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The Concept and Essence of Gender-Based Violence

Стаття присвячена поняттю та сутності гендерно-обумовленого насильства. У статті розкрито генезис уваги дослідників в Україні та закордоном до означеного вище явища. Окремо розглянуто види гендеру, а саме: біологічний та соціальний. Проаналізовано дослідження вітчизняних та зарубіжних науковців у означеній сфері. Автором надано визначення гендерно-обумовленого насильства.

Ключові слова: *гендер, насильство, гендерно-обумовлене насильство, дискримінація, розвиток учень, рівність прав, права жінок та чоловіків.*

Статья посвящена понятию и сущности гендерно-обусловленного насилия. В статье раскрыто генезис внимания исследователей в Украине и за рубежом к указанному выше явлению. Отдельно рассмотрены виды гендера, а именно: биологический и социальный. Проанализированы исследования отечественных и зарубежных ученых в указанной сфере. Автором дано определение гендерно-обусловленного насилия.

Ключевые слова: *гендер, насилие, гендерно-обусловленное насилие, дискриминация, развитие учений, равенство прав, права женщин и мужчин.*

The article is devoted to the concept and essence of gender-based violence. The article discusses the earlier attention of researchers in Ukraine and abroad to the above phenomenon.

The emergence of the term gender in Ukraine was facilitated by Ukraine's independence, as well as the active development of the independent women's movement, the emergence of civil society organizations as important institutions of a democratic society, which began to join international processes to strengthen women's rights and achieve gender equality.

The article reveals the first appearance of the definition of gender in the world scientific literature. It is noted that in 1968 this concept was first introduced into scientific terminology by the American psychoanalyst Robert J. Stoller in his work "Gender and Gender: On the Development of Masculinity and Femininity." In this work, he distinguished between masculinity and femininity as a sociocultural characteristic of men and women.

Types of gender are considered separately, namely: biological and social. The research of domestic and foreign scientists in this field is analyzed. The author provides a definition of gender-based violence.

The author defines gender-based violence as a historically composed rule of conduct or attitude to a certain sex in a certain society that has a long history, its occurrence was due to several factors (culture, religion, historical stage of development, geography, etc.). However, despite this, the existence of such a "rule" or "behavior" in modern society is not acceptable, and in some cases can be defined as a crime or administrative offense.

Keywords: *gender, violence, gender-based violence, discrimination, student development, equality of rights, women's and men's rights.*

Addressing the problem. Today in the science and practice of Ukraine much attention is paid to the issue of gender-based violence, including domestic violence, discrimination on the grounds of sex, sexual harassment and other manifestations of violence or discrimination on the grounds of sex.

Analysis of research and publications. The issue of gender-based violence, also other related crimes like domestic violence, intimate partner violence, sexual harassment was analysed by such scientists, as: Galuna Herasymenko, Olena Posniak, Oksana Tsukan, Olena Dzafarova, Hila Shamir,

Jessica Woodhams, Tetiana Chomiczyk, Mykola Switenok and many others.

Previously unsolved problems. However, in practice, due to the existence of a number of established roles and understandings, the interpretation of the nature of gender-based violence varies from country to country.

Basic content. Researchers' attention to the issue of gender-based violence and the theory of gender in Ukraine was attracted in the late XX - early XXI centuries [1, p. 164].

Gender is a word of foreign origin (from the English word gender), which entered the Ukrainian language in the late twentieth century, and is used by scientists, psychologists, sociologists, lawyers and others to determine a person's gender. *It should be remembered that the introduction of this term in Ukraine was facilitated by its independence, as well as the active development of the independent women's movement, the emergence of NGOs as important institutions of a democratic society, which began to join international processes to strengthen women's rights and achieve gender equality.*

It is believed that in 1968 the first definition of "gender" was introduced into scientific terminology by the American psychoanalyst Robert Stoller in his work "Sex and Gender: The Development of Masculinity and Femininity" [2]. In this study, he distinguished between masculinity and femininity as a sociocultural characteristic of men and women [3, p. 201].

- Today, scientists, officials, researchers using the term "gender" are interpreted in different ways and understand it as:

- establishing a certain fact;
- as an ideology based on gender;
- The World Health Organization defines

gender as the socially constructed roles and responsibilities of women and men, boys and girls. That is, this definition is related to how we behave and expect others to behave, not according to biological characteristics, but before it is established by society [4, p.3].

In the pages of the scientific literature, scientists note that gender should be understood as a certain difference between men and women only by anatomical sex, others, agreeing, add that it is a difference in the set of features. However, it is generally accepted that the definition of "gender" is a certain set of anatomical (bio-

logical), social, psychological and other features that indicate the position or position of a person in a particular society [1, p.164]. There are the following types of gender:

- biological. This distribution is based on anatomical, physical (physiological) differences between women and men;

- social. This distribution is based on specific beliefs of the population about the role of women or men in society. Social gender is not always preserved by individuals. These norms and values are formed over the centuries and determine the patterns of behavior of members of different sexes. A person plays a certain gender role in society, namely a model of behavior that allows others to understand a person's belonging to a particular sex. For example, a woman is the caretaker of a home, and a man is a breadwinner, a woman must ask permission from her husband or father to perform certain actions, and raising children is exclusively a woman's business, and so on [1, p. 165].

Gender-based violence is a new type of offense in the legal field, which is characterized by the fact that the offender commits illegal acts against a person only because he or she belongs to one or another sex.

Some scholars in identifying gender-based violence point out that today international law, especially in the field of prevention of domestic violence, is grouped on the basis of a gender approach. [5, p. 27].

Swedish researchers define the essence of gender equality as equality of opportunity in society and other areas of activity. The latter include: power, finance, education, work, physical integrity [6]. However, the existence in the public consciousness of a stereotypical view that subordination between men and women should be maintained, where the man is the dominant element and the woman recessive, where the man has the authority to make important decisions and the woman the duty to implement them, hinders the development of gender equality [5, p. 28]. There are a number of stereotypes about the understanding of femininity, which is based on somatic, mental, behavioral properties that are allegedly characteristic of women. Women are more passive, dependent, emotional, caring and tender. Femininity, marked as a passive-reproducing beginning, manifested in expressive personal characteristics (dependence,

care, anxiety, low self-esteem, emotionality) [7, p.18].

Gender equality implies that the work of a woman or a man should leave opportunities for the realization of their social needs (motherhood, fatherhood), and prohibits restricting work (choice of profession, working conditions, proper working conditions, etc.) due to the needs or roles of the sexes in society.

Summarizing the above, we can indicate the following. Gender-based violence can be defined as a historically established rule of conduct or attitude

towards a certain sex in a certain society that has a long history, its occurrence was due to a number of factors (culture, religion, historical stage of development, geography, etc.). However, despite this, the existence of such a "rule" or "behavior" in modern society is not acceptable, and in some cases can be defined as a crime or administrative offense.

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