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# Status of Invasion to the Personal Space of Citizens by the Persecutor

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## Abstract

The aim of the study is to investigate the legal status of compulsive harassment, which determines the type of impact, the form of harassment and the level of damage to health via techniques related to an interdisciplinary approach. In result, the stalker maneuvers the types of impact in accordance with a certain phasing, in which he can freely and at his discretion move from the open phase to the closed phase and vice versa depending on the situation. In conclusion, the stalker does not risk first of all conducting any open actions, remaining at the position to be unnoticed.

**Keywords:** Harassment, Intrusion, Personal Space, Non-Proprietary.

# Estatus de la Invasión del espacio personal de los ciudadanos por el perseguidor

## Resumen

El objetivo del estudio es investigar el estado legal del acoso compulsivo, que determina el tipo de impacto, la forma de acoso y el nivel de daño a la salud a través de técnicas relacionadas con un enfoque interdisciplinario. En consecuencia, el acosador maniobra los tipos de impacto de acuerdo con una fase determinada, en la que puede moverse libremente y, a su discreción, de la fase abierta a la fase cerrada y viceversa, según la situación. En conclusión, el acosador no se arriesga en primer lugar a realizar ninguna acción abierta, permaneciendo en la posición para pasar desapercibido.

**Palabras clave:** acoso, intrusión, espacio personal, no propietario.

## 1. INTRODUCTION

### *1.1. The general concept of the problem*

Kazakhstan legislation today is quite a dynamic, coordinated and downed mechanism capable of integrating the trends of the new time in the regulatory environment. Consequently, when faced with a problem, Kazakhstani legislation is fully capable of expanding the possibilities of its influence, reaching a new level and improving legal mechanisms based on available resources. Protecting the personal space of citizens is also no exception.

### *1.1.1. The concept of the personal space of citizens*

The inherent complex of rights and freedoms in the individualized space of citizens, access to which can only be available to the individual right holder itself can be identified as a definition of the personal space of citizens. Describing such by the elements, it can be defined that as an individualized space one can designate a set of rights and freedoms that relate directly to a person's close distance, to which the right to pass unhindered passage of any sections of the path not prohibited by law, the right to be silent, as well as the preservation of information, which directly concerns a person, in cases when such information does not contradict the norms of the current legislation, as well as the right to freedom of copying ski, calls, telephone messages, etc. As the holder of rights in this type of legal relations, it is possible to recognize the direct holder of such rights, who performs these actions directly, without transferring such rights to others by proxy, assignment and other right-linking tools. However, the opportunity to go over such can be considered in prospective studies. Thus, the symbiosis of these two elements can be attributed to the legal concept of a citizen's personal space.

### *1.1.2. The concept of invasion of personal space*

Under the concept of invasion of personal space can be attributed to a certain level of influence by one person, to another person who at the same time gets a certain kind of effect from such an impact. According to its type, it can be classified under open exposure and closed (latent) exposure.

### *1.1.2.1. Open impact*

Open impact is recognized as the level of public influence on the victim, at which the pursuer does not hide his motives to influence the victim with a specific purpose, which may or may not be known. However, due to its nature, open exposure must necessarily affect the victim directly.

#### *1.1.2.1.1. Threat*

In accordance with the general definition, intimidation and promise to harm one person or a group of persons to another person or a group of persons by prior agreement is recognized as a threat. Analyzing this by elements, it is possible to designate that both elements are interconnected. That is, intimidation because of its nature is the promise of harm. In this case, as practice shows, harm is assumed to be necessarily physical. Consequently, being in a state of persecution, the victim does not care, on any given day, expecting a stalker to do light, moderate, or serious harm.

#### *1.1.2.1.2. Deliberate appearance nearby*

In the everyday life of the victim, there are also moments when an undesirable person who knowingly hates or uncomfords the victim intentionally creates precedents in which the victim and the pursuer meet in any way, which creates a certain discomfort for the victim,

which is also recognized as open invasion of the victim's personal space.

