

ROMANIANS 'OPINIONS ABOUT THE PROGRAMS FOR THE YOUNG DELINQUENTS INTEGRATION

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Abstract: *Juvenile delinquency remained high, between 2014-2019, with over 3,000 cases of minors sent to court from 2015 to 2019, increasing by almost a third in 2019, in comparison with 2014 - the reference year, when the new Penal Code started to be applied. Despite the increasing number of the prevention programs for juvenile delinquency, of the legal education in schools, as well as educational programs for the reintegration for juvenile delinquents into society, there has been a steady increase in the number of crimes committed by minors. The study to determines the public's perception of the effectiveness of recovery and reintegration programs in society for the young delinquents. The way in which the society perceives the phenomenon of juvenile delinquency and the real possibility of social reintegration of young people who commit criminal acts is important to determine the overall picture of the process of social reintegration for the young delinquents. The research uses both empirical and theoretical methods, qualitative and quantitative: Analysis of statistical data and case studies, as well as the Sociological Survey. The main hypothesis from which we started in this research is that although statistical data show an increase in the phenomenon of juvenile delinquency, the perception of the population about the effectiveness of educational programs for reintegrating young offenders into society is a positive one, favorable to continue these programs and projects that have been implemented in Romania in recent years, because the majority of the population considers that education is the main factor that can correct the behavior of the juvenile offender.*

Keywords: *juvenile delinquency; prevention; educational programs; society; reintegration*

1. Introduction

The public perception about the programs for the young delinquents reintegration in society is an important social component for the development of future projects in Romania. We set out to determine by scientific methods how these educational programs are perceived in society, because the need to increase the penalties for criminals, including for minors who become delinquents, but also the need to modify their reintegration programs, with the change of working methods, has been debated many times in the public space.

According to statistical data published by the Public Ministry², in 2019 there were 3,850 minors prosecuted for criminal acts, increasing by 146 in comparison with the previous year, but less than in 2016 and 2017, when there were registered 3,883, respectively 3,882 criminal cases of juvenile delinquents. In 2016, there was an

increase in the number of juveniles prosecuted in the previous year (3,548), but also compared to 2014, when there were 2,966 criminal cases which implied juvenile offenders. The increase of 884 cases in 2019 in comparison with 2014 is a bad sign, especially because the statistics also show an increase in the number of criminal acts committed with violence (rape and robbery), as well as an increase in the number of juveniles arrested. Thus, in 2019 there were 76 rapes committed by minors, in comparison with 66 in 2014, respectively 616 robberies, in comparison with 611 in 2014, being pre-trial detained 460 minors in 2019, in comparison with 371 in 2014. The pre-trial detention is a measure ordered if the person presents a high degree of social danger. During the same period, there was a decrease in the number of thefts committed by minors, from 1,496 to 1,369, which shows, however, that an important number of non-violent crimes have become violent crimes.

Table 1. The dynamics of juvenile delinquency cases in Romania

Year	Juvenile trials	Pre-trial detention for minors	Rubberies committed by minors	Rapes committed by minors	Thefts committed by minors
2014	2966	371	611	66	1496
2015	3548	446	696	66	1726
2016	3883	445	768	72	1633
2017	3882	480	700	56	1478
2018	3704	473	558	67	1401
2019	3850	460	616	76	1369

Source: official data, Public Ministry

Educational programs for the recovery and reintegration of young delinquents into society are based on the in-depth study of crime psychology and criminal environments in which children and young people develop as future delinquents. The researchers have established some specific elements for the profile of young delinquents so that action can be taken, through educational programs, to eliminate, as far as possible, the favoring factors, as well as to increase the level of education of children and young people. One of the premises from which the research started were the favoring factors for the development of antisocial and criminal behavior of young people who become delinquents, starting from the idea that most of the young delinquents would come from disadvantaged communities and the criminal behavior would be based on poverty, but the statistics actually contradict this hypothesis. Even from the analysis of statistics in recent years we can see that the county with the most juvenile delinquents in recent years is Cluj, which is included in the statistics on the living standards of the population among the first in the top of the richest counties. The case study also shows that juvenile offenders come from both disadvantaged, poverty-stricken communities and high-income communities. Except for this indicator, the family becomes the most important factor for the development of the child and on the second position in top is the school.

