



LEGAL CONSCIOUSNESS OF A JUVENILE DELINQUENT

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Annotation. *It is difficult to overestimate the role of consciousness in human behavior. Consciousness is the highest level of psychic reflection and self-regulation, inherent only in man as a socio-historical being. Empirically, consciousness is considered as a constantly changing set of sensory and mental images that directly appear in one's inner experience and determine his practical activity. Consciousness is characterized by activity, focus on the subject, ability to reflect, introspection (awareness of consciousness), motivational and value-based nature, and different degrees (levels) of clarity. The consciousness of any individual is unique but not arbitrary; it is determined by external and independent factors to consciousness, primarily the structures of the social system in which the individual exists.*

Keywords: *consciousness, legal consciousness, juvenile delinquent, legal education, mental processes, motives of behavior, morality.*

Introduction.

An individual faces all psychological phenomena to the extent that they are conscious (including those that are unconscious but become conscious either due to a particular procedure of "bringing to consciousness" or indirectly in the form of distortions of consciousness). According to the introspection data, consciousness is devoid of its psychological specificity; its only feature is that thanks to consciousness, the individual faces various phenomena (with a certain degree of clarity) that constitute the content of specific psychological functions. Therefore, consciousness was considered as a general condition for the existence of the psyche and designated metaphorically, or was equally wrongly identified with some mental function (most often with concentration or thinking). Of great importance for the constructive analysis of consciousness was I. Kant's idea of persistent, invariant structures and the schemes of consciousness imposed on the constantly changing flux of sensory coming from the sensory organs and organizing information in a certain way.

The choice of the act's purpose, the awareness of the motive and the decision, and the evaluation of the consequences of the actions directly depend on how well the person knows the law and understands its mission. Anyone aware of the need to stick to the letter of the law and who has transformed the obtained legal knowledge into consistent principles of behavior will never become a lawbreaker. This is true for all ages, including juveniles. That is why the development of legal consciousness provides prevention of illegal manifestations among juveniles, and the shortcomings of legal education are the factor that contributes to the establishment of psychological preconditions for antisocial acts.

A juvenile, acting in one way or another, does not always think of the law. The very nature of motives and their orientation usually do not contain anything illegal: the desire to demonstrate one's courage, gain authority among one's peers, imitate adults,



acquire material goods, and so on. When evaluating the motive, the juvenile usually does not think of the law. But, choosing how motives are realized, he should think of it and correlate his actions with the requirements established by the legal norms. To achieve this, it is necessary to cultivate respect for the law.

Presenting main material.

The development of a juvenile ability to choose the right way of behavior in various situations of life can not be taken out of legal education, that is, without clarifying the content and purpose of laws, notification of the necessary legal knowledge, and development of the habit to respect the law.

The education of legal consciousness is directed, on the one hand, against legal neglect and, on the other – against the callous fulfillment of legal requirements. Therefore, attitude to the law testifies not only to the manifestation of certain habits and stereotypes of behavior but also to certain features of a juvenile's worldview, moral qualities, and attitude toward society.

The law reflects the demand delivered by society to its members and its citizens by the state. To be a conscious member of society means to be a conscientious citizen of the state who conscientiously fulfills the duties established by the law and correctly uses the rights granted.

However, these indisputable provisions sometimes become an educational principle in working with juveniles. And this in itself cannot but affect juveniles' legal consciousness and, consequently, the nature of their behavior. Legal misbehavior becomes a prerequisite for unlawful behavior.

Most juvenile delinquents lack a clear understanding of legal requirements and do not have the concept of 'law' developed. For a significant number of juveniles, the law is something that must be obeyed. What the law serves, what it is aimed at, why it cannot be violated - these questions still need to be clarified. Moreover, many juvenile delinquents have the concept of the law only as a punishment measure.

The indifference of adolescents and young men to legal issues cannot explain their ignorance of elementary legal concepts. On the contrary, starting from adolescence, young people increasingly need to understand the complex relationships between people and realize the role of social and legal norms in regulating these relations. However, the implementation of this need should be improved. The main challenges in this issue include insufficiently deep knowledge about the nature of social phenomena, the organizing role of the state and law, the essence and social purpose of legal institutions and norms, limited life experience, and participation in legal procedures. Educators' task is to neutralize this contradiction in juveniles' attitude to the law and help them overcome the difficulties in cognition of legal phenomena. At the same time, it is necessary to consider that legal education should be inextricably linked with other forms of education, such as the development of social behavior skills.

