PUBLIC PERCEPTION OF JUVENILE DELINQUENCY IN THE REPUBLIC OF NORTH MACEDONIA

Slavica Dimitrievska
PhD candidate at the Faculty of Security - Skopje
slavica.dimitrievska@gmail.com

Abstract

Juvenile delinquency as a social phenomenon is one of those criminological issues that have been continuously monitored and studied. It is a phenomenon of multidisciplinary nature that poses a threat to the proper development of children and their wellbeing in the society. This survey paper assessed public perception of juvenile delinquency, its scope in the Macedonian society, as well as the risks that bring to it. At the same time, information was collected regarding the citizens’ understanding about the organization and functioning of the institutions dealing with juvenile delinquency, how effective and prompt they are, and whether they have the capacity to respond to the challenges that this social phenomenon imposes. The results of this survey were obtained through survey questionnaires sent to randomly selected citizens, but also interviews conducted with the professional public. The findings of this survey confirmed that juvenile delinquency as a social deviation is a well-recognized phenomenon but for its prevention, as well as protection, a systemic solution is needed, both by the authorities, the community and all the other relevant stakeholders of the society.

Keywords: juvenile delinquency, public perception, prevention, protection

1. INTRODUCTION

Juvenile delinquency has been a problem in every country of the world. Some countries deal successfully with it, imposing timely preventive measures and actions for early detection, thus preventing its spread into a large-scale criminogenic infection, while other countries neglect the occurrence of this problem, considering it as a stage in the growth and development of a child that will pass by itself.

The phenomenology of juvenile delinquency has a special biological, psychological and social features that must be considered when determining measures for rehabilitation, restoration and re-socialization. Often, we hear the syntagma “best interest of the child”, but what does that really mean? Do we have a definition for the “best interest of a child”? Is there a single rule applicable everywhere? And finally, who determines that some measures have been taken in the “best interest of the child”?

For the purpose of determining appropriate measures, one needs to ensure a comprehensive assessment of the child in question. Each child is an individual case from a social, psychological, psychopathological, and medical aspect. Therefore, the whole life of the child should be assessed properly in order to determine the risk factors that have led to delinquent behavior and therefore enforce a solution to the problem.
The assessment of children in conflict with the law is narrowly related to a classification of the risk factors, internal and external risk factors (Osvrt-Zbornik članak, 1971). The internal classification considers numerous factors directly related to the child's personality, personal characteristics, social and psychosocial characteristics, while the external classification is applied to a narrow number of factors, such as gender, age, recidivism, etc.

When it comes to the deprivation of liberty of children, one needs to consider the possibility of additional victimization of children and exposure to other sorts of risks, i.e., violence, abuse, criminogenic infection, as other forms of cruel, inhuman or degrading treatment or punishment (Ombudsman of North Macedonia, Special Report, 2019). Even a short-term deprivation of liberty leaves traces on the child's mental health and impairs their cognitive development. Hereby, I would particularly stress the consequences that solitary confinement can leave over the general wellbeing of a child, a form of isolation particularly forbidden (UN Committee on the rights of the child, 2005), (The Istanbul statement on the use and effects of solitary confinement, 2007). That is why the international instruments for protection of children’s rights consider deprivation of liberty of a child only as a last resort and for the shortest possible period of time (United Nations Rules for the Protection of Juveniles Deprived of their Liberty ("The Havana Rules"), 1990), (European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), Juvenile deprived of their liberty under criminal legislation, 2015).


The scientific and social justification of this paper derives from the fact that juvenile delinquency has not been sufficiently explored or paid attention to in the recent years. The media in Macedonia, as a main transmitter of news and creator of the public opinion, busy with numerous political affairs in a very vivid political environment, do not investigate this field sufficiently in its depth, and thus the general public is left alone to create its perception on unverified data and information, rumors, or believing that the early manifestations and changes in child’s behavior can be attributed to their growth and development as part of the transient stage of maturation. This paper, as a small contribution to the world of the researchers, offers a map with sign of the public perception towards the juvenile delinquency, answers that on another level can provide concrete solutions for early detection of this social phenomenon, directions for help and support of the family and children at risk, but also tools for prevention of juvenile delinquency.

