

SOCIAL CHARACTERISTICS OF GENDER ASPECTS OF DOMESTIC VIOLENCE

СОЦІАЛЬНА ХАРАКТЕРИСТИКА ГЕНДЕРНИХ АСПЕКТІВ ДОМАШНЬОГО НАСИЛЛЯ

Domestic violence is the most important problem of modern society, based on biological determinism and patriarchal social structure. The inability to constructively build relationships leads to the fact that violence serves as an acceptable way to solve problems at the micro and macro levels of the state, society and individual. One of the common forms of gender-based violence is domestic violence, in relation to different family members. Domestic violence is considered by the international community one of the most common and gross violations of human rights and freedoms. Domestic violence is systematically repeated acts of physical, psychological, sexual, economic influence on loved ones that are committed against their will in order to gain power and control over them. The presence of such a pattern is an important indicator that distinguishes "domestic violence" from "conflict." So, the conflict usually has its end, and violence is characterized by systematic. In addition, the conflict has at its core a problem that can be resolved. In a situation of domestic violence, one person constantly controls another person with the use of force, which leads to psychological and/or physical injuries. An analysis of legislation relating to domestic violence indicates that the current regulatory framework is inadequate and insufficient to address such an important social phenomenon. Many laws deal only with certain aspects of domestic violence and need to be refined with a comprehensive approach. It is necessary to expand the social movement to prevent domestic violence, which can be a significant impetus for the renewal of social policy, in the direction of shifting the emphasis of the social course to support family stability and safety. In recent years, feminist theory has been spreading in Azerbaijan, and existing relations of social inequality have been rethought. Feminist theory produces a different knowledge than quasi – an objective male understanding of the world. It is seen that the perpetrators of violence against women are people who are close to them, their husbands or men with whom they were previously involved. Violence against women has been found to have a very negative impact on women's physical and mental health. In addition to causing injuries, violence also increases a woman's risk of long-term problems such as chronic pain, physical disability, drug and alcohol abuse, and depression. Unplanned pregnancies, sexually transmitted infections,

and adverse pregnancy outcomes are more common in sexually abused women.

Key words: domestic violence, modern society, gender, conflict, gender-based violence.

Насильство в сім'ї є найважливішою проблемою сучасного суспільства, заснованого на біологічному детермінізмі та патріархальному суспільному устрої. Невміння конструктивно будувати відносини призводить до того, що насильство є прийнятним способом вирішення проблем на мікро- й макрорівнях держави, суспільства та особистості. Однією з найпоширеніших форм гендерного насильства є насильство в сім'ї щодо різних членів сім'ї. Насильство в сім'ї розглядається міжнародним співтовариством як одне з найпоширеніших і найбрутальніших порушень прав і свобод людини. Насильство в сім'ї – це систематично повторювані акти фізичного, психологічного, сексуального, економічного впливу на близьких, які здійснюються проти їх волі з метою отримання влади та контролю над ними. Наявність такої закономірності є важливим показником, що відрізняє «домашнє насильство» від «конфлікту». Отже, конфлікт зазвичай має кінець, а насильство має систематичний характер. Крім того, в основі конфлікту лежить проблема, яку можна вирішити. У ситуації домашнього насильства одна людина постійно контролює іншу людину із застосуванням сили, що призводить до психологічних та/або фізичних травм. Констатовано, що винуватцями насильства щодо жінок є близькі їм люди, їхні чоловіки або чоловіки, з якими вони раніше були пов'язані. Встановлено, що насильство щодо жінок дуже негативно впливає на їх фізичне та психічне здоров'я. Насильство не тільки завдає шкоди, а й збільшує ризик виникнення в жінки довгострокових проблем, таких як хронічний біль, інвалідність, зловживання наркотиками та алкоголем, депресія. Незапланована вагітність, інфекції, що передаються статевим шляхом, та несприятливі результати вагітності частіше трапляються в жінок, які зазнали сексуального насильства.

