



PHYSICAL ABUSE

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<https://doi.org/10.5281/zenodo.14849995>

Abstract: This article discusses the author's scientific research on physical violence, a type of violence, by identifying the factors and conditions that cause and prevent it, and by identifying specific and targeted measures to implement them in practice.

Keywords: violence, society, family, citizen, violence, oppression, freedom, dignity, tradition, custom, offense, person, responsibility.

The genesis of violence is very complex, dating back to times when humanity did not yet possess speech and language. The essence of violence is the negative impact on the health or life of other persons or groups using methods not characteristic of their time. Why is the emphasis placed on the word "in a way that is not appropriate for its time"? Because throughout all periods of society's development, violence, especially its manifestations, has not been equally condemned by members of society and has not been prohibited as a violation of the law by state institutions. Let's say, in ancient Egypt, someone stole a neighbor's sheep. The person's hand, leg, or nose was amputated. Such punishments persisted in various parts of the world until the middle of the 20th century. Even in the new century, methods of physical violence were legalized in countries such as Afghanistan. For example, after the Taliban government seized power in Afghanistan in August 2021, physical violence became widespread. At the same time, the methods of physical violence used in ancient Egypt 4-4.5 years ago were revived under the pretext of Islamic Sharia. The reason for these examples is that, although violence is an immoral concept, throughout human history it has not acquired such a monumental meaning as good and evil, beauty and ugliness, war and peace. For centuries, it has acquired a new meaning in accordance with the economic, cultural, and spiritual development of humanity. Can we understand the genesis of violence if we move the progression towards understanding violence in the opposite direction? In our opinion, yes. Because as the number of acts called violence increases over the centuries, if we move the wheel of history backward, the number of such acts will decrease from the perspective of antiquity. For example, even in a traditional society like Uzbekistan in the 21st century, there is responsibility for parents using physical force against their children. However, until recently, physical violence against children was used as one of the methods of upbringing in the family. Of course, it was difficult to determine the scope of such types of punishment.

There are a number of grounds to believe that physical violence was originally a form of relationship between people. Firstly, it is natural for people to communicate with each other through physical force - pushing, pushing, pushing, and other means - even before the formation of speech. Our ancestors may have sent signals to each other by touching the body, which is much more sensitive than meaningless shouts and screams. Secondly, they must have sent signals to each other, which had an initial moral character, through what we now call violence. The reason for our conclusion is that until now, in most cases, there is a tendency to

explain violence as punishment precisely for the act of the victim, which led to a certain shortcoming, culpable behavior, or displeasure of the perpetrator. In this regard, I. Krylov's fable "The Wolf and the Lamb" clearly demonstrates the genesis and essence of physical violence.

"Wait a minute, you rascal.

Very rough three years ago

You said something to me,

I'll show you now!"

"But I was born last year!"

"In that case, he's your brother!"

"I have neither a brother nor a brother!"

"Don't talk back, you rascal!

It's your seed, your tribe!

Some of your mouths are crooked!"

At the end of the parable, the lamb's "fault" is revealed:

Your fault is that you met me when I was hungry,

So, he ate the lamb in the forest.

Here, the main noteworthy aspect is manifested in two episodes. Firstly, any violence is justified by some pretext. For example, a wolf is hungry. He needs to eat the lamb. In reality, in the forest, it was common for a wolf-animal to devour a lamb in one attack. But the main character of the fable is the wolf-man. He has some moral principles, he needs to be able to justify his actions before other creatures in the forest. For this reason, he issued a series of accusations against the lamb-man. Although their illogical nature is evident from the very beginning, they try to justify their actions in some way. Secondly, the subject of physical violence is physically several times stronger than its object. This is the main condition for physical violence, and it is precisely the force factor that can be the cause of violence. One of the theories about the emergence of states, Franz Oppenheimer, also writes about labor and piracy. In his opinion, violence aimed at seizing the fruits of the labor of others played an important role in the emergence of the state.

