



THE 15TH EDITION OF THE INTERNATIONAL CONFERENCE
EUROPEAN INTEGRATION
REALITIES AND PERSPECTIVES

**Criminogenic Causes and Factors that
Contribute to the Commission of Crime by a Minor**

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Abstract: The object of this scientific study is represented by the analysis of the causes and factors that contribute to the commission of crime by the minor and which have a real contribution in the commission of the crimes. The result of the study consists in explaining the criminal behaviour that represents the central issue of criminology, which involves establishing the cause, reconstructing the system of determinant factors around it, as well as elucidating the genesis process of the criminal behaviour. The bottom line is that the connection between causes, factors and criminality is a sensitive and delicate topic approached by many writers in an attempt to outline clear ideas for preventing and combating criminal behaviour.

Keywords: criminology; genesis process; criminal behaviour

Regarding the age from which the criminal responsibility of the minor begins, it is noteworthy that the age limits that define the minor depend on each legal system and take into account the economic, social, political and cultural system of each state. Consequently, the minority comprises an age group between 7 and 18 years or older. For example, in the United States, the demarcation line between minors and adults differs from state to state and, sometimes, even within the same jurisdiction, depending on the context. If, in a certain state, an 18-year-old can sign a contract, he or she cannot buy alcohol before reaching the age of 21. Therefore, each American state has its own laws that define the concept of minor and adult. Thus, in the state of Massachusetts, any child between the ages of 7 and 17 “who violates an ordinance or municipal decision or commits any offense under a Commonwealth law” is considered a juvenile offender - unless he or she is charged with murder or crime, in which case shall be treated as an adult at the age of 14 years, although there is no reason to explain why the same defendant should be treated as minor when being charged with theft and as an adult when charged with murder (Semenescu & Semenescu, 2009, p. 50).

In French law, the minor under the age of 13 cannot be subjected to a criminal sanction, but only to educational measures that can be taken by the juvenile judge; the detention of the minor during the police investigation can be ordered from the age of 10 years. Between 13 and 16 years, the punishments that can be applied are reduced by half, and the provisional arrest is possible only for crimes judged by the juvenile court.

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From the age of 16, the principles remain the same, but the excuse of the minority can only be removed in an exceptional way; in any case, the preventive arrest must be taken with the maximum reduction of the duration; the crimes are judged by a juvenile court with juries (Bouchat, 1995).

Another interesting example is offered by the Colombian Law, where the minor is not held criminally liable, the minority being deemed unpunishable. Art. 165 of Colombian Code of minors clearly establishes that the minor under the age of 18 years is not held criminally liable for his acts. Instead of punishments in these cases, educational or protective measures are applied.

The causes (Eysenk, 1964, p. 42) that determine the deviance (juvenile delinquency) can be divided into two categories: internal-individual causes and external-social causes

The first category includes:

- neuropsychological particularities and structure;
- particularities of the personality in formation;
- particularities that have been formed under the influence of external factors, especially family factors.

Of the external causes, the most important are:

- social and cultural causes;
- economic causes;
- social-affective causes;
- educational causes, at the level of the micro-groups in which the child shall gradually integrate, starting with the family.

So far, unanimous opinions have not been reached regarding the proportion of each type of cause in determining the deviant behaviour of teenagers.

In the aetiology of deviance, an intermediate point of view is outlined, the perspective of multiple causality or factors, which conceives delinquency as a result of a large and varied number of factors.

The followers of this perspective consider that each factor has a certain importance, the deviants (delinquents) appearing either at the intersection of two major factors or under the concerted influence of seven to eight minor factors. The inclination towards deviance and the adoption of the criminal behavior (Chelcea, 1999, p.35) (Di Tullio, 1945, p. 32) results from the overlap of the different causes for each particular situation. Their mere addition or separation cannot explain the behavior of a minor (Dahrendorf, 1996, p. 72) (Cattell, 1986, p. 60).

Neuropsychological Causes

Brain dysfunctions: a) neuropsychic retardation; b) a state of neuronal hyperexcitability, consecutive to a dysfunction in brain dynamics; c) epileptic anomalies with electrographic focal elements.

Intellectual deficiencies: a) among the delinquents, the percentage of the mentally retarded increases from those who have committed minor crimes to those who have committed serious or very serious crimes and to repeat offenders; b) the percentage of offenders with intellectual disabilities is about as high as that of offenders with emotional-affective disorders.

