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DYSFUNCTIONAL FAMILY AS ONE OF THE FACTORS OF JUVENILE DELIQUENCY

The essence of the family's upbringing potential, its peculiarities, the influence on the development of the child's personality are highlighted, the problems of the impact of a dysfunctional family on juvenile delinquency in the conditions of building civil society in Ukraine are analysed.

Keywords: *family, family's upbringing potential, family's dysfunction, neglect, child, minor, civil society.*

Problem setting. Fundamental changes in political, social, economic conditions and in the public consciousness of the citizens of Ukraine, which have brought a lot of positive things to social life, at the same time, have exacerbated the contradictions in the family upbringing of children. Family has the best possible opportunities for permanent and intensive communication of children with adults; is the carrier of the unproduced in any other circumstances, the emotional-psychological micro-climate, based on the unique proximity of the teachers and the pupils; directs the development of communication of children in all spheres: family, neighboring, educational, labor and leisure; gives children lessons in gender relations and future family life; forms an attitude to the educational and labor activities, responsibility, defines the attitude to ideological, moral and legal values of society; forms character and level of self-esteem and self-criticism; carries out "training" and a guide in the performance of general civil, educational and labor duties; models the structure and contents of leisure; Provides control of children and adolescents as members of society, which are in the stage of intensive development and did not fully master the skills of independent decisions. The ability to separate, to understand the causes and interconnectedness, to predict the ways of their solution in the interests of families and their individual members on the state (in the general and family policy of the state), professional (by the efforts of specialists) and individual levels (by the efforts of the families themselves) could to great extend to improve the

situation of families in Ukraine and the possibility of implementing their educational functions.

Recent research and publications analysis. General theoretical aspects of the problem under study are covered in the writings of scientists: L. Amadzhadin, O. Antonova, A. Baydalakina, C. Golod, T. Gurko, I. Dvoymennyi, D. Dikova-Favorska, Ye. Zakharchenko, T. Kravchenko, M. Matskovskiy, I. Minkovskiy etc. The main theoretical and methodological, scientific directions of the problem of a child upbringing in the family are reflected in the writings of the classics of pedagogy and psychology, in particular, L. Vygotsky, J. Comenius, G. Kostyuk, A. Makarenko, V. Sukhomlynsky and others, as well as: A. Besedin, C. Black M. Buyanov, A. Grys, L. Kahn, V. Lopez, K. Perlmutter, D. A. Strickland, I. Topolska, O. Shenkevich and others [1-5]. The most serious problem today is the problem of youth criminal behaviour. General theoretical aspects of the problem raised were covered in the works of such scholars as V. Golina, I. Danshin, I. Dvoymennyi, A. Dolgova, V. Yermakov, V. Kudryavtsev, I. Rushchenko, N. Yakovleva and others. In their publications they focus on the characteristics of the personality of juvenile offenders, the causes of their criminal behavior, and measures to prevent it. Knowledge of these features allows us to find out the causes and conditions that contribute to the emergence of deformations and their realization in the infringing behaviour. Thus, we get reliable guidelines for prevention and, the earlier the possible. The problems of deviant behaviour, of the minors' criminal behaviour, in particular, are of scientific interest to the author of the article, who participated in the study of this phenomenon, which was carried out for five years in Kharkiv using traditional methods of obtaining information [6-14].

Paper objective of the article is to analyse the impact of a dysfunctional family on juvenile delinquency.

Paper main body. The main source of the formation of adolescent personality distortions that cause a crime commitment is the shortcomings and violations in the family upbringing. It should be borne in mind that the influence of other sources of criminal "infection" of minors is largely stimulated by the position of the family.

Recent research by T. Alekseenko, I. Ganyshyna, V. Orzhekhovska and the practice show that in 60-80% of cases the mechanism of unlawful behaviour was "triggered" by the shortcomings of family upbringing. Three main variants of the criminogenic position of the family were identified: unwillingness, inability and incapability to raise children [15, p. 22]. The research conducted by Besedin A. A. of the causes of the offenses and crimes committed by minors show that in 90-97% of cases, minors come to unlawful behaviour under the direct influence or with the participation of the parents [16, p. 3].