#### *1.1.2.2. Closed Impact*

Under the notion of a closed impact, the same pursuit is recognized, in which the victim assumes, but does not realize, the presence of a stalker in his personal space. At the same time, the victim also experiences discomfort and even to some extent more discomfort than with an open one, since the awareness of long-term persecution can be perceived much more acutely than an open threat.

##### *1.1.2.2.1. Surveillance*

This type of closed exposure is more characteristic of the stalking part of the invasion of personal space, since the pursuit is in almost all situations the first (closed) stalking phase, in which the victim is under constant observation of the pursuer.

##### *1.1.2.2.1. Data collection*

Some victimologists classify this type of closed impact on personal space with the second phase of stalking, in which a stalker collects information about the victim's behavioral stereotypes, habits and other data related to the victim's personal space.

#### *1.1.3. Harassment as an invasion of personal space*

Being a non-direct bodily influence factor, compulsive harassment is not responsible for any physical harm to your health, regardless of whether it was caused in a mild, moderate, or severe degree. Nevertheless, in accordance with the definition of the legislation of the Republic of Kazakhstan on the health of the people and the health care system, health is recognized as the full physical and spiritual (psychological) well-being of citizens, which implies consideration of psychological health as full-fledged, along with physical condition. The criminal legislation of the Republic of Kazakhstan also characterizes the mental state by providing for criminal responsibility for bringing to suicide, since during suicide, even without physically affecting the victim, the injurer causes bodily harm to the victim. When stalking, the situation is similar, as with a mental effect, the victim's body is also covered with papillomas and other dermatological eruptions on the body. In the countries of Western Europe and the USA there is even a notion of out-of-body forensic science, which also classifies the actions of a stalker, as well as the result of obsessive persecution as a physical injury to health through physical contact through the impact on the victim's personal space.

#### *1.1.4. The level of harm caused by obsessive persecution*

Intrusive persecution, as well as any other kind of impact, can be a component of causing psychological, physical and complex harm to the health of a stalking victim. At the same time, complex damage

to health implies a combination of physical and mental harm to health on an equal basis with each other.

*1.1.4.1. The component of causing psychological harm to health through stalking*

Intrusive persecution against the will of the victim, which deliberately affects the victim's personal space, can result in a certain level of psychological impact on the victim's body. This is designated as an organism not accidentally, since the psychological state, being designated as mental health, is legislatively identical with the physical health of citizens. Today, such a component is quite well developed in modern society as a component of the personal space of every citizen. Consequently, whether openly or closedly, when acting on the victim, the pursuer causes, first of all, a number of derogations specified in the civil legislation of the Republic of Kazakhstan regarding moral damage regulated in Article 951 of the Civil Code of the Republic of Kazakhstan.

*1.1.4.2. The component of physical injury through stalking*

An obtrusive pursuit against the will of the victim, which deliberately affects the victim's personal space, can also result in a physical injury caused by light, moderate, or severe degree, an element of the criminal legislation of the Republic of Kazakhstan, expressed for liability in bringing a person to suicide. With this component, even without affecting the victim physically, the person causing the harm by his compulsive actions in one way or another causes harm to the health

of the victim in which the mental state of the victim is directly related to the physical condition. It is difficult to classify such as murder from the point of view of criminal law, since the corpus delicti of a crime is rather problematic to analyze. However, bringing to suicide can be positioned as an alternative outcome of actions caused by a stalker.

#### *1.1.4.3. The component of causing complex harm to health through stalking*

Intrusive persecution against the will of the victim, which deliberately affects the victim's personal space, can result in complex damage to health in a mild, moderate, and severe degree, which can be classified as a combination of psychological and physical impact in which the stalker achieves the goal pursued, in which the obsessive pursuit fully satisfies the motives of *pres edovatelya*. At the same time, the victim can receive as psychological harm expressed in violation and derogation of personal non-property rights and freedoms directly regulated in civil law, in parallel with physical harm, in which, as a result of derogation of personal non-property rights and freedoms directly regulated in civil law, physical peace the victims.

#### *1.2. The specification of the problem*

Analyzing all the alternate points, the goal of this article was to study the legal status of compulsive harassment (stalking), which determines the type of impact, the form of harassment and the level of damage to health.

