

THE IMPACT OF THE FAMILY ON CRIMINAL BEHAVIOR

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There are still families, the climate of which creates premises for the formation of criminal personality, such as: conflictual families, hyperauthoritarian families or hyperpermissive, etc. The family environment can present very diverse deficiencies of a legal, social, moral, pedagogical order; related to situations such as: infidelity, abandonment, divorce, cohabitation, death, drug addicts, sexual vices, etc., not to mention the absence of the family environment itself, as in the case of orphaned, abandoned children in the care of public assistance. Parents often educate children empirically, relying on intuition and habit. The family's educational deficiencies are manifested by: the total lack of interest in the child's education; the excess of care, the indulgence of exaggerated affection; inability to provide the child with positive human models through their own example of behavior; lack of understanding and affection due to selfishness and indifference towards the child; excessive severity, unconscious or intentional, which creates an anxious family climate; the use of acts of violence as educational means.

Keywords: *murder of a close relative, murder of a family member, aggravating circumstances, conflicting families, delinquency, deviance, criminality.*

IMPACTUL FAMILIEI ASUPRA COMPORTAMENTULUI CRIMINAL

Există familii, climatul cărora creează premise pentru formarea personalității infracționale - familii conflictuale, familii hiperautoritare sau hiperpermissive etc. Mediul familial poate prezenta carențe foarte diverse de ordin juridic, social, moral, pedagogic, legate de situații ca: infidelitate, părăsire, divorț, concubinaj, deces, narcomanii, vicii sexuale etc., fără a mai aminti de însăși absența mediului familial, ca în cazul copiilor orfani, abandonati, aflați în seama asistenței publice. Părinții ades educă copiii în mod empiric, bazându-se pe intuiție și obișnuință. Carențele educative ale familiei se manifesta prin: lipsa totală de interes pentru educația copilului; excesul de grijă, răsfățul din afecțiune exagerată; neputință de a oferi copilului modele umane pozitive prin propriul lor exemplu de comportare; lipsa de înțelegere și afectivitate datorita egoismului și indiferenței față de copil; severitatea excesivă, inconștientă sau voită, care creează un climat familial anxios; folosirea actelor de violență ca mijloace educative.

Cuvinte-cheie: *omorul unei rude apropiate, omor comis asupra unui membru de familie, circumstanțe agravante, familii conflictuale, delincvență, devianță, criminalitate.*

L'IMPACT DE LA FAMILLE SUR LE COMPORTEMENT CRIMINEL

Il existe encore des familles dont le climat crée des prémisses à la formation de la personnalité criminelle, telles que les familles conflictuelles, les familles hyperautoritaires et les familles hyperpermissives, etc. Le milieu familial peut présenter des carences très diverses d'ordre juridique, social, moral, pédagogique, liées à des situations telles que: infidélité, abandon, divorce, concubinage, décès, toxicomanie, vices sexuels, etc., sans compter l'absence de le milieu familial lui-même, comme dans le cas des enfants orphelins, abandonnés sous la garde de l'assistance publique. Les parents éduquent souvent leurs enfants de manière empirique, en s'appuyant sur l'intuition et l'habitude. Les carences éducatives de la famille se manifestent par le désintérêt total pour l'éducation de l'enfant; l'excès de soin, l'indulgence d'une affection exagérée; incapacité à fournir à l'enfant des modèles humains positifs

à travers son propre exemple de comportement; manque de compréhension et d'affection dû à l'égoïsme et à l'indifférence envers l'enfant; une sévérité excessive, inconsciente ou intentionnelle, qui crée un climat familial anxieux; l'utilisation d'actes de violence comme moyen éducatif.

