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STALKING AGAINST WOMEN – EXPERIENCES OF LEGAL SYSTEM AND VICTIM SERVICES

In my research I approach stalking as a form of gendered violence in the framework of violence against women. Stalking is associated with the questions of equality between men and women, division of power, control, and violation of human rights. It is a specific phenomenon in the field of violence with its own characteristics and nature, but it has similarities with the other forms of violence against women, like intimate partner violence, domestic violence, honour violence, and murder-suicides. Stalking is a difficult phenomenon from a judicial point of view and it challenge professionals, who offer help and support, to recognize and face it in the context of violence against women. The purpose of this study is to describe, name and understand stalking as a phenomenon. There is a need for forensic examination of stalking, because there is no anti-stalking law in Finland and worldwide the experiences of the functionality of laws against stalking are rather new too (the first anti-stalking law was set in California in 1993). There are two research questions: 1) How do the victims of stalking define and describe stalking? 2) What kind of experiences do the victims have of the legal system and victim services? The research results can be applied to develop professional work practices and special expertise to encounter, recognize and work with the victims of stalking, and in general with women who have experienced violence.

Stalking is constructed on the relation between private and societal dimensions. The purpose of this research is to examine how stalking, victim and perpetrator are constructed and produced in social and legal practices and discourses (see Burman 2007). I understand stalking as gendered violence, where phenomena are defined culturally, structurally and at the level of agency (Ronkainen 1998, 2) in the idea of social constructionism. The violence against women is tied to the themes of gender, sexuality, division of power and the question of equality between genders, which appears in the unequal relationship of victim and perpetrator and in the behavior and actions of the perpetrator (see Keskinen 2005, 13).

Beside the societal and cultural construction of stalking, one aim of the research is to examine stalking judicially and describe stalking in the forensic context of violence. Legal system can be regarded as a social discourse that constructs social phenomena (see Burman 2007). Stalking is a challenging phenomenon from a forensic point of view. Firstly, some acts of stalking-like behavior are criminal in themselves, like sexual violence, damages of property, injuring or killing target's pets, and illegal threats. Single acts challenge both professionals, but also the legal authorities to look behind single crimes and have a holistic view. Professionals need expertise to understand the context of violence broadly and set single acts and crimes in a continuum. Secondly, many acts of stalking are legal themselves, like phone calls or sending e-mails and text messages. What turns a legal act into illegal action is the content and attitude of the message. In addition to these, it is important to take into account that stalking is a subjective experience, which is always connected with an individual's life situation, time and place.

In my research the intimate experiences of stalking appear in the western countries and in the context of postmodern culture and society, which recognize the phenomenon (compare Keskinen 2010, 246). Pluralistic values, increased amount of breakups of relationships and flexible lifestyle make it more acceptable and easier to start stalking. Today the development of information communication technology (ICT) and especially the internet can be seen as means which increase stalking behavior and make it technically easier to carry out. Social media create a forum, where anonymous stalking, following the victim and watching pictures of target are possible. Facing the

multidimensional phenomenon needs co-operation of different actors and institutions in order to intervene against stalking in early phases.

The research will be carried out by quantitative and qualitative research methods: the data and analysis will be supported, strengthened and challenged by the different methods. The quantitative research gives information of the extent of the phenomenon in general by surveying women who have sought help because of domestic violence or some other form of violence. Domestic violence or violence between intimates can include stalking; it is just not named and recognized. By qualitative method it is possible to examine the intimate experiences of informants. The qualitative data will broaden and deepen knowledge of the phenomenon and the experiences of victimization. Victims of stalking have a significant role as informants and describing the phenomenon. Quantitative and qualitative data will be analyzed separately and in the end I will create a synthesis and examine the data in meta-analysis.

References

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