2. JUVENILE DELINQUENCY AND RISK FACTORS

For the purpose of this paper, the knowledge of juvenile delinquency and its prevalence in the Macedonian society will be determined through the answers to the following questions:

- How does the ordinary citizen view child delinquency? Do the citizens consider juvenile delinquency a threat to the society?
Are the reasons for the occurrence of juvenile delinquency of internal or external character? What are the causes for the occurrence of this phenomenon?

Do social factors contribute to an increased incidence of juvenile delinquency? What is it that influences the child to manifest deviant behavior?

How effective is the response of the institutions in order to help the child overcome such a deviant situation? Do the institutions have the capacity to respond to children's needs and to remedy behavior that is seen as socially unacceptable?

According to the Law on Justice for Children (“Official Gazette of the Republic of Macedonia” No. 148/213), a child at risk is any child who has reached the age of seven and has not reached the age of 18 with a physical disability or mental development, a victim of violence, educationally and socially neglected, who is in a situation where it is difficult or impossible to acquire the educational function of the parents, i.e. guardians, not included in the system of education and upbringing, involved in begging, wandering or prostitution, who uses drugs and other psychotropic substances and precursors or alcohol, who due to such conditions is or may come in contact with the law as a victim or a witness of an action provided by law as a misdemeanor or an action provided by law as a crime.

The social understanding of a child at risk can be seen from several aspects, such as psychological, sociological, or medical, but the simplest interpretation of this notion in the recent years is a child whose life circumstances, often not by their fault, threaten their proper and positive growth and development and adaptation in the society. The problems or factors that affect the positive formation of the child may be genetic or prenatal but those with the highest risk upon their growth and development into a healthy and socially-productive person, are in fact the factors of the most immediate environment, poverty, abuse (physical, mental, and sexual), death of parent(s), school failure, or the negative impact on the environment where they live. Hence, the children mostly exposed at risk, and likely to come in conflict with the law, are children without parents and parental care, children who are victims of violence, children from families with marital and family conflicts, children who use drugs, children from poor families, and children with special needs (Dimitrijoska, 2012).

Further on, one should not neglect that most common socio-cultural factors that contribute towards juvenile delinquency are climate and geographical location, war and post-war conditions, poverty and the economic conditions, family and immediate environment, school, urbanization, and urban environment. Therefore, the risk factors that can lead to delinquent behavior can be divided into external and internal risk factors, or static and dynamic risk factors. However, the most accepted division of the risk factors is the so-called ecological or socio-ecological model, which is composed of four levels, as follows:

- Individual factors (intrapersonal)
- Family factors (interpersonal)
- Environmental factors
- Social / public policy factors (Kitkanj, Novačeska-Makaloska, 2018)

The main three factors that contribute to the occurrence of juvenile delinquency are the family, the school, and the leisure time of children. When it comes to the family, although it represents a sanctuary for protection and happiness, the family and its atmosphere can also represent a source of destruction and deviation, and can deeply affect the growth and the development of a child. By changing the family values and moving away from the traditionally accepted family ideals, the norms and criteria of children's behavior also
change. All this contributes to the weakening or non-existing authority of the parents, and consequently of the adults and other educators of the child (caregivers, educators, teachers, professors).

A second important issue for discussion is the school and its impact on the child. The school may represent the first and most challenging obstacle a child faces immediately after the playful period of the kindergarten. The way children adjust to the school environment may present the basic indicator that something is happening with them. The excessive burden of the curricula, the overburning with often confusing and difficult educational material, the various methods of instruction and mastering of the subjects, the frequent alteration of the teaching personnel, some of them not sufficiently trained, the limited financial resources some schools have, contribute toward the success of the student but also their behavior in the school and outside of it. Consequently, it may create internal conflict within the child but also conflict with those in their surrounding, the classmates, the teachers, and even the immediate family members, and can trigger formation of a young, frustrated person with the possibility of becoming a problematic or even a delinquent person.

