Juvenile Deliquency and the Threat to National Security: Possible Causes and Remedies

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Abstract

The paper presents the juvenile delinquency from the perspective of societal security and is founded on the premise that national security (state's security) does not necessarily mean the society's security. We cannot sign equivalence between national security (seen as political security) and societal security, as societal security concerns security "outside" the state or "beside" the state. Societal security is influenced by different sub-systems that may induce risks, threats, challenges and vulnerabilities. One of these sub-systems is the educational subsystem, which nowadays is increasingly threatened by juvenile delinquency among other factors. The factors contributing to delinquency display a large variety of causes and include social exclusion, migration, racism, gender inequality, violence (societal and domestic), and breakdown of the family, lack of positive role models and the influence of media. All these factors need to be addressed when we approach juvenile crime and when searching for solutions against it. The paper catches few aspects and statistics on youth crime (including pre-delinquency) and outlines the factors that produce it. It also emphasizes potential solutions to reduce youth crime and presents in this context a case study: MAJMIN project – Major competences to manage minor offenders. MAJMIN is a Leonardo da Vinci (Development of Innovation) project developed in the framework of the Lifelong Learning Programme and financially supported by the European Commission. The goal of the project is to increase the specific professional training provisions that will enforce the involvement of different parts involved in the management of juvenile crime, for a better response to the needs for social inclusion of minor offenders.

1. Conceptual definitions

National security understood as state's security does not necessarily mean the society's security. We cannot sign equivalence between national security (seen as political security) and societal security, as the latter concerns security "outside" the state or "beside" the state.

Generically speaking, *security* refers to the absence of threats. In terms of *national security*, the threats in question are usually those faced by the state (threats addressed to state's values and interests), while *societal security* deals with identities and cultures and can easily lead to politics of discrimination and exclusion. As most conflicts that are prevalent nowadays have a societal element, it is therefore important to take societal security into account when studying security on a macro level [1]. Through this perspective, societal security is directly associated with the individual as the basic entity of the society, with mentality and understanding of people regarding vulnerability and threats.

Societal security is included in national security, a clear separation among security levels and sectors being difficult to achieve. Very often we speak of *security* and *safety*, the concepts being defined one by the other. *"Security* is a state in which the individual and human groups, but also the state or union of states can live and act freely and unhindered, following the development path that has been chosen voluntarily and consciously. *Safety* is the certainty the individuals and human communities have that they are in absolute safeness. In fact, the two terms which reflect reality, require each other, meaning that there can be no security without safety and vice versa" [2].

Barry Buzan presents the perspective of a more complex security concept, by describing in its book *"People, States and Fear",* a security based on levels and sectors. The three levels he mentions are individuals, states and international systems [3]. The political, military, economic, environmental and *societal* sectors of security are also described by Buzan in the article *"New Patterns of Global Security in the Twenty-First Century"*. These levels and sectors cannot be separated of each other, all of them being strongly interlinked [4].

The threats of societal sector refer to what may affect the identity of a community. Beyond the criterion that can be ethnic, religious, linguistic, racial, cultural etc. the cornerstone of defining community is the individuals' sense of belonging to this form of social aggregation.

Although in a broad sense, the criterion to consider the threats as societal threats is that they have to refer not to the safety of individuals, but to the existence of the community as a social group, we cannot neglect the macro-level effects of certain threats which act at the level of the individual, the micro group or the local community. It is the case of delinquency in general and of juvenile delinquency in particular, that through its magnitude may come to jeopardize the survival and life in the shadow of peace and tranquillity, thus representing a societal threat.

2. The relation between juvenile delinquency and societal security

Different studies emphasized relevant factors at individual level on which societal security is based: characteristics of the residence area, higher education level, having more prestigious professions, enjoying more welfare status. It was also proved that in some communities men enjoy more societal security than women do or that there is more societal security for average-age families (due to inexperience) and old families (due to disability, deprivation).

Societal security is influenced by different sub-systems that may induce risks, threats, challenges and vulnerabilities. One of these sub-systems is the educational subsystem, which nowadays is increasingly threatened by juvenile delinquency among other factors. The factors contributing to delinquency display a large variety of causes and include social exclusion, migration, racism, gender inequality, violence (societal and domestic), and breakdown of the family, lack of positive role models, the influence of media. All these factors need to be addressed when we approach juvenile crime and when searching for solutions against it.

Juvenile delinquency requires an appropriate approach to cope with developments of today's society and remains one of the causes that generate societal insecurity. Consequently, it is the time to establish security plans properly.

Societal security is linked not only to identity and culture. It is perceived by the individual through another aspect: the security of the society (society formed by basic entities – the individuals) seen and understood by ensuring security for the macro-system (which is the society) through the events and behaviours of the society's constructive elements (which are the individuals). Here is it to analyse the mentalities and behaviours that are *declared or stated* but also those which are *exhibited or displayed* by the individuals, the compliance with legislation and norms or deviation from them, which is thus generating the individual's insecurity and so, the societal insecurity.

In this framework, juvenile pre-deliquency and deliquency represent a threat that cannot be ignored anymore. Statistics have shown an increase of juvenile crime in Europe in the late years. Quite high number of young people fall prey to temptations and easily violate the law. Not only the number of delicts committed by youth has increased but also the level of their violence.The society is terrified, feels insecurity and seeks solutions to master the phenomenon.