Physical violence has another important aspect. Different cultures have formed different views on the issue of physical touch. For example, in European circles, it is common for representatives of different sexes to embrace and kiss. In Eastern cultures, particularly in Uzbekistan, even shaking hands can sometimes be considered impolite. From this point of view, we can see that the acceptance of physical violence has also formed differently in different cultures. For example, in some European peoples, hitting and nudging the shoulder of the interlocutor is common, while in Eastern peoples it may seem like physical violence.

Currently, certain unanimous views have been formed on the manifestations of physical violence, which are as follows: 1.

- slapping, kicking, pushing, punching;
- pushing with a blow;
- throwing various sharp objects and items;
- threats and wounds with weapons;
- physical prohibition of leaving the house;
- not allowing sleep at night, etc.



As can be seen from the types of physical violence, these actions mainly occur within the framework of one social group. Typically, the perpetrator can have varying degrees of power over the victim. For example, in some cases, a husband's violence against his wife in the family may be considered normal, or such a relationship may have already formed. The most important aspect is that the offender tries to justify their actions with various motives and in some cases may evaluate their actions as correct. Also, the religious factor plays a certain role in the spread of physical violence in Uzbekistan. A number of scholars have formed a consensus on the possibility of applying certain measures in the upbringing of women in Islam. According to it, if a woman disobeys her husband, she can first give advice, then leave the bed, and finally, fight harmlessly.

It is noted that it is necessary to follow four rules when beating a woman.

Firstly, to hit in a way that doesn't cause pain.

Secondly, avoid hitting the face and damaging areas.

Thirdly, it is permissible if one thinks that hitting a woman will dissuade her from the evil deed she is doing.

Fourthly, if a woman obeys her husband, she stops beating.

Such views are widespread among religious scholars, and there are cases when the dissemination of such information is viewed as a means of justifying violence among young people. Such views have been formed in the worldview of the people for thousands of years, and it is impossible to eliminate them in a short time. In our opinion, views on oida have also changed today. Now, a woman's obedience to her husband is manifested in her equal dedication to the spiritual, economic, and cultural development of the family. From a historical point of view, for thousands of years, women were mainly unable to engage in household work and perform other tasks besides raising children. Economic life was largely driven by male activity. Now the situation has changed. All conditions have been created for the functioning and work of women in all spheres of public life. The concept of material dependence, which is the basis for violence, is gradually disappearing from our lives. This demonstrates the desire of women to ensure their rights and freedoms. This is probably why alarming reports of violence are increasing. Cases of physical violence against women do not remain within the family; they are becoming public and disclosed to law enforcement agencies. One of the main reasons for this is related to the contradictions in the value systems of men and women. While men try to educate their spouses based on religious beliefs, and in some cases develop a tendency to use physical violence, women strive to work even harder against the backdrop of expanding their rights and freedoms, actively participate in social relations, and ensure equal rights in the family. Therefore, it is advisable to focus on changes in the value system. Attempts to change religious beliefs that have been in practice for thousands of years will not yield positive results. In this regard, it is advisable to conduct explanatory work among religious scholars regarding contemporary trends. Because even in countries with developed Islam, such as Indonesia, Malaysia, and Turkey, women are active in social life, and the violation of their rights has not reached the level of social norms.

Along with physical violence, other types of violence are equally used, and such cases often occur in the family. According to R.F.Dobash and R.P.Dobash, domestic violence is the result of men's dominant position and control over women's behavior. Usually, it is women who become victims of domestic violence, and this has already become an integral attribute of the patriarchal era. Because the structure of traditional families is based on male dominance,

and women can become victims of this situation, depending on human nature, their upbringing, and the level of acceptance of violence by society and the state.

Scholars discuss two classifications of violence. In particular, according to psychologist Z. Ziyovutdinova: "The first classification is based on the nature of violent actions and includes such types of violence as physical, sexual, sexual (emotional) and economic revenge. According to research, violence has an integral character, and each type of violence includes psychological (emotional) violence as an integral part. A number of authors see it as a catalyst or precursor to the effects of psychological violence.

The second classification focuses on the characteristics of the object of violence, that is, age characteristics (violence against children and the elderly), gender characteristics (violence against women or men), health status (violence against disabled or incapacitated persons), family relations (relationships between relatives), ethnic origin, profession, social status, etc.

