assembly should immediately make arrangements for a refuge to be available to receive the wife (and children where appropriate) and inform the wife of this, so that she can avail herself of the opportunity should this become necessary. It is a good idea to have already researched what is locally available so that the Assembly is well prepared in advance for this eventuality. The refuge could be available at any time of the day or night with for example:
- a. An Assembly member,
 - b. A mature Bahá'í family nearby the matrimonial home but in another local Bahá'í community,
 - c. Bed and breakfast accommodation not far from the matrimonial home, or
 - d. A women's refuge.

1 For current information on Public Funding check <http://www.compactlaw.co.uk> - (no phone number given). This also serves as a good source of information on law in England and Wales. Go to http://www.law.gla.ac.uk/scot_guide/COURTS.HTML for Scotland. We have been unable to find an equivalent website for Northern Ireland.

2. A person can get an exclusion order immediately but they need to go through a solicitor. It is a temporary order and for a more permanent solution the court will set a date for a hearing at which the alleged perpetrator can have his/her say. The solicitor may charge for taking on the work and there may be a fee to get the order from the court. This means that there may be a fee to pay and you may have to pay a solicitor's fee as well. The court needs to be satisfied that violence has been done -- some women try to get them just to get the men out of the house and courts sometimes deny the orders if they think the order is just a smoke screen.

The wife should be informed that if necessary the Assembly will meet any expenses involved.

In cases where an abused woman does not wish to leave, the Assembly may encourage her to devise a carefully thought out escape plan. For this she will need the expert assistance of local women's shelters or other support agencies. This can then be implemented should the woman change her mind about leaving.

8. The Assembly should share with the wife the paragraph at the start of this guidance note from the letter from the Universal House of Justice dated 25.9.87, namely, "*It is clearly evident.... to women, as well.*"
9. When the wife has received immediate assurance as mentioned above, the Assembly member should point out to the wife, where the husband is a Bahá'í, that the Assembly cannot tolerate such behaviour and that the husband will need to be confronted with her allegations and should consult with her as to how this may be done, without endangering her prior to effecting the confrontation. Should the police be involved the timing and nature of this intervention may have to be modified.
10. The Assembly member should endeavour to consult with the couple as soon as safely possible. Should the police be involved the timing and nature of this intervention may also have to be modified. This should be done in company with another mature Bahá'í selected by the Assembly member, preferably of the opposite sex. During this consultation the Assembly member should endeavour:
 - a. To assure the husband that the Assembly's objective is to resolve the problem and reconcile the couple - not to publicise the problem throughout the community;
 - b. To share the already cited paragraph of the Universal House of Justice letter of 25.9.87 with the husband;
 - c. To warn the husband that if the allegations are true, and if the behaviour is repeated, his voting rights may be removed immediately;
 - d. To fact find;
 - e. To put the allegations to the husband;
 - f. To discover whether each party is minded to continue with the marriage, if the problem can be solved, and
 - g. Where appropriate to direct them towards the Marriage Guidance Council/Relate.

Should it not prove safe or advisable to consult with them as a couple it may still be necessary to consult with the husband as an individual.

11. If further action is required on an emergency basis, the Assembly member should call on one or more mature members of the Bahá'í community (not necessarily local) to consult with the couple and if appropriate to counsel them.
12. None of these interventions should be implemented if there is a risk of placing members of the community in danger. Safety of the victim of abuse and those helping her is the first goal.
13. Where a relative or close friend of the abuser is a member of the local Assembly it may be necessary for the Local Spiritual Assembly member first receiving the report of domestic violence to consult with the National Assembly for advice and guidance.
14. Contemporaneous written notes should be kept by all agents of the Faith involved in helping with a situation involving domestic violence. These should be retained by the local Assembly in a confidential file.

SUGGESTED CRISIS RESPONSE GUIDELINES FOR ASSEMBLIES

(Adapted from guidance issued by the National Spiritual Assembly of the United States)

The following is intended to assist an Assembly secretary or other individual who answers the Bahá'í phone in a local community face the responsibility of responding to a crisis call. Spiritual Assemblies may modify these guidelines to better suit local needs as an aspect of developing their own crisis response plans.

