

# Problems of family and maintaining family well-being in a digital society

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**Abstract.** The study addresses the problem of physical violence in the family, which has become the most relevant in criminology, especially in the period of digitalization. The purpose of the study was to determine the forms of physical violence against vulnerable family members and identify the causes and conditions for violence against women, the elderly, and children in a digital society. The authors consider that vulnerable family members in the republics of the North Caucasus are most in need of protection due to the closeness of the topic of violence to observe traditions and customs. The paper shows the fate of women in extremist families. In a digital society, the threat of violence using the latest technologies is relevant. This type of abuse contains psychological aspects, it is a form of digital violence. Constant pressure in the form of control over social networks, the requirements to instantly call back or answer a message is becoming common in a digital society. The purpose of the study was to identify the factors that determine physical violence against helpless family members in a digital society and to find areas for improving the criminal law on violence against family members. With due regard to the purpose of the study, the determinants of violence against helpless family members are revealed. Based on the study of the factors that trigger physical violence against vulnerable family members, some methods for improving the criminal legislation are proposed. The study is of practical relevance, and its results can be used for combating physical violence against helpless family members and improving legislation on violence against family members.

**Keywords:** physical violence in the family, abusive relationships, vulnerable family members, digital society, combating

## 1 Introduction

In criminology, physical violence in the family remains an urgent problem. In recent years, the draft law 'On the fundamentals of preventing domestic violence in the Russian Federation' has become an object of discussion. The draft law has both supporters and opponents, who consider that the law aimed at preventing family and domestic violence poses a threat to the institution of the family as a whole, defining normal human actions as an abuse. At the same time, the issue of normal human action in relation to helpless family members remains open. Can it be beating of dependent family members? The legislator also follows this path by decriminalizing beatings. After this, violence without the threat of criminal penalties became common in the family, especially against helpless family members in a digital society.

The surveys conducted among various categories of the population show that beatings of helpless family members are hidden acts. Therefore, all respondents involved in the criminological study consider that the law 'On the fundamentals of preventing domestic violence in the Russian Federation' is aimed at protection of helpless family members against violence.

According to respondents, the law will protect helpless family members (92 %).

These results of the study are due to the fact that dependent family members are most exposed to physical violence. According to the results of the study, wives are most often subjected to physical violence (58 %). A total of 24 % of respondents indicated violence against children, and 16 % reported violence against other family members.

Despite the prevalence of beatings, the topic of physical violence for dependent family members remains closed. Family members rarely report to law enforcement agencies about the fact of physical violence committed against them. They, especially women, report to law enforcement agencies 'only when their life is in serious danger' [1].

This behavior of the victims is also associated with digital violence, which is one of the methods of gaining power and control over family members who are in a dependent position. The main goal of the abuser is to subjugate family members who are in a dependent position. Domestic abusers try to satisfy their own needs for dominance and the desire to consolidate the role of the arbiter of destinies.

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It should be noted that digital domestic violence is becoming as traumatic as physical violence, for example, offline threats and beatings. Sometimes it hurts even more, since online control is carried out constantly, which traumatizes the psyche of family members. Therefore, family members subjected to digital violence may experience a fear of disobeying, which leads to a nervous state. Thus, the mental health of family members is damaged, they develop anxiety, depression, and panic attacks. According to the sociological survey conducted as part of this study, victims of digital violence develop problems with concentration, decreased self-esteem and quality of life, which often lead to suicidal manifestations. The most dangerous thing is that digital violence is difficult to detect and regulate legally. A number of researchers point out that 'the absence of a system of harsh sanctions institutionalizes such behavior and forms a distorted idea of freedom' [2] of actions in the family.

It is important to prevent physical violence against family members. As is known, 'the prevention of domestic violence is aimed at eliminating the causes and conditions' [3] that contribute to abusive relationships in the family. At the same time, it should be noted that in a digital society, in the regions of the Russian Federation, especially in the republics of the North Caucasus, the causes and conditions that have determined domestic violence have remain for many years.

