The dysfunctional family as a factor of juvenile delinquency formation: actual problems in the republic of Belarus

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Summary

The article is devoted to the study of the influence of family dysfunction on juvenile delinquency formation. The recent statistics on juvenile delinquency and crime factors in the Republic of Belarus have been analyzed. The influence of factors of family dysfunction on the behavior of minors has been considered. It has been concluded that in-depth study of living conditions and methods of upbringing of minors is essential for enhancing the effectiveness of preventive measures.

Kew words: causes of crime, dysfunctional family, juvenile delinquency, family factors, socially dangerous situation

1. THE IMPORTANCE OF JUVENILE DELINQUENCY PREVENTION

Juvenile delinquency is considered to be one of the most burning social problems in the world. The future crime rate and its tendencies largely depend on how we deal with this problem today. In spite the fact that it constitutes a part of general crime, this type of offence has its own distinctive features, which makes it possible to distinguish juvenile delinquency as an independent object of research. This is due to the fact, that minority is a rather complex period of personal development. One of the priority aims of the world community is to ensure the proper protection of rights and interests of minors. According to the UN Declaration of the Rights of the Child, November 20, 1959, "the child, by reason of his physical and mental immaturity, needs special safeguards and care, including appropriate legal protection, before as well as after birth"1.

Throughout its history society has almost always considered the family to be the major factor of the child’s personality development and the main institution of education and upbringing. A child follows the behavior models set by his family members, shares their views and interests, which contributes to the formation of his moral-psychological qualities. The family’s value system functions as the basis for the development and broadening of a child’s outlook. Moreover family atmosphere affects the formation of a child’s character. This effect accumulates with time facilitating the appearance of new character traits. There are practically no social or psychological aspects of a person’s behavior that aren’t based on his family’s traditions and peculiarities of lifestyle either in present or in the past.

A significant amount of scientific research is devoted to the study of causes and conditions that contribute to the facilitation of crimes among minors. However constant changes in the structure

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and dynamics of crimes committed by minors, as well as continually emerging factors that cause them, require a regular analysis in order to enhance the effectiveness of preventive measures.

Particular attention should be paid to the fact that in many aspects the unlawful behavior of minors significantly differs from similar adult behavior.

Despite the fact that in the Republic of Belarus the safety and protection of family relationships has always been among the top priorities of the state and law enforcement agencies, the role of family factor is still very important in the system of criminogenic factors of juvenile delinquency.

It has been noted that “proficient and appropriate identification of the causes of crimes of minors depends on the proper organization and realization of measures aimed not only directly at them, but also at their families. However, it is very difficult to correct mistakes and shortcomings of family education, since they are often caused by incorrect views of parents and family members, which is complicated to counteract by state methods”.

Since children belong to the least protected social group, the prevention of crime among young people is aimed at ensuring not only the interests of society, but also at protection of full realization of minors’ rights. Also, it’s essential for the quality of juvenile justice that all professionals involved in law enforcement and the judiciary get appropriate qualification and systematic continual upgrading training. It shouldn’t be confined only to sharing information on relevant national and international legal provisions, but also provide a recent analysis of most frequent causes of juvenile delinquency, information on peculiarities of psychological development of children. Special attention must be paid to the characteristics of the behavior of girls and children, who belong to minority groups, features of subcultures, the dynamics of group activities, and the available measures dealing with children in conflict with the penal law.

2. THE CURRENT STATISTICS ON JUVENILE DELINQUENCY IN THE REPUBLIC OF BELARUS

From the perspective of the development of the structure and dynamics of juvenile delinquency, it can be claimed that according to the data of 2018, the total number of crimes committed by young people aged from 14 to 18 years old compared with the similar data of 2017 decreased by 18.5%. The number of underage delinquents in criminal offences decreased by 10%. Over the past ten years, a general decrease in the proportion of juvenile crimes in the structure of general crime has been marked. So, in 2018 it decreased from 3.3% to 2.8%. The share of the number of juveniles committing crimes decreased from 3.6% to 3.3%. The specialists claim, that the main factors which ensure the decrease of the presented indicators are the decline in the population aged from 14 to 18 years old and the effectiveness of preventive activities of law enforcement agencies in the considered area.