Mots-clés: *meurtre d'un proche, meurtre d'un membre de la famille, circonstances aggravantes, conflits familiaux, délinquance, déviance, criminalité.*

ВЛИЯНИЕ СЕМЬИ НА ПРЕСТУПНОЕ ПОВЕДЕНИЕ

До сих пор существуют семьи, климат которых создает предпосылки для формирования личности преступника. Среди них: конфликтные семьи, гиперавторитарные, гиперпозволяющие и др. Семейная среда может представлять самые разнообразные недостатки правового, социального, нравственного, педагогического порядка, связанные с такими ситуациями, как неверность, оставление, развод, сожительство, смерть, наркомания, половые пороки и т. д., не говоря уже об отсутствии самого семейного окружения, как и в случае с осиротевшими, брошенными детьми, находящимися на попечении государственных органов. Родители часто воспитывают детей опытным путем, полагаясь на интуицию и привычку. Воспитательные недостатки семьи проявляются полным отсутствием интереса к воспитанию ребенка, излишней заботой, снисходительностью к преувеличенной привязанности, неумением дать ребенку положительные человеческие модели через собственный пример поведения, отсутствием понимания и привязанности из-за эгоизма и безразличия к ребенку, чрезмерной суровостью, неосознанной или преднамеренной, что создает тревожный семейный климат, применением насилия в качестве воспитательного средства.

Ключевые слова: *убийство близкого родственника, убийство члена семьи,отягчающие обстоятельства, конфликтные семьи, правонарушение, девиантность, преступность.*

Introduction

Every social group, since ancient times, has been concerned with ensuring by all means the protection of the lives of individuals, whether it has appealed to traditional (customary) rules, to religious rules, to moral rules, or to legal ones. Among the legal means of defense, the criminal law had, from early on, an increasingly important role, the criminal law being the most energetic form of influencing social relations and protecting the fundamental values of society. In all laws, starting with the Code of Hammurabi (18th century BC), the Chinese codes (13th century), the Egyptian sacred books, the laws of Manu (11th century), the laws of Lycurgus, Solon, Draco (7th -9th century), the Roman laws, the laws of the German peoples, and up to the laws of the modern age, the concern for the protection of human life is at the center of the legislator's attention.

The first act of the American people was the Declaration of Independence of July 4, 1776,

which solemnly proclaims the right to life of all people: people are made by the Creator, it is stated in the declaration, with certain inalienable rights, among these rights there is also life, protection they give expression to the noblest aspirations of mankind. The same ideas were also expressed by the Universal Declaration of Human Rights, adopted by the UN General Assembly on December 10, 1948 [3].

In art. 3 of this Declaration is stated: "Every human being has the right to life, liberty and the inviolability of the person", and the Pact on Civil and Political Rights provides in art. 6 point 1, that "The right to life is inherent to the human person. This right must be protected by law. No one can be deprived of his/her life arbitrarily". This right also appears in other important international documents, namely, the European Convention for the Protection of Human Rights and Fundamental Freedoms (art. 2), as well as in the Document of the Copenhagen Meeting of the Conference for the Human Dimension of the CSCE, the

Constitution of the Republic of Moldova (adopted by the Parliament of the R. Moldova on 29. 04. 1994), also regulates the right to life in art. 24. "The state guarantees the person's right to life and physical and mental integrity".

Human life is protected by the rules of law and, in particular, of criminal law, i.e. the Criminal Code of the Republic of Moldova, it being an absolute right of the individual, but also a social value that the law protects in the interest of the whole society.

Carrying out this study, we notice that the role of the family in the formation of the personality is considerable. We say this because children are born in the family, then in the same family they grow up and are educated, acquire some skills, habits, thus forming certain personalities.

As a result of the study, it was found that the disorganized family has a special influence on the formation of the deviant behavior of the personality, which is the family that loses its integrity as a result of the separation of the parties due to reasons such as: the dissolution of the marriage through divorce, the death of one of the parents, etc.

