



ANALYSIS



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Multispecies families and vicarious violence: interdisciplinary foundations for their recognition in Chile

Familia multiespecie y violencia vicaria: fundamentos interdisciplinarios para su reconocimiento en Chile

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Abstract

This qualitative socio-legal study, based on an interdisciplinary literature review, aims to analyze the instrumentalization of companion animals as a manifestation of gender-based violence in the form of vicarious violence. To this end, it articulates the concept of the multispecies family, the contributions of neuroscience to the human-animal bond, gender-based violence, and its legal implications in the Chilean legal system. The documentary study is exploratory and propositional in scope, consisting of an analysis of secondary sources with a gender focus. Emphasis is placed on identifying tensions and regulatory gaps, as well as suggesting interpretative and legislative guidelines. Finally, it concludes that, in Chile, there is no express recognition of the multispecies family or vicarious violence and proposes legal grounds for incorporating non-human emotional bonds into the understanding of contemporary forms of violence, progressing towards a notion of multispecies gender justice through regulatory change.

Keywords: Gender violence, gender perspective, vicarious violence, multispecies family.

Resumen

Este estudio socio-jurídico cualitativo, basado en una revisión bibliográfica interdisciplinaria, tiene por objeto analizar la instrumentalización de los animales de compañía como una manifestación de la violencia de género bajo la forma de violencia vicaria. Para ello, se articula el concepto de familia multiespecie, los aportes de la neurociencia sobre el vínculo humano-animal, la violencia de género y sus implicancias jurídicas en el ordenamiento jurídico chileno. El estudio documental presenta un alcance exploratorio y propositivo, consistente en el análisis de fuentes secundarias con enfoque de género. Se pone énfasis en identificar tensiones y vacíos normativos, así como en sugerir lineamientos interpretativos y legislativos. Finalmente, se concluye que, en Chile, no existe reconocimiento expreso de la familia multiespecie ni la violencia vicaria y se proponen fundamentos jurídicos para incorporar los vínculos afectivos no humanos en la comprensión de formas contemporáneas de violencia, progresando hacia una noción de justicia de género multiespecie, mediante una modificación normativa.

Palabras clave: Violencia de género, perspectiva de género, violencia vicaria, familia multiespecie.

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Introduction

The scientific and legal relevance of this research is grounded in the recognition of a significant social change reflected in the configuration of families, a phenomenon that has not been adequately addressed by Chilean legislation. In this context, the general objective is to analyze vicarious violence exercised through the instrumentalization of companion animals from an interdisciplinary legal perspective and with a gender-based approach.

In line with the above, the following specific objectives are proposed: (1) to examine the concepts of multispecies family and vicarious violence, as well as the circumstances in which the latter is exercised through the instrumentalization of companion animals; (2) to conduct a comparative analysis of the legal and jurisprudential frameworks of Spain and Chile regarding the human-animal bond and its recognition in contexts of gender-based violence; (3) to review contributions from neuroscience concerning the human-animal bond and gender-based violence; and (4) to propose legal guidelines for the recognition of vicarious violence and the multispecies family within the Chilean context.

Accordingly, this study adopts a qualitative documentary approach and aims to provide a critical analysis of secondary sources relevant to the phenomenon under examination. It is an exploratory and propositional study that integrates contributions from both the legal field and neuroscience in order to identify gaps, tensions, and challenges in addressing the subject matter from a gender perspective.

The selection of documentary sources was based on criteria of thematic relevance, theoretical and legal significance, and their contribution to the analysis of the phenomenon under study. The research is situated primarily within the Chilean context, while comparative references have been incorporated as complementary elements whenever they were deemed relevant to the discussion.

Methodology

This study constitutes a qualitative socio-legal investigation based on an interdisciplinary literature review, with an exploratory and propositional scope,

aimed at analyzing the legal recognition of the multispecies family and vicarious violence from a gender perspective. Priority was given to sources addressing gender issues and animal law published between 2010 and 2025.