### *1.2.1. Introduction to detailed specification*

So, after defining the research question, what exactly can be considered as obsessive persecution is to determine the problematic, why this problem is so important in modern jurisprudence and for humanity. In addition, you should identify previous studies that were associated with this topic. Hypotheses are also important in this matter. It is also necessary to indicate the theoretical and practical significance of the research.

#### *1.2.1.1. The question of the importance of research for modern jurisprudence and humanity as a whole*

The present affects not only the legal aspects of obsessive persecution, but also the modern aspects of victimology. Thus, when examining the legal aspects of obsessive prosecution from the standpoint of criminal, administrative or civil liability, one should also take into account the psychological and physical condition of the victim who is under constant persecution. To date, a sufficiently large number of crimes committed by hackers has certain sorts of problems in the classification of the elements of a crime, which implies the impossibility of its consideration as a crime. Another aspect is the offense. Having relation to the civil law direction, obsessive persecution can be classified as a violation of citizens' rights by malicious intrusion into personal space, which is individual and does not tolerate the aggressive intervention of a stranger.

Thus, on the basis of the present, it can be designated that the invasion of the personal space of one person by another through stalking can be identified only through civil law due to the presence of the necessary elements, classifying a crime not as a crime, but rather an offense than it is effective than the classification of the same in criminal law, in which the offense is incomplete. Therefore, this shows the level of influence of the interdisciplinary approach of internally legal spheres, which today is quite an urgent task not only for citizens, but also for the state. This is one of the methods for resolving many crimes by applying elements of civil law. Moreover, the personal space of citizens, which at the moment is developing along with the methods of countering the invasion through stalking, is the necessary legal knowledge of a fundamental and applied nature for the development of jurisprudence in both directions, both in criminal and in civil law.

*1.2.1.2. How the present study is related to the earlier conducted by analogy*

In the study of this topic it is necessary to note two directions: personal space and obsessive pursuit. Both directions in the same sphere are relevant not only in the Republic of Kazakhstan, but throughout the world. At the same time, it is also necessary to note the level of novelty and lack of knowledge of such due to the lack of knowledge of the factor of the personal space and the factor of identification of the persecution as a violation of the personal space of the victim. Some works were carried out in the United States of

America in the field of identification of stalking as a perfect new type of crime. However, it is the real research that compares the loyalty of such by virtue of the problematic nature of its relationship with the norms of civil law in which personal space was assigned to an element of the institution of moral harm in civil law. With regard to moral harm, most of the studies concerned the protection of honor, dignity and business reputation, not in relation to personal space. Only these studies characterize first of all the personal space as a separate legal space of a citizen and stalking as an aggressive way of violating it through a malicious, unlawful intrusion into it (Nazoktabar & Tohidi, 2014; Morales et al., 2018).

*1.2.1.3. Hypotheses: primary hypothesis, secondary hypothesis and tertiary hypothesis*

Assuming certain results in the legal direction, hypotheses were proposed that allow analyzing and predicting the outcome.

*1.2.1.3.1. Primary hypothesis*

When considering the obsessive persecution as an action in which a stalker intrudes into the victim's personal space through open aggressive influence, this effect can still be considered a crime with the possibility of applying elements of civil law, while taking the full range of physical and mental harm caused by the persecutor.

*1.2.1.3.2. Secondary hypothesis*

When considering the intrusive persecution as an action in which a stalker invades the victim's personal space through a closed aggressive attack, this effect can only be considered as an offense with the possibility of applying elements of the norms of civil law only, while taking the full spectrum of mental, sometimes physical harm due to mental harm caused by the pursuer.

#### *1.2.1.3.3. Tertiary hypothesis*

When considering the obsessive persecution as an action in which a stalker invades the victim's personal space through a complex aggressive impact, it is possible to classify this impact in both criminal and civil law, taking into account both the mental and physical harm to the victim's health as a result of a logical outcome. .