Family dysfunction is a complex concept that has several features, in particular: a) structural disruption of the family (single parenthood); b) the decline of the moral position of its members; c) shortcomings and distortions of parents' pedagogical knowledge, lack of parenting skills, etc.

Recently, sociologists, psychologists, lawyers have started to include violations of the emotional and psychological unity of the family in the number of signs of family dysfunction. Often this plays a "supporting" role because it is connected with the decline of the moral position of parents, which can directly give rise to the unlawful behaviour of children. However, it seems the violation of emotional and psychological unity can also play an independent role of criminogenically significant factor. The lack of such a unity causes the loose by the family the properties of a collective. It often leads to a decrease in the upbringing impact of the family on the teenager. Social psychologists point out that the atmosphere of generous affection, closeness, trust and love determines the intensity, strength, depth of the child's (in the process of imitation and empathy) learning of parents' moral positions, their values in the sphere of morality. In an atmosphere of mutual understanding, the child is better able to perceive the parents' conscious attitudes and demands. Violations of emotional and psychological unity, family conflicts can affect the mental health of children.

As already noted, family incompleteness is an important demographic characteristic that has criminological significance. It should be noted that identifying an incomplete family with a dysfunctional family is insulting to its members and, in a word, is not correct. Of course, a single-parent family has some restrictions on the ability to control the behaviour, pastime, and children's relationships. Difficulties arise, mainly related to the female nature of upbringing, because in the vast majority of single-parent families, children stay with their mothers. But these difficulties are overcome in condition of the correct pedagogical position of the adults and the necessary social assistance. In addition, in most cases, children from such families have a sense of responsibility earlier formed and they are quicker to get mature. Moreover, maintaining a complete structure in families in which one parent (usually the father) has become a source of antisocial influence on children is far more detrimental to the upbringing process in the family than divorce for the sake of restoring a normal upbringing atmosphere.

However, how to connect the expressed understanding with that well-known observation that the children from one-parent families are relatively more likely to commit crimes and other offenses than from the complete ones. In other words, their share in the contingent of offenders is higher than among the juvenile population as a whole. But, in our view, the point is not that the fact that the incomplete structure of the family automatically causes the transition to a criminal path, but in

circumstances that are possible in a family of any type, but in the one-parent (incomplete) family they are not neutralized by social assistance and support. There are four such circumstances. First, there is a significant gap in the organization of monitoring the behaviour of children, the level and intensity of assisting them in learning, mastering their technical skills, etc. is reduced. Secondly, a tense atmosphere is created within and around the family in connection with the showdown between parents, scandals, mutual accusations, attempts to provoke sympathy in the children, etc., as well as because of the of tactless interest from others, genuine and conspicuous empathy, careless replies, genuine and sacrilegious pity; discussing who is to blame, etc. Thirdly, changes in the family's financial and social capabilities. Fourth, the frivolous or immoral behaviour of the parent who is left with the children: a kaleidoscope of meetings, guests, etc. in front of the children. These circumstances, which, we stress, are not found in all single-parent families and can occur not only in them, reduce the authority of parents in the eyes of a teenager, form alienation in him, feelings of inferiority, resentment, envy to others, the desire at any cost to achieve authority among peers, to prove that he/she is worthy of a more prestigious place. Together with neglect, which facilitates getting under the negative influence, in these cases the mechanism of individual criminal behaviour can easily arise. And here is not the type of family per se, but the atmosphere that has developed in and around it "works". This atmosphere should be evaluated not on the formal grounds but on substance. In this regard, it is not accidental that the proportion of juveniles who are brought up in families with both parents is increasing among juvenile offenders. This again demonstrates the fallacy of identifying the concepts of "complete" and "functional family".

An incomplete (single-parent) family is dangerous because it causes neglect, lack of collective influence, etc. Usually, neglect is defined as the weakening or lack of observation of the behaviour and activities of minors and the upbringing influence on them by their parents (the people who replace them). Neglect is a two-side process. It is also characterized by the growing alienation of the adolescents themselves from the family and the educational (labour) collective and at the same time the indifference of the latter to the manifestations of personal deformation of the children which are being strengthened and the sources of negative influence on them.