The research was conducted through documentary analysis, using exclusively secondary sources and involving neither human nor animal subjects as objects of study. Consequently, no empirical data collection techniques or statistical analyses were employed; instead, methods characteristic of qualitative research in the social and legal sciences were applied.

The documentary corpus analyzed consisted of various types of documents, including scientific articles, a theoretical reference book, an academic thesis, national and international legislation and case law, legislative bills (Chile), and an institutional statistical report produced by a Chilean public agency.

The temporal selection criterion primarily considered publications produced between 2010 and 2025. Exceptionally, earlier texts were included due to their relevance to the construction of the study's conceptual framework, particularly legal norms.

Search Strategy and Document Selection

The literature search was conducted using specialized academic databases, university repositories, and official legal sources. Search criteria consisted of combinations of terms such as multispecies family, vicarious violence, gender-based violence, human-animal bond, and gender perspective, in both Spanish and English.

Documents were filtered according to criteria of thematic relevance, legal and scientific significance, gender perspective, currency, and academic quality. Purely descriptive texts or those that did not contribute analytical elements relevant to the study's objectives were excluded.

Analytical Technique

The selected material was examined through hermeneutic analysis and content analysis, methods commonly employed in qualitative documentary research. These approaches enabled the

identification of conceptual categories, argumentative patterns, and normative tensions surrounding the phenomena under study. This framework facilitated the examination of social and legal phenomena from their normative and doctrinal dimensions without resorting to phenomenological methods or empirical techniques of direct observation.

A gender perspective was employed as a cross-cutting interpretive criterion, not only to describe the phenomena analyzed but also to problematize the differentiated effects of violence on women and the instrumentalization of affective bonds, including the human-animal bond.

Spatial and Comparative Scope

The study is situated primarily within the national context of Chile, while incorporating complementary elements of comparative law, particularly case law and legislative developments from Spain and Colombia, insofar as they are relevant to the critical and propositional analysis of the Chilean legal system.

Considerations Regarding Methodological Biases

Potential biases are acknowledged, including bibliographic selection biases resulting from the prioritization of gender-focused literature; disciplinary biases associated with the predominance of legal and socio-legal sources; and temporal and theoretical biases linked to the defined time frame and the study's critical orientation. These biases are consciously assumed as part of the adopted methodological approach, without detracting from the diversity of sources considered.

From a socio-legal perspective, the study relies on scientific knowledge as an input for the critical construction of legal theory (Pásara, 1975), understanding social reality as a factual phenomenon that must be analyzed legally in its specificity (Obando-Peralta, 2024).

Ethical Statement

This study is bibliographic and documentary in nature. No experimental research or interventions involving human beings or animals were conducted. No personal data or identifiable cases were used. All

sources employed are publicly available and are cited in accordance with APA 7th edition guidelines.

Results

Multispecies Family: Conceptual Redefinition

Sáez-Olmos et al. argue that the legal definition of the family is influenced by various social, economic, legislative, technological, and ideological changes affecting its organization and composition, including globalization, feminism, and the universal recognition of human rights, among others. The authors further note that special attention should be paid to emerging demographic trends, since “people are having fewer children but living with more non-human animals” (Sáez-Olmos et al., 2023, p. 16).

Moreover, the traditional family model has been surpassed because it is heteronormative, paternalistic, generally marriage-centered, biologized, sacralized, and patrimonialized (Rodríguez Cáceres & Corayl Villalobos, 2024, p. 89). The family should therefore be understood as a dynamic and plural category, defined in various forms by legal scholarship (single-parent families, blended or reconstituted families, marital and non-marital families, among others). At the same time, it should be regarded as an expression of the rights to equality and non-discrimination, since the traditional conception denies legal recognition to various unions that depart from these characteristics (same-sex *de facto* unions, non-marital civil unions, among others).

