



PHILOSOPHICAL AND ANTHROPOLOGICAL ASPECTS OF ENSURING GENDER IDENTITY IN PREVENTING DOMESTIC VIOLENCE

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Abstract: The article studies the theoretical and methodological foundations of the philosophical and anthropological analysis of the gender identity factor in preventing domestic violence, the philosophical aspects of ensuring gender identity in preventing domestic violence, advanced foreign experiences and priority areas, and future tasks. It also analyzes the theoretical and methodological aspects of the philosophical and anthropological analysis of the gender identity factor in preventing domestic violence.

Key words: domestic violence, national and universal values, social laws, tradition and modernity, comparative analysis, analysis and synthesis, systemic and functional, gender identity, philosophical and anthropological analysis.

INTRODUCTION. In order to combat and prevent domestic violence in the new Uzbekistan, the Law “On the Protection of Women from Harassment and Violence” came into force on September 3, 2019. In accordance with this Law, “the main directions of state policy in the field of protecting women from harassment and violence, the powers of the Government and state organizations in this field, and general measures to prevent, identify and put an end to harassment and violence against women were determined”.

While great attention is paid to strengthening the social protection system for women and children in Uzbekistan, and large-scale work is being done to protect motherhood and childhood, an analysis of work in this area shows that there are a number of shortcomings and obstacles to improving the spiritual and moral environment in families.

LITERATURE REVIEW AND METHODS. Socio-philosophical, sociological aspects of preventing domestic violence, the possibilities of a gender approach in combating domestic violence and issues of gender identity R. Connell, P. Bourdieu, D. Scott, V. Spike Peterson, L. I. Amanbayeva, A. V. Belyaev, M. V. Bogomaz, L. S. Vygotsky, D. Karpara, V. A. Sitarov, G. M. Andreyeva, V. V. Antipov, L. P. Bogdanova, A. Varga, I. F. Dementyeva, T. R. Kirimov, N. M. Latipova, O. Musurmonova, N. R. Nishonova, M. Kh. Kholmatova, G. Matkarimova, Kh. Nasrullaeva, N. Jo'rayeva, M. Nurmatova, E. Sultonova, S. Kh. Safayeva, Sh.



Sodiqova, G. J. Ganiyeva, Studied in the studies of scientists such as M.Q. Ga'farova.

RESULTS AND DISCUSSION. A completely new system has been introduced in the country in the field of solving the problems of victims of violence and implementing state policy in terms of their social support. In accordance with the Resolution of the President of the Republic of Uzbekistan No. PQ-146 "On the Organization of the Activities of the State Committee for Family and Women" dated March 1 of this year, "A Department for Supervision of the Implementation of Legislation in the Field of Ensuring Women's Rights and Protecting Them from Harassment and Violence was established at the Prosecutor General's Office".

The Decree No. PF-87 "On Measures to Further Intensify Work on Systematic Support for the Family and Women" dated March 7, 2022 also established targeted measures in the field of ensuring women's rights and protecting them from harassment and violence. In particular, "this document establishes as a special priority the creation of an atmosphere of intolerance towards oppression and violence against women in society, the provision of women's rights and legitimate interests, and the strengthening of the educational potential of the family, the preservation of family values in society, the improvement of the spiritual and moral environment in families, and the increase of their well-being."

An important international document on the topic under consideration is the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the implementation of which is monitored by the Committee on the Elimination of Discrimination against Women (CEDAW), which consists of 23 independent experts on women's rights. "This Convention on the Elimination of All Forms of Discrimination against Women is a tool that helps women around the world change their daily lives. "In countries that have ratified the Convention, it plays an important role in combating the consequences of discrimination, including violence, poverty, lack of legal remedies, and the full realization of property rights."

In Western countries, a process called the "second demographic transition" has taken place, in which the number of formal marriages has sharply decreased, both parents are not required for a child to grow up, women can raise children alone if they wish, and a positive attitude towards abortions is gradually taking shape. In addition, state interference in family relations is minimized, and the path is being chosen to maintain the strength of the family by providing socio-



economic assistance and transferring it to civil society institutions, while allowing freedom in sexual relations. As a result of an excessively liberal approach to family relations, non-traditional family relations began to form, in 1989, same-sex marriage was allowed in Denmark, and later in many countries (the Netherlands, England, Sweden, etc.) same-sex marriages began to be officially recognized. Although laws against this were passed in some countries (some states in the USA, France), it can be seen that they are not producing sufficient results. The existence of negative demographic trends in some countries (Russia, France, Germany) is leading to the development of programs aimed at solving it.