The third crucial factor that may significantly contribute to development of a delinquent person is the leisure time. If the time for recreation and socialization is not properly designed, filled with productive content, it can easily become a space for committing activities opposite to productive. The abuse of the leisure time may produce delinquent behavior, since young people often commit crimes or misdemeanors when they have nothing creative to do, out of boredom. Many studies support such theses (Arnaudovski, 2007), emphasizing the fact that when the free time of a young person is not filled with creative content, they can be prone to adventurism, undertaking activities that are destructive, both upon them as a person and upon the immediate environment.

Another crucial factor that should not be forgotten when talking about juvenile delinquency is the mass media and its influence. The easy accessibility and its prevalence in the modern living has a special impact over the life of everyone, in particular of young persons, since the social networks aside of their core objective to entertain and incent virtual friendships by connecting people, may also easily create addiction, impose inappropriate attitudes, norms for a modern, contemporary urban living without making a precise distinction between what is right and what is wrong.

3. SURVEY RESULTS

The core objective of this survey is to measure the public perception of juvenile delinquency, i.e., the way in which the general public view juvenile delinquency, what it represents for them, whether they recognize the manifestations of juvenile delinquency, the spread of this phenomenon in the Macedonian society, the preparedness of the authorities to prevent and act in cases of juvenile delinquency, the treatment towards children in conflict with the law, etc.

For the purpose of the survey the author had to create a questionnaire which contained 20 structured questions of a closed and semi-open type, submitted electronically to approximately 70 randomly selected respondents. The survey was conducted in three steps: preparation of the questionnaire, distribution of the questionnaire to the respondents, and collection and coding (encryption) of the information gathered. Further elaboration of the answers was conducted by using SPSS Statistical Analysis Software. It embraced 43 respondents, 12 men and 31 women, which is a solid number of respondents to test the hypotheses and determine conclusions in terms of the perception that citizens have of
juvenile delinquency. In respect to the ethnic structure, 37 of the respondents were Macedonians, 2 Albanians, 2 Bosnians, 1 Montenegrin and 1 Ukrainian, and in terms of education, 38 respondents had a bachelor's degree, two had a doctorate, one a master's degree, while 3 respondents had completed secondary education. 39 respondents were from Skopje, while 4 were from other parts of the country. All respondents were adults, aged 25 to 65 years.

From the results obtained it can be concluded that all respondents solidly recognize the phenomenon of juvenile delinquency and its forms and manifestations. The respondents were unanimous when it comes to the reasons that lead to juvenile delinquency, i.e., its etiology, thus almost all (93%) answered that the reasons for a child to grow up to be a perpetrator range from parental neglect to a dysfunctional family followed by quarrels, physical violence, and drug abuse.

When asked who is more inclined to crime, boys or girls, and the manner in which the act is performed, individually or in a group, a high percentage of consent was obtained, that boys (88.4%) are those who are more inclined to crime, and they do it in a group (76.7%).

Regarding the institutional response to juvenile delinquency, the respondents point out that prevention should be sought from all relevant stakeholders, the Ministry of Interior, i.e., the police, social work centers and the school, as well as the environment where children live, consequently pointing to the broad competence of the police. However, it is worrying that although the respondents believe that the police have an essential role in protecting and preventing such deviant phenomenon, the high 74.4% answers that they do not know whether the efficiency of the police is proper and adequate, raises the question whether the work of this body, when it comes to juvenile delinquency, is insufficiently known to the public, thus not properly perceived or it is non-existent. This dilemma leaves room for future surveys that will address this problem.