2. The difference between normal and pathological in society

In order to have a correct picture of these social problems, we must take into account the fact that in any community we should distinguish between normal social facts and pathological social facts. There are no "societies of saints." That is why we must first delimit the difference between normal and pathological. "Internal balance and normality are the ideals of any modern society, but defining and separating states of equilibrium from those of imbalance, the normal from the abnormal involves a series of theoretical and practical difficulties. If for what is normal or abnormal there are sociological criteria for assessing them as such, instead, for establishing the boundary between them - where the normal ends and where the abnormal begins - the interpretations are different and even contradictory." (Otovescu 2009: 448). We can consider that the abnormality, as a real social phenomenon, is rather an indication of the non-integration of individuals and groups in relation to the general norms and values of society. This problem concerns, equally, sociologists, legal specialists, but also social workers and all those who work in prisons, in the field of reintegration of delinquents back in society.

Over time, sociologists, psychologists and psychiatrists have defined the pathological phenomenon in society. For the American sociologist J. H. Fichter, the normal way of life in society means the processes of cooperation between people, solidarity between people and between social groups. That is why Fichter defines opposition and conflict processes as abnormal, because they affect the maintenance and continuity of groups and societies. Normality and abnormality for society are also defined by the French sociologist E. Durkheim: normality is the conformity of individuals to moral rules, legal norms and other social facts to which most members of a given society are frequently subjected (Durkheim, 1974: 57-170). Durkheim says that in society there is a natural order of facts - called social facts - which are external to individuals and exert a coercive power on them, differing from organic and mental facts in that they are the product of people's common life, of the interactions between their consciences. Therefore, for Durkheim, the substratum of social facts is represented by society as a whole, not by the individual or by social groups.

Durkheim states that a social fact is recognized by the external constraint manifested in relation to the individual, and the presence of this power is recognized by the existence of determined sanctions and a resistance that the fact opposes to individual temptations to violate the rules. The French sociologist defined the pathological character of social facts both by reference to their restricted area of manifestation and by emphasizing the role of the collective consciousness, society being the one that has the power to judge and punish. Thus, according to him, a perfect society cannot be imagined, because it is a practical impossibility as long as the meaning of human facts - of being normal or pathological - is established by society. Minor mistakes - says the French sociologist - can be punished in a holy society, but there can be no such a perfect society in which individuals do not deviate from the average type, collectively, of socio-human behavior, among the deviations being, inevitably, some considered criminal. Pushing his reasoning to the extreme, Durkheim appreciated the crime as necessary, linking it to the fundamental conditions of social life, so that the crime itself is useful for the normal evolution of law and morality, being an anticipation of morality and law, an orientation towards what they should be.

"Therefore, the authority enjoyed by the moral conscience and the legal conscience in a society must not be excessive. Such a conclusion was derived from the analysis of the case of the Greek philosopher Socrates, sentenced to death by the Athenian right for the crime of having manifested his independence of thought. But his murder, Durkheim remarks, proved useful to the society to which he also belonged to mankind, because it served to prepare a new morality and faith that people needed. The same happened with the free-thinkers of the Middle Ages, who were struck by the law of those times." (Otovescu: 452). As Durkheim said, if the phenomenon of crime were not morbid, the punishment would not be to cure it, and then its function must be sought elsewhere. Of course, it is always important, especially for the individual, that the punishment be proportionate to the crime committed. The distinction between normal and pathological, as well as the evaluation of this relationship in various societies was made also by the American philosopher J. Morgan, according to three criteria: 1) cultural (used, especially, by anthropologists); 2) statistical (used mainly by sociologists); 3) psychiatric (used by psychiatrists). (Otovescu, 2009: 453)

