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STALKING: MULTILEVEL INFLUENCING SYSTEM AND ITS LEGAL DIRECTIVES AGAINST ILLEGAL PERSECUTION

Abstract: The article shows the legal origins of the potential negative impact on the victim through obsessive persecution, which inflict immense moral damage to the victim, commensurate with bringing to suicide. As a rule, in the case of obsessive persecution, the impact on the victim is not accidental. Therefore, it can be assumed that in such an act there is a definite directive - direct directive. In accordance with the methodology for investigating crimes against the individual and the personal space of citizens in countries with an Anglo-Saxon system of law, the directive

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of the perpetrator, if the rights and personal boundaries of the victim are violated, are directly relevant to the consideration of a crime. Therefore, the present can be designated as the main objective of the study. So, we can say that the present has a high theoretical and practical significance due to the high popularity and topicality of the issue, which is growing at a fast pace not only in the Republic of Kazakhstan, but all over the world.

Key words: persecution, victim, personal space, psychological barrier, personal boundaries, moral suffering, non-property asset.

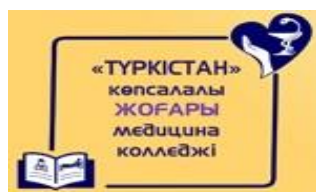
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Introduction



По результатам технического задания грантового проекта КН МОН РК утвержденного приказом Председателя КН МОН РК от «2» марта 2022 года № 27-нж

Stalking, he's stalking, is an unwanted obsession with another person or group of people. Such harassment can manifest itself in endless calls, messages, surveillance, intimidation or harassment. About stalking, as a problem, talked back in the nineties. The occasion, in many ways, served as vivid examples of the increasingly frequent persecution of celebrities. However, the choice was mistaken. A woman got caught up exceptionally imprisoned for material benefits, but skillfully covering it from the public behind the screen of CORRECTNESS, SPIRITUALITY, PERSONALITY AND T, P ., It all ended that she fled to another city, quickly formalizing relations with a polygamist, a large millionaire ... There was no clarification of the relationship, everything was done in secret, discouraged and brought to a stupor (by the time I did not let her down I loved her) In 1996, an American 21-year-old officer, Ricardo Lopez, tried to kill Icelandic singer Bjork, sending a parcel with a bomb to her London residence. She was intercepted by Scotland Yard. And Lopez did

not know if he managed to do what he had planned. After sending the parcel, he returned home and shot himself under the song Bjork, writing suicide on the camera. The painful attraction of Lopez began in 1993, when he began to collect information about the life of the singer, the letters of her fans. Three years later, he learned that Björk was meeting with the musician Goldie. Lopez was disappointed, considered the relationship Bjork treason and eventually decided to kill her. But, fortunately, it did not work out. Another victim of a fan-stalker in his time was Gwyneth Paltrow. In 1999, a certain Dante Soyu, in love with the actress, came to the home of Paltrow's parents in Santa Monica. Of course, he was driven out. But Souu did not give up - flooded the parental home of the actress with letters to her and parcels with sex toys. Gwyneth's parents turned to the police. And in 2000 the court sent Dante to compulsory psychiatric treatment. Three years later he was released from the clinic.

№	ИРН	Наименование	Заявитель	Научный руководитель	Период реализации	Группа объектов ГНТЭ	Статус	Готовность	Создать
1	AP14871246	Сталкинг: актуальные проблемы социально-правовой модернизации в целях решения патентных проблем безопасности общества	Шалхаров Ернар Сайлаубекович	Шалхаров Ернар Сайлаубекович	2022 - 2024	Конкурс на грантовое финансирование по научным и (или) научно-техническим проектам на 2022-2024 годы (МОН РК)	Подано	100%	Действие ▾

Picture 1. Name, number and period of national grant financing.

II. RESEARCH METHODOLOGY AND ETHICAL QUESTIONS.

Description of the scientific methods used in the project as a justification of ways to achieve the set goals.

Methodologically, the present study involves the use of two types of methodological tools: externally descriptive and statistically correlative.

The externally descriptive tool involves the use of four types of design of research results.

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Cluster systematization of the information array. This methodological tool involves grouping semantic blocks in the text by the order of transition from a larger variable to a smaller one. It is necessary in the study, as it helps to fix the transition from the general meaning to the result under study. Deduction, induction, abstraction and detailing can also be attributed to this group, which find useful application in the analysis of literary data systematized according to the 2-2-1 system, which involves two sources from far abroad, two sources from near abroad and one source of Kazakh literature. Working with literature in this study has an important place, as it allows you to navigate in the direction of statistical research.