A number of studies have been conducted to study the causes of physical violence in families. In particular, the Research Institute of Family and Women conducted a sociological study on violence in 2022. The conducted scientific research has collected certain empirical data on the origin of physical violence in Uzbekistan, how women perceive violence, and the subsequent fate of women subjected to violence. The sociological study was conducted among 420 women, and the respondents covered 5 regions of the country.

It turned out that in 39.4% of cases, physical violence by men is committed against their spouses for talking back to their husbands.

Нима учун турмуш ўртоғингиз Сизга нисбатан тазйик ва зўравонлик қўлади?	
Унга гап қайтарганим учун	39,4%
Нафсонияти, гурурига текканлигим учун	26,0%
Ота-онаси, яқин қариндошлари нафсониятига текканим сабабли	26,3%
Рухсатсиз, ўзбошимчалик билан иш қилганлигим сабабли	25,3%
Кўчадан, иш жойидан асаби бузилиб келганлиги сабабли	24,4%
Севмай турмуш қурганилиги сабабли	17,7%
Ичиб келгани сабабли	15,1%
Уй-рўзгор ишларини ўз вақтида бажармаганим сабабли	11%
Телефонда шубҳали ҳаракатни сезиб қолгани сабабли	7,4%
Хиёнат учун	3,2%
ЖБК	11%

Figure 1.2. Reasons for violence by a spouse.

The question of the culture of communication, the ability to convey one's thoughts to others in an understandable way, and what qualities and moral qualities one must possess to accept others is also relevant. Because wherever communication ends, that's where violence begins. At the same time, in some cases, men consider physical violence to be an integral part of family relationships. As can be seen from the table above, mainly women are subjected to physical violence by their husbands due to the lack of a culture of mutual communication. Currently, in the process of transformation of the value system, men and women have different expectations from each other. Men, as proponents of protective values, advocate for the fulfillment of women's traditional duties and want recognition of the man's unconditional

dominance in the family, while women advocate for active participation in family management and the management of economic wealth. This contradiction is reflected in everyday communication and relationships within the family. Both sides strive to form an ideal man and an ideal woman in their worldview. This leads to future family conflicts, which in turn leads to physical violence. As can be seen from the table above, women clearly understand the causes of violence and understand it in connection with their husband's unique worldview.

Сиз куйидаги ҳолатларни тазйик ва зўравонлик деб тушунасизми?			
Куйидагиларнинг қайси бири оилавий зўравонлик ва тазйик саналади?	Ҳа, зўравонлик	Йўқ, зўравонлик эмас	Жавоб беришим қийин
Калтаклаш, уриш, итариш, чимчиллаш, кўлни буриш	83,8	13,4	2,7
Шангаж (болаларни, мол-мулкни ва ҳ.к. ўртага қўйиб бирор нарсани қилишга мажбурлаш)	81,5	13,3	5,2
Кўрkitиш	80,4	16,7	2,8
Фарзандларини сабабсиз қаттиқ жазолаш	76,5	18,9	4,6
Ҳақорат қилиш, сўкиш	72,4	21,4	6,2
Ишлашни, ўқишни тақиқлаш	68,7	26,7	4,6
Дўстлар, қариндошлар билан мулоқотни чеклаш	67	24,0	9,0
Сизни ва қариндошларингизни доимий танқид қилиш	60,0	32,1	7,9
Пулдан мустақил фойдаланишни тақиқлаш	58,4	31,7	10
Ҳасад қилиш, шахсий ҳаётга аралашини, рашк қилиш	56,8	30	13,2
Керакли нарсаларни (озик-овқат, кийим, гигиеник воситалар) сотиб олиш учун пул бермаслик	54	35,8	10,2

Figure 1.3. Types of violence

It was revealed that most women reported being victims of domestic violence. In general, among the types of violence, physical violence is the most common and easily identifiable offense. An interesting aspect of the problem is that more than 13% of respondents do not perceive beatings, beating, pushing, pinching, and other types of physical harassment as violence. Problems in family upbringing, worldview, and education prevent women from correctly assessing the situation in which they find themselves. Perhaps for this reason, the indicators related to the state of physical violence are different across the regions.

