

# Integration of underage orphans in conflict with the law into society

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**Abstract.** Among the many acute socio-psychological problems of our time, the integration of orphaned children into society is perhaps the most difficult and painful. This problem is reflected in the pages of the press, in news releases, it is constantly discussed in state and local government bodies at different levels. However, it is precisely orphanhood as a socio-psychological phenomenon that appeared not today, it existed and probably will always exist. The purpose of the study is to analyze the causes of conflict with the law of minor orphans and the possibilities of their integration into society. When working on this article, scientific research methods were used, such as the analysis of relevant scientific literature on the research problem, the sociological method, and the formal-logical method. The article deals with significant problems that prevent the integration of orphans into society, as well as the basics of innovative work with children in orphanages as a factor of their successful integration into society. The authors reveal the main directions of work with young people in conflict with the law, as well as the peculiarities of the formation of negative legal socialization of orphans as the main factor of illegal behavior of boarding school graduates, and substantiate the basic principles of building a model of integration of young people in conflict with the law. The scientific novelty of the work is manifested in the authors' attempt to substantiate, based on the study of scientific literature, the relationship of social attitudes adopted in Russian society with the most constructive solution to the problem of orphanhood, including the need to assist orphaned children who have come into conflict with the law, primarily related to their psychological support.

**Keywords:** children left without parental care, orphans, minors, negative legal socialization, integration.

## 1 Introduction

Orphans are a specific social group both in the pedagogical and psychological plane because these children are deprived of the opportunity to be raised in the families of their parents, with their father and mother. That is, these are children who have a negative social experience, which causes their low starting positions and weak integration potential in the

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future. Under normal conditions, the initial integration potential is provided by the parent family: social and status opportunities, family upbringing, health status, proper education, etc.

One of the orphan groups is represented by a social community of children deprived of parental care. In some publications, these children are referred to as social orphans. That is, these are children who have become orphans with living parents who have had deviant behavior, which has led to the legal deprivation of their parental rights toward their minor children. These concerns removal of children from such parents without deprivation of their parental rights; recognition of the father and mother (or one parent) as a person to be missed, missing or incapacitated including because of illness; declaring them dead in an appropriate manner; their stay in places of imprisonment for criminal activities or their stay in detention during the investigation, or tracing them to the police.

According to the Prosecutor-General's Office of the Russian Federation, 40% of graduates of orphanages become alcoholics and drug addicts, another 40 % commit crimes [1]. According to the Ministry of Internal Affairs of Russia, over the past five years, the number of crimes committed by minors or with their complicity had decreased by 27%. According to preliminary data, the downward trend continued also in 2019. However, the overall increase in crime among orphans and children left without parental care is of particular concern. Over the past three years, the number of orphans aged 18 to 23 years, sentenced to serve a sentence of imprisonment, had increased by 19.1%. At that, the number of orphans, sentenced to serve a sentence not related to imprisonment increased by 52.1% [2].

Currently, in the Russian Federation, issues of juvenile justice are regulated based on international [3, 4] and domestic [5] legislations. This raises the question of the reasons for the illegal behavior of orphans and practical measures necessary to ensure that children in conflict with the law and graduates of orphanages successfully integrated into contemporary society and did not join the army of criminals.

## **2 Materials and methods**

When working on this article, scientific research methods were used, such as the analysis of the relevant scientific literature on the concerned research problem, as well as the sociological method, and the formal-logical method.

The sociological method allowed assessing the attitude of people regarding the perception of underage orphans who had violated the law. The use of the formal-logical method allowed identifying and evaluating the areas of legal regulation of relations, within which the state protected childhood, carried out the prevention of child neglect, and juvenile delinquency.

The main research method was associated with the analysis of scientific literature on the integration of orphans in conflict with the law into society. The study sources were selected on the condition that they contained characteristics of key features of socio-pedagogical work with underage orphans, a detailed analysis of the causes of conflict with the law in this category of persons, as well as an analysis of the directions of socio-pedagogical work with graduates of residential institutions.

## **3 Results**

Orphans who are brought up in general education boarding schools, for the most part, do not acquire positive social and legal experience, do not assimilate legal values and culture and do not comply with the norms of legal behavior. They may well know that there are

laws that guarantee their rights and protect their interests, but they do not understand that one cannot neglect the rights of other people, why society needs a right, and why rights cannot be violated. According to researchers [6, 7], it is the above that serves as a barrier for the majority of orphaned adolescents in the process of legal socialization and further integration into contemporary society and leads to conflicts with the law.

The reasons for negative legal socialization can be the integration of the individual into informal groups of asocial or antisocial orientation, the adoption of a system of destructive moral and legal norms, and the pseudo-integration of the individual into the social and legal environment [8]. Socio-legal orientations and legal behavior of adolescents in antisocial informal groups are formed, as a rule, based on the adoption of negative legal values, rules, and norms that are guided within a separate association. This can cause the formation of antisocial, illegal, immoral behavior of children, and negatively affect their further integration into new social medium sectors. In another aspect, negative socialization correlates with pseudo-integration, which is based on the formal acceptance of legal requirements and compliance with social and legal behavior. Legal socialization is a prosocial controlled process aimed at forming the legal personality of a teenager. However, usually, an orphan child develops a consumer attitude to the law, the legal system, which is accompanied by manipulation, demanding in observing and protecting their rights by others, respecting their interests and completely ignoring their own legal obligations.

The presence of a child in a criminal environment, a criminal group, where teenage orphans often fall, is favorable for negative legal socialization. The involvement of adolescents in the criminal subculture, which is accompanied by the development of a specific language, views, concepts, values, and norms of behavior, affects a kind of self-affirmation of the individual, who for certain reasons has not received recognition or satisfaction with his social role in the system of legal relations [9].