The shortcomings of legal education are manifested in different ways in the legal consciousness of juveniles and their behavior. Today, there are two primary levels of 'defectiveness' of juveniles' legal consciousness. The first level deals with the shortcomings of legal education being an active factor but of a private nature. In this case, the teenager is convinced of the correctness and fairness of legal requirements and the need for their steady implementation. Still, he either does not know how to



apply general requirements in a specific, often conflicting situation or imagines the content of some requirements and restrictions in a distorted way. The second level is characterized by a nihilistic attitude to the law as a whole, to the belief that the requirements and legal prohibitions are only formal and must be guided by one's desires and interests. This deviation from legal consciousness can be defined as an active illegal orientation of the individual.

The active unlawful orientation of juveniles is a negative result of legal education. It is usually found while investigating complex cases in adolescents and young men's legal consciousness.

The underestimation of legal education is based on the mistaken point of view, according to which moral education fully includes legal education. It is necessary to explain to juveniles the essence of ethical concepts and categories to cultivate consideration for moral values; in this case, the elements of legal consciousness are automatically based on moral viewpoints and experience.

The main reason for such underestimation lies in the insufficiently clear idea of the peculiarities of legal education and the norms of law that not only indicate a particular way of behavior of citizens but also evoke in their minds decisive motives in favor of this behavior.

Thus, legal education, contributing to the development of legal consciousness, mainly influences the individual. The higher the level of one's legal consciousness, the better an exceptional social quality of a citizen and a conscious bearer of rights and obligations is developed in them. Therefore, young people's awareness of legal concepts and legal norms is their attitude toward work, social duties, and the people around them.

A significant influence on legal consciousness development is exerted by everyday facts and, at first sight, insignificant everyday relations. The legal viewpoints of juveniles are most often developed under the influence of the psychology of the immediate environment and assessments and judgments of the legal norms, as well as those elementary norms to which a person is accustomed from childhood. And, of course, defects in legal consciousness are usually found where there have been deviations from the requirements of these norms.

With all the significance of legal concepts as a regulator of individual behavior, their role cannot be overestimated or exaggerated. It is necessary to ensure that every juvenile knows what he is allowed by law, what actions and deeds he can do, and what he should refrain from.

This circumstance is significant for a juvenile who is developed as a person whose deeds and actions are sometimes devoid of internal logic and consistency and whose life behavior patterns still need to be developed. With the help of legal education, the activity of such a person is precisely placed within a particular framework of the legality requirements. This kind of education contributes to the fact that the juvenile begins to assess his actions more clearly, put them under legal control, manage his motives, and resist negative influences. An essential role in this process is played not only by the knowledge of legality but also by the conscious assimilation of the specific state prohibitions essence and the responsibility taken by a citizen for their contempt.

A negative attitude towards various restrictions and prohibitions, an attempt to see



and experience everything for oneself, is more often manifested during social maturity. Therefore, young people's awareness of the significance of their social and legal activities is inextricably linked with a correct understanding of legal prohibitions. After all, refraining from actions that contradict society's interests is one indicator that shows adolescents and young people's depth of awareness of the rights and responsibilities established by society. On the other hand, deeds and actions done by the law gradually bring the young person to the understanding of the need and duty to act according to the law.

Explaining the essence of criminal law norms is of particular importance for choosing a young person's behavior. This explanation is one of the means of preventing the most dangerous actions for society, restraining adolescents and young men from behavior that can have severe consequences for them. It is most necessary in cases where the juvenile's moral ideas are distorted when his behavior indicates a lack of respect for the requirements of legal and other social norms. But unfortunately, 'gaps' in legal education are most often found among this category of juveniles.

The development of legal consciousness is a complex process that includes several qualitatively heterogeneous stages. The main ones are:

- ✓ mastering specific legal knowledge (mastering some basic legal principles, general provisions, development of elementary legal concepts, etc.);
- ✓ awareness of legal norms (their purpose, need for social and personal significance, etc.);
- ✓ transformation of acquired legal knowledge and beliefs into the practice of behavior and actions.

Each stage requires a particular approach and mandatory consideration of the specifics of developmental and educational psychology. The art of the educator is manifested in the ability to clearly distinguish each of the stages of legal education, achieve their consistency and succession, and skillfully use the means of influencing a young person's personality depending on his characteristics.