Ключові слова: домашнє насильство, сучасне суспільство, гендер, конфлікт, гендерне насильство.

UDC 316.354.2
DOI <https://doi.org/10.32782/2663-5208.2022.42.28>

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Introduction to the problem. A specific case of domestic violence can include several types of violence: physical violence, sexual violence, psychological violence, economic violence, the use of children to establish control over an adult victim.

Domestic violence has three phases: phase one: "tension," phase two: "incident of violence," phase three: "honeymoon" or "reconciliation (remorse) phase" [4, s. 7].

Domestic violence has the following forms:

- crimes against life and health: crimes related to premeditated murder, bringing oneself to suicide, intentional infliction of various degrees of harm to health, infliction of suffering, threat of murder or infliction of grievous bodily harm;
- Crimes against the freedom and dignity of the individual: trafficking in persons, forced labor, illegal deprivation of liberty;

– Crimes against sexual inviolability and human sexual freedom:

– rape, acts of sexual violence, forced sexual acts, sexual intercourse with a person under the age of sixteen, or other sexual acts, immoral acts;

– Crimes against minors and family relations: forcing a woman to marry [12, s.13].

The UN has recognized the existence of GBV and views it as a problem involving individuals, families, communities and states.

Although there are many stereotypes regarding victims of gender-based violence (GBV), or violence against a woman, in fact, a similar situation can happen to any woman. GBV victims can be women who are wealthy and poor, educated and illiterate, married and single [6, s.5].

The degree of research of the problem.

Gender aspects of domestic violence as a pressing issue, has been studied in sociological, psychological, juridical bases by Katz, Carino, & Hilton, M nard, Hall, Phung, Ghebrial, & Martin, O'Sullivan, Byers, & Finkelman, Straus, Hamby, Boney-McCoy, & Sugarman, Struckman-Johnson, Struckman-Johnson, & Anderson, Feder & Henning, West & Rose, Miller, Archer, Feder & Henning, Hamberger, Temple, Weston, & Marshall, Whitaker, Haileyesus, Swahn, & Saltzman and by other many researchers.

The purpose of this article is to investigate the gender aspects of domestic violence and to clarify the current situation of this problem in Azerbaijan.

Research methods. In the research were used methods: Text analysis, document analysis, statistical analysis, comparative analysis.

In patriarchal societies organized on the principle of domination and subordination, violence against women in the family is traditionally legitimized. Violence takes forms of physical action, economic inequality and dependence, emotional humiliation through threats, blackmail, isolation, exploitation, discrimination and sexism. The real scale of domestic violence will never be known for sure. However, it is clear that domestic violence practices against women are part of the dynamics of many family conflicts around the world.

According to the World Health Organization for 2013, one in three women worldwide are beaten, coerced into sex or other exploitation, and in most cases by someone they know. According to the latest IMAGES (Men's Attitudes to Gender Equality Survey, 2018) report, 33% of Azerbaijani men reported violence against their partner and 32% of women reported physical abuse [9].

Research suggests that women are killed, physically and sexually abused, threatened and humiliated in their own homes by men, who should ideally be the most reliable partners. The consequences of domestic violence take a global form of destructive intra-family socialization, leading to the constant reproduction of a model of violent relationships in families, crippled lives of women

and children, family breakdown, which represents very serious consequences for society as a whole.

GBV can have lasting psychological and physical effects and impact on many aspects of the lives of women victims of violence [6, s.5].

At the same time, the overwhelming majority of women reported that partner violence was permissible, and 11-59% of women justified male violence against a partner by the fact that it occurred in connection with a particular situation. The available data also suggest that the total economic damage from violence against women in Azerbaijan in 2017 was 1.8% of the country's GDP [8].

A UN study found that violence against women could cost Azerbaijan US \$764 million, equivalent to 2% of the country's GDP. This includes irreparable loss of life, disability, disability of victims of violence, as well as economic losses associated with the costs of responding to violence. But above all, violence against women and girls is destroying lives, families and the future. The impact of every act of violence on human life is immeasurable, and it is a price Azerbaijan cannot afford, and no woman or girl should have to pay [1].