#### *1.2.1.4. The degree of interrelation of hypotheses with the design of the research*

When conducting these studies, a separate type of research design was selected for each part of the research. When reviewing statistical data of a cross-sectional design with elements of cohort studies with randomized sampling and dichotomous coding, it turned out to be the most acceptable due to the large number of confounder factors that, as it turned out, perfectly correlated with linear progression with standardized indicators of general public awareness regarding personal defense against a stalker. In addition, the results of such coding even showed certain results when applying the results in

the experiment, in accordance with which three categories of people were selected in accordance with the general hypothesis who agreed on the role of the victim. The first category of victims was made open by potential controlled stalkers. A closed impact was made by a potential category of victims by potential controlled stalkers. A potential impact on the third category of victims was made by potential controlled stalkers. The duration of the experiment is three calendar months. All subjects agreed to experiment voluntarily on a fee basis and signed relevant documents and acts, including a confidentiality agreement signed by both the party conducting the experiment and the party taking part in it, which indicates the level of ethical approval of the authorized committee.

#### *1.2.1.5. Theoretical and practical significance of research*

The theoretical significance of these studies involves not only the enrichment of fundamental knowledge in the field of legal research in the field of civil law, criminal law, but also the degree of development of the interdisciplinary approach of internally legal directions. Practical significance will allow identifying a stalker in accordance with its type, actions, level of impact, as well as the predicted outcome, which will certainly contribute to the development of the applied direction of both civil and criminal legislation.

## **2. METHODOLOGY**

The methodology for studying the identification of the status of intrusion into the personal space of citizens by the pursuer (stalker), as a result of obsessive persecution from the standpoint of modern jurisprudence, ethical and moral standards, involves the use of not only legal methods expressed in deduction, induction, abstraction, but also other techniques related to an interdisciplinary approach which assume regression, inverse correlation, and some types of copyright methods developed by the authors themselves (Soleymani et al, 2014).

### *2.1. The main description of the methods*

The materials and data of this article were analyzed using a number of techniques that help identify interdisciplinary research to achieve the goal of this article.

#### *2.1.1. Legal methods*

As legal methods, deduction, induction and abstraction were taken as a basis, which help to analyze the theoretical material and the interconnectedness of previous research in this field among themselves and in relation to this article.

##### *2.1.1.1. Deduction*

A systematic transition from the larger to the lesser allows analyzing a certain hierarchy of legal acts starting from the constitution, continuing with codes and laws, as well as narrowing to

the orders of the executive bodies in this field (Shalkharov, 2017; Jenaabadi & Khosropour, 2014).

#### *2.1.1.2. Induction*

Induction allows you to undergo a specific periodical from the smallest to the greatest. In this analysis, having examined one work, many other studies can be derived from it.

#### *2.1.1.3. Abstraction*

This technique involves detailed and selective manipulations of regulatory acts regarding the status of the genome in the system of modern Kazakhstan legislation.

#### *2.1.2. Statistical analyzes*

Identification of the will of the citizens and the position of society regarding the issue of identifying the status of invasion into the personal space of citizens by the pursuer (stalker), due to an obsessive pursuit from the standpoint of modern jurisprudence, necessitates conducting statistical research by creating a specialized questionnaire.

##### *2.1.2.1. Sample*

As a sample, you can designate a random sample, in which an equal population from individual territorial units of the state participates.

#### *2.1.2.2. Base coding*

The encoding is supposed to be scheduled in a dichotomous form with two answer choices that are separated as 0-no and 1-yes.

#### *2.1.2.3. Results*

The results are achieved with the help of a certain manipulation with a base of 5,000 respondents and are processed using the software SPSS, R-STAT.

#### *2.1.3. Authoring tools*

To achieve the research goal of determining the status of invasion of citizens into the personal space of citizens by the pursuer (stalker), as a result of obsessive persecution, from the standpoint of modern jurisprudence, specialized author technologies were created that allow you to serve as the necessary tools for a more detailed analysis of the issue.