Neglect is a constant companion of juvenile crimes, one of the conditions conducive to their commission. Among them is the weak control of minors. It is not just about weakening the formal control of parents over the behaviour of children, but also about the formed microclimate in the family, serious deficiencies in the parents' attitude to their functions as caregivers, demonstrating to children social irresponsibility, indifference to their fate or their obvious inability to perform these functions.

One of the incarnations of neglect is the lack of proper exactingness to the minor, his/her actions, and even indifference, the granting of autonomy in the assessment, solving certain life situations. It is necessary to prevent and stop the process of turning children into neglected children, who make up a large number of juveniles involved in criminal activity.

Family dysfunction, which results in the deformation of the process of socialization and formation of the child's personality, leads to an increase in social and environmental maladaptation of children and adolescents. According to complex, multidimensional studies, individuals who have committed socially dangerous actions exhibit persistent social maladaptation (of different levels) that has arisen as a result of abnormal personality formation and behaviour in the early stages of socialization in the "disadvantaged" micro-environment.

Specificity of family dysfunction is the combined influence of causes and determinants of different nature: deprivation, pedagogical factor, hyper protection, personality characteristics of parents, physical violence, and physical punishment as methods of upbringing, alcoholism and others.

A very important risk factor for adolescent deviant behaviour is the improper parenting practices used by parents. Researchers identify the following common mistakes in bringing up the children: misunderstanding of children's personal development; rejection of children; parental expectations of the child; inflexibility in relationships; uneven parental relationships in different years of children's life; inconsistency in relationships with children; mismatch between the parents in their relationships; distrust of children; lack of responsiveness, inattention of parents; controversy. The perseverance of disciplinary actions used is important. The effectiveness of discipline depends on the reaction time; consistency and principle of disciplinary requirements; the quality of parent-child relationships; the balance of approvals and punishments.

Parents' personality features. The following unfavourable personality traits of parents are identified, which are a risk factor: anxiety, dominance, self-centeredness, hyper sociality. The choice of different methods of upbringing and style of inter-family communication largely depend on the characteristics, level of education and culture of parents.

Physical punishment as a method of upbringing can be used in families for the following reasons: 1) parents themselves originate from dysfunctional families; 2) physical punishment can be a family tradition of several generations.

In families characterized by criminal behaviour of parents, there is a marked increase in the frequency of quarrels and disagreements, resulting in poor marital life of parents and conflict between them leading to the formation of abuse in children. The risk of asocial behaviour increases when parents divorce or separate, but not if one parent dies. It is disorder and disharmony in the family, but not its dis-

integration as such, lead to asocial behaviour. The nature of the relationship and the style of parental behaviour are more important to the child's development than the fact that there is one or both parents present in the family.

Child abuse is one of the most significant factors in family discomfort. As a rule, physical abuse is always accompanied by mental abuse (constant or periodic verbal abuse, threats, humiliation, and neglect of the interests and needs of the child). Most juveniles living in dysfunctional families have signs of physical and neuro-psychological abuse. Among the causes of violence are the following: asocial orientation of the parents, alcoholism, mental illness, low level of culture, etc.

Alcoholism by its consequences is one of the most multifactor components of family discomfort. The correlation of biological and social pathologies in alcoholism will eventually lead to neuroticism and psychotraumatization, deformation of personality and tendency to alcoholism in children. Alcohol destroys the personality of parents, making any pedagogical influence on children impossible. Family relationships are characterized by constant conflict, the marginalization of the cultural level and the value orientations of parents.

Aggressive behaviour. Juvenile offenders are subject to the following external guidelines: denial of responsibility, harm, presence of a victim, condemnation of those who blame, turn to more important circumstances. Most delinquents experience emotional deprivation and the impact of adverse psychological climate in the family during childhood and adolescence.