The examples below, which refers to Romania of 2010, speak for themselves:

Table 1: Minor offenders sent up to trial in 2010 [5]

a. Offences against persons	401
Murder	37
Aggravated murder	11
Felony murder	6
Assault and other violence	105
Bodily harm	52
Aggravated bodily harm	51
Death blows	9
Rape	78
Sexual intercourse with a minor	22
Other offences	30
b. Offences against the patrimony	2442
Theft	1898
Robbery	544
c. Offences which reflect on social coexistence	26
d. Offences stipulated by special laws	252
Offences regarding the circulation on public roads	148

Human trafficking	6
Drug-trafficking	18
Electronic criminality	3
Other offences	77
e. Other crimes	142
Total	**3263**

Table 2: Solutions of the court as regards the 3263 minor offenders sent up to trial in 2010 [5]

Minor offenders had been sentenced to prison;	2803
Minor offenders had been convicted to a forfeit punishment;	91
Minor offenders were subject to educational measures.	369

Extremely high percentages (85.9%) of the minors who have committed offences were sentenced to prison. This is an argument supporting our thesis that immediate measures are necessary for reducing juvenile delinquency, for preventing it and for changing the approach in coping with minor offenders: instead of sending them to prison to include them in education, counseling and monitoring-based remedial systems outside of the prison.

3. Solutions to better manage youth crime. A case study

The most common determinisms for youth crime are educational background, economic/financial situation, family environment, entourage, health. But the factors contributing to delinquency display a larger variety of causes and include social exclusion, migration, racism, gender inequality, violence (societal and domestic), and breakdown of the family, lack of positive role models and the influence of media.

The major problem in managing juvenile crime is trying to apply appropriate solutions, more suitable to the young persons' age and to the perspective of their further personal development and growth: instead of sending the young offenders in prisons, where they usually find a "supportive" and "encouraging" environment for new, potential offenses (they get in touch with other offenders, they learn to hate the system that convicted them, the society, they develop more hatred and rebellion - all these making them to easily re-offend after liberation from prison), the system should try finding remedial solutions outside of the prison, by involving into a joint effort, all categories of professionals that deals with minor offenders.

The juvenile crime should be dealt with in an efficient way, by an active and joint involvement of all specialised categories of professionals, with responsibilities in and outside the legal proceedings.

Table 3: Social actors with responsibilities in managing juvenile crime

Social actors with responsibilities <u>in</u> legal proceedings	*Social actors <u>outside</u> legal proceedings*
- Policemen - Lawyers - Prosecutors - Judges - Probation counselors - Professionals within General Direction for Social Assistance and Child Protection - Professionals from the penitentiary system	- Teaching staff - Education psychologists - Doctors - Parents - School mates - Professionals from the social assistance centers

It is what the MAJMIN project [6] intends to do. "MAJMIN - Major competencies to manage minor offenders" is a LdV "Development of Innovation" project financed by the EC (ref. no. 517580-LLP-1-2011-1-RO-LEONARDO-LMP) implemented by institutions from 6 European countries. The goal is to increase the specific professional training provisions that will enforce the involvement of different parts in the management of juvenile crime, for a better response to the needs for social inclusion of minor offenders.

The methodology used consists of several phases:

- desk/field research to identify minor offenders categories in EU, institutions involved, categories of professionals, mechanisms, criteria and good practice in dealing with minor offenders; this stage was finalised by a Research Report.
- creating a curriculum for developing inter-professional transversal competencies for better dealing with minor offenders. This curriculum builds on the achievements of the Research Report and on both the needs of professionals managing the juvenile criminality and on the needs of minor offenders.
- elaborating the training materials (methodological guide, handbook, eLearning facility – as web-based platform, ECVET based evaluation/certification methodology).These VET provisions will be strongly correlated with the curriculum, designed under the previous phase.
- piloting the curriculum and VET provisions through an intensive training meant for the target groups (professionals interacting with juvenile offenders). The course will be held in each partner country and will be finalised by training certificate. Both the curriculum and VET provisions will be refined, adjusted based on the training phase.
- increasing awareness upon the issue of efficiently dealing with minor offenders and disseminating the project's outcomes through an international symposium organised under EfVET - European Forum of Technical and Vocational Education and Training.

The idea is to promote a shift in approaching the criminal justice systems when dealing with juvenile offenders: instead of applying punishment-oriented sanctions, a system reflecting the juvenile justice concept would regard juvenile suspects as participating members of society having rights, obligations, and responsibilities. Such a system would provide special protection for juvenile offenders, as well as opportunities to undo or rectify the consequences of their misdeeds.

The basic requirements for such transformation are a more developed social system for assisting vulnerable juveniles and their families, stronger infrastructure for the prevention of juvenile crimes, more options among the alternative and non-custodial measures to be imposed on juveniles in conflict with law, and the possibility for juvenile offenders to exercise their rights throughout administrative and criminal proceedings, as required by the UN Convention on the Rights of the Child.

4. Conclusions

The problem of managing juvenile crime is of high interest for the society and solutions adapted to its complexity have to be immediately identified and implemented. To get improved tangible results and to increase efficiency in coping with young offenders in the view of their social inclusion, the specific professional training provisions for all categories of professionals involved should be increased and customised according to their training needs. MAJMIN project represents one of the possibilites that bring a surplus of efficiency and improvement to the system.

References

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