Within this context, interaction between humans and companion animals may develop into a close relationship and calls for a discussion regarding their care through the promotion of healthy bonds aimed at ensuring their well-being. In other words, duties traditionally associated with the family—such as care, protection, and provision of food—are fulfilled. In this regard, Venegas Contreras and Castro Mascareño (2024) emphasize that “family law seeks to achieve increasingly close and perfect solidarity among the various members of the group” (p. 59).

Additionally, considering companion animals as family members entails both familial and social responsibilities of protection, since, according to various international human rights instruments, the

family constitutes the fundamental nucleus of society and must be legally protected.⁽¹⁾

This new family composition has led to the emergence of the concept of the *interspecies* or *multispecies family*, defined as “those whose members belong to different species” (Sáez-Olmos et al., 2023, p. 17), or as “a family composed of people and companion animals, founded upon the emotional bonds that arise from coexistence between both species” (Numa Vega & Chemás Erazo, 2022, p. 30), based on affection, solidarity, and commitment.

Accordingly, the belief that companion animals are merely objects within an anthropocentric worldview has gradually been abandoned, and they are increasingly recognized as sentient beings and as members of the family.

For this reason, some legal systems have regulated the responsibilities associated with caring for companion animals (Chile). In other cases, courts have addressed their impact on family life and the resolution of situations arising from the breakdown of sentimental relationships (divorce, separation, custody of companion animals) or illnesses affecting companion animals (Colombia). Ávila Gaitán (2024) cites two cases: one from 2019 in the city of Medellín, where, during a conciliation hearing, child-support-like payments, care arrangements, and visitation rights for a dog were established following the separation of a couple (p. 111); and another from 2020, in which a judicial decision secured for Clifor (a dog) access to an epilepsy medication distributed only by prescription and through entities authorized by the State. The author notes that the claimant argued that denial of the medication violated the right to preserve the family unit. The competent court recognized both this right and the dog’s right to survival (p. 113).

Nevertheless, the rights that may be recognized for a companion animal are not equivalent to those enjoyed by human beings. They are different species and different beings, and a prevailing relationship of dominion remains vested in humans. Zúñiga Benavides (2021, p. 16) maintains that it is complex to consider animals as legal subjects and that conceiving them as members of the family nucleus “requires an in-depth study of its consequences and scope, as well

as suitable mechanisms to materialize such guarantees.”

The legal recognition of this bond invites a reconsideration of gender-based violence through a multispecies lens, as examined below in connection with the concept of vicarious violence.

Vicarious Violence: Extending the Concept to the Human-Animal Relationship

Vaccaro (2023) coined the concept of *vicarious violence*, defining it as violence “directed against one person (preferably daughters and sons) in order to harm another person (the woman), within the theoretical framework of violence against women, also referred to as gender-based violence” (p. 77). According to the author, the perpetrator’s objective is to exercise power and control while the children remain minors, since he no longer possesses rights over his wife or partner. Children are instrumentalized and transformed into objects through which abuse and violence continue (Vaccaro, 2023, p. 80).

According to Vaccaro, this violence is primarily exercised against children; therefore, it is plausible that the means or instrument used by the aggressor to inflict harm may be another person of essential importance to the woman and with whom she maintains a strong emotional bond. Vicarious violence thus involves a double victimization: the woman and the intermediary person through whom harm is inflicted.

This study argues that companion animals may likewise be used as instruments to harm women, particularly in light of the emotional connection that may arise within the human-animal bond. Consequently, harm or threats of harm directed at companion animals may serve as a means of maintaining power and control over a woman’s actions and decisions while causing severe psychological distress (Caravaca-Llamas & Sáez-Olmos, 2021, p. 281). This perspective recognizes animals as sentient victims and the human-animal bond as a legitimate object of legal protection.

Accordingly, the concept of vicarious violence is extended beyond Vaccaro’s original formulation, making the emotional significance of the relationship

for the woman the determining factor. This approach does not distort the conceptual definition of vicarious violence; rather, it updates it in light of contemporary family and affective configurations.