Affective disorders: a) insufficient level of affective maturation; b) states of affective disorder (states of frustration, instability, ambivalence and affective indifference, absence of emotions and altruistic and sympathetic inclinations).

Character disorders: The minor delinquent is characterized by characterological immaturity, manifested by:

- a) insufficient self-control;
- b) impulsivity and aggression;
- c) underestimation of mistakes and antisocial acts committed;
- d) indolence, indifference and contempt for work;
- e) opposition and rejection of social-legal and moral norms;
- f) egocentric tendencies;
- g) exacerbation of selfish personal motives, narrow needs and tendencies, of a low level;
- h) absence or insufficient development of higher reasons, of social order and ethical-moral feelings;
- i) the desire to achieve an easy life, without work.

Family Causes

The family climate can be analyzed according to: the way in which parents relate, their system of attitudes towards different norms and social values, the way in which the child is perceived and considered, the way of manifesting parental authority, the degree of acceptance of various behaviours of children, the emergence of tense states, the way of applying the rewards and sanctions, the degree of openness and sincerity of the child in relation to the parents.

Taking these indicators into account, the studies (Canepa, 1987) revealed that the following aspects are predisposed to children's deviance:

- disorganization of family life as a consequence of divorce;
- conflict and immoral family climate;
- excessively permissive family climate;
- divergence of educational methods and lack of authority of parents;
- the cold / indifferent attitude of the parents;
- the autocratic / tyrannical attitude of the parents.

Social and Economic Causes

The political, economic, social and moral crises marked by the weak competitiveness of the economy; collapse of the social protection system; decreased living standards; increase of the unemployment rate; rising inflation; confusion or lack of norms and values; weakening social control; discrepancy between the legal aims and means of satisfying personal needs, determined by social inequality, by differences in status; relaxation at the level of criminal policy and legislative vacuum; lowering the prestige and authority of social control courts; child poverty (with the phenomenon of "street children"); corruption and organized crime; violence, aggression and exploitation of minors, fall into the category of socio-economic factors (Cassiers, 1968, pp. 45-55).

Causes of an Educational Nature

1. Failures of adaptation and school integration, determined by:

- poor school performance (materialized in the insubordination to the school rules and norms), absenteeism, truancy, repetition, aggressive behaviour against teachers and colleagues etc.;
- lack of a minimum level of satisfaction felt by the student (low motivations and interests in relation to school life and activity) due to poorly developed school skills.

2. The mistakes of the tutors:

- of attitude and interaction;
- of professional competence;
- of moral authority.

The list of causes, factors and motivational levers meant to elucidate the phenomenon of deviance has not ended. This can be continued by exploring other aspects of social life and analyzing individual case law, in order to find solutions to prevent and combat the deviance of minors.

Criminogenic Factors

The individual approach of the criminogenic factors must be focused on a certain purpose, namely that of revealing the co-relations existing between a condition or a diversity of conditions and criminality. Jean Pinatel classifies criminogenic factors into geographical, economic, cultural and political factors (Pinatel & Bouzat, 1963, pp. 89- 121). Raymond Gassin is skeptical about the fact that the geographical environment would be a relevant criminogenic factor in the criminal phenomenon.

Hermann Mannheim addresses in the second volume of “Comparative Criminology” (Mannheim, 1965, pp. 419- 709) the social causes of crime. The author is not concerned, first and foremost, with a strict classification of these causes, but making an interesting correlation between the types of *criminogenic factors and the criminal typologies*.

Denis Szabo analyzes the matter of causality, without highlighting the causes of crime as a social phenomenon and the causes of the concrete criminal act.

From the perspectives of the above, regarding the analysis of the factors that determine crime as a social phenomenon, they can be classified into *economic, demographic, cultural and political factors*.

Economic Factors

The economic status of a state, of a smaller area, can determine or influence certain human behaviours, including criminal behaviour.

The economic factors that can be considered with criminogenic content are: *industrialization, unemployment, standard of living and economic crises* (Chipăilă, 2009, pp. 80- 92).

Industrialization is the one that offers jobs, training and specialization possibilities, offering the increase of the standard of living of the people. The phenomenon of industrialization produces some side effects, such as:

- the massive increase of the horizontal mobility of an entire rural population, moving to the industrialized areas. The replacement of the rural social environment with the urban one, in which the

individual has become a stranger, is likely to produce negative effects on this category of people, causing structural or personality changes;

- the industrialization produces a specialization with alienation effects;
- the industrialization seriously affects the ecological balance, producing effects that accentuate the stress state of the workers and the other members of the society.