#### *2.1.4. Legal experiment*

To summarize the results, the provisions are verified using a parallel social-legal experiment with the participation of three groups in accordance with the hypothesis put forward. The first category of victims was made open by potential controlled stalkers. On the second category of victims, potential controlled stalkers produced a closed

impact. A potential impact on the third category of victims was made by potential controlled stalkers. The duration of the experiment is three calendar months. All subjects agreed to experiment voluntarily on a fee basis and signed relevant documents and acts, including a confidentiality agreement signed by both the party conducting the experiment and the party taking part in it, which indicates the level of ethical approval of the authorized committee.

#### *2.1.4.1. The subjects*

Subjects are divided into three groups. Potential stalkers exert an open influence on the first group of subjects, meeting all the time on sections of the path, leaving clues, threats, etc. In the second category of subjects, vtalkers have a closed effect, in which the victim understands that she is being pursued, but is not able to identify the latent pursuer herself. The stalkers are influenced to the third group of subjects with periodicity both openly and closed, that is, in a complex, depending on the situation (Shalkharov et al., 2016).

#### *2.1.4.2. Groups*

Three groups take part in the experiment: the Alpha group, the Beta group and the Omega group. In each group, the number of participants is determined by 3 people. One of the necessary conditions is the presence of a small level of legal nihilism in all three groups.

#### *2.1.4.3. Systematization*

After the results are systematized using a specific encoding.

### 3. RESULTS

The results of the study on the identification of the status of intrusion into the personal space of citizens by the pursuer (stalker), due to an obsessive pursuit from the standpoint of modern jurisprudence, are based on the three hypotheses mentioned earlier.

*3.1. The action in which the stalker invades the victim's personal space by open aggressive action*

*3.1.1. The literary analysis of a predominantly normative character, performed deductively*

In accordance with the present result, the stalker automatically activates the indicators of elements of criminal law, in which the elements of the crime are described in detail, which allows characterizing the actions of the stalker not as an offense, but as a crime, executed intentionally, with a certain motive, committed by a particular instrument who have reached a certain age, recognized as fully sane. With this type of victim is able to identify the pursuer, through the threats left by the notes, graffiti, identification marks and other elements that reveal the identity of the pursuer, his habits and psychological portrait. That is, this type of impact is not effective and even risky for the stalker himself, since in the emotions he risks being identified as a victim. Nevertheless, practice shows that the open type

of exposure by a stalker to the victim's personal space is a legitimate second phase of the pursuer, which assumes that the stalker wishes his identification in order to give greater effect to his actions to meet personal psychological needs. The authors of studies conducted within the walls of the jurisprudence department of the Faculty of Social Sciences of the International Kazakh-Turkish University named after Yasavi revealed that, as a rule, this is typical for those stalkers who were familiar for a certain moment and for a certain duration, with the victim (Paridinova, 2018a; 2018b; 2018c).

### *3.1.2. Statistical analysis of the will of citizens*

According to the research conducted by Kainar Consulting Group LLP more than 31.6% of respondents consider the issue of identifying the status of invasion of the personal space of citizens by the pursuer (stalker), due to the obsessive pursuit from the position of modern jurisprudence as an open impact. The present on the one hand shows the will of citizens to be protected, to control the situation in which the victim is able to identify the pursuer to protect their personal boundaries. These data have both positive and negative indicators, since it openly shows that respondents are not ready to deal with closed latent stalkers, and that when meeting them they may fall into an uncontrollable emotional state of stress (Imanbekova, 2017c).

## *3.2. An action in which a stalker invades the victim's personal space by means of a closed aggressive attack*

### *3.2.1. Literary analysis*

From the perspective of identifying the status of invasion into the personal space of citizens by the pursuer (stalker), due to obsessive persecution from the standpoint of modern jurisprudence as a closed influence, it can be determined that the victim is not able to determine and identify who the pursuer is. The present assumes that the object being pursued can understand what is being pursued, be aware of the degree of threat that a stalker may have caused, as well as feel the actions of the stalker, which leads to a certain kind of disorientation of the victim in space and time. In accordance with most studies, such a type is recognized as the first phase of obsessive pursuit, in which the stalker behaves the least aggressively, collecting data on the victim (Imanbekova, 2017a; 2017b; Absori et al., 2019). Among such data include the collection of materials, correspondence, telephone messages, as well as habits, habits and certain patterns associated with the usual everyday behavioral stereotypes of the victim, which closely links this section with such a science as victimology. Thus, it can be stated that a closed latent obsessive prosecution is the first stage in which the corpus delicti cannot be identified, leaving the prerogative of classifying it as a civil offense (Bitemirov, 2017a; 2017b; 2017c). The present shows both the relevance and problems of the research question.