The following classifications of disorganized families were identified:

- a) incompletely united or illegitimate family;
- b) the family dismembered by the removal of one of the spouses as a result of the annulment of the marriage, separation, divorce or abandonment;
- c) the "empty home" type family in which the partners live together, but communication and relationships are minimal, without being an emotional support for each other;
- d) the family in crisis due to causes that determine the temporary or permanent absence of one of the spouses, death, imprisonment, war;
- e) the existence in some families of some situations that determine the foundation of the

young person's behavior failures: the child's or the spouse's psychosis or chronically incurable physical conditions.

Moreover, it was established that a disorganized family produces negative effects in the context of social relations, of the personality of the members, and through its appearance of "honorability" or "normality" it often prevents the active intervention of social protection and social control institutions. Highlighting the negative role of these family deficiencies on the process of human personality development, we list the following defense reactions:

- affective reactions: anxiety, depression, states of excitement, obsessions, phobias, insecurity;
- characterological reactions: aggressiveness, immaturity of affective processes;
- cognitive reactions: school performance failures;
- psychosocial reactions: conflicts with family, community, negative identification.

Thus we determine that a dysfunctional family, by structure, by climate, by the educational style, by abuses of all kinds, generates dysfunctions at the psychological and structuring level of the personality starting from the period of minors, these constituting, more or less, as premises for a deviant or delinquent behavior of the child and adolescent, becoming a criminal at the age of majority. As we mentioned, children are educated according to the family situation, that is, they assimilate everything they see in the family. Thus, if violence prevails in the family, then when they become adults, they will also apply violence to their children.

As it was mentioned before, a way to supplement the family's income has become a rule nowadays, temporary or permanent emigration to Western countries, where work is a way of earning higher than in the country. As a consequence, a new risk factor appeared for children, being most often left in the care

of grandparents or even neighbors, simple acquaintances, they are deprived of resources, abandoned, thrown into the street. Annually, 1300-1500 children pass through the Youth Center for Minors. This state of affairs requires the creation of asylums for “street children”, family education centers.

In the process of creating this work, it was highlighted what is the system of criminogenic factors in the family sphere and what is the negative impact of these factors on the family sphere.

Thus it was established that there are still families, the climate of which creates premises for the formation of criminal personality, such as: conflictual families, hyperauthoritarian families and hyperpermissive families, etc. So, the family environment can be appreciated in terms of structure, economic-social conditions and educational deficit. The family environment can present very diverse deficiencies of a legal, social, moral, pedagogical order, related to situations such as: infidelity, abandonment, divorce, cohabitation, death, drug addicts, sexual vices, etc., not to mention the absence of the family environment itself, as in the case of orphaned, abandoned children in the care of public assistance.

The family educational regime proved to be the main cause of failure in the integration process and, implicitly, the essential cause of minors' behavioral deviance. Parents often educate children empirically, relying on intuition and habit. The family's educational deficiencies are manifested by: the total lack of interest in the child's education; the excess of care, the indulgence of exaggerated affection; lack of unity of opinion in the educational measures of the family members; the parents' lack of moral authority due to character deficiencies, vices, etc.; inability to provide the child with positive human models through their own example of behavior; lack of understanding and affection due to selfishness and indifference towards the child; excessive

severity, unconscious or intentional, which creates an anxious family climate; the use of acts of violence as educational means.

As a result of the study, it was identified that the most frequent form of manifestation of children's maladjustment, having as the cause the deficiencies of the family environment, is vagrancy, 20% of minors left the family or school before committing the crimes; of these, 18% come from behaviorally deficient families. The forms with family structure deficiencies are multiple. In 20% of cases, the family had only one parent, due to its disorganization through divorce, 18% through abandonment and 3% through death; in 5% of cases the family had been reconstituted through marriage, having a step-parent, 88% of these families had a conflict environment. The shock produced by the separation of the parents constituted the decisive moment that marked the evolution towards behavioral deviance.