Unemployment explains a certain percentage of criminal actions. Its influence is exerted not only by the sudden and excessive decrease in the standard of living, but also by the emotional instability it causes. Unemployment seriously attacks the inner balance of the individual, making it impossible for him to be able to achieve his aspirations by legal means. It seriously affects the family structure and its basis (Szabo, 1967, p. 200). The father's authority diminishes considerably, his role as a supporter of the family being altered. The reversal of the family roles can produce states of confusion, internal imbalance, anxiety, alcoholism, the desire for revenge against the society. Certain studies evoke a strong increase in the percentage of robberies, thefts, deceptions, etc. during periods of economic recession.

Standard of living. It should be emphasized that poverty has not only an objective economic dimension but also a spiritual dimension. The objective dimension refers to an average standard of living in a given society. The subjective dimension refers to the individual perception, to the personal assessment that the individual makes of his economic status, the financial situation in a social environment and the time in which he lives. Depending on needs, aspirations and obligations, some will consider their living standards satisfactory, others rightly miserable. Thus, the same salary can be considered very good by some people, while others may find it embarrassing or insufficient to live decently. In addition to poverty, which can cause some individuals to commit crimes, there is also the desire for enrichment, which, too, can lead to delinquency. Along with unemployment, there are also other factors involved in lowering the standard of living, such as: limited time employment and seasonal employment, partial unemployment and especially inflation that shatters the family economic balance, rapidly destroying the savings made over time, with great difficulty (Pinatel, 1963, p. 97).

Economic crises. The decrease of the standard of living of the disadvantaged social strata is accentuated during the economic crises that affect the production, the level of wages and the unemployment rate. In the absence of proper social protection, the affected persons can be very vulnerable in the predilection towards criminality and can be considered at the limit of the risk of committing antisocial facts. The Western world has not experienced serious economic crises since 1945 but has suffered from small-scale recessions that have affected the American economy in particular. These economic recessions have not remained without consequences on criminality in the general context of an economy of abundance. The American's impulse to buy is so great that it can fall into depression when the process stops. This caused that during the recession of 1958, customers suddenly began to steal from stores at a rate of \$250 million per year.

Demographic Factors.

Statistically, it was ascertained that the explosions in the birth rate, the demographic structure of the sexes, the geographical and social mobility of the population are important *criminogenic factors*.

The relationship between birth rate and criminality is of an indirect nature, in amplifying juvenile delinquency, contributing to a multitude of other factors, among which we can highlight the family structure, the instructive-educational deficiencies, the negative role of the media and so forth.

Social mobility and urbanization

Social mobility is most often determined by urbanization and thus has certain *criminogenic* consequences. Mobility leads to the disorganization of existing social institutions and the creation of new ones. Rapid growth of the urban environment that does not allow the development of neighborhoods, the urban ethnic environment, manifested in multiple forms, with structures permanently modified; the speed of social-cultural transformations; all these subject the human personality to obvious disturbances.

Decreased social control, both informally and formally, increases crime.

Social and Cultural Factors

In a broad sense, culture represents the totality of material and spiritual values created by human society throughout history. Criminology is particularly interested in those cultural factors that have a predominant role in the positive or negative socialization of individuals and that ultimately lead them to commit antisocial facts (Nistireanu & Păun, 1996, p. 151).

The Family

In the family environment, we find, besides civilizing openings, in accordance with the norms of morals, religion and justice, formative processes towards criminal acts. Because, for the most part, the parents are ignorant, proceeding as much as possible in the formation of the personality of the children, they are dominated by vices exerting negative influences on the child, they are too busy with the personal activities (service, fun etc.) to continue taking care of the education of the children, they are indolent towards the problems of the family and its economic-financial difficulties, they brutalize the children, deforming their psyche and thus educating them in the spirit of deviation, criminality.

One of the most important criminological investigations regarding the influence of family disturbances on juvenile delinquency was performed in America by the Glueck spouses, who, in the work “Unraveling Juvenile Delinquency” (Szabo, 1967, pp.260-263), ascertained the following: a significant number of delinquent children have changed residence during childhood, are poorly maintained materially and hygienically, have separated or unmarried parents, are deprived of the benefit of culture. The personality of delinquent children is more amorphous and lacking in ambition against life’s demands, their norms of behaviour are less numerous and lacking in content. They are most often stressed due to the reduced cohesion of their families, the parents’ state of tension, the unfavorable family atmosphere, the lack of supervision and even interest from the parents. Of relevance to delinquent children is an attitude of hostility and indifference towards the family to which they belong, as well as towards society.