The types of families that produce adverse effects on children include: a) families in which spiritual needs are of minor importance, that leads to disharmony of the child's development; one parent can lead an immoral lifestyle; consumerism is professed as a vital ideal; low level of education and culture; parents do not know and are not able to use pedagogically expedient means of education, the authoritarian style of communication dominates, mutual misunderstanding, the obvious unwillingness on the part of adults to spend leisure time together, different (sometimes conflicting) interests of parents and children; the polar material state – from begging to complete prosperity; b) families with immoral microclimate and negative impact on child development (weakened moral and work atmosphere, constant conflict, anti-pedagogical attitude to children, nervousness in family relationships; lack of general culture and spiritual demands; as a rule, low (elementary) education. Often these are large families with many children whose financial status is rather low; minimum care for children, lack of attention to the proper organization of their lives and activities; children seek to compensate for the lack of love and caring on the part of parents through self-affirmation in street groups); c) criminogenic type of family (internal relationships are built in such a way as to cause significant harm to the spiritual and physical health of children; parental education is lower than average; systematic, often father-mother co-drinking, immoral parental lifestyle,

sometimes with involving the children; conditions for raising children are the most unfavourable); d) neutral impact on the child (within the family relationships are characterized by free parenting, children are often living on their own; all parents' attention is focused on making money; often it is single mothers who gave birth to a child at a young age; divorced women, social living conditions of whom do not allow them to properly educate the child; large families with many children with weak social and moral standards, with low cultural level; material status is lower than average) [17, p. 46–47].

A dysfunctional family brings up the children in its own image and similarity. Unless the conditions of life and upbringing are normalized as a result of outside interventions, in many cases young people who adopt a cynical attitude towards moral values, disrespect for people, a disrespectful attitude towards social norms, appear from it. Negative behaviours of adult members of the family contribute to the fact that the minor not only adopts negative behaviours, but also learns the negative value orientation, realizing it finally in his/her own anti-social behaviour. This, in particular, affects the motives and nature of the crimes.

To counteract the unfavourable conditions in the family, their negative impact on the criminalization of minors, a state program for overcoming all types of family dysfunction is needed. The problems of a family, of a woman, and children should become a priority in the state and society. Modern family, maternity, childhood assistance programs are required, as well as an appropriate legal framework.

As a **conclusion of research**, it should be noted that the development of this problem can have not only theoretical but also practical interest, and its further study will provide additional opportunities for the correct and timely conclusions regarding not only the present time but also the future in creating conditions for rooting in society spiritually and physically healthy, financially well-off, socially prosperous family, which fulfils its functions. This is one of the main directions of domestic policy. It is about influencing the processes that are of exceptional importance for the future development of Ukrainian society.

REFERENCES

1. Black, C. (2018). *Unspoken legacy: addressing the impact of trauma and addiction within the family*. Las Vegas: Central Recovery Press.
2. Kahn, L. (2017). *Baffled by love : stories of the lasting impact of childhood trauma inflicted by loved ones*. Berkeley, CA: She Writes Press.
3. Lopez, V. (2017). *Complicated lives: girls, parents, drugs, and juvenile justice*. New Brunswick: Rutgers University Press.
4. Perlmutter, K. (2019). *Freedom from family dysfunction: a guide to healing families battling addiction or mental illness*. Lanham: Rowman & Littlefield.