The age and maturity of parents is also a sign of risk, which does not mean that all children whose parents are very young (between 16-20 years old) suffer or are neglected. At the same time, it is necessary to mention that the lack of maturity and responsibility, especially of young mothers, puts the family unit at risk, to difficulties such as: separation, divorce, violence, abandonment, single-parent family, etc. Births out of wedlock register a high percentage for the category of teenage mothers, and for young married mothers the divorce rate is also extremely high.

A pressing problem in the Republic of Moldova is family violence. As a rule, few people subjected to violence turn to law enforcement. It is worrying that the victims of violence are women and children. The phenomenon of aggression knows no socio-economic, racial, ethnic, religious or age limits.

However, there are also situations that prove in one way or another that a family

with two parents is not absolutely necessary for the child to be happy. Children are much happier if the two parents who have permanent disagreements divorce. So, even if the family is complete, but the moral climate in it leaves something to be desired, it cannot constitute a good educational environment.

As a result of this research, the following were concluded:

Home characteristics that were examined included household wealth status, urban versus rural location of residence.

The state of household wealth was determined using a wealth index constructed separately for each country. Specifically, the wealth index was constructed based on data on family assets, including ownership of a number of consumer items ranging from a television to a bicycle or car, as well as housing characteristics such as the source of drinking water, sanitary installations, but also the type of flooring material. Each good was assigned a weighting by principal component analysis. The results of the item scores were standardized against a normal distribution with a mean of zero and a standard deviation of one [4]. Each household was then assigned a score for each good, and the scores were summed for each household. The people were ordered according to the score for the home where they were interviewed. In each country the results were divided into categories from one (lowest) to five (highest). This index is consistent with expenditure and income measures and has been validated in a large number of countries [4].

The results of the analysis indicate that in 8 of the 10 countries, home well-being was associated with women's experience of physical or sexual violence. In the Republic of Moldova, women from the poorest 40% of households were the most likely to experience violence from their husbands/partners, while women from the richest 20% of households were the least likely to deal with such

treatments. Finally, home composition was associated with women's risk of violence in five countries.

In most countries, husbands/partners' education is associated with women's experience of physical or sexual violence, and the direction of this association is consistent for all but one of these countries. In the Republic of Moldova, the years of education of the husband/partner were lower on average for women who reported acts of violence than for women who did not report violence.

Finally, the attitudes of husbands/partners towards wife beating are associated with women's risk of being subjected to acts of violence in several countries. In the Republic of Moldova, women with husbands/partners who agreed that hitting the wife is justified in at least one circumstance were more likely to experience violence than women who live with husbands/partners who do not agree with any of the situations presented in the table.

Women from the Republic of Moldova were asked if they remember if their fathers ever beat their mothers. Where this question was asked, there was a statistically significant association between women reporting acts of physical or sexual violence by husbands/partners and exposure to parental violence. Thus, women who reported parental violence were significantly more likely to be exposed to violence from husbands/partners than women who did not report such violence. Rates of intimate partner violence are about twice as high among women who reported that their father beat their mother as among women who did not report such violence.

Alcohol use by the husband/partner was also strongly associated with women reporting acts of physical or sexual violence. In Moldova, the rates of violence are lower for both groups of women, although the difference remains large: 9% for women whose partners do not drink and 59% for women whose partners get drunk often.

Women from middle-class backgrounds were more likely to experience violence than women from the wealthiest households. In Moldova, women from the wealthiest homes, 20% compared to women from the poorest, 40%, as well as from the middle homes, 40%, were much more likely to be exposed to violence.

Materials used and applied methods. During the elaboration of this research, a historical, regional and national normative framework was studied and used, which ensures the legal protection of people with alcoholic deviance, drug addiction in terms of legal history, criminal law, legal medicine, psychology and criminology. The following methods were used: historical, comparative, logical, analysis and synthesis, systemic.

Results obtained and discussions

Speaking about the family criminogenic state, we attest that in the UNESCO Dictionary *the family* is defined as *the form of human community based on marriage, which unites spouses and their descendants through close biological, economic, psychological, spiritual relationships*.