Two-dimensional design of task reflection. This methodological tool involves a visual analysis of the results of the tasks answered. So each section answers one specific task. In accordance with this analysis, it is possible to observe the total addition of the results of tasks to achieve a common goal, and it is possible to notice the gradual achievement of the goal from one task to another.

The catalyzation of literary data by a legal element. This methodological tool allows you to notice the adaptability of the literature used to the studied territorial space or population.

F.I.N.E.R criterion. In accordance with the F.I.N.E.R criterion, the research question is analyzed from five positions: F-feasible (feasible), I-interesting (interesting), N-novel (new), E-ethical (ethical), R-relevant (important).

Statistical correlation research involves an assessment of the interrelationships between several factors, called variables, which are not controlled by the researcher, and which, in turn, is aimed at establishing changes in one variable when another changes or influences it. Data processing is assumed using the SPSS program, which will give greater validity to the results of the study. Since this study is related to issues such as the protection of personal space and other non-property characteristics of individuals, the use and circulation of a specially designed questionnaire is highly relevant, since only with the help of it it will be possible to fix a constant based on quantitative data. The questions in the questionnaire are supposed to be formed dichotomically, which will increase the validity of the study.

Other methods developed and being developed during the implementation of this study.

Critical points, alternative ways of project implementation. This study will be conducted on the basis of the Turkestan Multidisciplinary Medical College, the International Kazakh-Turkish University named after H. A. Yasavi, the Academy of Public Service under the first President of the Republic of Kazakhstan. The present allows us to expand the boundaries of research to similar territorial units of other countries in accordance with the memoranda of

educational institutions. These countries include Turkey, the Czech Republic, Poland, France, the USA and Turkmenistan. If it is impossible to determine certain indicators, the possibility of cooperation with marketing and other firms capable of providing personal data of residents of other countries is provided.

Ethics issues: The project participants will strictly adhere to the principles of scientific ethics, will not allow the fabrication of scientific data, falsification, plagiarism, false co-authorship, use by individual participants of collective research, data and conclusions obtained in research, without the consent of other participants. All project participants have equal rights to the results of the conducted research. The intellectual property rights of the participants will be protected accordingly by the Law of the Republic of Kazakhstan on Intellectual Property rights.

Detailed procedure and mechanism of the study: This project will be carried out in 3 stages:

At the first stage, protocols and manuals, equipment and consumables will be prepared. A primary analysis of the literature data will be carried out, a questionnaire will be constructed and the circulation will be calculated.

At the second stage, there will be work with state bodies, including courts and prosecutorial supervision bodies. The second stage also involves working with victims of harassment and collecting information about the results of the survey.

At the third stage, the research results will be summarized, which will be reflected in relevant publications, copyright certificates, implementation certificates and educational materials on the research topic: "stalking as an unfinished crime in the Republic of Kazakhstan". The textbook is supposed to be written in the state, Russian, English and Turkish languages. The proposal to amend the text of the law "on stalking" will also be completed at the third stage.

Conditions for registration and division of intellectual property rights to research results: To protect the results of intellectual property of scientific research, it is planned to publish scientific articles in foreign publications in the SCOPUS database; author's certificates, educational materials, conference abstracts.

The results of the research will be implemented in the form of practical recommendations when meeting with stalkers, formulated in the form of certain legal mechanisms. Teaching aids will also be reflected as the results of the study. The text of the implementation of the Law of the Republic of Kazakhstan "on stalking" will also be the result of the study.

III. RESULTS.

In 2009, under his sight again hit Paltrow. He sent her jewelry, books, gifts, letters and tried to apologize for past behavior. Paltrow was still scared, and she went to court. But in 2016 the jury found Soyu

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not guilty, referring to the absence of obscene things in the parcels (1).

With the advent of the Internet, stalking has become more widespread. For your favorite actors or singers, and not only for them, it's easier to follow. Letters and obsessive messages became possible to send not only to the real address, but also via e-mail or in social networks. Only this year, stalkers were arrested, pursuing supermodel Bella Hadid, singer Lana Del Rei (2).

The so-called cyberstalking has become more popular than physical persecution. As a rule, cyberstalkers are driven by several goals: the desire to know the whereabouts of their victim, to control it, emotionally harassing and manipulating hard (3).

As victims, stalkers choose not only famous personalities. In the UK in 2017, there were 25,000 cases of persistent harassment. In the US, according to a survey by the National Research Center conducted last year, 41% of Americans were online-harassed. And, almost every fifth American received threats of physical violence, suffered from sexual harassment, or he was persecuted for a long period (4).