The influence of divorced or separated families is a major criminogenic factor for delinquent children.

Also, families of criminals sometimes involve their own children in the activities they carry out or influence them by way of imitation, borrowing moral perceptions contrary to the ethics of the society.

Marital Status

Marital status is a factor that can often influence criminal behaviour, determining the type of behavioral model with which a person comes into contact (Sutherland & Cresse, 1974, p. 218).

School

The theories of the twentieth century argue that the school environment, through its instructive-educational values, contributes to the formation of the human personality, the social practice proving that book science serves more good and social progress, than criminal evil (Moruzi, 1930, p.202) (Părăianu, 1943).

The instruction impresses the human personality with thrift, foresight, caution, honer and honesty etc., that keep man from committing crimes in the field of criminality. Similarly, moral education, carried out by family, school, church, mass media etc., opposes a strong resistance to the proliferation of crime in society.

“Since truancy and poor school performance are almost always present in future sociopaths, it should be possible to identify children who need treatment after school results (...) the fact that the lack of domestic (home) discipline anticipates long-term difficulties suggests trying a program in which schools try to replace the lack of parental discipline in order to prevent truancy and school failure.” (Robins, 1996, pp. 306-307).

Entourage

The influence of the entourage means, in broad terms, determining the child to do something that in other circumstances would not do, something that is not characteristic to him, something that he does not want to do but still does to integrate.

Although it is believed that the influence of the entourage appears in adolescence, it actually appears from childhood, even from the age of 2 years. Here it manifests itself in “lighter” forms in the form of blackmail, for example a child may be forced to leave the playground or group of children if he does not want to give a toy or does not want to play with another child.

According to the study conducted by S.Glueck and E.Glueck, it was found that more than 98% of the 500 offenders observed had, to a large extent, delinquent friends while the other 500 non-offenders, less than 8% had delinquent friends. (Glueck & Glueck, 1950, pp. 163-164)

“Young people are not pushed to stress delinquency or are incapable of resisting a natural impulse to delinquency due to poor social controls; they observe and learn in the group’s interactions that some delinquent behaviours are encouraged and rewarded by the group and that the anticipated rewards far outweigh the possible social costs or punishments have a conventional orientation (...) others have an orientation that emphasizes delinquent behavior (...). The first (main) deviance learning context is the entourage (the group of equal adolescents)”. (Elliot, Huizinga, & Ageton, 1985, pp. 34-35).

Discrimination

Discrimination is considered as an important criminogenic factor being associated with prejudice. Such an association is made because discriminatory feelings are cultural obstacles that have particular importance in criminal behaviour.

Discrimination is the refusal to treat a social group according to its aspirations. It can be exercised at different levels:

- Of the social classes;
- Of religious belonging;
- Of the ethnic groups;
- Of training;
- Of participation in social activities;
- Of emigration etc.

These different preferences give rise to prejudices, negative attitudes towards the whole of minority groups. Prejudices give rise to feelings of frustration that usually trigger aggressive tendencies.

Religion

In the same general framework, the role of religion in the formative-educational process of the human personality is undeniable, and hence it is of great interest in order to know the influence of faith in God in the field of crime. It is necessary to address this matter because, although the norms and moral values prevent, if they are lived, criminal behaviour, yet the most powerful and effective means of informing people is religion.

It was concluded that certain religious sects practice criminality in order to obtain material advantages, as well as the fact that in times of profound economic and political crises there may also be criminal phenomena with religious substrate (destruction of places of worship, desecration etc.).

Mass - media

Studies have revealed the often negative influence exerted by the media. Western criminologists have mentioned in the first place the violence in the media and especially the video - violence. The research focused on this aspect, resulting in the following:

- Small screen violence provides negative behaviour models. It is noteworthy that these films are commercial, made to obtain as much money as possible from their sale and, as a result, they address without any restraint those themes with effects regarding the instinct, the human unconscious. The influence is stronger on the young viewer;
- Determines the increase of the aggressive level among those who watch such films or shows;
- Desensitizes the audience with regard to the serious harm caused by the violence.