At the same time, it should be noted that men, like women, can also suffer from physical violence. According to the Russian scholar Yu. Antonyan: "Women often attack their spouses no less often than their husbands. Because women's aggressiveness is no less than men's, and perhaps even slightly higher." Such views can be considered characteristic of Russian society, which has already found European family traditions. Although there are some reports in the media about men being held accountable as a common type of violence in Uzbekistan, the fact

that this phenomenon is widespread has not been confirmed within the framework of any research. Often, when women commit physical violence against their husbands, such cases are not the educational motives that men rely on when they commit violence against women, but are aimed at its physical elimination. On April 14, 1989, in the newspaper "Literature and Art of Uzbekistan," an article titled "Humility or Why Did a Woman Kill Her Husband?" by Bekkul Egamkulov, dedicated to the violence committed by women against their husbands, detailed the causes of this crime. It turned out that the main reason for such serious crimes committed by women is the systematic violence of the spouse against her and her children. At the same time, when analyzing data from open sources, we encountered the following information about cases of physical violence by women against their husbands in the Andijan region itself. For example, in 2019, J.Q., who lived in a charity house, was forced to satisfy her sexual needs in an unnatural way by her husband U.M. Enraged by this, the woman killed her husband by hitting him with the toilet lid. The Khanabad City Court for Criminal Cases sentenced the woman who murdered her husband when she learned that her lawfully married husband was marrying someone else. The court found the woman guilty under Article 97, Part 1 (premeditated murder) of the Criminal Code and sentenced her to 10 years of imprisonment. In 2021, in 2022, a woman, out of jealousy, ordered her husband from hired assassins for \$30,000 and was caught giving him gold jewelry as an advance. Why do women resort to physical violence, such as killing their spouses?

Firstly, moral norms in society have not reached the level of full cultural regulation of women's relations with their spouses. The need for a woman to always obey her spouse is due to moral factors, such as the fact that in some cases physical violence against women and children has reached the level of social norms.

Secondly, one of the main reasons for the emergence of the problem is that state institutions are mainly aimed not at domestic violence, but at preventing divorce in families.

Thirdly, such situations as the lack of support for women from family members in difficult situations and the perception of women as guilty based on family divorces.

Fourthly, problems related to the socialization of divorced women remain factors that force the application of the last resort to men.

Fifthly, the difficulties in accepting women's feedback by men lead to the accumulation of complaints over many years and their subsequent transformation into violence.

In general, men, like women, become victims of violence, and usually such violence ends with the commission of especially serious crimes, resulting in the death of a man.

Another type of physical violence is committed against children. In Uzbek society, beating children has been a normal phenomenon, it is a process that continues from the family to the educational institution. For example, when taking their child to teachers who wanted them to learn a profession, parents used the phrase "The meat is yours, the bones are ours." This meant that physical violence can be used against children, that it is necessary to be strict in the process of learning this craft, and at the same time not to physically cripple it. In recent years, the situation has changed dramatically, and society has gradually begun to reject physical violence against children.

Physical violence against children manifests itself in punishment through beating, pushing, kicking, and other physical actions. According to the World Health Organization, violence against children is a serious global problem and has a negative impact throughout a

child's life. According to most experts, established cultural norms are one of the causes of violence against children.

To combat violence against children, it is necessary to study it on a scientific basis, and law enforcement agencies must identify it and take appropriate measures. However, there are a number of aspects of the fight against violence against children in the family that currently prevent such a negative phenomenon.

Firstly, the family is a closed institution for society, and the relationships and connections, contradictions, and problems within it are not open to all members of society. This is the uniqueness of the family. From this point of view, the issue of determining physical violence against children is complex.

Secondly, the issue of physical violence against children is not included in the value system of our people as a negative phenomenon. Physical violence is used as the ultimate measure of upbringing, and the opinion has been formed that this is good for the child himself.

Thirdly, in the event of physical violence against children, children in most cases do not have the opportunity to protect their rights and interests. Because other family members can also justify the actions of the abuser in this situation.