Neuroscientific Evidence: The Human-Animal Bond and the Effects of Gender-Based Violence

Before analyzing neuroscientific evidence concerning the human-animal bond and the effects of gender-based violence on the brain, it is important to note that:

“Cognitive neuroscience is an interdisciplinary field of scientific research that explores the neural processes underlying behavior. Today, neuroscience encompasses everything from the basic study of the neurobiology of the brain to the social well-being of individuals” (Larraín-Valenzuela et al., 2022, p. 368).

Within this field, one study indicates that dogs have become a fundamental part of family life and may even be regarded as family members. It further suggests that attachment between humans and their dogs may be functionally similar to that observed between parents and children. The study also explains that both humans and animals respond to gentle touch through the release of oxytocin. Moreover, it reports that dogs exhibit increased capacity to interpret tone of voice and facial expressions, facilitate friendly social interactions, enhance trust, and generate anti-stress effects (Pettersson et al., 2017, p. 2).

Accordingly, it can be asserted that companion animals provide psychological benefits to humans and that the deliberate disruption of this bond constitutes more than material harm: it is a verifiable form of psychological aggression.

In this regard, Gallo Ringeling (2024, p. 26) notes that neuroscience has received increasing attention in recent years and that its application has expanded into the social sciences. The author further argues that, in cases of domestic violence, neuroscience may be relevant both for sanctioning perpetrators and for preventing the re-victimization of survivors during judicial proceedings, thereby contributing to a more rational and equitable process.

Identifying the emotional impact suffered by individuals is a significant aspect of gender-based violence cases as part of comprehensive reparation. Studies indicate that women who survive gender-based violence exhibit neuropsychological alterations, including cerebral, neuropsychological, and post-concussive effects, showing changes “in visuomotor abilities, attention, inhibition, reasoning, decision-making, and flexibility” (Daugherty, 2023, p. 210). Such alterations diminish quality of life and transform brain structures, constituting, moreover, a violation of human rights (Gaviria Rodríguez, 2021, p. 234).

Neuroscience has demonstrated that psychological harm suffered by women who are victims of gender-based violence is verifiable and that interactions between humans and their companion animals activate neural circuits. Consequently, instrumentalizing a companion animal constitutes an effective mechanism of aggression that materializes as a form of vicarious violence. This supports the need to consider psychological harm as part of the facts to be proven in judicial proceedings concerning gender-based violence.

Spanish Case Law Analysis

The judgment handed down by the Juzgado de Violencia sobre la Mujer No. 2 (2025) in Las Palmas de Gran Canaria constitutes a leading precedent in Spain by recognizing the death of a companion animal as gender-based violence in the form of vicarious violence perpetrated by a man against his sentimental partner. Spanish legislation, in Ley Orgánica 1/2004 (2004), of December 28, defines gender-based violence as “any act of physical and psychological violence, including attacks on sexual freedom, threats, coercion, or arbitrary deprivation of liberty” (art. 1.3). It also refers to the idea of the instrumentalization of third parties for the purpose of causing harm or injury to women (art. 1.4). Likewise, Ley 14/2021 (2021), of July 20, defines vicarious violence as violence exercised against women with the aim of causing them the greatest and most serious psychological harm through third or intermediary persons, reaching its highest degree of cruelty through the homicide or murder of such persons (children, mother, father, current partner, among others). It does not expressly

recognize as such harm or threats of harm against companion animals.

It was proven that the man threatened his sentimental partner by telephone, stating that he would kill the nearly four-month-old dog owned by both of them. The woman went to recover the companion animal and, when she managed to locate her partner, he warned her: “Don’t come near me or I’ll throw the dog and kill myself.” He then threw the dog off a cliff, causing its death. The incident caused the victim serious psychological harm, requiring medical assistance, with an estimated recovery period of ninety days.