The family is a *social group formed through marriage, made up of people who live together, have a common household, are linked by certain natural-biological, psychological, moral, legal relationships and who answer for each other in front of society*.

Multiple researches confirm the role and importance of the criminogenic family situation in committing violent crimes.

The content of the criminogenic family situation consists in the contradictions that lead to the formation of family conflicts. The situation can be viewed at three levels:

- social level - the objective conflict existing in the sphere of family relations between different population groups: husbands and wives, daughters-in-law and mothers-in-law, parents and children, etc.;

- group level - conflicts in concrete families;

- individual level - the subjective reflection of the conflict in the psyche of the participants in the conflict, concentrated in relives, decision-making.

Following some research, we can say that every third or fourth crime committed against the husband can be explained by the fact that the wife had a provocative behavior [6, p. 112].

The analysis of the criminogenic family situation involves the determination of the accumulation of factors that influence the commission of the crime, their spread, the classification of the situations: the results of such an analysis are necessary for the differentiated substantiation of the prophylaxis on conflicting families.

At the current stage, the main criminogenic factors can be mentioned, which are the basis of serious crimes committed *against spouses*. These are the conflicts:

- of domination;
- infidelity of spouses;
- the tendency towards liberation;
- avarice.

Of course, in real life these factors often appear not in isolation, but overlap with each other.

The dominance conflict. At the basis of the conflict were mutual claims, arising in connection with the consumption of alcohol by the husband or wife, or both, disagreements regarding domestic and family obligations, arguments with the parents of the husband or wife, disagreements regarding the education of the children, the distribution of financial means, the tendency towards authority in the family, the quarrels of one of the spouses with the friends of the other spouse.

The use of alcohol by one of the family members in correlation with the inability of others to form interpersonal relationships with this family member, as sociological research shows, not infrequently leads to the

appearance of harshness, most often directed against the husband. It is known that alcohol is a catalyst that influences the commission of violent crimes.

Many criminals interviewed mentioned that they do not agree with how family obligations were carried out in their families. It also irritates the other husband's tendency to burden him with some or other matters. The fight for the division of obligations, but most often for the right not to execute them, in the genesis of crimes against the husband, takes the third place, following the offender's alcoholism and the first place being his confidence in the role of head of the family.

The investigated intra-family disagreements, which lead to the commission of crimes against one of the spouses, ultimately come down to the tendency to dominate, to disobey the rights acquired by the spouse and also to the possibility of acquiring new rights in front of the spouse.

So, the dominance conflict is based on the opposite positions of the man and the woman regarding the most important issues within the family, the inability to agree with the interests of the partner, to cooperate in his/her activity with him/her, and the reliance on other people close to him/her.

The conflict of spouses' infidelity, which manifests itself by committing violent crimes against one of the spouses, develops under the influence of such factors as: detection of infidelity, doubts regarding fidelity, the presence of relationships with the husband or wife before marriage. As an individual factor, the "disordered" intimate life can also be highlighted, which in itself presents the next step after simple impermanence, which consists in the frequent change of partners. A more important situation is the already established infidelity itself, and above all the infidelity of the injured party.

The so-called disordered intimate life, which leads to the aggressiveness of the hus-

band, is present in 6.7% of all criminogenic family situations.

The conflict of the tendency towards liberation is found in every fourth case of violence against the husband or wife. This is the situation, in which, after a while, one of the spouses becomes unbearable for the other, a fact that is related to the illness, pregnancy, bad character of the victim, with the difference in the psychological thinking of the parties and also with the appearance of interest or plans to remarry.

The conflict of cupidity is present in an inconsiderable part of crimes between spouses. Here we are talking about murder for the purpose of receiving inheritance, insurance, evading the obligation to pay alimony. Part of the intrafamilial cupidic murders are part of the so-called conjugal affairs.