Domestic violence is strongly linked to the context of cultural, socio-economic, political and legal relationships. The defining point of social mechanisms that contribute to the development of trends and practices of violence against women is the problem of power and tender relations. A socially constructed tender order dominated by male power excludes women from the public sphere and places them in a situation of economic and emotional dependence.

Around the world, in addition to the great successes achieved in the field of ensuring women's rights, a number of problems remain relevant. Some work is being done to address early marriage, gender-based violence, domestic violence and other issues. But the problems continue to remain. Unfortunately, over the past 20 years, these issues have been exacerbated by sexual and gender-based violence in IDP communities.

According to WHOM:

"1. Violence against women and girls is a global epidemic.

2. Legal systems need to be adapted to provide judicial and victim protection.

3. Many victims do not seek help.

4. Refugee and migrant women and minority individuals face a higher risk of violence.

5. Prosecutions and convictions of those responsible for gender-based violence are rare.

6. Gender inequality is at the heart of gender-based violence" [2, s.8-13].

In practice, the model of a patriarchal family still prevails; there is no developed system of social institutions and mechanisms that contributes to the construction of non-violent masculinity. Cur-

rently, states are not able to create safe living conditions for women, even if we talk about economic security. There is also a fundamental limitation of the ability of states to solve this problem by simply increasing social assistance.

The European Council adopted the "Gender Equality Strategy" for 2018-2023, including the topic of gender balance among the priorities of the 21st century. Partners were identified to effectively implement the strategy: the media, individual state parliaments, governments and other bodies were recognized as "natural partners" of the strategy [8].

The principles, general characteristics and fundamental elements of basic services for abused women and girls are also contained in international legal instruments. States around the world have discussed and agreed to support a set of global norms and standards to combat violence against women and girls:

- The Convention on the Elimination of All Forms of Discrimination against Women¹⁸ of 1979 and the Convention on the Rights of the Child 19 of 1989 provide a human rights framework.

- The Declaration on the Elimination of Violence against Women²⁰ of 1993, the Beijing Declaration and the Platform for Action of 1995, 21 as well as numerous resolutions of the General Assembly and the Human Rights Council, together with general recommendation No. 19 of the Committee on the Elimination of All Forms of Discrimination against Women, clearly define what States should do to address this issue. Among recent documents: "Updated Model Strategies and Practical Measures to Eliminate Violence against Women in Crime Prevention and Criminal Justice" offer extensive recommendations that cover substantive, procedural and operational issues in criminal justice, recognizing the importance of a holistic, coordinated, interdisciplinary response.

The agreed conclusions adopted by the Commission on the Status of Women at its 57th session provide further methodological guidance to establish comprehensive, coordinated, interdisciplinary, accessible and sustainable multi-sectoral services to all victims and survivors of violence of all forms against women and girls.

On October 3, 2010, Azerbaijan adopted the law "On the Prevention of Domestic Violence." Ten years later, a plan was developed "On the fight against domestic violence in the Republic of Azerbaijan (2020-2023)".

In accordance with the Law of the Republic of Azerbaijan "On the Prevention of Domestic Violence," domestic violence is the abuse of close family relations, joint or previous cohabitation, for the following reasons, intentional physical or moral damage to one person to another:

- Close family members (husband, wife, parents, children, grandparents, grandchildren, full-

birth and half-siblings, adopted and adopted), as well as other relatives in cases of cohabitation;

- Joint residence or separate residence after the dissolution of the marriage of former spouses;

- individuals appointed by guardians or trustees, as well as persons on whom guardianship or guardianship is established;

- men and women living together without legal marriage, as well as close relatives living with them [12, s.2].