Kazakhstan precedents are shown and analyzed in the article, in which elements of stalking revealed in obsessive pursuit by one person of a second person are seen, as a result of which the persecuted person is subjected to moral suffering when the stalker invades the personal space of the citizen. Therefore, as an objective, it is possible to identify the study of the Kazakhstani model of identification, fixation and confrontation with persecution, as well as prevention of damage to the persecuted person by the pursuer. So, as the main tasks of the study, we can assume questions of identification, fixation, confrontation and the prevention of persecution, taking into account the presence in it of an element of intrusion into the personal space of citizens and diminishing or depriving moral suffering (5). This has an increased interest on the part of the scientific legal community due to the popularity of the direction as well as the level of stress resistance in the modern corporate environment, which determines the high relevance of the study. The theoretical importance of studying the Kazakhstan model of confrontation, identification, fixation and prevention of persistent harassment is to develop a fundamental basis for further in-depth study of stalking details as an offense (6).

Stalker is strong in that he violates all the rules, goes beyond the bounds of what is permissible. While he takes us by surprise, confronts us, violates our rights, calls into question our capabilities, our significance, we get experience of our insolvency. Feeling the superiority of the stalker, we really lose to him. His actions compel us to flee, hide, justify, demolish disrespect. Behave like people who have lost human and civil rights, like slaves or criminals (7).

A typical mistake: to consider that a stalker is a strong overwhelming personality. Fact: as a rule,

stalkers have a weak personality type, which quickly accumulates internal tension and is in dire need of discharge. He wants to be again and again "Caliph for an hour," to feel the power, strength and consistency. Stalking is a moral and psychological pressure that gives the persecutor the feeling of being a worthy member of society by suppressing and denouncing supposedly less worthy ones (8).

The fact is that most of the cases of web-facing are out-of-line and end up with quite notable troubles: attacks, damage to property, unwanted contacts with the victim's environment for intimidation, striking a reputation for a person, his business and friendly ties (9).

For example, one of the types of web stalking is to persecute young married women and preferably pregnant women with threats that their husbands will be told about their alleged sexual relationship and claim the child. Claims are usually completely unfounded, but the couple's relationship suffers irreparably in such cases, not to mention the health of the woman and the child (10).

And this illusion is enjoyed by the stalker himself: "I am a judge. You are beyond the law. I am the law". To this confidence, the stalker comes through impunity. He considers himself entitled to judge us, our life, our personality. Decides how and what we should do, how to live (11).

In a number of countries, many potential persecutors have already lost this illusion of impunity, and with it the courage. The statutory prohibition of stalking and criminal punishment for him is a sufficient measure capable of bringing to light the majority of potential stalkers (12).

In fact, a very convenient form for shifting the "victim" from a sick head to a healthy head WHO IS EXACTLY ... I.e. knowingly unpromising variant of "protection" .. I, quite the contrary, faced this problem in the role of "stalker." The most amazing thing is that in the discussed issue there are absolute and obvious reasons for which no one pays any attention properly. I had the following situation. I buried my wife. I began to look for her replacement, or rather, to figure out which woman could replace her based on those whom she knew before. She resorted to many factors (13).

IV. DISCUSSION.

The main emphasis in this article is given to the legal framework for characterizing a personal invasion as an illegal act in the civil law direction of modern jurisprudence, which is also reinforced by the stalker's personal parameters when they commit an unlawful socially dangerous act against the will of the persecuted (14). The relevance of this study is expressed in the growing tendency to adapt modern Kazakh legislation and methods of investigating offenses to Western models of identifying the composition of offenses against the personal personal space of citizens (15). Consequently, as the goal of the

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study, we can define the psychological portrait of the persecutor at the moment and until the boundaries of the victim's personal space have been violated, in which the victim feels moral suffering expressed in the form of despair, fear, anxiety, pressure, depression, anger, shame and other similar states of the soul (16). The theoretical significance of this study is to increase the volume of empirical data on the study of psycho-types of stalkers from the position of theoretical enrichment in three perspectives: theoretically, practically and legislatively (17). Theoretically, the present increases the materials of studying stalkerism in general. In practice, the present allows us to develop certain effective authorial mechanisms (18). Legislatively, the present can serve as a basis for the creation of specialized legislation on stalking (19). One of the dangerous features of stalking is that it disguises itself under normal, legitimate everyday situations (20). Well, think, suffering in love, the former husband, some stupid classmate, the dismissed worker - what to take from them? Pobushuyut and quiet. But if you understand that the only thing a stalker is striving for is a sense of power, things are not so simple and optimistic (21). The authorities do not happen much, which means that the persecution of another person, in order to feel this power, can go infinitely far. And often comes. Alas, in real life, understanding comes painfully and long, sometimes too long, creating a real danger to life. And, however insulting, the reason for this delay is ourselves: our best sides, our openness and respect for people. Normal human reactions to the stalker only worsen the situation. Do not think that under the sights of the stalker there are innate victims or some particularly naive and weak people(22). At this point, it can be absolutely anyone. Stalker will not calm down if your reactions become aggressive or emotional. The more actively you are indignant, the stronger he feels the excitement. Even if you try to pursue a stalker in the hope that something like this is treated like this, these attempts are doomed to failure and only encourage him, give additional reasons for invading your life. The paradox is that your patience will produce exactly the same effect. In normal human communication, it is customary to give each other a credit of trust (23). The closer a person is and the more

