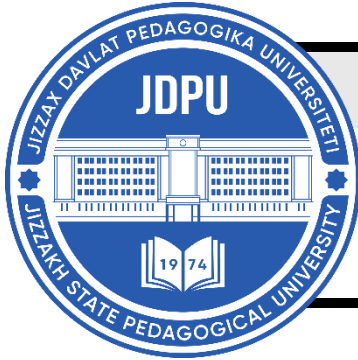


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THE ANALYSIS OF THE PROBLEM OF VICTIMS OF INSULT AND SLANDER

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ABOUT ARTICLE

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Abstract: In this article you can post information about victims of bullying and harassment. This article addresses the significant issue of individuals who become victims of insult and slander. The study delves into the psychological, social, and legal ramifications faced by these victims, aiming to shed light on the gravity of the problem and potential avenues for support and redress. Understanding the multifaceted impact of insult and slander on victims is crucial for developing comprehensive support systems. By examining both the psychological and social ramifications, as well as the legal avenues for redress, this research aims to contribute to the development of more effective strategies for victim assistance and legal protection.

INTRODUCTION

The criminological analysis of crimes against the honor and dignity of the person includes the study of the characteristics of the victim in the commission of criminal attacks such as defamation and insult.

Psychological Impact: The study seeks to understand the psychological toll experienced by individuals who have been subjected to insult and slander. It investigates the potential effects on self-esteem, mental well-being, and overall psychological health.

Social Consequences: The research analyzes how being a victim of insult and slander can impact an individual's social relationships and interactions. It examines potential isolation, strained relationships, and societal stigma that may result from such experiences.

Legal Implications: The study assesses the legal recourse available to victims of insult and slander. It scrutinizes existing legal frameworks, their effectiveness, and potential areas for improvement in providing justice and protection for victims.

Coping Mechanisms: The research aims to identify coping mechanisms employed by victims in dealing with the aftermath of insult and slander. This includes seeking support networks, engaging in self-care practices, and utilizing available resources.

It should be noted that victimology as a scientific direction began to take shape in the late 40s and early 50s. In recent years, various aspects of victimology have been actively included in the so-called prevention of victimization [1,5].

In this regard, victimology, as a branch of the more general science of criminology, studies not only the moral, psychological and social characteristics of crime victims, but also the situations preceding and accompanying the crime, as well as the behavioral motives of the victim [2]. Victimological studies are widely developed, first of all, in the USA, Germany, Finland, Japan, Canada, etc. Since the 1980s, some problems of victimology have been studied in Russia. These studies help solve practical problems facing investigative and judicial authorities.

METHODOLOGY

The research employs a mixed-methods approach, combining qualitative interviews with victims of insult and slander to capture personal narratives and experiences. Additionally, a quantitative survey will be conducted to gather broader insights and assess trends in victim experiences. Institutes for the study of victimology problems have been established in many countries of the world, and their main tasks are:

- to study the specific features of communication and relations between the criminal and the victim in order to distinguish the relevant typological bases of the classification;
- obtaining information about the psycho-emotional and physical symptoms of the victim;
- distinguishing specific features, signs and characteristics of forensic significance, characteristic of victims of certain crimes;
- identification of psychological and socio-psychological factors that predetermine or influence the behavior of a potential victim.

There are times and places where certain groups of the population are often the victims of certain crimes.

The main task of victimological research is to identify these periods and places, to inform these groups of society about it, so that they can take it into account and not fall into situations of victimization, where victimization processes develop too easily, and better resist them. An equally important task of victimological research is to determine the contribution of the victim of a crime to a certain legally significant situation, which, in turn, can affect the investigation and judicial actions

against criminals, as well as the procedural position of the victim [3, 5].

Criminological studies have long established a close connection between the violation of honor and dignity and serious crimes against the person. It is worth noting that illegal or immoral behavior of the victim is one of the main reasons for committing murder and harming health. As stated by V.S. Minskaya, every fifth murder and more than a third of all injuries were caused by insults, threats and violence by the victim [4, 15].

Victimological studies at the psychological level allow identifying criteria that facilitate the recognition of a victim long before he becomes a victim of a crime. This has a direct impact on the reduction of crime. Therefore, the purpose of victimological research is to show how certain categories of people expose themselves to risks and take precautions.

DISCUSSION

The issue of victims of insult and slander is a pertinent concern in both legal and social contexts. Insult and slander can have far-reaching consequences on individuals' well-being, reputation, and psychological health. This discussion aims to delve into the complexities surrounding this problem, considering legal implications, psychological effects, and potential strategies for mitigating harm.