What to Do

- 1) Without making a judgment, assume that the caller is telling the truth.**
- 2) Find out if there is any immediate danger.** Ask: *"Is anyone in any immediate danger?"*
 - a) If the answer is yes, encourage the person to call 999 or the local police right away.** It is best if the caller makes the call. Have the number for the police at hand to give out if necessary.
 - b) If the caller seems reluctant or hesitant, offer to call on her or his behalf.** *"Would you like me to call the police for you?"* If the answer is yes, find out where the person is calling from and how to get there, as well as the caller's name and phone number, if you do not know. Immediately relay that information to the local police. **DO NOT** go to the home or location yourself.
- 3) Determine the immediate needs of the caller.** Ask such questions as: *"Are you safe? Can you talk now?" "Do you need medical help?" "Do you need immediate help, such as a safe place to go and the means to get there or a place where you can make phone calls safely?" "Do you need someone to help take care of the children?"*
- 4) Find out if the call is for the Assembly.** Ask: *'Are you calling to bring this to the attention of the Assembly or did you just want to talk to me personally?" "Do you want to meet with the Assembly?"*
- 5) Respond to the call in a calm, assertive, and supportive manner.** *"You were right to bring this to the attention of the Assembly, and it took courage to do it. No one has the right to abuse anyone."* Do not express shock or disbelief, as these responses may discourage the person from contacting the Assembly again or reinforce his or her sense of embarrassment, shame, or feeling of responsibility for the abuse.
- 6) Find out whether the person wants help and what he or she wants help with.** Use open-ended questions and give the person the opportunity to speak freely without interruption. Ask such questions as: *"What prompted you to call?" "Would you like to tell me about what happened?" "How do you think the Assembly can help?"*

7) **If there is screaming or other indications of violence at any time during the call**, ask: *"Is everyone all right?" "Do you want me to call the police for you?"* If the answer is yes, respond as in 2b above.

8) **Provide information or people/agencies to turn to as needed.** A local referral list should be part of the Assembly's plan. *"The Assembly has instructed me to maintain a file of information on legal, medical, welfare, and shelter services available, as well as a list of friends who would be glad to accompany you. Please let me know what would be helpful to you."*

9) **Assure the caller of the confidentiality of information pertaining to the call.** *"The Assembly will keep this information confidential to the extent the law allows." "Does [name of the alleged abuser] have a close friend or relative on the Assembly?"*

10) **Assure the caller that the Spiritual Assembly will pray for everyone involved.**

11) **Inform the caller of actions that the Assembly will be taking on his or her behalf.** *"The Assembly is meeting on Sunday, and we will consult on this matter. I will call you with additional information on Monday." "The Assembly will arrange a contact liaison for you and will let you know who that will be."*

12) **Arrange promptly for a contact person** to serve as a liaison between the Assembly and the caller, if the person answering the phone does not perform this function.

13) **Make a report to the Assembly.** However, if the alleged abuser, or a relative or close friend of the alleged abuser, is a member of the Assembly, it is suggested that the person receiving the call contact the National Spiritual Assembly for advice rather than reporting directly to the Assembly.

How to Do It

Do

* Listen patiently and compassionately. Treat the caller with courtesy, respect, love and kindness. Recognize that each person responds differently to crisis.

* Listen carefully to hear the caller's story. Restate, clarify, and ask open-ended questions.

* Ask questions and note the caller's responses instead of giving answers. If there are answers the Assembly needs to provide, it will do so later.

* Note any commitments or promises made to the caller and follow up on them.

Don't

* Blame, judge, or criticize the caller.

* Make decisions for the caller or tell him or her what to do. These are

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decisions for individuals to make, and your personal ideas should not be imposed on them. Bear in mind that only the abused party can decide whether to leave or stay in an abusive situation and may not wish to involve civil authorities.

* Hurry the caller's decision process.

* Make promises you or the Assembly can't keep.

CAUTION

While an Assembly should be prepared to do everything possible to ensure the safety of everyone involved in any domestic violence situation that comes to its attention, it should not attempt to set up a crisis hot line or response unit, as those are not its functions, nor should it place other members of the community in danger by attempting to intervene directly in a crisis situation.