

ON SOME REASONS AND FACTORS OF CRIMINALIZATION OF MINORS

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Abstract. The article reveals the reasons for the criminalization of minors. An analysis of the groups of criminalization of minors is carried out. Psychological factors of criminalization are considered. Based on the results of the analysis, some proposals were developed.

Key words: juvenile delinquency, psychological aspects, preventive measures.

Annotatsiya. Maqolada voyaga yetmaganlarning jinoyatchilikka tortilish sabablari ochib berilgan, hamda voyaga yetmaganlarni jinoyatchilikka tortuvchi guruhlar tahlil qilingan. Shuningdek, jinoiylashtirishning psixologik omillari o'rganilib, tahlil natijalari asosida bir qator takliflar ilgari surilgan.

Kalit so'zlar: voyaga yetmaganlar jinoyatchiligi, psixologik jihatlar, profilaktika choralari.

An analysis of foreign experience shows a growing threat of criminalization of young people, associated with various factors, as well as trends among young people, which in the era of information technology instantly spreads through social networks and has no borders.

In addition, recently in many countries of the world various informal youth movements have become "popular", including those supporting and promoting criminal subculture, which are gradually beginning to penetrate into our country.

Juvenile crime¹ is one of the global problems of our time, the solution of which is of interest to the entire world community.

This fact is related to the fact that the determining role in the development of any state is youth.

In particular, an analysis of statistical data in Uzbekistan shows that as of January 1, 2024, by age group, the largest share of the population is occupied by 31-59 years old (35.8%, or 12 million 893.6 thousand people).

Youth (14-30 years old) – 26.8%, or 9 mln. 654.4 thousand, children aged 5-13 years – 16.7%, or 6 mln. 31.2 thousand, children under 4 years old – 11.6%, or 4 mln. 162.2 thousand and the population aged 60 years and older – 9.1%, or 3 mln. 283.5 thousand people [1].

Thus, crime among this category of the population is of great importance on the path of development of modern society and the implementation of planned reforms, including in the Republic of Uzbekistan.

Also, according to the Ministry of Internal Affairs of the Republic of Uzbekistan, the total number of registered crimes in January-December 2023 in the country amounted to 104,096 cases - of which 1,184 cases were registered by the Department of Public Safety in Transport of the Republic of Uzbekistan), a decrease, compared to the same period in 2022, amounted to 1.1%. The number of crimes for this period per 10 thousand people amounted to 28.3 cases.

The number of juvenile offenders in January-December 2023 reached 3,559 people, which is 4.0% of their total number. An analysis of offenders among these persons showed that girls accounted for 8.7% (314 people). In January-December 2023, compared to the same period in 2022, the number of minors who committed crimes increased by 15.6%, and in January-December 2021 - by 1.4 times [2].

It should be noted that since 2017, large-scale organizational and legal measures have been implemented in the Republic of Uzbekistan to combat crime among minors and young people.

¹ A minor is a person who has not reached the age of eighteen years

Thus, in the new version of the Constitution of Uzbekistan, a number of norms are aimed at protecting the rights, freedoms and legitimate interests of young people. This supports the constitutional status of the state youth policy.

Currently, under the leadership of the President of the Republic of Uzbekistan Shavkat Miromonovich Mirziyoyev, systemic measures are being implemented in Uzbekistan aimed at nurturing a healthy and harmoniously developed society, forming patriotic youth, turning them into an active and dedicated participant in the large-scale reforms being carried out.

At the same time, the process of educating young people is subject to the influence of negative factors (including from outside, via the Internet, etc.), in this regard, it is necessary to determine the main causes of this negative phenomenon.

In particular, these are negative socio-psychological determinants, including elements of economic, political, legal, everyday psychology at different levels of public consciousness, as well as influence through social networks, creating prerequisites for committing crimes.

Various life situations of a minor, his upbringing combine two opposite tendencies in their qualitative influence on the personality: they either positively influence it, contributing to the formation of positive qualities and legal culture; or make a person vulnerable to unfavorable external conditions and situations of a criminogenic nature.

The causes of crime are associated with the negative side of this contradiction - the conditions of unfavorable moral development of the individual.

From the statistics presented above, it is clear that the problem of juvenile delinquency is acute in modern society. In this regard, scientific interest in the phenomenon of juvenile delinquency is extremely high, however, despite the research conducted in this area in the world, there is still no clear answer to a number of questions regarding the determinants of criminal behavior and the factors that determine it.

There is no consensus among scientists as to whether it is possible to predict criminal behavior of minors at earlier stages of development, what measures of corrective influence on them should be.