confident the communication, the more this credit: we are ready to suffer something unpleasant for the sake of all the good that binds us. Stalker skillfully uses this loan. For example, constantly expresses the desire to communicate, speaks about how good your relations could be and how everything is now spoiled (of course, through your fault) (24). And we are hooked. Again and again we accept manipulation for dialogue. Most of us are afraid to become rejected or to be insignificant in someone's eyes. This is the most painful thing that, sooner or later, you have to admit, faced with a stalker. It is especially hard when someone who is the closest, dearest, dearest, has been following him. A typical mistake: to expect that a stalker has a special interest, affection or love for you, simply expresses them in such an inadequate way. Fact: a stalker does not have any special feelings with respect to the object - neither good nor bad. He has a need to feel power, excitement, attention (25). In short, use the object for your own satisfaction. Of course, the more active the object reacts, the more interesting it is to play with it. From this occur frightening attacks of "warmth" when a stalker suddenly begins to admit to love, devotion, to offer everything to forget.

V. ACKNOWLEDGEMENTS.











This study was carried out on the basis of a private institution "Higher Multidisciplinary Medical College "Turkestan"", which has a certain room and equipment for conducting research. It is also necessary to note the high level of involvement of the staff of the college, who have made a significant contribution to the development of this topic. As for the student potential, there were many activists who agreed to take part in the research in various positions listed below. These positions include data and positions from the table below. Thus, as a legal experiment, the research group planned a study with the participation of 16 full-time students in the specialty of nursing. So 8 students participated in an experiment where each of them was given the role of an active stalker and a passive stalker, as well as an active victim and a passive victim. Four students monitored and four students supervised each group of tests.

Table 1. List of student participators according to their positions.

№	Curator of group	Monitoring personal	Stalker		Victim	
1-st Combination	Participator: student of group MK-201 Ahmet Ainur	Participator: student of group MK-201 Abduhalikova Dinara	Participator: student of group MK-201 Kayirbek Aliaskar		Participator: student of group MK-201 Muslimkyzy Aidana	
			Active stalker	Passive stalker	Active victim	Passive Victim

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Group Alfa						
2-nd Combination	Participant: student of group MK-201 Kazieva Bagila	Participant: student of group MK-201 Nalybekova Zhansaya	Participant: student of group MK-201 Rustemov Umit	Participant: student of group MK-201 Ahmetova Malika		
Group Beta			Active stalker	Passive stalker	Active victim	Passive Victim
3-rd Combination	Participant: student of group MK-201 Nurmahanbet Daneker	Participant: student of group MK-201 Egemberdieva Maral	Participant: student of group MK-201 Nematullaev Atabek	Participant: student of group MK-201 Mahmudova Shaira		
Group Gamma			Active stalker	Passive stalker	Active victim	Passive Victim
4-th Combination	Participant: student of group MK-201 Bojbanbaeva Laura	Participant: student of group MK-201 Erkinova Sitora	Participant: student of group MK-201 Kayirbek Aliaskar	Participant: student of group MK-201 Suleimenova Dilnoza		
Group Delta			Active stalker	Passive stalker	Active victim	Passive Victim

VI. CONCLUSION.

In conclusion it is important to understand that all researches about stalking should start firstly from identification of stalking and stalker in the legal civil relationship, because Kazakhstan republic criminal and administrative legislation is not apply such relationship yet.

VII. RECOMMENDATION.

As a recommendation it is actual to notice that contemporary Kazakhstan legislative system prefer that civil legislative tools are more effective in a policy against stalking than criminal or administrative.

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	GIF (Australia) = 0.564	ESJI (KZ) = 8.771	IBI (India) = 4.260
	JIF = 1.500	SJIF (Morocco) = 7.184	OAJI (USA) = 0.350

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