Sometimes such crimes cross the boundaries of family relationships, for example the person who wants to receive some advantages faster, resorts to the services of a professional killer.

The family environment can be appreciated from the aspect of structure, economic-social conditions and educational deficit. The family environment can present very diverse deficiencies of a legal, social, moral, pedagogical nature, related to situations such as: infidelity, abandonment, divorce, cohabitation, death, drug addicts, sexual vices, etc., not to mention the absence of the family environment itself, as in the case of orphaned, abandoned children, in the care of public assistance.

The family educational regime proved to be the main cause of failure in the integration process and, implicitly, the essential cause of minors' behavioral deviance. The researched parents did education in an empirical way, based on intuition and habit. The family's educational deficiencies are manifested by: total lack of interest in the child's education; the excess of care, the indulgence of exaggerated affection; lack of unity of opinion in the

educational measures of the family members; the parents' lack of moral authority due to character deficiencies, vices, etc.; the inability to provide the child with positive human models through their own example of behavior; lack of understanding and affection due to selfishness and indifference towards the child; excessive severity, unconscious or intentional, which creates an anxious family climate; the use of acts of violence as educational means.

The most frequent manifestation of children's maladjustment, due to the deficiencies of the family environment, is vagrancy, 20% of minors left their family or school before committing crimes; among them, 18% come from behaviorally deficient families. There are multiple forms of family structure deficiencies. In 20% of cases, the family had only one parent, due to its disorganization through divorce, 18% through abandonment and 3% through death; in 5% of cases the family had been reconstituted through marriage, having a stepparent, 88% of these families had a conflict environment.

The shock produced by the parents' separation was the decisive moment that marked the evolution towards behavioral deviance. The general deterioration of living conditions leads some people to look for solutions to obtain compensatory income by which they can improve their living conditions, using illegal means. There is a decrease in the authority and social control function of the family. The emergence of accentuated permissive states towards the deviant behaviors of minors is taking shape more and more.

Permissiveness in association with indifference towards the future of one's own children, negatively influences their personality, even causing them to commit criminal acts. The precarious living conditions of some families have contributed to the emergence of the social phenomenon known as "street children", who take shelter in train stations, bus stations, basements of buildings,

heating networks and whose source of existence is begging, theft, etc. frequently becoming victims of pedophiles.

Among the external factors, the family plays an overwhelming role.

The family influences the formation of the child's behavior primarily through the relations between the parents. When one of the parents is a stepfather, he will generate in the child's soul a certain affective reserve and maybe even a feeling of rejection. The attachment to the real parent, who has left the family (through divorce or death) creates this affective state of rejection or indifference for the child and leads some to acts of vagrancy. There are situations where the family consists of both natural parents, but the atmosphere is negative, either because they are alcoholics or because they are criminals themselves. These extreme attitudes generate either an exaggerated demand pushed to the point of terror, or an impermissibly great indulgence, with the child tolerating any kind of behavior. The child terrorized by beatings will look outside the family for a development through aggressive behavior towards younger peers. The one who is spoiled too much in the family will easily become a criminal by appropriating goods that do not belong to him, knowing that his parents will defend him. Parents will have to be concerned with providing the child with a model of behavior that he/she can then imitate as an adult citizen [5, p. 154].

According to its functionality, the family environment can be analyzed according to several indicators, the most important of which are considered:

- 1) the interpersonal reporting model of the parents, meaning the level of closeness and understanding, agreement or disagreement in relation to various issues;
- 2) the degree of cohesion of the family members;
- 3) the way the child is perceived and considered;

4) the set of attitudes of the members in relation to different norms and social values;

5) the manner of manifestation of parental authority;

6) the degree of acceptance of various children's behaviors;

7) the level of satisfaction felt by the members of the family group;

8) the dynamics of the emergence of tense and conflictual states;

9) the model of application of rewards and sanctions;

10) the degree of openness and sincerity shown by the members of the family group [5, p. 154].