In our opinion, this is primarily due to the complexity and versatility of the phenomenon under study, which requires a comprehensive and all-round study. It is impossible to reveal the essence of criminal behavior by explaining it only by bad heredity or low social status of parents.

It is necessary to take into account both individual characteristics of the personality and the entire set of social and socio-psychological factors influencing it.

Recognition of the influence of social conditions and contradictions in the development of society on the nature of the moral formation of the individual is decisive in explaining the causes of the unlawful behavior of minors [3].

Among the variety of factors that, according to researchers, have the greatest influence on the criminal behavior of minors, social factors and individual psychological characteristics are currently considered to be of primary importance.

The influence of environmental factors on the development and formation of personality does not require proof, but in our opinion, social factors themselves cannot be the only cause of criminal behavior.

They act as the driving forces that influence the development and formation of personality, they can act as the basis for the formation of character.

Being formed by a certain environment, personal characteristics in interaction with a specific life situation determine the choice of the behavior option of the faithful or unlawful, the choice of its goals and means.

The science of criminal behavior, developing within the framework of criminology, is currently closely linked with psychology.

It is impossible to explain criminal behavior without taking into account psychological knowledge about motives, needs, value orientations, and personality traits.

It has long been an axiom in criminology that the cause of criminal behavior is the interaction between the environment and the individual [4].

Despite the conducted studies of juvenile criminal behavior, in our opinion, insufficient attention has so far been paid to the existing relationship between socio-psychological factors and characterological features.

Psychological interest in the study of the category of adolescents is due to the fact that during adolescence there is an active transformation of character.

According to A. E. Lichko: "Character is considered the basis of personality, it is formed mainly in adolescence, personality as a whole - already during adulthood" [5].

In adolescence, accentuations of character are clearly manifested. Which, in turn, according to some scientists, can act as prerequisites for criminal behavior in minors.

Thus, it is possible to conditionally divide persons involved and prone to criminalization into groups:

1. Primary criminalization group, "children from disadvantaged families and places of residence". Representatives of socially disadvantaged strata of the population, whose ideas about self-realization have little to do with education and a successful career. Their daily life is built around street communication in the company of peers. Typical companions of such companies are smoking, regular alcohol consumption, lack of a life goal. In combination with alcohol, the latter often encourages spontaneous offenses, usually theft or aggressive actions towards peers.

Everyday behavior and communication are constructed under the strong influence of criminal "concepts", usually transmitted by older and "experienced" "mentors". They are active consumers of criminal "romance".

2. The group of game criminalization, largely represented by criminalized "golden" youth. This group includes people from prosperous social strata, where parents are successful workers, and children have a promising future. A common problem of such families is the lack of time for communication between children and parents, a deficit of attention, often prompting children to compensate for it through deviant forms of self-affirmation. In this group, criminalization manifests itself primarily at the level of subcultural practices: slang, manner of communication, clothing, specific activity on social networks.

3. The group of stable criminalization, "real criminals". As a rule, for teenagers, a clash with law enforcement agencies and the fear of receiving a real punishment in the form of

imprisonment becomes a social barrier, returning to normative behavior, in the presence of sufficient resources for resocialization in the form of family, social environment, study, work, positive life plans, etc. For others - a kind of criminal initiation, consolidating criminal identity and readiness to implement the corresponding deviant life strategies.

Taking into account the above, it is seen that in New Uzbekistan, under the leadership of the President, systematic work is being carried out to prevent crimes among young people, involving not only law enforcement agencies, but also civil society.

At the same time, one of the main reasons for the spread of this phenomenon is the unemployment of a certain segment of young people, the low level of involvement of adolescents in state programs on youth policy, the low percentage of high-quality free clubs, youth theater, satirical societies, accessible sports sections based on schools, etc.

In this regard, in order to prevent the criminalization of young people and their involvement in destructive movements, it is proposed to:

1. Develop a new, modern program to involve schoolchildren in technical clubs, theater communities, etc. in their free time, based on schools.

2. In educational institutions, in the program of the subject "Fundamentals of State Law" for schoolchildren and for students of non-law universities, include topics on criminal destructive movements as socially dangerous, and explain the legal consequences of participating in these movements.

3. In order to inform and monitor the mood among young people and their tendency to criminalization:

- develop psychological tests using the profiling method, for use in schools and universities, making it possible to identify individuals prone to criminalization and joining a criminal subculture;

- include in the activities of psychologists of educational institutions the task of targeted identification of students who may be subject to criminal infection, and work with elements of correction with them;

- develop a mechanism for training school psychologists in criminal profiling methods.

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