Defining Insult and Slander: Insult refers to verbal or written expressions that demean or belittle an individual, while slander involves making false spoken statements with the intent to damage a person's reputation. Legal systems typically provide definitions and parameters for identifying and addressing these offenses.

Burden of Proof: In many jurisdictions, victims of insult and slander face the challenge of proving that the statements made were false, damaging, and made with malicious intent. This can be a significant hurdle in seeking legal redress.

Legal Remedies: Various legal remedies may be available to victims, including injunctions, damages, or court-ordered retractions or apologies. However, these processes can be time-consuming, emotionally draining, and may not always lead to satisfactory outcomes.

Psychological Impact on Victims

Emotional Distress: Victims of insult and slander often experience significant emotional distress, including feelings of shame, humiliation, anger, and sadness. These emotions can have a profound impact on their mental well-being.

Stigma and Social Isolation: Being subjected to insult or slander can lead to social stigma and isolation. Victims may withdraw from social interactions, experiencing a loss of trust in others and a diminished sense of belonging.

Deterioration of Mental Health: Prolonged exposure to insults and slander can contribute to mental health issues such as anxiety, depression, and even post-traumatic stress disorder (PTSD) in severe cases.

Strategies for Mitigating Harm

Legal Protections and Education: Strengthening legal protections against insult and slander, and educating individuals about their rights and legal recourse options, can empower victims to take action.

Support Networks and Counseling: Establishing support networks, including mental health services and counseling, can offer victims a safe space to process their experiences and seek guidance on coping mechanisms.

Promoting Digital Literacy and Responsible Communication: Given the prevalence of online communication, promoting digital literacy and responsible online behavior can contribute to reducing incidents of online insult and slander.

The problem of victims of insult and slander is multi-faceted, involving legal complexities, psychological consequences, and potential interventions. It is imperative to address this issue holistically, combining legal protections with psychological support and education. By doing so, society can work towards creating an environment that fosters respectful and empathetic communication, ultimately reducing the harm inflicted on victims.

According to G. M. Minkovsky and N. F. Kuznetsova, they serve:

- a) to explain to certain contingents of the population determined by age, gender, district of residence, place of residence and other characteristics, the rules that ensure maximum personal safety in their professional and domestic life;
- b) explaining the rules for protecting property from thieves and fraudsters;
- c) explaining the most optimal course of action in a confrontation with a criminal, including a precise description of applicants and the procedure for applying to law enforcement agencies;
- g) to implement group and individual level activities related to ensuring social control in the forms provided for by legislation in relation to persons with behavior that provokes the victim;
- e) if the actions of these persons are illegal, take legal measures against them, as well as against officials and parents who have violated the obligation to prevent such actions;
- f) measures to strengthen the protection of housing from illegal entry in order to implement measures for the protection of public order that limit the possibility of the victim's behavior;
- g) taking measures to reduce the latency of crimes [5,131].

It should be noted that the importance of studying information about the victim is to correctly classify criminal acts and assign a fair punishment to the perpetrator, as well as to hold the victims responsible for the crimes themselves. In the mechanism of committing a crime, taking into account the victimological characteristics of the victim, certain laws related to his personality and behavior, developing versions in the initiation and investigation of a criminal case, comprehensively, all the circumstances of the case and objective learning should be done.

Thus, it can be noted that in order to determine the truth in a crime, it is necessary to determine and study information about the victim's behavior in a criminal situation, his relationship with the criminal before committing the crime, his personality, the ability to repel an attack, and the case until it is necessary to properly qualify, to correctly determine its objective and subjective aspects, aggravating and mitigating circumstances.

In our opinion, the victimization of older people is mainly explained by the fact that older people initiate conflicts for domestic reasons as a result of conflicts within the family. This is related to contradictions in family and marital relationships, increased aggression, and tension in relationships.

In addition, we can talk about a certain spiritual aspect of the problem under study. For example, while studying the issues of defamation and insult in practice published abroad, we encountered a certain pattern. In Latin American countries, verbal abuse is not considered “unbelievable”, and frequent quarrels and wars between middle-aged and elderly women are not due to socio-economic reasons, but to mentality. In Central and Western European countries, such behavior can lead to legal proceedings. Such behavior - public insult - is reflected in the legislation in these countries and has an appropriate punishment. Therefore, a victim of a crime in the eyes of Europeans is not always a victim in the eyes of Latin Americans, moreover, most importantly, they (the victims) do not consider themselves as such they raise these insults to the level of everyday life.