First, abusive relationships in the family are part of local traditions and customs. This is evidenced by the results of the sociological survey (62 %). Therefore, official statistics record isolated cases of abusive relationships in the family in the regions of the Russian Federation.

The sociological surveys (53 %) showed that sexual violence is often found in the family through coercion or violence against helpless persons. The victims of sexual violence are mostly females, often young girls. Women in some families have to endure sexual abuse in order to save the family and children and they are unable to change their oppressed position.

According to the survey, women experience physical violence from husbands, or, less often, from brothers and fathers. Threats to kill or cause harm to health are not uncommon in families with abusive relationships. According to the results of the study, constant mental abuse leads to physical and mental health disorders of family members who are in a dependent position.

In addition to these forms of violence against females, honor killings and bride kidnappings are widespread in the republics of the North Caucasus. The specificity of this region is the ill-treatment of young women who have sexual relations outside of marriage. These women are treated as dishonoring the honor of the male half of the family, humiliating the authority and dignity of local residents, and, of course, deserving of punishment.

The concept of family in the republics of the North Caucasus plays one of the leading roles in the general system of values. Owing to this tradition, the event associated with the killing of women by their relatives as punishment for 'immoral behavior' does not become the property of law enforcement agencies. These acts are

often treated as suicide or an accident. Sometimes, a woman is buried, and the neighbors and local law enforcement agencies know about it, but do not take any action. The men who committed the murder in the name of the honor are supported in society and justified. In turn, the killing of women in the name of family honor is a certain form of social control.

Analysis of judicial and investigative practice shows that the mothers of women killed in the name of family honor rarely report to law enforcement agencies. In most cases, mothers are silent as the relatives can accuse them of the immoral behavior of their daughters. Therefore, they cannot apply to law enforcement agencies, knowing that both society and their own family will condemn them for this act. Another dangerous situation is for a woman who becomes pregnant when not married. Therefore, young women who find themselves in such a situation, along with their mothers, usually try to hide their pregnancy from relatives, which often ends in the murder of a newborn child.

It should be noted that family traditions in the republics of the North Caucasus to some extent contradict religious prescriptions. 'No religion recognizes violence. Any religion is based on the ideas of goodness, justice, peace and friendship' [4]. The Muslim religion has a negative attitude towards domestic violence. At the same time, it is still possible to 'punish' a woman with a 'refusal' to pay attention to the guilty wife. Yet, this is possible only in families with several wives. Therefore, no violence is allowed in traditional families, especially against women.

Respecting the rights of women in the family, religion takes care of the younger generation. In families who experience domestic violence, with no regard to their prosperity, who experience domestic violence, children will not grow up happy, and a woman who is tolerant of violence will raise potential victims in her children.

In addition to religious norms, criminal law should also protect family members from violence.

## 2 Problem Statement

In recent years, the scientific literature [1, 2, 5–7] and mass media have dealt with the problems of physical violence against family members who depend on their abuser. This topic is especially relevant in a digital society.

The advent of digital technology has changed family relationships. In criminology, one of the debatable issues is the state and trends of physical violence against family members, taking into account regard to the characteristics of the digital society.

Researchers [1, 2, 6, 8, 9] in different regions of the Russian Federation write about the consequences of the decriminalization of beatings in the family. No doubt, the decriminalization of this crime affected the situation in families of the regions of the Russian Federation, especially the mental state of its representatives.

In a digital society, the timely adopted law 'On the fundamentals of preventing domestic violence in the

Russian Federation' will protect the weakest members of the family – children and the elderly.

### 3 Research Questions

As part of the study, we investigated the following issues:

- determinants of physical violence against family members dependent on their abuser, with regard to the characteristics of the digital society;
- measures to prevent physical violence against family members dependent on their abuser in the period of digitalization.