Although the obtained results point out that citizens recognize juvenile delinquency and have sufficient knowledge about its phenomenology while clearly defining the causes behind, so as the institutions that should act for its prevention, still a small percentage of respondents (20.9%) had a direct experience with a juvenile offender.

When asked if the child offender should be penalized and in which way, the situation is as follows, if we interrelate the answers with "yes" (37.2%) and "sometimes" (58.1%) we get a clear picture that most of the respondents (95.3%) believe that some sort of penalty is necessary but it does not need to be in the form of isolating the child from the society or locking them away.

In terms of offering help to those children, here the respondents also think more broadly and offer multiple answers, i.e., the respondents choose more than one offered solution, e.g., psychotherapy, centers for care and support of children, education, sports.

Further on, the survey respondents also concluded that at the moment the capacities, i.e., response of the most relevant institutions towards juvenile delinquency is weak and insufficient, and believe that a comprehensive, widely set and multi-institutional response should be undertaken.

All respondents were unanimous when asked about the role of the parents and their participation in the process of helping and supporting the child, but in terms of the effectiveness of the three main institutions directly related to prevention of juvenile delinquency, as well as the assistance that can be given to the children at risk and in conflict with the law, the situation is slightly different and to an extent is reaffirming the stance about the role of the police and its success in fighting juvenile delinquency. Most respondents
(30.2%) believe that the police are neither efficient nor inefficient, the social work centers were ranked with an average efficiency of 25.6% and thus were slightly better, while the schools were partially efficient with 32.6% but still according to the respondents playing the most vital role.

For the purpose of this paper, in addition to the conducted questionnaires, an interview was carried out with an expert from the Ombudsman Office in order to complement the analysis from another perspective. The interview consisted of 19 semi-structured, open-ended questions and covered the same topics as those listed in the survey questionnaire.

Regarding the manifestation and the causes of the juvenile delinquency, the answers of the expert were identical with those of the respondents (the public), as well as in terms of the gender of the perpetrators and the manner in which the criminal acts were committed. However, regarding the volume of officially registered juvenile delinquency cases versus its real frequency in reality, the opinion of the interviewed professional public was that juvenile delinquency covers a much larger volume than what the official statistics show, the statistics provided by the Ministry of Internal Affairs, the State Statistical Office, the courts, and the information coming from the correctional facilities and prisons as a last resort of detention of children in conflict with the law in respect to the number of young persons (children) deprived of liberty.

Furthermore, when asked about the efficiency of the police, the expert’s opinion confirms the information gathered from the public, i.e., insufficiently efficient, the police premises are considered weakly equipped and do not possess separate rooms for children detention nor for interviewing children which is contrary to the legal provisions and obligations arising from the national and international documents in this respect (United Nations Rules for the Protection of Juveniles Deprived of their Liberty ("The Havana Rules") 1990). The police stations are also lacking an updated list of available lawyers who have been trained in representing children.

When the efficiency of the institutions came to question, the provided response confirmed improvement, but also emphasized the need for undertaking systemic approach since there is a need for concrete results in terms of timely prevention and protection of children.

The interviewed expert also stressed the need for a more profound education of all stakeholders in this field of work but also of the general public, i.e., organization of campaigns for early detection of this social deviation, its mapping and creation of approach for assistance and support of children at risk.

In this regard, the role of the non-governmental sector was highlighted with a remark that so far, the non-governmental sector was mainly focused on detecting the manifestations of juvenile delinquency and accordingly loudly talking about what should be done, however the opinion is that the non-governmental organizations should also be part of the solution, i.e., providing direct assistance and support to children at risk and children in conflict with the law.

