

Significant Formal and Informal Agents of Socialisation and the Opportunities They Offer for Curbing Violence of Minors (Juveniles)

Silvia Kaugia, Dr. iur.

Faculty of Law, University of Tartu
Chair of Comparative Jurisprudence
E-mail: *silvia.kaugia@ut.ee*

Violence has become a part of our everyday life and it manifests itself in various forms, e.g. school and family (domestic) violence, abuse of children and animals, etc. As a rule, violence is defined as the behaviour of one person against another that may cause or causes physical injuries. However, it is also possible to define violence in a wider meaning involving bodily and mental injuries, failing to take care or ignoring somebody's needs.

Violence is not a feature of a safe society. Attitudes of members of society towards the violence characterise the level of their legal consciousness.¹ Legal consciousness is developing in the course of socialisation.² Admission and awareness of the problem of violence, especially among the youth, and looking for the means of decreasing it and finding those means contribute to the enhancement and improvement of society's safety.

A realistic and feasible possibility for society to participate in the active prevention of violence is through socialisation, i.e. the media and the population as a whole, and state as well as social institutions are important agents of socialisation.³ This article is focused on the violence related to minors and the possibilities of limiting and curbing it with the help of socialisation.

Contents

<i>Introduction</i>	165
1 <i>The state and its criminal policy of curbing youth violence</i>	167
2 <i>The role of more important informal agents of socialisation in decreasing violence of minors (youth violence)</i>	168
<i>Summary</i>	170
<i>Sources</i>	172
<i>Bibliography</i>	172
<i>Other sources</i>	173
<i>References</i>	173

Introduction

In Estonia, the necessity to address violence as a gender-specific social problem is widespread; the concept is mostly related to domestic violence. Until recently, domestic violence was considered from the point of view contending that women are victims and men are the perpetrators of violence. Although most of the victims are women, according to statistics, men and children can also be victims and women can be the perpetrators of violence.⁴

In 2011, all in all 1,939 violent crimes were registered that could be related to domestic violence. The majority of them (1,508) were cases of physical abuse, this being 200 cases more than in the previous year.⁵ The number of physical abuses has also increased reaching 5,311 in 2012.⁶ The number of registered cases of domestic violence has increased as the police and prosecutor's office have paid more attention to family violence than before.⁷

Recently the number of sexual crimes against minors, committed through the internet, has increased.⁸ In 2011, 63 sex-offenders were convicted, and most of the crimes were sexual crimes committed against children.⁹ In 2012, the number of sexual crimes committed against children increased, e.g. 5 cases of producing and accessing child pornography were registered. The corresponding figure in 2011 was 17.¹⁰

The data show that, in addition to adult victims, also the minors and young people experience violence daily. In 2009 the general rate of becoming a victim at the age of 15-19 was 33%; the rate of falling a victim at the age of 60 and older was remarkably lower – 18%. 24% of schoolchildren have suffered from school violence, i.e., 40% of 12-13 year old boys and 30% of 14 year old girls, correspondingly. Young people are more frequently victimised and this may at least partially be the result of their lifestyle and frequenting public places.¹¹

At the same time, we cannot treat minors as the only victims of the acts of violence. The analysis of criminal offences committed in the territory of Estonia by minors (recorded by the police) shows that there are no grounds for optimism. In 2011, the total of 1610 persons were identified as being 14-17 years old whilst committing a crime, compared with 2010, when the number of minor criminals (young offenders) was by 43 less, i.e., 2.6% less. In 2011, the police recorded 1,854 crimes committed by minors, and this being 4% more than in 2010. About half of the criminal offences committed by the minors were thefts and other offences against property, and one third were violent crimes. The majority of the acts of violence committed by minors were criminal offences of physical abuse (73%). During that year there was a remarkable decrease in the reported crimes of abuse of an important personal document (-89) and fraudulent conduct (-35) and an increase in physical abuse (+81) and thefts (+55) committed by minors.¹²

In the context of the present article it is a worrying circumstance that the cases of physical abuse committed by minors have become more frequent. This fact may be related to the increase of school violence in the recent years: *“In Estonia, school violence is more widespread when compared to the other new member states of the EU. There are also more Estonian children who have been bullied or threatened by their peers via the Internet.”*¹³

In 2011 the results of the civic education ICCS survey were published and one of the questions included was the behaviour of students at school and social issues at school. The results showed that Estonian teachers estimated the behaviour of schoolchildren to be a little lower than the international average, yet, in the opinion of teachers and students, social environment at school is trustworthy. Still, one tenth of the students felt excluded in school. The use of alcohol and drugs, bullying and violence, absence without a cause, vandalism, religious and racial intolerance and sexual harassment were identified in the research as social problems. Estonian teachers consider absence without a cause (51%) and bullying (33%) to be the major problems, violence (10%) and the use of alcohol (7%) are less important. In teachers' opinion bullying at school is a more serious problem (34%) than in the opinion of students (14%). Teachers in the schools where Estonian is a language of instruction mentioned bullying twice as often as teachers of the schools where Russian is the language of instruction. Bullying was mentioned as more of a problem in rural schools (opinion given by 40% of teachers) than by the teachers in town schools (31%).¹⁴

The data provided above indicates that directives of the state are insufficient when fighting violence and society needs to interfere to deal with the problems.

1 The state and its criminal policy of curbing youth violence

The most important formal agent of socialisation is the state that can offer and secure the increase of safety¹⁵ by taking the necessary measures through its legislative and political activity. Criminal policy is one of these measures.

