

Criminological study of delinquencies of children of separated families

Abstract

Childhood is the most essential period of personality formation and choosing the path of goodness or the path of destruction and deviance. Therefore, the focus of different governments has been on growth-oriented social prevention. In other words, different legal systems worldwide have concluded that committing a crime is not a sudden event but rather a process. The purpose of the current research is the criminological study of delinquencies of children of separated families. The research method is descriptive-analytic with library resources.

Along the same lines, in the study of delinquency, four sources of juvenile delinquency control are taken into account: their dependence on parents, school, peer group, and the desire to do routine and daily tasks, especially education and finding a job. In another classification, the delinquency control factors can include prenatal care and provisions related to after the birth of a child, including creating a calm and healthy environment in the family and providing appropriate education. The parent-child relationship, disintegration of the family, lack of order and balance in the family, and weakening of religious and moral beliefs play an essential role in juvenile delinquency. The family environment is the first environment where a person grows and learns norms, even though many factors involve delinquency among children and adolescents. Among the other factors, the family plays a decisive role in the fate of children. Family can either guide the child to the right path with proper upbringing or prepare the conditions and environment for the children to commit delinquency.

Keywords: *family, criminological, prevention, child delinquency*

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Introduction

The family is the first and most important social institution and the center of the development of societies. The role and position of families in the development of society is such that planning must consider the diverse aspects of its involvement to avoid failure. Therefore, if the contexts and grounds of family imbalance and its effects on the delinquency of its members (especially children) are investigated, it can lead to the reduction of delinquency at the community level, the provision of grounds for the re-acceptance of child delinquents in the society, and prevention of future crimes.

The family structure and quality undeniably affect the child's future to the extent that the inappropriate moral, psychological, economic, and emotional bases of the family environment will cause irreparable damage to the child's personality structure and endanger his or her future. Thus, if the family fulfills its material and spiritual duties (both emotional and educational), the child, while feeling that the natural needs are met, is constantly socialized and shows appropriate actions and reactions. If the parents cannot fulfill the child's innate and natural needs and prepare him or her for life in society, it cannot be expected that such a child will be able to adapt to society's values.

Human societies are currently facing the undeniable fact that in the last few decades, the number of crimes committed by children and adolescents has been increasing. To root the causes and factors of this increase, we come across different directions according to each society's social, political, cultural, economic, and religious conditions. Negligence of parents to raise children, addiction or moral corruption of parents,

divorce, ignoring spirituality, cultural and economic poverty, financial and economic weakness, unemployment, addiction to drugs, unlimited freedom, promiscuity, etc., can be regarded among the prominent factors of this domain. Unfortunately, the evil result of these factors is troublesome for human societies. On the threshold of the 21st century, which is the era of computers, space, and technology, significant changes have been made in dealing with the phenomenon of crime and punishment, the result of which can be seen not only in the views of experts such as lawyers, criminologists, sociologists, and psychologists, it can also be found in the international regulations and domestic legislations of the countries in the world. Recently, scientists and legislators have changed their minds about social reactions against minors and teenage delinquents. A minor and teenage delinquent is no longer a germ of corruption and is condemned to be excluded from society. Still, the delinquent, especially the minor one, is a maladjusted person or a patient who needs treatment. In the new system of dealing with the criminal phenomenon and delinquency of children and teenagers, the goal is to avoid punishment, abuse, and humiliation to pay attention to human dignity, rebuild the personality of the delinquent, and reform and educate them and return them to a healthy life.

The delinquency of minors and teenagers, unlike adults, does not originate from the impurity of their thoughts and souls but is the result of various educational factors, especially their simplicity and inexperience. On the other hand, teenagers and children are more inclined to adopt education and correction due to their age and finer spirit. That is why lawyers, criminologists, and sociologists have considered a particular

judicial and educational system for juvenile delinquents and provided specific models in education and substitution of punishment, which can be seen in national and transnational regulations. The present research investigates the influence of separated families on children's delinquency using the theoretical framework.

Methods

The current research method is called documentary or library. This method extracts and collects materials from scientific and research sources, including books, theses, magazines, etc., in an archival-library or document form.

Results

The role of the family in the delinquency of children and adolescents

The parents of every child are the first role models, and as a result of their love and admiration, the child learns to conform their behavior to their demands and wants. Youngsters will flee from that center if they do not find an adult in their household to identify with as a role model. As a follower of the pleasure principle, the child runs away from reality and lives in their own imaginary and dream world. They believe they are seated at the table with the gods and live in fantastical and mythical settings. In a life full of recitations, the youngster blends fact, illusion, and fantasy. Thus, they are exposed to becoming a criminal and disobeying. They run away from home and become aggressive and militant.