The sources of the delinquency are manifested long before its commitment. Indiscipline and the inability to make oneself consciously fulfill the requirements of adults and observe the rules of conduct are manifested in childhood. Over the years, they become fixed and gain more vivid and cynical forms, the extreme of which are delinquency and crime. Therefore, the struggle for socially approved human behavior, of course, begins with childhood. From the first steps of life, a person should be taught to comply with the fundamental behavior norms and be responsible for their delinquencies.

Unfortunately, educators and parents often insufficiently demand and react to mutual brutality among young people ('if with no fights') and individual cynical remarks, absence of self-control, and unbridled emotional outbursts among boys.

On the other hand, both at school and at home, there is often a tendency of adults to take unnecessary care of juveniles, to restrict them from difficulties artificially, and to distrust their independent decisions. As a result, some young people need help to overcome the challenges. Weak-willed adolescents and young men are morally deprived people who cause misfortune to others, and they do not know how to be decent citizens.



Will is a human ability manifested in self-determination and self-regulation of one's activities and various mental processes. The main functions of the will are the following:

- the choice of motives and goals;
- the regulation of the initiative to act with insufficient or excessive motivation;
- the organization of mental processes in a system adequate to the activity performed by a person;
- the mobilization of physical and mental capabilities in overcoming obstacles in achieving the set goals.

The concept of will was initially introduced to explain the motivations for actions taken by one's decisions. Then, it began to be used to define the possibility of free choice of desires in conflict.

The ability to arbitrarily regulate actions and mental processes, conquering them with conscious decisions, is also expressed by the will and manifestation of such qualities as perseverance, determination, restraint, courage, etc. The variety of all situations that require urgent volitional regulation (overcoming obstacles, purposeful action, conflict of motives, conflict between the requirement of subordination of social norms and a person's desire, etc.) can be reduced to three realities that are based on need: compensate the deficit of motivation to act; choice of motives, goals, types of action while in conflict; regulation of external and internal actions and mental processes.

In the social aspect, the will is driven by the development of labor activity, and it can be represented as a system of various mental processes or as a particular internal action that includes personal external and internal means such as thinking, imagination, emotions, motives, etc. In the history of science, volitional regulation has led to an exaggerated evaluation of either intellectual processes (intellectual theories of will) or affective processes (emotional theories of will). Theories in which the will was considered the soul's primary ability have been created. Volitional regulation of behavior and actions is the voluntary regulation of human activity. It is developed under the influence of control over behavior from society and then from the individual's self-control. Volitional regulation manifests as a personal level of voluntary regulation, distinguished by the fact that one's decision on volitional regulation comes from the individual in the process of regulating personal means. One of these means of personal regulation is changing the content of actions. A deliberate change in the content of an action, which leads to a change in the motivation, can be achieved through the following: overestimation of the motive significance, involvement of additional motives, anticipation and experience of the consequences after the action is done, actualization of motives concerning the means of the imaginary situation, and so on. The development of volitional regulation is primarily associated with developing the motivational and content sphere, a person's stable worldview and beliefs, and the ability to experience volitional efforts in particular situations. The development of this ability is associated with moving from external ways of changing the content of action to internal ones.

To educate a person who can reasonably use the rights and freedom given to him by society, it is necessary to teach him to manage himself with willful efforts. This



means you need to develop skills and the ability to organize one's activity properly, stimulate the most positive actions, and, conversely, inhibit the desire that can lead to negative actions. These skills should transform into consistent behavior patterns over the years when the high requirements of morality and law consider every step and act. Under this condition, a free citizen is brought up: the citizen with the external requirements of legal and ethical norms developing his internal motives of behavior.

To be free is to have an advanced will. He is a free man who does not act under external compulsion but by his own will. His will acts as an internal organizing core, allowed by the choice of actions and guided by particular goals. The collectivist sense of responsibility and morality ensures a person's volitional achievements.

As a rule, miscalculations and mistakes in the upbringing of positive volitional powers lead to young people not knowing or wanting to take the right action and consistently adhering to the norms and rules of socially helpful behavior. Therefore, it is no coincidence that those adolescents and young men who commit immoral acts have defects in will. These defects usually occur in an early school age and only then, after they become developed, act as negative volitional character traits constantly manifested in deeds and actions to one degree or another. We can often mention doubt, lack of perseverance when making decisions, lack of self-sufficiency and independent behavior, and lack of initiative, stubbornness, and intemperance.