Fourthly, even if parents are punished within the framework of laws against physical violence, the family situation becomes more complicated.

According to statistics, 77 percent of children suffer from physical violence by their parents, 11 percent from other relatives, and 2 percent from strangers. As can be seen, the scope of physical violence against children is quite narrow, and it is advisable to counter it, first of all, with an educational character, and only then apply legal measures.

In some countries around the world, physical violence against children is prohibited.

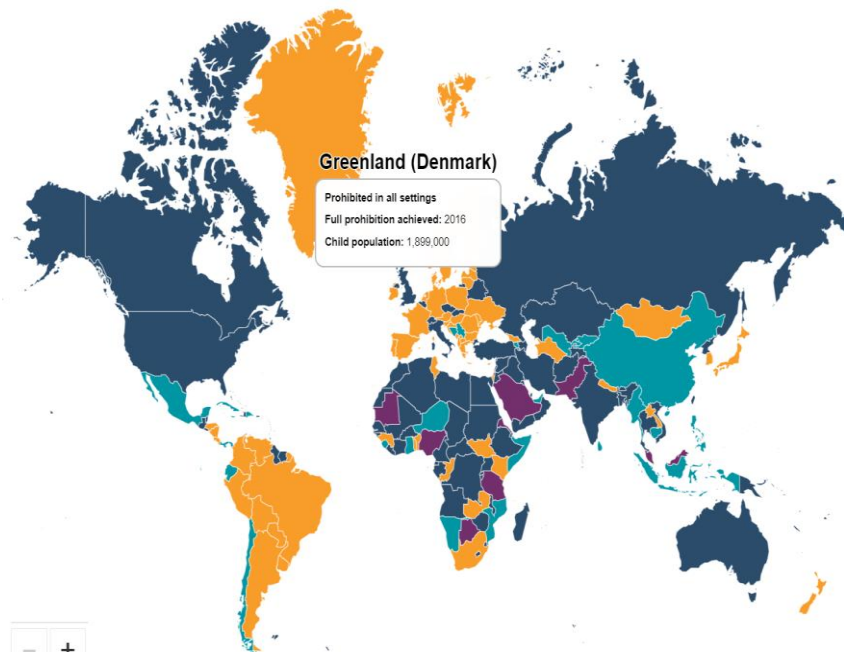


Figure 2.3. Global map of legislation against physical violence against children worldwide.

- yellow, which is completely prohibited by law;
- in dark blue, the governments promised a complete ban;
- with a light blue color, prohibited in some cases;
- countries that are not prohibited by law are marked with ink.



A recent multi-indicator survey conducted by UNICEF showed that two-thirds (62%) of children aged 1 to 14 in Uzbekistan have been subjected to violent methods of upbringing (physical punishment, psychological aggression), and 33% of girls aged 15-19 believe that a husband has the right to beat his wife. This leads to the idea that it is necessary to change the worldview of children in society. "It is alarming that cases of domestic violence are increasing. Imagine, in the first nine months of this year, 166 cases of violence against children by relatives, including close ones, were recorded. Unfortunately, even official statistics do not allow for an objective assessment of the measure. The truth is even worse. Children who are victims of violence usually do not report being subjected to violence. Often they remain silent about what happened due to fear, shame, or a sense of loyalty to their family. Especially if the abuser is one of the closest people to the child," said Shakhnoza Mirziyoyeva.

Such systemic problems, based on global initiatives, have led to the need to adopt a law on the elimination of all forms of violence against children.

For this purpose, starting in 2024, work has begun on the draft law "On the Protection of Children from Violence" in Uzbekistan. The law was submitted for public discussion, adopted by the Legislative Chamber on May 31, 2024, and sent to the Senate.

The draft law was prepared in cooperation with a number of organizations, including the National Agency for Social Protection under the President, the Ministry of Justice, and international organizations - UNICEF. In developing this draft law, the experience of France, Denmark, Germany, Singapore, the United Arab Emirates, Hungary, Bulgaria, Albania, the Philippines, and Georgia was studied, and their most positive aspects were incorporated into the law.