The judge classified the facts as an offense against animals under Article 340 bis, paragraph 3, in relation to paragraph 2(g) of the Spanish Criminal Code of 1995, stating that it was “a case of vicarious violence against a companion animal, in medial concurrence with the offense of psychological abuse” — the offense against the animal being the necessary means to cause psychological harm. The judgment also incorporates a gender perspective by establishing that the “purpose was to perpetuate domination and control over the woman, reinforcing the need for an aggravated punitive response and effective protective measures” (Juzgado de Violencia sobre la Mujer No. 2 of Las Palmas de Gran Canaria, 2025, p. 3).

The first-instance ruling is paradigmatic in that it broadens the concept of victim beyond human beings, recognizing a form of multispecies double victimization.

The judgment likewise emphasizes the autonomy of the protected legal interests involved: animal welfare and the woman’s psychological integrity. Accordingly, the man was prohibited from approaching any place where the woman is located or which she frequents, at a distance of no less than five hundred meters, and was also prohibited from communicating with her, directly or indirectly, by any means, for a period of two years and one day. In addition, he was sentenced to the ancillary penalties authorized by current Spanish law. Particularly noteworthy among these is the special disqualification from exercising any profession, trade, or business related to animals, as well as from keeping animals, for the same period

(Juzgado de Violencia sobre la Mujer No. 2 of Las Palmas de Gran Canaria, 2025, p. 4). The sentence imposed on the convicted man was suspended, subject to the condition that he not commit another criminal offense within that period, under warning that the benefit would be revoked.

The judge underscores the importance of classifying the case as one of medial concurrence and of applying a gender perspective in order to provide protection to the victim. Only in this way is it possible to conceive the expansion of the concept of vicarious violence and to identify, behind this form of violence, the stereotype of the submissive woman.

The judicial decision marks a turning point in Spanish case law by recognizing the human-animal emotional bond as an object of judicial protection; by considering harm to that bond as a specific form of vicarious violence; and by reinforcing the need for an aggravated criminal response when animal abuse is instrumentalized to exercise control over a woman, since, pursuant to Ley 17/2021 (2021), of December 15, animals are living beings endowed with sentience.

This interpretation implicitly integrates the concept of the multispecies family and the neuroscientific studies cited, by assuming that the emotional harm arising from the loss of the animal may generate trauma and that the animal’s death entails a corresponding grieving process.

The following section analyzes Chilean legislation and case law concerning companion animals in order to determine the possibility of identifying cases of vicarious violence in the terms of the Spanish case law discussed in this section.

Multispecies Family and Vicarious Violence in Chile

In Chile, the family is defined in Ley 20530 of 2011⁽²⁾ as the “fundamental nucleus of society, composed of persons united by emotional, kinship, or partner relationships, in which there are bonds of mutual support and which generally share a common household and maintain ties of protection, care, and support among themselves” (Art. 2). The definition provided by the law reflects a pluralistic and non-discriminatory vision that emphasizes the importance

of socio-affective bonds, the existence of diverse forms of relationships, and does not require the sharing of a common household. In Chile, no reference is made to companion animals as members of the family, nor is their inclusion contemplated, since the law expressly limits family composition to persons.

With regard to gender-based violence, Chile has ratified international treaties aimed at protecting women's rights in all spheres of society and, therefore, within the family. In this regard, in 1989 Chile published the 1979 Convención sobre la Eliminación de Todas las Formas de Discriminación contra la Mujer, and in 1998 the 1994 Convención Interamericana para Prevenir, Sancionar y Erradicar la Violencia contra la Mujer. Both instruments are binding within the country (Art. 5, paragraph 2, of the Constitución Política de la República de Chile of 1980).

In 1994, the first law on domestic violence, Ley 19325 (1994), was enacted and was later repealed by Ley 20066 (2005). The latter defines domestic violence in Article 5. The use of this concept in legislation was criticized because it renders gender-based violence invisible in its multiple manifestations.