5. Strickland, D. (2018). *Domestic abuse. Recognize, respond, rescue*. Phillipsburg, New Jersey : P&R Publishing.
6. Holina, V. V. (2004). Kryminolohichna kharakterystyka i poperedzhennia zlochynnosti nepovnitnikh. *Pytannia borotby zi zlochynnistiu – Issues of combating crim, issue 8*, 71–74 [in Ukrainian].
7. Dan'shin, I. N. (2004). Determinacija prestupnosti nesovershennoletnih. *Pytannia borotby zi zlochynnistiu – Issues of combating crim, issue 8*, 75–78 [in Russian].
8. Dvojmennyj, I. A., Lelekov, V. A. (1993). Vlijanie sem'i na prestupnost' nesovershennoletnih (po materialam Central'no-chernozernogo regiona). *Sociologicheskie issledovanija – Sociological studies, 10*, 54–60 [in Russian].
9. Dvojmennyj, I. A. (2000). Recidivnaja prestupnost': harakter, faktory, uroven'. *Sociologicheskie issledovanija – Sociological studies, 1*, 61–65 [in Russian].
10. Rushchenko, I. P. (2001). *Sotsiologhiia zlochynnosti*. Kharkiv: Vyd-vo Nats.un-tu vnutr. sprav [in Ukrainian].
11. Jakovleva, N. G. (1982). Nekotorye osobennosti formirovanija lichnosti pravonarushitelja v uslovijah semejnogo neblagopoluchija. *Rezul'taty kriminologicheskogo izuchenija lichnostnyh osobennostej nesovershennoletnih pravonarushitelej. Sb. st. Moskva: N.p., 3–16* [in Russian].
12. Holina, V. V., Yemelianov, V. P. (Eds.) (2006). *Kryminolohichni problemy poperedzhennia zlochynnosti nepovnitnikh u velykomu misti: dosvid konkretno-sotsiologichnoho doslidzhennia: monohrafiia*. Kharkiv: Pravo [in Ukrainian].
13. Vodnik, V. D. (2012). Rozvytok osoby nepovnitnogo pravoporushnyka v umovakh simeinoho neblagopoluchchia (za danymy doslidzhennia u Kharkovi). *Visnyk Natsionalnoi yurydychnoi akademii Ukrainy imeni Yaroslava Mudroho. Serii: Filosofiia, filosofiia prava, politologhiia, sotsiologhiia – The Bulletin of Yaroslav Mudryi National Law Academy of Ukraine. Series: Philosophy, Philosophy of Law, Political Science, Sociology, 14*, 233–242 [in Ukrainian].
14. Vodnik, V. D. (2017). The educational potential of the family and ways of its increasing in conditions of the civil society bulding in Ukraine. *Visnyk Natsionalnoi yurydychnoi akademii Ukrainy imeni Yaroslava Mudroho. Serii: Filosofiia, filosofiia prava, politologhiia, sotsiologhiia – Bulletin of Yaroslav Mudryi National Law University. Series: Philosophy, Philosophy of Law, Political Science, Sociology, 4(35)*, 157–166 [in Ukrainian].
15. Bekh, I. D. (2008). *Vykhovannia osobystosti*. Kyiv: Lybid [in Ukrainian].
16. Besiedin, A. A. (2002). Dysfunktsionalna simia yak chynnyk deviantnoi povedinky nepovnitnikh. *Extended abstract of candidate's thesis. Kharkiv, 18p.* [in Ukrainian].
17. Kravchenko, T. V. (2006). *Suchasna simia u fokusi naukovykh doslidzhen. Ukrainskyi sotsium – Ukrainian society, 2(13)*, 43–47 [in Ukrainian].

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НЕБЛАГОПОЛУЧНА СІМ'Я ЯК ОДИН ІЗ ЧИННИКІВ ЗЛОЧИННОСТІ НЕПОВНОЛІТНІХ

Постановка проблеми. *Фундаментальні зміни в політичних, соціальних, економічних умовах та в суспільній свідомості громадян України, які привнесли в суспільне життя чимало позитивного, призвели водночас до загострення суперечностей у сімейному вихованні дітей. На думку науковців, викладачів, працівників різних закладів, які мають справу з неповнолітніми, основною причиною злочинності неповнолітніх є несприятлива обстановка в сім'ї та її негативний вплив. Уміння вичленовувати, розуміти причини і взаємопов'язаність суперечностей у сімейному вихованні дітей, передбачати шляхи їх розв'язання в інтересах родин та їх окремих членів на державному (у загальній і сімейній політиці держави), фаховому (зусиллями спеціалістів) та індивідуальному рівнях (зусиллями самих членів родин) значною мірою могло б поліпшити становище сімей в Україні і можливості реалізації їх виховної функції, тим самим вплинути на зниження рівня злочинності неповнолітніх.*