### *3.2.2. Statistical analysis*

Statistically, it is possible to indicate that the correlation coefficient of the pilot questionnaire results showed that 29.5% of respondents consider the question of identifying the status of intrusion

into the personal space of citizens by the pursuer (stalker), due to an obsessive pursuit from the position of modern jurisprudence as a closed (latent) effect. Errors can be that in this survey, the sample consisted mainly of people aged 18 to 25 years who do not yet have adequate life experience to respond to certain situations. However, this age was not chosen by chance, since, in accordance with the basic survey, it is this segment of the population that is most often subjected to obsessive persecution. Perhaps this is due to youth habits of non-reciprocal sympathy, separation, hatred, etc.

*3.3. An action in which a stalker invades the victim's personal space through a complex aggressive attack*

*3.3.1. Literary analysis*

Literary analysis of the materials showed that logically, in pursuit of the victim, the stalker maneuvers the types of impact in accordance with a certain phasing, in which he can freely and at his discretion move from the open phase to the closed phase and vice versa depending on the situation. With this type, it is important to note the components of the stalker's psychological portrait, its main identification characteristics, the relationship with the victim, the types of effects that are synthesized, corrected, encoded and systematized into a single summary that hypothetically can form the author's mechanism not only identifying stalker in space and time, but also allowing to provide a certain shield of the personal space of the victim, in which the victim has a high percentage of defense capability and stalker identifying the level of responsibility on the basis of civil law, which is the final result of the research. This is in principle possible

because it has a certain level of influence on a stalker, which can reveal the habits of the pursuer. Nevertheless, it is important to note that here there is a certain connection between this sector of jurisprudence and such science as victimology, which determines the impossibility of conducting these studies without applying the methods of an interdisciplinary approach.

In accordance with the results of research conducted by the authors of the department jurisprudence of the Faculty of Social Sciences of the International Kazakh-Turkish University named after Kh.A. Yasavi most of the doctrines of victimology in terms of invasion by the pursuer in the victim's personal space can be designated as institutions of modern jurisprudence, which is based on combining interdisciplinary methods of synthesizing the norms of civil and criminal law. This is, in principle, credible, since the study of prosecution cannot be considered only in one direction due to the different directions of the nature of the motives. However, according to recent data, some researchers of psychological specialties made a breakthrough in the identification of a stalker based on physiognomic data, which also emphasizes the interrelation of the interdisciplinary approach with the psychological sciences as a whole and the institute of criminology specialized. Consequently, these objects can also be attributed to forensic science (Bitemirov, 2017d; 2017g). Concluding and summarizing the data, it can be noted that the issue of legal identification of a malicious intrusion of a stalker into the victim's personal space as a result of obsessive persecution is an urgent issue for studying all over the world not only from the point of view of criminal law, but also civil. Thus, it is legally possible to designate that

the application in this research of the doctrines of physiognomy, applied psychology, victimology and criminology strengthen the role of the importance of the final result of these studies both theoretically and practically (Abdul Rahman, 2019; Tejada & Dominguez, 2019).

### *3.3.2. Statistical analysis*

An analysis of the number of respondents surveyed showed that 38.9% of respondents suggested that a complex impact on a victim by a stalker through a mixed type of harassment is the most dangerous type of stalking.

## **4. CONCLUSION**

To test the results of research based on hypotheses, the main data was run into the discussion, conducted through interviewing and brainstorming process. This will allow depressurizing the existing provisions and enrich the results with outside opinions. It is also important the influence of outside opinions on the results of the research.