“The consequences of living in an imaginary world driven mainly by violence can be far greater. Television violence is a dramatic demonstration of the power that communicates much about social norms and connections, about goals and means about winners and losers, about the risks of life and the price of breaking the rules of society. (Gerbner, 1980, pp. 710-711).

Drug Addiction

The criminal register is experiencing a growing diversity every day. "Delinquency, more than any other phenomenon, develops and penetrates into areas and environments of great human subtlety, mainly in the environment of adolescents and young people"¹.

Alcohol

Alcoholism continues to be one of the most dangerous social wounds in our time. It nourishes, encourages, promotes and favors crime, shakes the physical and intellectual health of man, unleashes his passions, thus offering a good ground for crime.

Modern research on alcoholism and its general adverse consequences sheds light on the disastrous effects that parents' alcoholism can have on their descendants. The hereditary alcoholism of parents determines effects such as high mortality of children, high frequency of abortions in women, imbecility, physical and mental degeneration, reduced physical and mental resistance, lack of will and aversion to work, irascibility, aggression, sociopathy. Under the rule of alcohol, vandalism is committed against public and private heritage, rape offenses, outrage offenses against public order and peace, odious murders etc. This is a predominant criminogenic factor in the case of vandalism committed in public by associations or groups of criminals. The leaders of these associations or groups of offenders resort to this factor that encourages the action of the offenders in order to fulfill the adopted plan, because they become fanatical and commit the most violent criminal acts.

Political Factors

The influence of political factors on crime appears to be particularly strong in two specific situations: war and revolution.

War understood as total war, led by one nation against another, with the exclusion of civil wars, is a phenomenon of social disorganization that favours the increase in criminality and causes a temporary transformation of its structure. In times of war, criminality reaches the level of supersaturation according to Ferri's expression. There is no immediate increase in criminality after the beginning of hostilities, but shortly thereafter there is a high increase in criminality whose peak is near the end of hostilities, or at the latest a few months after their end. Terrorism is emerging as a form of struggle for power, aiming to remove the most important opponents and annihilate the neutrals. Armed battles go beyond the horrors of classical warfare, with combatants being highly psychologically motivated.

Like wars, revolutions and revolts produce a criminal supersaturation through the social disorganization they entail. They designate a state of political crisis of great magnitude ended in a conflictual way, which aims to remove from power a leading group, to conquer political power and change the social order. Both during the actual unfolding of the revolutionary events and in the transitional period that follows, criminality is experiencing a real explosion. Returning to the normal limits of stability is difficult, assuming structural changes of political, economic, social and not least the re-adaptation of the personality structures of individuals.

¹I. Toarbă, V. Brânză, works cited, p.79.

Natural Factors

In the nineteenth century, Guerry believed that he could formulate the “thermal law of criminality”, according to which crimes against the person prevail in the southern regions during the hot season and crimes against the population in the northern regions during the cold season. Barometric pressure, humidity, wind and precipitation were also thought to be important. These findings have left most criminologists skeptical, for whom if there is a correlation between the physical environment and delinquency, the relationship is indirect.

During the transition period, in Romania, there is an increase in the crime rate from 192% inhabitants, in 1958, to a rate of over 700% in 1993.

The phenomenon of increased crime has several causes:

- *the state of anomy* of the transition period, which becomes much more transparent and operates at all macrosocial (migration of the rural population to the city, unemployment, urbanization etc.), microsocial (family disaggregation by increasing the divorce rate, cohabitation) and institutional levels (corruption at high levels);

- *the ineffectiveness of social control* after 1989, both at the level of the family, school, state institutions, and the indifference of public opinion etc.;

- *brutal social inequalities emerging* after a long period of social equalization of people, when the norm is no longer a part of social conscience, by lowering confidence in laws and in the authority of the institutions, by adopting unfair or incomplete laws, by proliferating the delinquent and ethnic subculture;

- *the adoption of illicit means to achieve the goals* under the conditions in which the quality of life decreases and the sources of anomy proliferate. The behaviour of a part of the population adapts to the anomalous socio-family and institutional conditions (Scripcaru & Astărăstoae, 2003, p. 123).

For these reasons, the greatest difficulty in reconstructing the system of determinants of criminal behaviour lies in highlighting the cause (this is the system core determinants of criminal conduct).

Therefore, everything that happens in nature has a determinable cause, and the explanation of the phenomena is not possible without revealing it.

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