We believe that it is correct to emphasize that the victim characteristics of the personality and behavior of the victims are the basis for the development of preventive recommendations, that is, for victimological prevention.

Currently, it is generally accepted that victimological prevention is an independent direction in the unified warning system. Therefore, it should be based on the general principles of crime prevention, complement and expand traditional forms and methods of prevention, be closely related to them and be combined with them [6, p. 38].

The victimological approach to crime is one of the most humane and promising. It does not require significant material costs, and based on the desire to protect, which is inherent in all people, it seems to have an internal source of development.

An important direction of the implementation of victimological prevention is to reduce victimization by creating conditions for timely resolution of disputes and conflicts by law enforcement agencies and public organizations and neutralization of conflict situations, because the emergence and implementation of criminal intent in most cases, it depends on the personal qualities of the victims, the characteristics of their behavior and the nature of their relationship with the offenders. One of the directions of prevention should be to reduce the vulnerability of a certain part of the population. The less people and the less likely to be a victim of crime, the less crime there is [7, pp.59-60].

Victimological prevention is a set of state and public measures aimed at preventing crime by reducing the risk of the population and individual citizens becoming victims of criminal attacks.

It should be noted that victimological prevention has certain opportunities to reduce their victimization in order to prevent crime by developing recommendations for the protection of potential victims of crimes. However, these victimological prevention measures are effective as an adjunct to targeted preventive measures for those who are expected to commit crimes.

According to D.V. Rivma, the uniqueness of victimology prevention is the existence of an independent object (actual and potential victims of crimes), the uniqueness of methods (mainly persuasion methods), the wide use of state aid, the organization of training of prevention service personnel on victimology issues, information base, preventive consideration of crime victims is necessary.

We believe that the need for this prevention is that victims of crime may later become criminals or re-victims.

In order to implement the victimological prevention of the considered crimes, we think it is necessary to clearly define its goals and tasks. It can be seen that preventive activities should be aimed at eliminating the possibility of a violation against the victim by solving the conflict situation in a legal way. Therefore, the tasks of victimological prevention of crimes against the honor and dignity of a person are to identify and take into account all aggressive victims whose behavior is clearly provocative; selection of preventive action forms, methods, tools; carry out daily supervision of victims at risk of victimization; elimination of situations that may harm a person's rights and interests protected by law, etc.

On the other hand, victimological prevention is the activity of the preventive service and the public, which causes conflict situations with provocative actions and ensures the timely identification of criminals, victims of preventive accounting as a result of their development. This type of prevention, as a process that takes place in space and time, consists of several stages: identification of vulnerable victims, their study; preventive registration of such persons; planning and implementation of preventive measures; evaluation of the achieved results.

The victimological aspect of crime prevention includes the prevention of “inversion crimes”, that is, such crimes in which the roles of the perpetrator and the victim are reversed, when the victim inflicts criminal damage on the perpetrator. In such cases, victim prevention measures should be aimed at both the potential victim and the potential offender. At the same time, traditional criminal prevention measures applied to a person who is planning or preparing to commit an initial crime are filled with victim content, and victim prevention measures against a potential crime victim are filled with traditional criminological prevention content [8, pp . 274-275].

Today, we observe the spontaneous formation of organizations (community associations) of

victims of certain crimes in a number of cities and districts. We believe that such initiatives of citizens should be fully supported by state authorities and local self-government bodies. By disseminating best practices, the media, in turn, contribute to influencing potential victims.

CONCLUSION

This research endeavors to provide a comprehensive analysis of the challenges faced by victims of insult and slander. By examining the psychological, social, and legal dimensions of this problem, the study aims to contribute to a more nuanced understanding of victim experiences and inform efforts to provide meaningful support and recourse for those affected.

In our opinion, it is necessary to increase the level of knowledge of the population about the legal consequences of crimes, typical cases with a high probability of encroachment on the honor and dignity of a person using mass media. Thus, it is important to establish a system of victim education for the population. In order to achieve these goals, it is necessary to spread information about the ways of becoming a victim of the population and ways to prevent it. We consider it appropriate to develop recommendations for reducing vulnerability, which may consist of advice on tools, methods and ways of conflict resolution; information about the most affected periods, places; how to avoid the fate of a victim of a criminal attack on a person's honor and dignity. Display the above recommendation as a social advertisement on television; for this, use of visual propaganda opportunities - reminders, leaflets, posters; providing information to the public about the types of punishment assigned to "slanderer" and "insulter"; it would be correct to organize lectures of influential scientists, jurists in schools, universities, enterprises.

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