Family status, behavior, and characteristics

One of the most effective socialization forces in life is family. They educate kids on how to restrain their undesirable tendencies, postpone their gratification, and respect other people's rights.¹ This clarifies how delinquent behaviors might originate in adolescence. According to Wright, a child's upbringing in the formative and late stages of adolescence can serve as a buffer against the onset of delinquent behavior and assist teenagers who are already acting out to help them stop. Parents who work outside the home reduce the number of family members, inflict injury and conflict, interfere with the parents' function, and—most importantly—increase juvenile and teenage misbehavior. The basis of the main components of the balanced and dynamic or unstable and vulnerable personality of children and adolescents is formed in the family.

A mother who is successful in carrying out her duties as a housewife and mother with peace of mind and makes the home environment safe and peaceful for herself, her children, and her husband can better create emotional and human relationships between herself and other family members, and in this way, can pass the right and appropriate models into the children. Conversely, mothers working outside the house need help to perform their duties properly because they return home tired or lethargic. In these situations, the exhaustion from work prevents both the mother and the father from establishing essential communication with the kids, which results in emotional and psychological issues for the kids. These shortcomings could later cause problems in a variety of areas of their lives².

Couples with children will find it difficult to maintain a full-time job; this is supported by new studies, particularly for women. Nonetheless, one of these research findings is reported. Researchers at the University of Concordia in Montreal carried out an extensive and thorough investigation into the impact of a mother's employment on her children, ages four, ten, and fifteen. This research was conducted on a large number of boys and girls. For each age group, the concepts of gender, social adaptation, and cognitive performance were measured. According to this study, 10-year-old children's adaptability scores were lower than those of preschoolers whose moms are not employed. However, there was a notable distinction seen in other areas between the offspring of employed and non-employed mothers.³

The educational attainment of parents has a significant impact on whether juvenile and adolescent delinquency rates rise or fall. Or, to put it another way, it can alter the circumstances and settings that lead to crime and delinquency. If the children of families with high education misbehave, these families analyze it and choose the best way to deal with it, according to their level of awareness.⁴⁵ Cultural poverty and restrictions and discrimination caused by cultural poverty lead young people to social deviations. One of the critical factors in the emergence of delinquency is the social and cultural level and class of the family

Remarriage of parents due to the reasons of death, divorce, or other factors increases the possibility of all kinds of abuse towards the child.⁶ Stepfather or stepmother families are reconstituted, blended, or remarriage families with different criteria. A non-parent often enters a nuclear family with an

¹ -Immarigeon, Russ, families knew best. state government news,1966,p. 22-39

² - ibid., pp. 862 and 863

³ -Biria, Nasser, previous, vol. 2, pp. 861 and 862

⁴ - Ashrafi, Mahmoud, Azam, Dehghan, "Victims and Family", Basirat Magazine, Vol. 30-31, 2009, p. 255

⁵ - Fuladi, Mohammad, "Causes and factors of the emergence of social harms and ways to prevent them", Marafet magazine, No. 1, 2014, p. 42

⁶ -Madani, Saeed, Child Abuse in Iran, Tehran, Aknoon Publications, first edition, 2004, p. 140

ambiguous relationship. In this case, the non-parent is a stranger, and there is no blood relationship between the non-parent and the children. As such, they never have the family feeling between uncles, aunts, cousins, etc. On the other hand, the stepfather or stepmother has become the closest person to the child, and the stepfather is placed in the center of the family's inner circle.

Children and adolescents with stepfathers are most likely to be influenced by emotional deprivation. Research conducted by "Finkelhor" shows that girls and boys in such families have been sexually abused equally, which has led to mental disorders, fear, and nightmares in them.⁷ In another research conducted by "Hetherington" and his colleagues, they found that in families with a stepfather who lived for less than two years, many mental and psychological problems occurred in the children.