In 2024, Ley 21675 (2024) entered into force, establishing measures to prevent, punish, and eradicate violence against women on the basis of gender. Its significance lies in the fact that, for the first time, it defines gender-based violence (Art. 5, paragraph 1) as "...any action or omission that causes death, harm, or suffering to a woman on the basis of her gender, wherever it occurs, whether in the public or private sphere; or the threat thereof." The law also refers to its various forms, including physical, psychological, sexual, economic, symbolic, institutional, political, workplace, and gynecological-obstetric violence (Art. 6).

The law does not define vicarious violence, although it refers to it in somewhat imprecise terms, stating that: "Gender-based violence shall also be considered to include violence exercised against girls, boys, and adolescents for the purpose of harming their mothers or caregivers" (Art. 5, paragraph 2).

Animals in Chilean Legislation and Available Empirical Evidence

Current Chilean legislation reflects a persistent normative anthropocentrism, although it also presents significant possibilities for evolution in recognizing the human-animal bond. The legal treatment of animals has evolved from a proprietary conception (property subject to ownership) to a limited recognition of animals as "living and sentient beings that form part of nature," according to Article 2 of Ley 20380 (2009) on animal protection.

The Código Penal de la República de Chile of 1874 punishes animal cruelty under Article 291 bis and distinguishes between cases where only harm has been caused, where an animal has been seriously injured, where its death has been caused, or where unnecessary suffering is inflicted upon living animals for the purpose of "developing research activities or manufacturing or marketing cosmetic, hygiene, or personal deodorizing products."

Ley 21020 (2017), on the responsible ownership of pets and companion animals, establishes duties relating to identification (microchip and special registry), feeding, veterinary care, collection and disposal of animal waste (Art. 10), and civil liability for damage caused by pets (Art. 13).

Particular mention should be made of the Subsecretaría de Desarrollo Regional y Administrativo (SUBDERE) and the Escuela de Medicina Veterinaria de la Universidad Católica (2022) entitled *Final Report: Estimation of the National Canine and Feline Population and Diagnosis of Responsible Ownership*. This report indicates that canine and feline species are considered companion animals by a high percentage of the national population.⁽³⁾ The study found that the primary motivations for pet ownership were companionship (89.1%), security (4.7%), and hunting (1.5%). It further highlights the importance of companion animals by citing their positive effects on individuals' physical and mental health and confirms the existence of emotional attachment between humans and animals, as 92.1% of respondents considered their animals to be members of the family and a source of happiness

(SUBDERE & Escuela de Medicina Veterinaria de la Universidad Católica, 2022).

Legislative Bills in Chile

It should be noted that two legislative bills related to the subject under study are currently under consideration. The first, known as the “Ley Duque,” corresponds to Bill No. 16755-13 (Cámara de Diputadas y Diputados de Chile, 2024). It emphasizes the need to examine the emotional dimension associated with the suffering caused by the death of a companion animal. Accordingly, it proposes amending the Labor Code to grant workers one business day of leave in the event of the death of a companion animal, as well as amending Ley 20370 (2009), the General Education Law, so that students may also be absent for one business day. In both cases, the animal must be duly registered in the National Pet Registry.

Another bill, Bill No. 17783-07, seeks to amend various legal bodies in order to regulate the regime applicable to domestic animals and to criminalize the conduct specified therein (Cámara de Diputadas y Diputados de Chile, 2025). Through Official Letter No. 229-2025, dated September 16, 2025, the Supreme Court stated that these amendments are intended to “establish the non-seizability of pets or companion animals, create a shared-care regime for these animals following the termination of marriage or civil union, or in cases of divorce, judicial separation, or de facto separation, and create new criminal offenses related to animal welfare” (Corte Suprema de Chile, 2025). Specifically, the Supreme Court comments on the proposed amendment to Article 92, paragraph 2, of Ley 19968 of 2004, which created the Family Courts. This amendment seeks to ensure that the victim is granted custody of the domestic or companion animal or animals in their possession.