The child's choice of a pro-social or pro-delinquent behavior is influenced by the education styles and the relationships between the family members and the child:

1) authority-liberalism or coercion-permissiveness and

2) love-hostility or attachment-rejection [5, p. 154].

Analyzing the criminogenic family as a factor in the formation of the cupid goal, we attest that the differentiation of social classes determines the existence of contradictory relationships between them. In this sphere of relations, estrangement appears mainly due to the contradiction between the equality of people, which is only declarative. In reality, there is enormous inequality in the distribution of the social product. This inequality determines the appearance of some forms of social inequity, makes some social groups occupy a materially and socially disadvantaged position, manifesting, as a consequence, negative attitudes. Due to these states of affairs, aggravated by the economic crisis in our country, possibilities of enrichment and enrichment without work have appeared, generating enormous social parasitism. Individualistic attitudes, disdain for work, ignoring or even violating the rights of other members of society appeared in terms of personality structures.

The unequal destruction of knowledge, in turn, leads to the separation of physical work from intellectual work, making certain social groups occupy a socially disadvantaged situation.

Greedy crime can be characterized as a subsystem, which is part of the "criminality" system. The "greedy crime" subsystem includes both the plurality of greedy crimes and the multitude of greedy factors.

Within these factors, at the social level, three contradictions play an important role:

- between different social groups with different levels of material development;
- between material needs and the possibilities related to their realization;
- between the official norms and the de facto behavior of a part of the population.

For the formation of the cupid goal, an important role is played by the difference in material development of different social strata. Thus, the disproportions that establish personal incomes impose moral requirements on the members of society, especially those with a low income, the importance of which cannot be ignored. As long as there are people who prosper from a material point of view, there will appear individuals from among the others, who will claim to equalize the situation, or at least to get closer to the desired ideal.

The greedy orientation of criminals to a large extent is determined by family relationships, which activate misunderstandings between the needs of the material state and the possibilities of their realization and also the birth of the desire not to be left behind by other families.

The institution of the family contains its own determinants in the quality of which three misunderstandings arise: between the interests of the material order; between material and spiritual beginnings; between the professional and family role of the woman. In the absence of soul understanding and also the disturbance of stability, selfishness, ignorance of the interests of those close to you, lack of

mutual understanding can appear. As a result of this situation, conflicts related to wealth, in some cases, take on a fierce character. This is most often observed in the settlement of civil cases related to the division of wealth between spouses.

The absence of one of the parents reflects negatively on the character and intensity of family control over children's behavior. In this way, the absence of grandparents in the family also influences, which is more noticeable in families where one of the parents is missing.

For adult criminals, a characteristic violation of family relationships is that most of them do not have families of their own. Not infrequently, the greedy criminals themselves consider relationships with relatives as a factor that can hold them back from committing a crime for fear of causing them to suffer.

Mutual understanding and mutual control decrease in alcohol-consuming families, and the members of such families, especially minors, are prone to criminogenic-covetous action.

A particular person's cupid orientation is usually formed gradually. Its appearance is largely related to the unfavorable correlation in the individual consciousness of three dominant types of behavior:

- material enrichment needs,
- the needs in spiritual enrichment,
- respect for property.

Conclusions

Analyzing what was previously reported, we believe that highlighting some moments would be welcome:

Cruel behavior towards children is a social phenomenon, specific to any society. The social-economic crisis relived by our state conditions the increased actuality of the problem in question.

For a long time, the efforts of the state and society were aimed at placing children left without parents in orphanages and not

at annihilating the causes of this negative phenomenon - preventing degrading and cruel behavior.

Protecting children from violence within the family, applying traditional legal-civil and criminal measures, is not enough. This help given to the victims takes place only when the violence has caused bad consequences and it is impossible to keep the family. We believe that corrective and rehabilitative measures that should be undertaken at the initial stage of the family crisis would have a greater effect. But the legislation in force does not provide grounds for carrying out other measures in a mandatory manner.