The decrease of the main indicators of juvenile delinquency has been observed in all regions of the Republic of Belarus. The number of thefts, robberies, extortion, fraud, and drug trafficking, has diminished. In the structure of juvenile crime during the last decade, the overwhelming majority

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of committed crimes were thefts and other crimes against property (57%), hooliganism (17%), drug trafficking (8%)\(^4\). The number of parents prosecuted for failure to fulfill the duties of escorting or providing escort for a minor at night (after 10 p.m.) has declined from 6,512 to 6,648. The number of people prosecuted for the involvement of minors in antisocial behavior has also increased significantly from 8,255 to 9,233.

A high proportion of crimes has been committed by minors in group – 34.5% (575 crimes), which usually involve cooperation with adults. The problem of the development and implementation of appropriate measures for the identification and dissociation of groups of asocial orientation in which minors are involved, is quite urgent.

3. APPROACHES TO THE CONCEPT OF FAMILY DYSFUNCTION

As it has already been mentioned, one of the most significant factors, which determines the formation of the personality of a minor offender is family dysfunction, negative family conditions.

There are various points of view on the classification of “problematic” families. The Marriage and Family Code of the Republic of Belarus contains a definition of a socially dangerous situation, which also includes the presence of a child in a situation conducive to committing a crime. A socially dangerous situation is referred to a situation which has the following characteristic features:

– “basic life needs” of a child are not met (a child isn’t provided with safety, supervision or care, food, housing, clothing, necessary medical care, sanitary conditions etc.)
– a child due to the lack of supervision and care commits acts containing features of an administrative offence or a crime;
– people involved in the upbringing and maintenance of a child lead an immoral lifestyle, which has a destructive effect on a child, abuse their rights or otherwise inappropriately perform the duties of upbringing and maintaining a child and therefore there is a danger to his life or health.\(^5\).

The recognition of the fact that a child is in a socially dangerous situation is the basis for the recognition of the upbringing and maintenance of a child to be inappropriate, which subsequently leads to the decision on the removal of a child from his family and deprivation his parents of parental rights. However, family dysfunction is often hidden, happens exclusively within the family and is detected only after a minor has committed an unlawful act.

Nowadays an important function of the family – psychological protection of a child – is often violated. Psychologists claim that the situation of family dysfunction significantly affects the development of neuropsychiatric abnormalities, which, in turn, subsequently affect the development of intelligence, adaptation to school, communication with other children etc.

4. THE IMPACT OF FAMILY DYSFUNCTION FACTORS ON MINORS’ BEHAVIOR


The following family factors, which cause the development of minors’ illegal behavior, are considered to be the most widespread ones nowadays:

- the violation of family structure or the role of family members, single-parent family, formally complete family (with transfer of parental roles from both parents to one parent or relatives);
- criminal behavior of family members;
- immoral lifestyle or behavior of family members;
- scandals and violence in front of children or against them (including sexual violence);
- the absence, shortcomings, wrong choice of discipline methods;
- the use of violence and cruelty as a method of education;
- incoherence and inconsistency of education;
- the lack of parental response to bad behavior, the encouragement of negative behavior;
- the promotion of negative qualities (greediness, uncompromising, solving problems by conflict);
- emotional alienation in the family;

Family well-being is a very important factor that encourages the development of a child’s personality. Today this concept is changing significantly. Previously the term of a “dysfunctional family” was mostly referred to a single-parent family which was in severe financial distress. Today the concept of “family well-being” includes more components.

Considering the structure of problematic families on the basis of various studies, we have concluded that more than a half of them are single-parent families and their number is constantly increasing. According to the statistics provided by the Supreme Court of the Republic of Belarus in 2018, the number of divorces of families with underage children rose from 18,976 to 20,501.

Raising a child in a single-parent family can’t be considered as an immediate reason for crimes, but quite often such type of the family is thought to have financial problems, consequently a parent has to work long hours and can’t pay proper attention to the child. Moreover teenagers brought up in single-parent families usually suffer from psychological trauma caused by the divorce of their parents. The development of internal psychological conflicts of a minor leads to their external manifestation in the form of aggressiveness, antisocial behavior etc.

Previously convicted family members and relatives, who still have a tendency to criminal behavior, have also have negative impact on the education of minors as frequently they become an example to follow, encouraging teenagers to get involved in criminal activities.

Moreover family dysfunction combined with other reasons, contributes to the occurrence of serious consequences - children become victims of crimes within the family, commit crimes themselves, commit suicides, die or get injured due to external reasons.