With regard to the shared care of companion animals, the bill refers to the importance of relying on specialized professionals, such as veterinarians or ethologists, to provide opinions on matters such as the animal's health condition, its emotional bond, and the relevant parameters for determining shared care, leaving this matter within the jurisdiction of the Family Court.

It should be noted that the bills do not address the possibility of granting employment leave in the event of the serious illness of a companion animal.

Proposed Legislative Reform

The express recognition of vicarious violence in the Chilean legal system is proposed, which would require an amendment to Ley 21675 (2024), which establishes measures to prevent, punish, and eradicate violence against women on the basis of gender.

In accordance with the foregoing background, it is proposed that Article 5, paragraph 2, be reformulated. The terms of this reform should indicate that vicarious violence shall be understood as any action or omission consisting of the preferential instrumentalization of daughters and sons, which may extend to other persons of emotional significance to the woman, and even to the victim's companion animals, for the purpose of causing psychological harm and maintaining control and domination over her actions and decisions.

National Case Law

Chilean case law has recognized the exercise of vicarious violence. Thus, the Second Family Court of Santiago, in case RIT 2695-2021, issued a judgment on July 6, 2021, concerning authorization for a girl and her mother, both Brazilian nationals, to leave the country. The court determined that the father's refusal to authorize travel to the mother's country of origin constituted a form of power and control over the latter. This and other acts, including the mother's lack of decision-making capacity regarding essential activities, were classified as psychological violence (Segundo Juzgado de Familia de Santiago, 2021).

Likewise, in case Rol C-3.753-2022, the Segundo Juzgado de Letras Civil de Antofagasta (2025) ordered the payment of compensation as reparation for moral damage caused by the death of a companion animal, a dog, after it received a fatal electric shock upon stepping on the grass in the garden area of a restaurant, in a case of non-contractual liability. The pain resulting from that loss was argued as the basis of the damage. The judgment further states that companion animals form part of most families and that

their loss “cannot be regarded merely as the loss of a thing; since a pet, as a sentient being, cannot be replaced, and its loss clearly entails significant pain and sorrow for the victim” (p. 31).

Therefore, it would be possible to argue that the rupture of the human-animal bond, in cases of interspecies vicarious violence, will cause an equivalent emotional impact where harm to a companion animal is established in this context.

Discussion

The discussion of this study focuses on analyzing the legal feasibility of recognizing the abuse of companion animals as a form of vicarious violence within the Chilean legal system, from both a gender-based and interdisciplinary perspective.

The comparative analysis shows that, while Spanish legislation expressly recognizes vicarious violence (referring only to persons), Spanish case law has begun to broaden this concept by recognizing the psychological harm inflicted upon a woman through the instrumentalization of her companion animal as a mechanism of domination.

In contrast, the Chilean legal system does not expressly recognize vicarious violence and normatively restricts it to girls, boys, and adolescents. Nevertheless, it has progressed toward the legal recognition of animals as sentient beings, and Chilean case law has incorporated protection of the human-animal bond.

This study proposes a legal-feminist reflection on the possibility of incorporating recognition of the human-animal emotional bond within the concept of family and as a potential object of legal protection in cases of gender-based violence, particularly in situations involving double victimization (the woman and the companion animal as a sentient being).

It was determined in detail that Chilean legislation recognizes certain duties of animal protection and obligations regarding the responsible ownership of companion animals. Furthermore, Chilean case law has protected the human-animal emotional bond in civil matters and seeks to extend legislative protection in labor and family law, as evidenced by the legislative

bills discussed above. Consequently, the exclusion of this bond from the sphere of gender-based violence as a form of vicarious violence lacks proportionality and systemic coherence.