The mass media, in order to raise the rating of the show or the newspaper, publish situations with luxury details, which causes additional psychological trauma to the victim. We believe that the mass media should publicize more prophylactic and legal programs, in order to raise the level of legal culture of the population.

The criminal laws of all times and in all social arrangements have recognized the particularly high degree of social danger presented by crimes against life, killing a human being one of the most serious acts. Violating the right to live creates a state of social insecurity, a dangerous imbalance for the very existence of society.

That is why it is natural that such acts of violation of the criminal law aimed at the social relations that protect life, the most precious asset of man, should be in the attention of the entire community, first of all the judicial bodies, which have the task of acting against antisocial acts in order to provide physical protection and legal protection of life.

The experience accumulated in the daily activity gives us the opportunity to state that in combating antisocial acts and those directed against life, bodily integrity and health, an important role is played by legal means, our criminal law being an effective means of

defending the legitimate interests of citizens, to ensure the security of the person.

We would like to mention that an important role in criminal practice is occupied by the sanctioning of criminals. The fair individualization of the punishment and, implicitly, the success of the fight against anti-social acts obliges the courts to examine with particular attention the social danger of the act and the person of the defendant of a premeditated death committed with the aggravating circumstance of material interest committed on the husband (wife) or a close relative.

When solving the cases, it is necessary to clarify all aspects related to the concrete content of the committed crime and the circumstances of its commission, as well as the consequences and the intended purpose, and the thorough examination of the perpetrator is likely to help establish sanctions that correspond to the correction requirements of the defendant.

We can say that by studying this theme, we found out what are the pluses and minuses of a family in the process of personality formation in general and the criminal's personality formation in particular, which allow us to make the following **recommendations**:

- therefore, knowing what is the negative impact of criminogenic factors on the family sphere, what are the reasons for criminal behavior in the family, what are the consequences of family conflict, we believe that it is necessary to *introduce a family education course in the school program for high school students*;

- although in the specialized literature it is mentioned about the role of the family in the formation of the child's personality and that the contemporary family faces a lot of difficulties and distortions, having an enormous need for psychological intervention, studies on the conditions in which the family could function with greater efficiency, adapting to society's requirements, are insufficient. and considering

that there are few services developed specifically for the family, especially for complete and young families, it would be very important to *open of centers where the psychologist works with each family member*.

- the entire action of supervising family relations, of the exercise of parental obligations towards the child, the adoption of children left without parents or unable to raise them, the guardianship of those lacking abilities, whether minors or adults and the elderly - all these problems require the services of social assistance. *For the prosperity of a society with "healthy" families, the network of social assistance services needs to be implemented both at the national and local level.*

In conclusion, we could mention the fact that murder is one of the serious crimes of humanity, because only as a result of committing this act, the most important social relationship, namely human life, is damaged. Life is a complex phenomenon, a social phenomenon, a social value which, regulated from a legal point of view, constitutes the absolute right to life of the person, especially in the case of premeditated murder committed against the husband (wife) or a close relative.

Bibliographic references

1. *Constituția Republicii Moldova*. Adoptată de Parlamentul R. Moldova la 29. 04. 1994.
2. *Convenția europeană pentru protecția drepturilor omului și libertăților fundamentale*.
3. *Declarația Universală a drepturilor omului*. Adoptată de Adunarea Generală a ONU, la 10 decembrie 1948.
4. GWATKIN, D. R., RUTSTEIN, S. K., JOHNSON, R., PANDE, P. and WAGSTAFF, A. *Socio-economic differences in health, nutrition and poverty*. The World Bank, Washington, DC, 2000.
5. MUTU-STRULEA, M. *Delincvența juvenilă*. Suport de curs. Chișinău: CEP USM, 2008.
6. СЕРЕБРЯКОВ, В. А., СЕРОВ, А. П. *Криминологические аспекты изучения сферы быта*. Москва, 2002.