One more problem that deserves thorough attention and consideration is the prevention of domestic violence. Families in which violence and child abuse thrive are one of the most common types of families with socially negative characteristics. According to the research carried among the minors, in their opinion, violence and cruelty alongside with alcohol and drugs abuse is considered one of the most prominent criminological factors. The researchers note that "cruelty and violence in families entail the delay of minors in physical and mental development, form aggressive behavior".

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The disadvantages of the legal and organizational basis for the prevention of cruel treatment of minors make them vulnerable to various forms of domestic violence\(^7\).

The problem of sexual abuse committed within a family have a high degree of obscurity. This is due to the following reasons: a victim’s fear of a rapist, the fear and embarrassment of spreading the information about a rape, the dependence of a victim on a rapist etc. Nowadays there is urgent need for improvement the methods of identification and counter action of domestic violence as such crimes cause huge (often irreparable) harm that can’t be compensated by any means. Violent crimes destroy the family as an institution; have a traumatic and demoralizing effect on children, facilitating the development of such negative qualities as exasperation, suspiciousness, vindictiveness, and neuropsychiatric abnormalities.

Family dysfunction also leads to the loss of contact between parents and children in the family. Constantly preoccupied at work parents lack free time for communication with their children, whereby parents lose their authority, credibility and common interests. Parents psychologically shift the responsibility of education and upbringing to educational establishment, which can’t fill this gap. The results of the survey show that minors consider conflicts with parents, misunderstanding, and negative relationships in their families as a serious criminogenic factor.

One more widespread cause of minors’ criminality is alcoholic abuse, which often begins in the family. “Alcoholic abuse of parents gives rise to neglect of children and leads to new crimes. It abruptly reduces the family’s financial capacities, which drastically reduces the amount of money spent on the maintenance of children: their nutrition, education, clothing, toys. It facilitates family scandals, and in the end leads to a divorce, which is a very traumatic experience for children, quite often crippling their destinies. Early alcohol consumption easily promotes alcoholic abuse and drugs addiction etc.”\(^8\)

As it has already been mentioned in previous years, and in 2018 in particular, more than half of the offences were committed by drunk minor. The fixed number of minors drinking alcohol in a public place or appearing in a public place being drunk increased by 11.8% in 2018, from 9,356 to 9,436 cases.

More adults (in comparison with previous years) were imposed administrative penalties for the involvement of minors in antisocial behavior in 2018 (from 8,255 to 9,233).

According to the Ministry of Healthcare of the Republic of Belarus on the date of 01/01/2019, there are 14,400 teenagers, registered at the dispensary. Among the main causes of minors’ alcohol consumption sociologists point out growing psychological stress, inability to use free time properly, alienation, unsettled life and parents’ failure in upbringing issues. According to the statistics parents of juvenile delinquents suffer from alcohol abuse several times more than law-abiding ones.

In the opinion of the minors, who took part in the research, the main causes of alcohol consumption among young people are a negative example of adults and the influence of a peer group. On the other hand, in contrast to adults, teenagers don’t perceive alcohol advertising, traditions and conflict situations as stimuli for alcohol consumption. This fact emphasizes the significance of parents’ positive model of behavior and control over teenagers, which can be regarded as the most humane means of preventive activities. It’s advisable for parents to explain to their children legal


norms and regulations accepted in the society, cultivate family customs and traditions. To reach the best possible results one should start at a child’s early age and use emotionally attractive forms, taking into account the characteristics of child and adolescent psychology. Parents' knowledge of the psychology of minors will help to establish a pleasant family microclimate⁹.

5. CONCLUSIONS

The content of family properties that influence juvenile delinquency in modern society is becoming increasingly multifaceted. It is a combination of negative material, spiritual, moral, ethical and legal conditions for upbringing of children. The improvement of the research methods of living conditions and upbringing of minors who have committed crimes is necessary for upgrading preventive measures aimed at crime prevention and ensuring full realization of children's rights for spiritual, moral and physical development. To be effective this activity requires an effort of the entire society. The main aim is to ensure harmonious development of adolescents with respect to their personality and encouraging their development from childhood. "Young people should have an active position and partnership within society and should not be considered as mere objects of socialization or control."¹⁰

The solution of the problems related to counteraction of juvenile delinquency is not the only task of law enforcement agencies. Further comprehensive improvement of methods aimed at increasing the psychological and pedagogical literacy of parents is needed. It’s also important to teach parents modern and effective socially adaptive strategies of behavior. This will help to provide the necessary educational impact, psychological and social support for adolescents. Moreover it’s vital to organize interaction with state authorities, who are interested in organizing activities for minors.