### *4.1. The effectiveness of hypotheses*

This allows you to test how hypotheses are effective and multifaceted, in order to capture the greatest part of the opinions possible to analysis.

#### *4.1.1. Provisions supporting hypotheses*

This paragraph is devoted to other provisions in support of the existing hypotheses achieved as a result of the analysis.

*4.1.1.1. Provisions that support the hypothesis of the consideration of the action, in which the stalker invades the victim's personal space through the open aggressive influence*

Analyzing the activity of a stalker, in which his actions are of a public nature, one can designate a certain percentage of non-secrecy, in which a stalker pursues a motive to be identified as a victim in order to meet his goals.

*4.1.1.2. Provisions supporting the hypothesis of the consideration of the action in which the stalker invades the personal space of the victim through a closed aggressive impact*

Being the first stage of pursuit, the stalker does not risk first of all conducting any open actions, remaining at the position to be unnoticed. This type of impact is necessary for the stalker to collect data, which can be operated by going into the second phase of the pursuit.

*4.1.1.3. Provisions supporting the hypothesis of considering the action in which the stalker invades the victim's personal space through a complex aggressive influence*

When pursuing a stalker, the pursuit is not rare and cases where stalkers move periodically from open pursuit to closed pursuit. This happens in two cases. In the first case, the stalker is a professional, where he skillfully maneuvers styles of obsessive pursuit in order to bring the victim to the state, which the stalker achieves. In the second case, the stalker himself is under strong emotional feelings, in which he does not give an account of his actions. On the one hand, such stalkers are easier to identify, but more difficult to catch, since the actions of such a stalker are chaotic and unpredictable.

#### *4.1.2. Provisions that do not support the hypothesis*

In addition to the provisions that support the hypothesis, there are provisions that do not support it.

##### *4.1.2.1. Provisions that support the hypothesis of the consideration of the action, in which the stalker invades the victim's personal space through open aggressive influence*

Contradictions regarding all three types of effects are identical, as they are phase in nature. That is, most of the studies of victimology suggest that one or another relationship in the persecution sooner or later maneuvers from the open to the closed state and back, which suggests that a certain complex.

#### *4.2. Effects*

It is important and alternative consequences of the implementation of each of the hypotheses in the regulatory production. Therefore, this paragraph is devoted to what result can be achieved as a result of the development of a particular legal norm based on hypotheses.

#### *4.2.1. Theoretical implications*

As theoretical consequences one can designate a certain level of effectiveness of the fundamental theory of persecution in modern jurisprudence, using an interdisciplinary approach from victimology, applied psychodynamics and physiognomy.

#### *4.2.2. Practical consequences*

As a practical consequence, two results can be identified. The first is the transfer of the action from the category of crime to the category of an offense, which already has a useful applied character in jurisprudence. The second result is necessary when identifying the illegal nature of the stalker's actions. In any case, the outcome of both versions involves the depressurization of such a difficultly classified offense as stalking.

#### *4.3 Inconsistency points*

Like any research, studying the issue of identifying the status of an invasion into the personal space of citizens by the pursuer (stalker),

due to obsessive persecution from the standpoint of modern jurisprudence, has not only sound results, but also circumstances that make it difficult to study this topic.

#### *4.3.1. Disagreements*

There are no discrepancies on this item.

## **5. ACKNOWLEDGEMENTS**

This study is quite feasible within the capabilities of the above authors in accordance with the F.I.N.E.R criterion for which it has a sufficiently high significance, is interesting both for the author and for society, is new and unexplored, has an ethical factor, and is also important. In the execution of this study, it is important to note the work not only of the authors themselves, but also of the faculty members of the jurisprudence department of the Faculty of Social Sciences of the International Kazakh-Turkish University named after Kh.A. Yasavi ., Dahanova Zh., Paridinova AE, Mergenbaev EP), collective of Kainar Consulting Group LLP (Kudaibergen M., Nysanbek M., Hojaeva L., Hairulla T., Alibek A., Asylhan U., Toibek A., Zhaksibekov M. Pazylova H., Djurtubaev R., Bazarbay N).

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