### 4 Purpose of the Study

Physical violence [1, 2, 5, 6, 10, 11] against vulnerable family members diminishes the value of this social unit. We must prevent abusive relationships in the family. In this aspect, the adoption of a federal law aimed at suppressing all forms of violence in family relations will be of great importance. The dependent family members are most in need of protection. This protection is especially relevant for family members living in conditions of strict observance of traditions and customs.

### 5 Research Methods

In recent years, criminology has developed a systematic approach to the study of abusive relationships in the family. In this study, the phenomenon of abusive relationships in the family is considered from the point of view of a sociological approach, according to which this phenomenon is due to observing traditions and customs, which contributes to the closeness of this topic. In the course of the study, the materials of investigative and judicial practice were summarized, the materials of criminal cases were analyzed, the content analysis of confessions in social networks was carried out, and the sociological methods were widely used, mainly the surveys among different categories of the population.

### 6 Findings

The paper addresses the problem of physical violence against family members dependent on their abuser in the constituent entities of the Russian Federation. The features of socialization of family members who are in a dependent position have been studied at the regional level. The structure of violent crimes against family members who are in a dependent position is determined, with regard to the characteristics of a digital society. The paper proposes to supplement Article 63 of the Criminal Code of the Russian Federation with the qualifying circumstance 'the commission of a crime against family members' and include this circumstance as a qualifying feature in some articles of the Special Part of the Criminal Code of the Russian Federation. Based on the study, the authors argue the importance and necessity of

adopting the federal law 'On the fundamentals of preventing domestic violence in the Russian Federation'.

### 7 Conclusion

In order to prevent physical violence against family members who are in a dependent position, we propose some amendments to the criminal law. As a qualifying feature, 'commission of a crime against family members' should be included in the disposition of the norms providing for criminal liability for crimes against life and health, sexual integrity and freedom.

A person who commits a crime in the family violates social relations of a certain category and encroaches on the moral foundations of society. Therefore, it is proposed to include: a) paragraph b.1, part 2 of article 110 ('... the same act committed against a family member'); b) paragraph b.1, part 2 of article 111 of the Criminal Code of the Russian Federation; c) paragraph b.1, part 2 of article 112 of the Criminal Code of the Russian Federation; d) paragraph e, part 2 of article 115 of the Criminal Code of the Russian Federation; e) paragraph d.1, part 2 of article 117 of the Criminal Code of the Russian Federation; f) part 2 of article 119 of the Criminal Code of the Russian Federation; g) part 2 of article of the Criminal Code of the Russian Federation; g) part 3 of article 122 of the Criminal Code of the Russian Federation.

It is proposed to indicate the fact of committing a crime against family members as a qualifying feature in all crimes against sexual inviolability and sexual freedom and to restore beatings in the previous wording and as a qualifying feature. In our opinion, in crimes committed in the family, an additional object of the crime is the emotional state of family members who depend on their abuser.

In addition to the criminal-legal protection of family members from violence, organizational-legal and moral-educational measures play a critical role. Specialized subjects for preventing domestic violence should be created as organizational and legal measures. Similar structures have been created in some foreign countries. 'In the Chinese system for preventing and combating domestic violence, the public security organs of the People's Republic of China are perceived as both a protector against possible tyranny and the main subject in the development of national policy in the field of preventing domestic violence' [8]. In the Russian Federation, it is necessary to establish state and public structures aimed at preventing crimes in family and domestic relations.

In a digital society, of relevance is public control or vigilantism, which is interpreted as 'a defensive reaction on the part of a society that advocates generally accepted norms and the rule of law within the framework of legislation, a form of assistance from citizens to law enforcement agencies, and cooperation with the state' [2].

In the system of organizational and legal measures, it is important to create centers for social rehabilitation and overnight stays for people subjected to physical violence

in the family. It is necessary to restore the positively recommended subject of the prevention of violence against women, that is, the Women's Councils. In the Soviet Union, public organizations established to help law enforcement agencies played a crucial role in the prevention of domestic violence. It should be noted that the family is the basis of society, and women, children, and the elderly are the core of the family.

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