At the end of the interview the expert concluded that this social phenomenon should be explored in depth so that tangible steps for early detection be taken in order to stir up prevention from further deviation. He further elaborated the need for special educational programs not only for children but also for the teaching and pedagogical staff in schools so as for the community. Only in a broad and comprehensive manner one can expect efficient and sustainable solution to the problem, supporting simultaneously not only children but their families too, particularly families at risk as the most vulnerable categories.
4. CONCLUSIONS

This survey aimed to present the public perception of the situation with juvenile delinquency in Macedonia, from phenomenology to efficiency of the institutions in prevention and fight. The received responses were used to confirm, partially confirm or refute the hypotheses, and in order to test their credibility, the author of this text used the accompanied information provided by the respondents to those questions with an open-end possibility, thus allowing for additional comments to enrich the broader picture of the public about this social deviation, but also to measure the level of efficiency of the institutions concerned in prevention and fight.

The respondents as representatives of the general public have a compact knowledge of all forms and manifestations of the juvenile delinquency, while as the reasons behind are mainly attributed to the dysfunctionality of the family but also the weak economy of the country as a result of the large socio-economic gap between the classes and the disappearance of the middle class. As a result, some children deviate from the socially acceptable norms and conduct, and copy or accept norms that the environment propagates or imposes as socially acceptable: easy enrichment through cheating and corruption. The poor functioning of the institutions, the non-implementation of the laws, the failure to impose proper rule of law, on top of it the confusing and seemingly burdened educational system also have a share towards the increase of this deviation.

Furthermore, the lack of timely and comprehensive programs and activities for prevention, both for the children and the parents/families at risk, contribute further to delinquency. This primarily refers to the lack of greater performance by the centers for social work and other forms of action at local level, the lack of active participation of the community through the municipalities, as well as the poor response of the NGO sector which currently works more on detection, i.e., delinquency recognition, rather than prevention.

The public view also extends to the role of the schools and the lack of activities or specific programs for juvenile delinquency. Insufficient education of the teaching and pedagogical staff but also lack of forms and solutions for detecting and helping children at risk, thus undertaking timely measures, further adds up to a more deviant behavior on the part of children.

Psychological help and support at the level of private practice has been particularly popular and increasingly present in the recent years, but due to the unpreparedness, lack of interest, poverty or economic powerlessness of many families, it still remains limited and unavailable to most of the citizens of the country. All above, supported by the lack of a systemic solution, i.e., weak coordination among the schools and the centers for social work, and on another level the police, further complicates this matter and lacks giving comprehensive answer to this extremely vital issue. I will support all of the above with the fact that most of the respondents who participated and contributed to this paper did not have a direct contact with a child offender, but still have a clear, specific and confirmed knowledge of the phenomenon and its manifestations. This picture is supported by the opinion of the professional public on the dark number of juvenile offenders, as opposed to the official statistics. For illustration, the State Statistical Office for 2019 confirmed 304 accused out of 470 charged for crime children. 287 of them were boys, and only 17 were girls. The most severe sentence was imprisonment in duration of up to 2 years sentenced for 2 children in conflict with the law. Most of the children were given enhanced supervision by a parent or guardian (90) and enhanced supervision by guardianship authority (95).
According to the statistics of the State Statistical Office, the children in conflict with the law mainly originate from a family with two parents (221) but with poor education of the father/mother, elementary (124) or unknown (135). The educational background of the children was also poor, 164 of them completed only elementary school which by itself opens space for further deep studies for the purpose of investigating why there are still children not attending school when by law the elementary and secondary education in the country are obligatory?

Finally, I would like to refer to the pandemic with COVID-19 we all have been living with for more than a year and the consequences that this new manner of living, the so-called “new normality” will leave over us, especially over the sanity and healthy development of children, but in particular those at risk. The imposed distant learning, the physical but very often named a “social” distance that each and every of us should make, will have a tremendous impact over children. This should be a separate topic for discussion and thus a topic to study in the years to come.

For now, I would conclude that this sensitive issue and a serious social deviation should not be left on the margins of our urban living but rather it should be paid particular attention, approached with respect and studied in depth in order to timely alarm, prevent and propose systemic solutions, a binding obligation on the part of the authorities and the community, as well as all the other stakeholders in the society.

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