In accordance with the provisions of the Law "On the Prevention of Domestic Violence" in 2017, a special bank was established in Azerbaijan to collect data on domestic violence based on various sources. The data bank is run by the State Committee for Family, Women and Children (ACUPDC). The data bank provides information on cases of domestic violence, victims of domestic violence and perpetrators of violence, the results of investigations and court decisions issued by security agencies, persons deprived of parental rights in connection with domestic violence, etc. Preliminary information is provided by law enforcement and criminal prosecution agencies, local executive authorities and aid centers. As of June 21, 2018, 575 cases of domestic violence were included in the specified domestic violence data bank [7, s.23].

Anti-domestic violence activists warn that financial difficulties caused by the COVID-19 pandemic, along with social isolation measures during quarantine in Azerbaijan, have led to a sharp increase in the number of cases of domestic violence [11].

According to the State Statistics Committee, in 2020, 1,260 cases of domestic violence were recorded in Azerbaijan. This is 3.7 percent less than in 2019. The number of victims of domestic violence in comparison with a year earlier also decreased by 4.3 percent and amounted to 1,300 people. 75.9 percent of them are women, 1.2 percent are minors. But the death toll from these crimes increased by 34.1 percent in a year to 59, including 41 women [10].

On November 1, 2020, a pilot project of the "hotline 860" on gender-based violence was launched. From December 1, 2020, we began to receive calls from victims of domestic violence. In 2021, the hotline received 436 complaints, this year in only two months – 36 complaints. As a rule, most victims of domestic violence are married and have secondary education. According to an analysis conducted by the Family and Child Committee, the reasons are usually complex. The most common are public stereotypes (71%), with outside interventions in second place, for example, due to exposure to relatives and acquaintances (62%). Alcohol and drug addiction are also often stumbling blocks in family relationships, accounting for more than half of all conflicts. You should also take into account the personal quali-

ties of a person, some people have a tendency to violence in character.

This also includes excessive jealousy of partners. Unfortunately, according to our observations, during the coronavirus pandemic and quarantine, the number of victims of domestic violence increased. The reason for this is mainly unemployment. During the study, 74% of respondents said that they suffered from various injuries (scars, tooth loss, fractures, etc.). 54% had sleep disturbance and obsessive fear, 34% had depression and self-doubt, 33% said they were closed in, 26% experienced social phobia, and one in five attempted suicide. 97% of domestic violence victims reported multiple concurrent exposures. Paragraph 6.2.1 of the National Action Plan for Combating Domestic Violence in the Republic of Azerbaijan for 2020-2023 sets the task of providing victims of domestic violence with a temporary shelter that meets international standards and can fully meet their needs [4].

A conscious system of social partnership is needed, in which the real involvement of public forces is carried out in the person of non-governmental organizations, state institutions, the media, law enforcement agencies, the expansion of structures implementing legislation, the legislative framework of states.

Over the past ten years, there have been significant changes in relation to issues related to domestic violence against women, and previous gender standards have changed. All legal barriers to full equality must be removed, and the social and traditional obstacles to women's access to decision-making jobs and positions in politics and business must be removed. This is the most important task today.

To date, there are eight non-governmental centers accredited to provide social services to victims of domestic violence. There is also a shelter and a social rehabilitation institution for vulnerable groups under the Agency for Social Services under the Ministry of Labor and Social Protection of the Population of the Republic of Azerbaijan. According to an analysis conducted by the Committee, 68% of victims went to the police, the prosecutor's office and the court, 12% – to friends and relatives, 5% of victims of domestic violence turn directly to help centers and shelters, 3% – to public organizations, 12% – turn to psychologists and specialized television programs [4].

Conclusions. Thanks to the institutionalization of the tender approach in Azerbaijan, wom-

en's activism has undergone a critical rethinking of social roles, values and ideas, family relationships towards egalitism. But it should be noted that in our country the women's movement is not massive and politically strong, but the efforts of activists are developing innovative ways to understand the relationship between the sexes in the public and private spheres.

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