The termination of marital relations between parents should not affect the material support of children. This rule, which is consistent with the centuries-old traditions and mentality of our people, as well as with the criteria of international law and humanity, should be included in our legal documents regulating alimony relations and implemented. To this end, firstly, all cases related to the divorce of spouses with minor children should be transferred to district courts; secondly, divorced spouses should be given the opportunity to use special mediation services to resolve problems related to their children.

The implementation of these proposals, together with other work being carried out in the field of improving legislation, will undoubtedly ensure that "in Uzbekistan ... the breakdown of families remains at the lowest level in the world." The Republic of Uzbekistan has ratified a number of international treaties that provide for the fight against all forms and manifestations of violence against women. These are the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child, and other international legal acts.

Naturally, the establishment of international legal requirements is not enough to prevent domestic violence. The solution to this issue largely depends on effective law enforcement activities, strengthened at the legislative level. Of course, it is also necessary to take into account that domestic violence is not only a national, but also a universal, general phenomenon. Such violence exists in all countries without exception, regardless of their social and state structure, in various forms and manifestations.

Domestic crimes are understood as crimes committed by one member of the family against other members. In this case, it does not matter whether the relationship between spouses is legally legalized or not.





Various (mercenary, sexual and other) crimes are committed in the family. However, among them, crimes committed by one family member against another family member using violence, including infanticide and other crimes against children, constitute the majority.

At the heart of family crimes, as a rule, lies an internal conflict between family members or a conflict between family members and the environment in which they live. Today, among family crimes, crimes committed with violence against a wife (husband) and infanticide have been studied in particular detail. As is known, there is no crime of “domestic violence” in criminal law. As mentioned above, domestic violence is a socio-legal concept and a socio-legal problem.

At this point, let us pay attention to the analysis of statistical data. “According to the information provided by the Supreme Court of the Republic of Uzbekistan, a total of 1,568 criminal cases related to domestic violence were considered in 2021. A total of 1,692 persons were brought to justice within the framework of these criminal cases. Also, of these crimes, 1,617 individuals were recognized as victims, of which 1,184 or 73% were women, 433 or 26% were men, and 20 or 1% were minors.”

Almost 80% of respondents in the survey conducted during the study indicated that they consider a victim of domestic violence to be a woman or a person of the female gender. However, the above figures refute the view that only women are victims of domestic violence. In other words, one in four victims of domestic violence in 2021 was a man.

The researchers noted that the crime of intentional homicide in most cases arises as a result of domestic disputes and is committed within the family. This means that we should also consider the crimes of intentional homicide or intentional homicide in a state of strong emotional excitement as crimes of domestic violence. It should be noted that the acts expressed in domestic violence are committed in the form of a direct intent of guilt from the subjective side. Also, its motive is committed with such motives as jealousy, revenge, and demonstration of sexual superiority.

One of the main features of the social danger of crimes related to domestic violence is explained by the fact that the object of this type of act is one of the most important institutions in society, the stability, health of the family, and social relations aimed at protecting the health, honor and dignity of family members in it.





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CONCLUSION. According to the above, violence is an unlawful act (inaction) that violates the life, health, sexual integrity, honor, dignity and other rights and freedoms protected by law by means of physical, psychological, sexual or economic influence on women or the threat of using such influence.

In general, “domestic violence can be divided into the following: violence against women; violence against children; violence against relatives. The above definitions of criminal domestic violence are based on the intentional use of physical force by one person against another person with the aim of harming their health or life, against their will. According to the above, when referring to crimes committed using violence in the family, we mean crimes in which violence is manifested not only as an objective method of the crime, but also as a structural element of the motive. These include crimes such as intentional murder, intentional infliction of serious or moderate injury to health, defamation, and unnatural satisfaction of sexual needs through violence.

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