Аналіз останніх досліджень і публікацій. *Загальнотеоретичні аспекти проблем сім'ї висвітлені у працях вчених: Л. Амджадін, О. Антонова, А. Байдалакіної, С. Голода, Т. Гурко, Д. Дікової-Фаворської, Є. Захарченко, Т. Кравченко, М. Мацьковського, І. Мінковського тощо. Основні теоретичні і методологічні, наукові напрями проблеми виховання дитини в родині відображені в працях класиків педагогіки та психології, зокрема Л. Віготського, Я. Коменського, Г. Костюка, А. Макаренка, В. Сухомлинського та інших, а також: А. Беседіна, М. Буянова, А. Грись, І. Топольскової, О. Шенкевич тощо. Найгострішою проблемою сьогодення залишається проблема злочинної поведінки молоді. Загальнотеоретичні аспекти порушеної проблеми висвітлювались у працях таких вчених, як В. Голіна, І. Даньшин, І. Двойменний, А. Долгова, В. Єрмаков, В. Кудрявцев, І. Руценко, І. Топольскова, Н. Яковлева та ін. У центрі уваги їх публікацій – характеристика особистості неповнолітніх злочинців, причин їх злочинної поведінки й заходи її запобігання. Знання цих особливостей дозволяє вийти на причини й умови, що сприяють виникненню деформацій і їх реалізації в поведінці, яка порушує право. Отже, ми одержуємо надійні орієнтири для профілактики, причому по можливості більш ранньої.*

Метою статті є аналіз впливу неблагополучної родини на злочинність неповнолітніх.

Виклад основного матеріалу. *Основне джерело формування перекручувань особистості підлітка, що обумовлюють вчинення злочину, – недоліки і порушення у сімейному вихованні. Сімейне неблагополуччя — поняття комплексне, що має ряд ознак, зокрема: а) порушення структури сім'ї (неповні сім'ї); б) занепад моральної позиції її членів; в) недоліки і перекрученість педагогічних знань батьків, відсутність у них навичок виховання дітей і т.ін. Бездоглядність – постійний супутник злочинів неповнолітніх, одна з умов, що сприяють їхньому вчиненню. Як одна з умов вчинення злочину визначається слабкий контроль за неповнолітніми. Мова йде не просто про послаблення формального контролю батьків за поведінкою дітей, але і про*

сформований мікроклімат у родині, серйозні недоліки у самому ставленні батьків до своїх функцій вихователів, демонстрації дітям соціальної безвідповідальності, байдужості до їхньої долі або очевидної для дітей неможливості повноцінного виконання цих функцій. Багатьом неблагополучним родинам властиві відразу кілька видів антигромадської поведінки: зловживання спиртними напоями, наркотиками; сварки, конфлікти, бійки; неприязне ставлення до інших людей. Неблагополучна родина формує дітей за своїм образом і подобою. Негативні форми поведінки дорослих членів родини сприяють тому, що неповнолітній не просто переймає негативні образи поведінки, але і засвоює негативну ціннісну орієнтацію, реалізуючи її вже у власній антигромадській поведінці. Це, зокрема, позначається на мотивах і характері злочинів. Для нейтралізації несприятливих умов у сім'ї, їх негативного впливу на криміналізацію неповнолітніх потрібна державна програма подолання всіх видів сімейного неблагополуччя.

Як висновок, відзначимо, що розробка даної проблеми може мати не тільки теоретичний, а й практичний інтерес, а подальше її дослідження надасть додаткових можливостей для правильних і своєчасних висновків стосовно не тільки сьогодення, а й майбуття щодо створення умов для укорінення в суспільстві духовно і фізично здорової, матеріально забезпеченої, соціально благополучної сім'ї, виконання нею своїх функцій. Це – один з основних напрямів внутрішньої політики країни. Йдеться про вплив на процеси, що мають виняткове значення для майбутнього розвитку суспільства.

Ключові слова: сім'я, виховний потенціал родини, сімейне неблагополуччя, бездоглядність, дитина, неповнолітній, громадянське суспільство.

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НЕБЛАГОПОЛУЧНАЯ СЕМЬЯ КАК ОДИН ИЗ ФАКТОРОВ ПРЕСТУПНОСТИ НЕСОВЕРШЕННОЛЕТНИХ

Освещаются сущность воспитательного потенциала семьи, его особенности, влияние на развитие личности ребенка, осуществляется анализ проблем влияния неблагополучной семьи на преступность несовершеннолетних в условиях построения гражданского общества в Украине.

Ключевые слова: семья, воспитательный потенциал семьи, семейное неблагополучие, безнадзорность, ребенок, несовершеннолетний, гражданское общество.