3. The roots of juvenile delinquency from the psychological point of view

Many psychologists and sociologists tried to determinate the background of juvenile's crimes, in the last 25 years. As the psychologist Emilio Mira Y Lopez states, "Crime from a psychological perspective is a perfectly rational and inevitable consequence of the confrontation between the powers and the causes that caused it" (Lopez, 2009: 106) Both are the environments in which the education of the child and the young person have a decisive role for the future of his behavior. That is why the family and the school have a very important role for the most effective implementation of educational programs for the reintegration of young people who have become delinquents. "When the child develops and grows up in conditions far below normal life, improper conditions and in a broken family, with parents who have different behavioral problems or when the child is under the negative influence of schoolmates, friends at home etc., the premises of deviant behavior are triggered." (Child Hub, 2004: 11-12)

In the development of children and young people, the family and extra-family environment must be taken into account equally. The sociologist Maria Dorina Pașca defines the "extra-family group" from this perspective, drawing attention to the synopses that may occur during the formation of young people: as well as to fulfill professional obligations, they manage to define personality structures, facilitating the steps towards a life, antisocial, the stage towards crime is already undertaken." (Pașca, 2005: 29-30) The researcher also draws attention to the influence of media and TV programs on shaping the behavior of young people – and this phenomenon is almost out of control after the Internet became accessible to all, from an early age. "What is relevant to the media can also suggest and stimulate the juvenile's state of crime. The American psychologist Berkowitz claims that the violence we see on TV or in the movies leads to an increase in the level of aggression and crime, the effect of such shows being even higher among children with emotional disorders, as well as those with frustration. All these shows are joined by fiction that has as its main hero, a person made up of as many evils as possible, as well as newspapers that abound in news that controls the credibility of the minor. In these conditions, we can be sure that we are extraordinarily close to a future criminal." (Pașca, 2005: 29-30) Starting from this explanation

of several psychologists and sociologists, in the last 30 years, we can correlate the increase in the number of juvenile offenders with the population's access to the Internet in recent years. That is why educational programs must take into account the influence that the media and the Internet have on minors, not just the family or school environment in which they develop.

According to the psychologist Alina Sanda Vasile, the main social and psychosocial factors relevant to the genesis of delinquent behavior are: "the existence of external reinforcers of behavior such as rewarding deviant acts and punishing prosocial acts (learning through operative conditioning); the existence of patterns of negative behavior (learning by imitation); weak mechanisms of social control over behavior; labeling the person who committed a deviant act as a "delinquent" (followed by identifying the person with the label and perpetuating the delinquency); social factors such as social inequalities, poverty, racism, etc. and belonging to a deviant subculture and adopting the norms, values and behaviors specific to this culture." (Vasile, 2010: 275). Also, the researcher Oxana Rotaru, observes an important link between the individual's behavior, relationships and social needs - these influencing the formation of the young person's personality and criminal behavior. (Rotaru, 1999: 39-40) And mimicry is one of the most important factors that influence the behavior of the child or young person who can become delinquent, as noted by forensic psychologist Tudorel Butoi (Butoi, I.T; Butoi, T. 2004: 65-66).

All these studies and many others, about behavioral psychology and the factors favoring crime in society were the basis for the development of current educational programs for recovery and reintegration into society of juvenile delinquents, being correlated equally with the provisions of the Criminal Code, the Code of Criminal Procedure. Criminal Procedure, but also with a broader framework of international jurisprudence.

4. Methods

The research uses both empirical and theoretical methods, qualitative and quantitative methods: Analysis of statistical data and case studies, as well as the Sociological Survey. The research started from the qualitative method (Analysis), continuing with the quantitative one (Survey). We did not include in the analysis of statistical data the period 2020-2021, because the year 2020 was an atypical one, and this research was conducted in the first half of 2021. The general aim of the paper was to identify and present models of good practice in reintegrating the young delinquents. The specific objectives of the research were to identify the reasons of increasing of the number of minor delinquents, despite the common efforts for education and reintegration, consulting the public perception about those efforts (reintegration educational programmes), as to understand how society perceive the necessity of the new projects for the education and reintegration of the young delinquents. The methods used in the research were document analysis, case study, comparative analysis. The research universe consisted of the results of the social programs for reintegration as they are perceived by the society in which the young delinquents must return. The analysis of documents as the first method used in the preliminary stage of investigation aimed at analyzing the pages and official data from the Public Ministry.