According to the law, "physical violence is an act (inaction) that infringes upon the life, health, and other rights and freedoms of children protected by law by causing bodily harm to children of varying severity, committing other acts of a violent nature, applying physical influence, or threatening the use of other measures of such influence."

At the same time, institutional changes have occurred that deal with issues of violence against children. Until now, there were no bodies that combat violence against children, coordinate it, organize work in this area, and cooperate with foreign international organizations. Now, the coordination of work in this direction is entrusted to the National Commission on Children's Issues, and its direct working body is the National Agency for Social Protection.

In the draft law, physical violence is defined as one of the 6 types of violence against children. It is known that the concept of violence in the general sense is divided into physical, economic, psychological, and sexual types, and when it comes to children's issues, neglect, coercion, bullying, and discrimination are also recognized as violence.

At the same time, the draft law defines the following individual measures to prevent violence against children:

- conducting preventive interviews;

- issuance of a protection order to children;

- Removal of a child from parents (one of them) or other persons who have taken the child into their care;

- drawing up an individual protection plan;

- undergo correctional programs to change violent behavior;

restriction of the rights of persons who have committed sexual violence."

It is clear that even measures taken before a punishment for violence are assigned may be completely new for some parents and could be a huge blow to their worldview and value system. For this reason, the law is being adopted at each stage, full of sharp discussions and considerations. In general, this law is a requirement of the times and serves to change the worldview of parents and children, bring their relationships to a new level, and transform our national values related to child-rearing in social life. Of course, this process will be very complex and full of contradictions. Because it takes a certain amount of time to accustom the public to issues such as separating parents who have abused their child from their child, individual conversation with the child, and the use of this conversation to accuse parents.

Therefore, in our opinion, it is necessary to implement a number of measures to reduce or completely eliminate the problems of physical violence against children.

Firstly, it is necessary to convey laws on violence to the public in a simple, understandable, and artistic form through the mass media, the Internet, social networks, and viners. Because parents still consider it their duty to slap them for educational purposes. In the discussions of the aforementioned draft law, most of the proposals expressed concerns that children could be beaten when they make noise, otherwise they would become spoiled like children abroad. This shows the need for fundamental changes in our views on child-rearing. Child's individuality. They must understand that they were born not to fulfill their parents' unfulfilled dreams, but to fulfill their own desires and hopes. At the same time, it is necessary to use non-violent methods of upbringing, to conduct large-scale awareness-raising events on refraining from any physical violence.

Secondly, it is necessary to explain to parents, educational institutions, and other relevant organizations the specific forms of physical violence against children, including the fact that beating, pushing, kicking, pulling from the hair, ears, pinching, and humiliation entail administrative or criminal liability. To prevent such immoral and unlawful actions under the guise of love and affection for children.

Thirdly, it is necessary to conduct comprehensive explanatory and promotional work with parents and educators in educational institutions about methods of raising children without physical violence. Using the most advanced achievements of pedagogy, it is necessary to conduct explanatory work on how to use methods that comply with the law and do not harm the rights and interests of the child, and not traditional methods of upbringing.

Fourthly, it is necessary to conduct awareness campaigns about the consequences of physical violence, its negative role in the child's future, and the inequality of the two sides in this conflict. In this case, based on the national traditions and values of our people, it is necessary to explain the idea that beating a child in a helpless state is an ugly situation, like beating an elderly father in a helpless state in the future.

Fifthly, it is necessary to involve state and public figures, artists, bloggers, and other respected figures in the promotion of physical violence against children. In this regard, it is appropriate to acknowledge the enormous work done by the head of the National Agency for Social Protection, S. Mirziyoyeva.

Sixthly, it is necessary to increase scientific research on violence against children. Its results should be regularly discussed in the national commission and its working body. In Uzbekistan, physical violence remains the most common type of immoral and unlawful violence. Women, children, and men also suffer from it. Such a negative situation is connected

with aspects that have been preserved in our national and religious values and need to be changed. At the same time, significant work is being done to eradicate physical violence against children. The creation of a National Commission, the designation of its working body as the National Agency for Social Protection, and the preparation of a major draft law in this area can be considered a major step towards ending violence.

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