Some families discriminate between male and female children and sometimes express it openly. Such families feel unhappy when they have a daughter and consider women to be inauspicious beings. While male and female children are similar in human characteristics, they have no differences in this respect. That is, both of them are human beings and have the same characteristics; neither is superior nor inferior to the other. One of the most important factors affecting children and adolescents, which is also among their rights, is the observance of justice and equality and non-discrimination among them in different parts of life because if we discriminate between them, some children are humiliated and as a result suffers from inferiority and jealousy complex, and this will lead to differences and hatred in children and adolescents. Discrimination at home is against children's sensitive spirit and self-esteem, and it causes irreparable damage to their souls and spirits. Creating mental health crises and frustration and discrimination leads children and adolescents to adverse reactions such as theft, addiction, and running away from home. Therefore, discrimination among children can be a reason for delinquency.⁸

Families suffering from fundamental problems such as addiction, a history of theft, and a reputation for prostitution are gradually rejected by the people around them, friends, and relatives. The cause of intergenerational deviation is still not clear. Environmental, genetic, and psychological factors or factors related to child rearing may cause the relationship between generations. Adults influence children and have the opportunity to learn delinquent behavior, which makes them more likely to intervene in adult behavior. There is also

evidence that the behavior of deviant siblings may also affect a person's behavior as siblings live in the same environment, have genetic influence, and have warm and close interactions. This relationship might have a biological origin. Research conducted on the sons of addicted parents shows that these children suffer from many neurological disorders in the context of chronic delinquency⁹.

Mothers who are busy with social work outside the home forget to take care of their children and make their children orphans during their lifetime due to employment and physical fatigue.¹⁰ When a person's wife does not work outside the home, she remains immune from social pressures, and in terms of health, there is less pressure on her nerves and spirit. When a woman has mental and physical health, she can care for family members well.

Criminological theories of delinquency

Several major sociological theories have been proposed about deviation. However, it is claimed that more than these theories alone have the power to analyze and investigate deviations due to the complexity of social phenomena. They can carefully examine and identify deviations if all of these are put together. In the following, these theories are expressed:

1. The theory of deviance cultural transfer

In his differential association theory, Sutherland believes that deviant behavior, like other social behaviors, is learned through socializing with others (i.e., deviants). According to this point of view, deviant behavior has neither hereditary nor psychological origin, but a person thoroughly learns it from others. This is because conformists accept that group and society's cultural norms and values through their relationship with compatible people and adapt to them. Therefore, friends and reference groups influence people to conform or break the norm. In addition, they play a decisive role in the type of deviant behavior and crimes people commit.¹¹ This view points out that a deviant person deals with norm-breakers and conformists; in fact, every human being deals with both categories of these people.

2. Merton's anomie theory

Merton rejects any individualistic and psychological explanation regarding the issue of deviation, considers it to be influenced by the structure of society, and considers structural conditions as the leading cause of deviations. He considers one of the critical elements of building a society to provide

⁷ -Finkelhor, David, Child sexual Abuse: new theory and Research: Newyork free press

⁸ - Mousavi, AfiyeSadat, delinquency of children and adolescents 1 and 2, Tehran, Majd Publications, first edition, 2019, p. 66

⁹ - Mozami, Shahla, Children and Adolescence Delinquency, Tehran, *Dadgostar Publication*, 5th edition, 2019, pp. 221-222

¹⁰ - *ibid.*, p. 218

¹¹Ian Robertson, *Society: A brief Introduction*, pp. 170.

standardized methods of action to achieve goals, and he considers the other key element to be the accepted goals and values of the society¹².

3. Control theory

Instead of paying attention to the causes of people's conformity, this theory mostly follows the causes of people's nonconformity. This theory holds that people's nonconformity, norm-breaking, and deviation are rooted in the lack of correct and effective control. On the one hand, this viewpoint considers life full of temptations, tricks, and deception; on the other hand, it considers some deviant factors valuable and beneficial.¹³

Theories related to children of divorce and delinquency

Kurt Lewin's Field Theory: The social and psychological field (individual and environmental factors) is practical in the tendency of children of divorce to delinquency. In this context, Kurt Lewin believes human behavior is subject to various interdependent factors.

Judith and Elreston and Jon Kelly's theory of children of divorce states that: "Parents' separation from each other is effective in children's tendency to delinquency." After the separation of parents, in most cases, children are exposed to emotional anxiety and suffer from it. These two theorists also declare that children who experience divorce in their lives experience anxiety and run away from home and family and, as a result, fall into the trap of various problems, deviations, and delinquencies. Separation and divorce that cause the child to hand off to others, parents' indifferentism towards life and children, the parent's quality of life, and their relationships with each other based on conflict or harmony influence youth delinquency.¹⁴

Living the child with one parent

Boys who live with their fathers are better adjusted compared to boys who live with their mothers, but girls who live with their fathers are less adjusted than girls who live with their mothers. Regarding personality and behavior, girls far from their fathers are not much different from those who live with their parents. However, the psychological (mental) skills, especially the quantitative (numerical) skills of girls and boys, are influenced; that is, no matter the sex, children, compared to those who live only with their father, perform less well in school and are not good at cognitive skills. However, the

difference between income and social class (socioeconomic status) also has dramatic impacts. On the other hand, quantitative (numerical) skills cannot be justified by social class. A successor or stepfather partially compensates for such issues. The question is why a man can influence children's quantitative skills. Because men often play games, they get help from math, they help kids with math homework, and they also deal with numbers to pay bills¹⁵.