5. Results

The sociological survey was conducted in August 2021, on a sample of 251 people, of which 75.6% with undergraduate and postgraduate studies. 75.3% of the respondents are women, 85.3% of the respondents live in urban areas. Most respondents are in the age category 36-45 years (42.2%) and 46-55 years (24.3%). 10.4% of those who answered the questionnaire were or are still social workers, and 9.2% worked in a penitentiary. Also, 19.5% worked in at least one special program for the recovery of young delinquents, 39.8% have knowledge about the content of at least one educational program for the reintegration in society of young delinquents, 63.7% know young delinquents, and 42.2% know young delinquents recovered and reintegrated into society, with the help of educational programs.

92% of the respondents believe that young delinquents can be reintegrated into society with the help of educational programs (Figure 1).

Do you think that young delinquents can be reintegrated into society with the help of educational programs?

251 answers

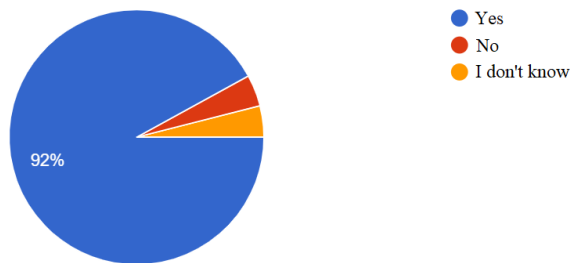


Figure 1

Also, a very high percentage (96%) consider that education is a solution to integrate in society young people who have already become delinquents (Figure 2).

Do you think that education is a solution to integrate into society young people who have already become delinquents?

251 answers

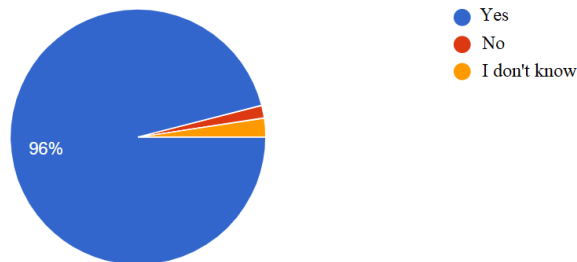


Figure 2

86.1% of respondents consider that the environment in which children and young people live and develop their personality is decisive for those who become delinquents (Figure 3), but most (64.5%) do not attribute this development of criminal behavior to poverty. Also, the family - and not the school - is indicated by the majority of respondents as the most important place in which the young person can become delinquent or recover (58.6% of respondents consider that the family is the most important for the young person to become delinquent or to recover, while only 32.7% indicate the school as having this role). At the same time, 65.7% of the respondents consider that the penitentiary does not have an important role neither in creating the criminal behavior of young people, nor as an environment in which they could recover, through educational programs. (Figure 4)

Do you think that the environment in which children and young people live and develop their behaviour is decisive for those who become delinquents?

251 answers

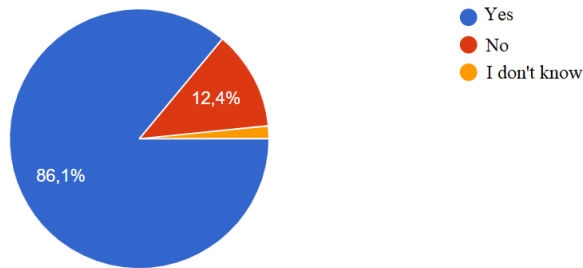
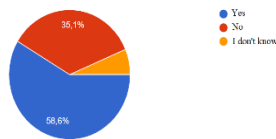


Figure 3

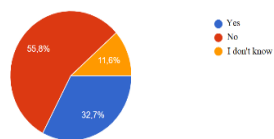
Do you think that the family is the most important environment in which the young person can become a delinquent or recover?

251 answers



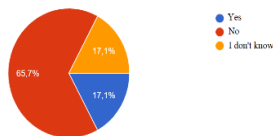
Do you think that school is the main environment in which the young person can become a delinquent or recover?

251 answers



Do you think that the prison is the most important environment in which the young person can become a delinquent or to be recovered?

251 answers



Do you think that poverty is the main trigger for the antisocial behavior of young people who become delinquents?