These traits indicate that adolescents and young men commit unlawful acts internally due to the weakness of their will. The crime is usually committed by a young person who does not have reasonable determination based on ideological principles; he lacks the strength to overcome contradictory feelings caused by adverse conditions and negative influences. Instead of a decisive rejection of immoral behavior, he manifests either indecision or obeys other's will. Sometimes, trying to overcome the internal conflict that has arisen, the juvenile makes a hasty and unbalanced, ill-conceived decision, which is dictated by the desire to get rid of the unpleasant state of tension as soon as possible, which, in turn, always precedes the choice of a particular goal and behavior patterns. In such cases, the juvenile cannot develop positive behavior methods because he has not learned to overcome obstacles on his own, developed self-control and endurance, and has not acquired the skills to restrain emerging impulses. Weakness of will and lack of purposefulness lead to the current conflict situation and even a short-term negative impact that becomes obstacles for a young person that he cannot overcome without violating moral and legal norms.

The peculiarities of a juvenile's emotional saturation also play a significant role in these cases. When emotions are unorganized and weak, the behavior becomes unbalanced and is characterized by extreme points of hesitation, from heroic actions to unworthy and even criminal acts. Of particular importance here is the acute impression of juveniles, causing the influence of harmful factors.

Training the will and the ability to organize feelings for juveniles is a prerequisite that determines the legitimacy of behavior.

Juvenile lawbreakers do not often see defects in their own will. They either do not think about it or cannot critically evaluate it. Therefore, they consider the weak will in taking the circumstances as typical behavior under the given conditions, having the following reasons: 'It happened this way,' 'I couldn't act in any other way,' 'I did as the



next man," "this is no big deal," and so on.

The lack of developed evaluation of other people's qualities and behavior complements undeveloped self-criticism in juvenile delinquents. Here, the age-related psychological feature of the assessment is visible: the juvenile judges the actions and words of another person mainly depending on how he treats this person himself, and therefore, often falls under the influence of stronger peers or adult offenders, who at first emphasize their alleged respect for them and act as good and fair intercessors. As a result, the criterion for evaluating the actions of a juvenile is not the requirements of morality and law but the uncritically perceived thoughts and actions of these people.

Various signs are linked to the ideas about the nature and meaning of volitional features and qualities. Many underage lawbreakers either do not appreciate some volitional personality qualities or have a sufficiently distorted idea of them.

Conclusions.

Thus, training positive volitional powers in juvenile lawbreakers should begin with the development of the correct and precise ideas about the individual's volitional powers. In the first stages of education, especially in younger adolescents, the primary attention should be paid to the revealed essence of individual volitional powers; it is necessary to illustrate them correctly with examples taken from life. In the future, more generalized ideas about freedom and the volitional image of the individual as a whole should be developed.

Much effort requires overcoming the disharmony in the idea of freedom. Individual personality traits often acquire exaggerated forms in adolescents' and young men's minds, becoming their antipodes. They appear in the form of arrogance instead of courage, stubbornness instead of perseverance, inability to restrain their desires instead of initiative, and disrespect for the adults and their requirements instead of independence. Distorted ideas facilitate the determination to commit wrongdoing or offense. Therefore, overcoming disharmony of thoughts and actions is a primary task of re-education, which contributes to achieving the first stage of the juvenile's self-education or situational self-education. It usually arises when there is no need for self-education but episodic self-improvement, restructuring the basic concepts of one's moral values and actions.

The success of the work on the re-education of juveniles largely depends on the ability of the educator to develop in a lawbreaker a critical attitude towards his behavior. To evaluate one's actions correctly means to think about who one is and what one should become. This is the beginning of systematic self-education and self-improvement, without which it is impossible to change one's personality. This stage of self-education can be called self-directed exploration, when the individual experiences his shortcomings, looks for ways to eliminate them, and begins to improve himself more or less systematically. Everyone who educates and re-educates the personality should be aware that the development of correct self-esteem means discovering the inner source that directs the further development of the personality along the right path.

Moving on to the third stage - mature self-education - is necessary to achieve a high level of will development. The key idea here is the systematic nature of the juvenile's self-improvement. This stage becomes possible only when self-education is performed effectively: the planned measures for self-improvement are consciously



accepted by the juvenile, positively evaluated by him, and will be implemented in practice. When this condition is fulfilled, the juvenile is firmly on the path of correction and re-education, and there is confidence that he will not violate social norms and rules in the future.