Children of addiction

"Children of addiction" are not necessarily addicts, and in the general definition, they are children who coexist with their addicted father, mother, or an addicted member of their family in their upbringing environment (family). They live like children of ordinary families; they go to school, study, play, and set forth. In other words, under the "guardianship" and "custody" of their addicted parents, they spend their childhood and grow up. In many cases, the outward appearance of these children is average and sometimes even excellent, and it is less possible to understand their actual inner state from their appearance.

An addict's house is cold and unprosperous, and there is no warmth in it. Husband and wife feel alienated from each other because the person with an addiction only cares about himself and his world and is alienated from others. An addicted parent has two types of influences: Hereditary effect and environmental effect. Concerning heredity, it should be noted that the physical and mental corruption of people with an addiction, especially drug and alcohol addicts, is passed on to their children through heredity and provides the basis for their problems. Some of the human congenital disabilities and mental retardation are caused by alcohol or other drug addiction. According to research in the West, they have come to the conclusion that the children of alcoholics are often physically weak, disabled, afflicted with complications caused by thyroid gland disorders and spinal deviation, deaf-mute, afflicted with stupidity and melancholia, not mentally developed, even mad, and set forth¹⁶.

The role of family in crime prevention

In the social life system of Islam, crime prevention precedes reform, and there is a possibility of prevention because, from the perspective of Islamic scholars, humans have a God-seeking nature, and this nature can solve many problems and realize the expected affairs of society. Paying attention to education and instilling solid and correct moral principles from

¹²- Skidmore, William, *Theoretical Thinking in Sociology*, pp. 159-160.

¹³Ian Robertson, *ibid.*, pp. 175.

¹⁴-HaqPanah, Abbas (2014). *Criminology of children and adolescents delinquency*, Tehran: Majd.

¹⁵Yazdani, Fazlullah, *Psychological Consequences of Divorce*, *Journal of Strategic Management Studies*, Basirat, 10th Year, No. 30-31, 2011, p. 231.

¹⁶-*ibid.*, p. 91.

childhood is very important. Therefore, the role of the family in crime prevention can be studied from three perspectives¹⁷.

1. Social and personal dimension

The social and personal dimension in the religion of Islam is the cornerstone of society and family life. Along the same lines, any social development is achieved in the shadow of the family. That is why it is considered a factor of social stability and compromise, and the felicity of society depends on it to a large extent. Family is also one of the main factors in forming the child's personality and individual and social character. From the child's point of view, the most important and valuable role model is his or her parents¹⁸.

Children's character is built and developed at home before entering school. In this regard, Alexander Vadib mentions the following points regarding the duties of parents:

- 1- Parents should try to make the family a center of love and affection so that there is an incentive to bring their children home.
- 2- Parents should establish logical and fair discipline in the family.
- 3- Parents should create suitable spaces in the family to express feelings and develop children's thoughts.
- 4- Parents should create suitable opportunities for their children to acquire successful experiences at home and in the community.
- 5- Parents should behave as a model of activity and resistance against adversities for their children.
- 6- Parents should try to create a stable family environment.
- 7- Parents should be patient with their children's mistakes.
- 8- Parents should provide their children with the latest and most accurate information about various social issues, such as sexual issues, drugs, misdemeanors, and penalties prescribed by law.
- 9- If their children are infected with addiction for any reason, parents should try to find other hobbies for them to replace drugs. If they still do not know which activities they are interested in, they should spend more time with the children to find their favorites.¹⁹

2. Belief dimension

Religious values and beliefs create a constructive and, at the same time, deterrent role with judgment and awake conscience

¹⁷ -The ability of the family to prevent social deviations, adopted from <http://tebyan.net/newindex.aspx?pid=4177,3/11/2003>

¹⁸ -Liaghat, Gholam Ali, The role of school, parents, and social environment in preventing adolescent addiction, p. 115.

¹⁹ -Liaghat, Gholam Ali, previous source, p. 115.