At that, as noted by I.V. Shmaev et al. [10], orphaned adolescents choose a role model from their environment, i.e. real people who can give both positive and negative examples of behavior. An adult, especially with a criminal past, can give examples, and tell stories, thereby attracting a child's interest, entering into his trust. This can lead to significant changes in the child's behavior, a low legal culture, the commission of offenses, and conflicts with the law.

When analyzing the causes of negative legal socialization, some of its manifestations in orphaned children of adolescent age can be noted, including systematic repetition of violations of social and legal norms, socially destructive orientation of behavior, not only active but also passive rejection of the rules of life, etc. [11]. Besides, the illegal behavior of adolescents can be characterized by the dominance of a negative attitude to legal norms, a low need to master the basics of legislation, a demonstrative disregard for the need to comply with legal requirements, a negative attitude to law-abiding citizens but positive to criminals [12].

Bobyleva I. determines that the peculiarities in the behavior of children brought up in boarding schools are manifested in a violation of the regulation of behavior and multiple systemic disorders that can lead to aggressive, antisocial actions, inability to think critically, impulsivity, etc. [13].

The main factors that usually lead to the emergence of such a situation are the restriction of social and legal relations of orphans, their isolation from real legal life; lack of role models, examples for assimilation of social and legal behavior; regulation of life, restriction of social and legal activity of adolescent orphans, their insufficient involvement in various types of useful practical activities; limited implementation of legal norms, social and legal experience; lack of legal interests of adolescent orphans; insufficient development of various forms of interpersonal communication; stress overload; and prevalence of anti-legal and immoral orientations among adolescents [14].

Analysis of scientific literature on the problems of rehabilitation and integration into society of young people in conflict with the law [15, 16] allows distinguishing the following areas in socio-pedagogical work with graduates of residential institutions, who conflict with the law:

- socio-pedagogical diagnostics, which is associated with a full study of the personality and life circumstances of the delinquent juvenile, and the determination of their potential and possibilities of the social environment to solve problems;
- preventing delinquent behavior, which includes counseling and informing young people for educational and upbringing purposes (primary prevention); accompanying and supporting minors, encouraging behavior change, organizing meaningful leisure activities, education and vocational training, providing employment for young people, etc. (secondary prevention); counseling and supporting young offenders with a view to their social integration, preventing recidivism, encouraging them to change behavioral patterns, etc. (tertiary prevention);
- working with probationers provides counseling and support for young offenders during the probation period, their resocialization;
- conducting social and pedagogical work with juvenile prisoners in penitentiary institutions, which is aimed at preparing young people for imprisonment, accompanying them during the period of imprisonment, preparing young prisoners for release and their resocialization.

The principles of effective intervention in correctional and rehabilitation work with orphans in conflict with the law should be based on the risk of the formation of illegal behavior, the needs of the young person, perception of the offender's individuality, and the integrity of the rehabilitation program [17]. These principles include the following:

- the principle of considering the risks of formation of unlawful conduct is based on the postulate that criminal behavior of juveniles can be prevented by early intervening in the social situation of teenagers' development;
- the principle of taking into account the needs of the child involves the study of psychotraumatic situations which an orphan teenager experiences, searching for their unmet needs and creating conditions for their socially acceptable implementation;
- the principle of perception of the personality of a young criminal includes taking into account the psychoage characteristics of an orphan teenager and applying appropriate methods and styles of work based on rehabilitation programs. This principle involves the use of such approaches to intervention that are effective when working with persons in conflict with the law, and also relies on the assessment of the impact of the personal characteristics of the specialist who leads the case (empathy, justice, honesty, humor, etc.).
- the last principle (the principle of positive interaction with the specialist leading the case) involves the construction of a holistic rehabilitation program, taking into account all of the above. Effective intervention in the process of integration of an orphan minor into society involves conducting an assessment of the risks and needs of the individual; strengthening the client's motivation to interact with a police officer in the execution of sentences; assessing the perception abilities of the individual; promoting the development of skills using cognitive behavioral methods; relying on the strengths of the individual and strengthening positive reinforcement, and monitoring and analyzing the results achieved in the implementation of the program.

According to the authors, the creation of "children's villages" for orphans can be an innovative area of integration into the society of underage orphans in conflict with the law. This is a kind of "settlement" – a community on the outskirts of the city, where 10-12 "families" consisting of one adult and 6-8 children can live in separate houses. Brothers and sisters should not be separated. Future mentors should pass professional selection, adding to their knowledge from time to time. A psychologist and an educator should help them in

children's upbringing. The children will study at a local school and engage in socially useful activities. Financial support for the community should be provided by donations from firms and individuals.

The next stage is the "house for the young people", where orphan boys and girls will live after school graduation. They will live in separate apartments, which will be paid for by the local authorities, for four years. During this time, young people will have to master the profession and find a job.

## 4 Conclusion

The article identifies the main reasons that prevent the integration of underage orphans into society, namely, the influence of informal groups of anti-social orientation, the destructive impact of mass media, social and legal neglect, overload with stressful situations, limited social and legal ties and personal activity, isolation, regulation of life, lack of samples of social and legal behavior, lack of legal motivation, interests, etc.

The authors believe that offensive activity aimed at preventing the illegal behavior of orphans will be more effective if the educational program of the boarding institution is based on social and pedagogical activity technologies that contribute to the prevention of illegal behavior of orphans. These approaches will contribute to the active involvement of the child in the process of integration into society, motivated by certain interests, and needs, as well as to the development of universal values and humanization of relations among pupils, changing their behavior.

## Acknowledgments

The research was carried out with the financial support of the Russian Foundation for Basic Research (RFBR) in the framework of scientific project No. 19-011-00567.

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