251 answers

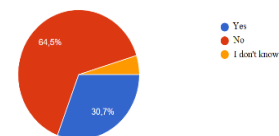


Figure 4

71.1% of those who answered the questionnaire believe that young people who have already become delinquents could recover and reintegrate into society with the help of educational programs, even if they remain in their living environment and are

still affected by poverty. 52.2% of respondents blame the permissive legislation for the increase in juvenile delinquency in recent years, while 33.9% do not consider that the increasingly permissive criminal legislation leads to an increase in juvenile delinquency and 13.9% do not know if this is the cause. Also, 60.6% of respondents do not consider that the possibility of getting out of poverty is the main remedy to reduce juvenile delinquency, while only 28.7% believe that it is, and 10.8% do not know if this is the remedy. Most of the respondents (87.6%) do not believe that young people should be given financial aid rather than educational programs, in order not to become delinquents or to be recovered and reintegrated into society, after they have already become delinquents.

Almost all the respondents (97.2%) believe that educational programs for the recovery of young delinquents should include career counseling and vocational training courses in order to find a job, and 82.1% believe that young delinquents should also be provided with jobs, not just qualifications, so that they would not be tempted to commit more crimes and in order that the recovery and reintegration programs for young delinquents to be effective and give young people the chance to work and live far from their environment and poverty. Also, 74.1% of respondents believe that solving the problems of disadvantaged communities, by increasing the quality of life for the people in these communities, should become a priority, as a preventive action, to reduce juvenile delinquency.

Most of the respondents (56.2%) believe that educational programs for the recovery of young delinquents should be done inside the community (without restrictions or coercive measures); 37.8% believe that it should be done in Correctional Schools (with open regime), while only 6% consider that it should be done in prisons (with closed regime).

6. Discussions

The research will continue with the analysis of the results obtained from educational programs for the reintegration into society of young delinquents, in the last 5 years, but also for the next 5 years, so as to track the degree of recidivism of subjects and the ability to reintegrate into society and the labor market. One of the issues that has been debated for several years about the possibility of studying in this field is the need to create an integrated data system, so that we can follow the evolution of those who have served their sentences in prisons, and also for the young delinquents who have been included in educational programs. In addition to the legislation on personal data protection, a problem that affects the research in this field is the lack of information (at the institutional level) about young delinquents who have left Romania after completing educational programs. What can be done effectively, in this situation, is to follow the activity of some subjects who agree, voluntarily, to continue participating in the monitoring of their socio-professional activity, as case studies.

7. Conclusions

The premise from which the research started was confirmed: most of those who answered the questionnaire consider that the educational programs applied so far are effective. People agree with their application in the community - as required by international law in this field -, not in restrictive environments. It is also confirmed, at the level of the population's perception, that education, not the financial side, is a first

necessity in the recovery and reintegration of young delinquents - with the mention that most of them consider that the programs must be integrated, so that they could offer the young delinquents career counseling, training courses and jobs, so as to help them get out of the influence of the criminal environment.

References :

1. Butoi I. T. and Butoi T. (2004). *Psihologie judiciară*, Bucharest: România de Mâine
2. Child Club (2014). *Prevenirea delincvenței juvenile și acordarea de servicii specifice minorilor delincvenți* [online] available at: <https://childhub.org/ro/biblioteca-online-protectia-copilului/prevenirea-delincvenței-jvenile-si-acordarea-de-servicii>.
3. Durkheim E. (1974). *Regulile metodei sociologice*, Bucharest: Științifică
4. Lopez E. M. (2009). *Manual de psihologie juridică*, Bucharest: Oscar Print
5. Otovescu D. (2009). *Sociologie generală*, 5th edition. Craiova: Beladi
6. Pașca M. D. (2005). *Infractorul minor și reintegrarea sa în comunitate*. Bucharest: Ardealul
7. Rotaru O. (1999). *Criminalitatea minorilor*, Chișinău: Symposia Professorum
8. Vasile, A. S. (2010). *Psihologia delincvenței juvenile*, Bucharest: Universul Juridic
9. Ministerul Public (2019). *Raport de activitate*, [online] available at: https://www.mpublic.ro/sites/default/files/PDF/raport_activitate_2019.pdf