The proposal to explicitly incorporate interspecies vicarious violence into Ley 21675 (2024) does not create a new legal category; rather, it updates the concepts of vicarious violence and family. Therefore, extending the concept to cases involving the instrumentalization of companion animals is grounded in the recognition of a contemporary understanding of the family and in the available neuroscientific evidence.

Conclusions

This study constitutes a landmark and guiding contribution, opening the possibility of arguing in Chile that animal abuse, when used as a means of exerting control over a woman, may and should be interpreted as a form of vicarious violence through the application of a gender perspective as a methodological tool.

The integration of neuroscience, gender studies, and law inaugurates a notion of *multispecies gender justice* and opens a new avenue for feminist legal research. This challenges the Chilean legal system to move beyond normative anthropocentrism and to recognize non-human emotional bonds as part of the comprehensive well-being and reparation of victims who have suffered the ordeal of witnessing their companion animals being tortured or killed by their partners or former partners, while ensuring protection for victims in this situation of double victimization.

The findings obtained support the conclusion that the instrumentalization of companion animals constitutes an effective means of exercising control and domination over women, generating direct and legally relevant psychological harm, as evidenced by the neuroscientific research examined in this study.

Therefore, this research not only identifies a legal gap but also proposes a means of overcoming it through a feminist and multispecies interpretation of the law, with a view to achieving an expanded conception of gender justice capable of recognizing companion animals as non-human subjects of legal protection.

Article Notes

1. Various international treaties recognize the family as the natural and fundamental unit of society, entitled to protection by both society and the State. This is established in the Declaración Universal de los Derechos Humanos (1948, Art. 16.3), the Pacto Internacional de Derechos Civiles y Políticos (1966, Art. 23.1), and the Convención Americana de Derechos Humanos (1969, Art. 17.1). In Chile, this principle is reflected in Article 1, paragraph 2, of the Constitución Política de la República de Chile (1980).
2. Prior to Ley 20530 (2011), Chile did not have a statutory definition of the family. However, it was generally understood that a notion of family composition could be inferred from the provisions of Articles 42 (kinship), 992 (succession law, specifying who succeeds the deceased person), and 815 (rights of use and habitation) of the Civil Code.
3. The report identified a significant increase in canine and feline populations in the country based on a meta-analysis that compiled studies conducted between 1966 and 2017. The findings estimated a total of 8,306,650 owned or kept dogs, 4,176,029 owned or kept cats, and 4,916,792 households with pets (Subsecretaría de Desarrollo Regional y Administrativo (SUBDERE) & Escuela de Medicina Veterinaria, Universidad Católica, 2022, p. 89).

Availability of research data

The present study is based exclusively on the analysis of publicly available documentary and legal sources. No original databases were generated. All sources analyzed are properly cited in the References section.

Peer review comments

This article underwent a peer-review process under a double-anonymous review system, in accordance with the journal's editorial transparency policy. The reviewers who participated anonymously in this process provided their consent for the publication of the comments issued during the review.

Reviewer Comment 1: The article constitutes an original and relevant contribution to the legal debate on gender-based violence, family, and animal law by proposing an innovative analysis that extends the understanding of the family toward a broader concept that incorporates companion animals (pets), recognizing their emotional significance and their potential consideration as non-human subjects deserving special legal protection. From both a gender-based and interdisciplinary perspective, the study provides well-founded arguments for extending the protection associated with vicarious violence to harm inflicted upon companion animals when they are instrumentalized as mechanisms of control and domination over women. The integration of law, neuroscience, and gender studies broadens the conceptual framework of vicarious violence, offering solid foundations for potential legislative and jurisprudential developments in both family law and comprehensive protection against gender-based violence.

Reviewer Comment 2: Publication is recommended subject to minor revisions, taking into account the suggestions provided to improve the style and presentation of the article. The content is relevant, rigorous, and makes a significant contribution to the debate on multispecies gender justice, constituting a useful precedent for future research and legal reforms in Chile and Latin America.

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