(in case of committing a crime or social deviations) in every person, which is not hidden from anyone. Any family suffers from fewer social problems depending on dependence and adherence to religious beliefs and values. Therefore, it can be declared that God's commands, the lives of the prophets, and the narratives of innocent imams will guarantee the health of the family and, ultimately, the society because, according to sociologists, the family is considered a small community.²⁰

3. Economic dimension

Another critical factor in preventing crime concerns economic issues because poverty is one of the factors that cause crime in any society. However, if the family is financially capable, there are grounds for preventing crime. An excellent financial situation will significantly impact children's educational process, better learning of social values and actions, and how they behave²¹.

Methods and ways of controlling delinquency in the family

In the study of social deviations, Travis Hiroshi emphasizes four sources of adolescent delinquency control: Dependence on parents, school, peer groups, and desire to do regular daily tasks, especially education and finding a job. In another classification, control factors can be observed in the following cases:²²

1. Prenatal care

2. Conventions on the rights of a child after birth²³

Early prevention of delinquency with a family-oriented approach

Many family-oriented programs have been designed for the early prevention of delinquency among children and adolescents and have been classified into various titles and names.

1. Program based on parent training

Parents have a vital role in a child's life because until a certain age, they are in charge of raising children, and it is obvious that appropriate education is a form of immunity. Parents and children interact with each other, but sometimes there are cases where parents lack educational skills and cannot use correct educational methods in such a way that, due to negligence, they push the child towards delinquency. In such a situation, the recommendation of criminologists and specialists in the prevention field is to resort to programs based on parent training to prevent child delinquency. "This range of programs

²⁰ -Shahidian, Mahdi, The role of the family in crime prevention, p. 16.

²¹Shahidian, Mahdi, previous source, p. 16.

²²Azodanloo, Hamid; Getting to know the basic concepts of sociology, p. 116.

²³Shambiati, Houshang; Previous source, pp. 259-273.

is intended to train parents on how to properly use techniques of discipline and education, and supervision and control, and how to apply useful and strict restrictions on children and adolescents who tend to break the law." These programs usually use an organized approach and aim to strengthen family relationships and contribute to parents' use of appropriate techniques for raising children²⁴.

2. Family therapy

The central belief behind family therapy is that human problems are interpersonal rather than intra-personal; therefore, interventional approaches that improve relationships between people should be used to solve these problems. The family is the most influential environmental factor in the child's cognitive growth and development, and many children's problems arise from their families. In criminology, preventive family therapy adopts a multidimensional approach that combines parent training, adolescent education, and improving family dynamics. Family therapy programs seek to improve communication and interaction between children and their parents and strengthen the way and performance of parents to solve the problems that arise.²⁵

Discussion & Conclusion

The present research attempted to address the criminological factors of children's delinquency in separated families, so it can be declared that educational and family variables are among the preventive factors from the perspective of growth-oriented social factors. Thus, the family is the first institution that can effectively transfer social values to new members of society. In this small social community, the child learns social values through behavior, speech, parents' performance, and family life. However, parents may not be experts in education and upbringing; they might need to learn social values to act on them or have a complete personality. Most families in society are like this since the youth grow up and reach the age of marriage and get married, and their name becomes parents, without having the necessary ability to be parents. They must still be taught the necessary abilities and skills to be parents. Also, regarding the family, making intimate relationships in the family helps children and adolescents share their problems with their parents honestly and not have to seek refuge in the environment outside the home. In addition, the provision of material and spiritual needs should be considered since if the children lack these needs, they resort to rebellion and militancy.

²⁴ Najafi-Abrandabadi, Ali Hossein, lectures on criminology (prevention), p. 124

According to the findings, it is recommended that according to the circumstances, personality, and situation of the child in committing the crime, the need to adopt a particular criminal policy for children in the form of a macro criminal policy is more evident than ever. The current criminal policy regarding the delinquency of children and adolescents is not in harmony with the phenomenon of delinquency because the proceedings are subject to public regulations, and the authority for the investigation is the same public authority. In addition, suitable institutions have yet to be foreseen. Regarding the number of punishments for children, the child should not be assumed to be an adult of a smaller size. However, the child's punishment should be determined by changing the minimum and maximum punishments. In other words, the child's punishment should only be considered a percentage of the adult's. However, it should have sufficient diversity, correction characteristics, rehabilitation, education, and training and provide the basis for the child's socialization. For instance, the child is assigned to services such as flower arranging, making handicrafts, studying, compulsory training, and provision of public service as a guarantee for not committing the crime.

Dear author please insert the following

Ethical statement: I do not have

Financial support: I do not have

Conflict of interest: I do not have

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²⁵ KhodaYariFard, Mohammad, Parand, Akram, "family therapy based on cognitive-behavioral approach in adolescent depressive disorder; A case study", p. 14.

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