In trying to delineate the criminal policy it is obvious that it may be defined in various ways, e.g., 1) *“Criminal policy means working out, improving and implementing social plans of action to obstruct the spread of offences, to lessen their seriousness and to reduce opportunities for the commission and harm caused by them; to influence people to refrain from committing offences; to protect legal order and improve the safety of society.”*¹⁶ 2) *“Criminal policy determines, which aims of fighting against crime are achieved with which criminal laws.”*¹⁷

The above definitions of criminal policy point out two different starting points for explaining the phenomenon: the first definition is a prevention-centred criminal policy with a stress on society; the second is a classical definition written for (criminal) law. The preventative approach means the reduction of the number of offences (i.e. infringement of any provisions of legal branches) that *presupposes involvement of all of society* in this activity, i.e. primarily, the creation of the corresponding institutions, including state institutions. In cases of the classical explanation of criminal policy, the focus is on the fight against crime where criminal law with all the included sanctions has the main role.

In the author's opinion, it is insufficient to rely solely on legislation in the fight against any type of law infringements. Guaranteeing enhancement and improvement of the society's safety is the task of the society itself as a whole. Therefore the action plans to restrict the spread of offences and to safeguard the social means of safety must be developed at the social level. Consequently, the preventative aspect of criminal policy seems to carry more weight.

There are different levels (social and circumstantial preventative measures, community-centred prevention, dealing with the consequences of offences) of the present day criminal policy, and all of these are independent activity programmes with the common aim – to decrease the number of offences and other law infringements and increase the safety of society.

It is important to know how safe the surrounding environment appears to the people and which measures are thought to be appropriate and efficient to increase the safety of society when a particular criminal policy is carried out. The Estonian parliament, *Riigikogu*, in its decision of October 21, 2003 stressed that *“the approved trends of development of criminal policy must be taken into account when the measures for fighting crime are designed and /.../ local governments, citizens' associations and individuals must be included into crime prevention to a greater extent”*.¹⁸ It has been pointed out that, in order to prevent youth crime, *“local governments have to work out a scheme of early identification of problems that occur in the surrounding environment. The Ministry of Social Affairs in cooperation with the local governments must develop the parental skills of parents and improve the cooperation of specialists in the given sphere.”*¹⁹ Fulfilment of this task is possible only if members of society recognise the existence and seriousness of the problem. Here the youngest members of our society should not be underestimated – children reflect the attitude, understanding and evaluation of the adults' world and determine how violent, criminal or, *vice versa*, law abiding will be our future society.

In 2005 the heads of the Estonian Ministry of Internal Affairs, Ministry of Justice, Police and Prosecutor's Office signed a declaration about shared aims and priorities of the action. One of the main aims was the fight against crime that has been committed by or against minors.

2 The role of more important informal agents of socialisation in decreasing violence of minors (youth violence)

The role of society in guaranteeing social safety is not as modest as it may seem at the first sight. One method that has to be taken into account is to improve the level of socialisation and through this guarantee the social integration of different social groups.

The importance of the development of children and youth in the process of socialisation must be particularly emphasised, since the development of one's personality starts at birth and the guidance that a child receives within the family will lay the foundation for his/her social behaviour in the future.

"Guidance of the child's social behaviour, reinforcement of praiseworthy behavioural patterns and elimination of non-praiseworthy behavioural patterns follow the main rule – to increase the allowed and reduce the illicit behaviour. /.../ One can say that the presumption of the child's social behaviour develops under the influence of human relations in early childhood but behavioural patterns are formed in human relations during the next phase of age-wise development. An aggressive incident, occurring in the process of learning social behaviour, is not the manifestation of a deviated character but instead reveals how easily can disappointment result in aggressiveness. Due to that, the feedback the child gets with regard to his/her aggressive behaviour is of remarkable importance".²⁰

The level of legal consciousness directly depends on the feedback that a person receives regarding his/her behaviour, especially in childhood. Thus, the so-called free upbringing (allowing children too much freedom) could deprive them of an emotional relationship with their parents and other close persons. This cannot be considered right. Persons, who were deprived of emotional and estimation-based tuning and in childhood experienced unexpressed estimations, may have to pay a high price during their lifetime.

Leaving children alone (on their own) and the so-called free upbringing are the risk factors relevant to the offences committed by minors. *"According to research, the direct control by parents over minors plays a big role in law infringements by minors. Parents' awareness of the type of friends that their child goes out with in the evenings decreases the probability of them committing an offence and the risk of problematic behaviour."*²¹

Nowadays the family cannot perform all the traditional functions related to the upbringing of young people. Thus, the other agents of socialisation appear in addition to the family in order to teach the rules of behaviour operating in society and to introduce cultural values. School is a decisive institution in helping to fulfil the task of educating young people in accordance with the behavioural expectations that exist in the society. The functions of school transform together with the development and changes in society; the status of school changes in the eyes of youth. It depends on the latter how influential an agent of socialisation – the school – is at one or another stage of social development.

Home and school are closely related as agents of socialisation. A child's attitude toward learning depends on how much education and erudition are valued in his/her home. A child's attitude to schoolmates and teachers similarly depends on the guidelines he/she has received from the family.

Personal relations between the students in school surroundings play a significant role in the development of personality, i.e., there is no doubt that friendly and benevolent relations have a positive effect. Every young person wants to feel wholesome, wanted and popular. On the other hand, when the attitude is humiliating and taunting, a young person may have an inferiority complex that results in aggressiveness and a wish to take revenge "on the whole world". The latter may induce a minor to law infringement, including perpetrating violence at school.

There are various factors that complicate the relations among schoolmates, e.g. frequent change of a school and class; possible difference in ages; low status in the eyes of schoolmates caused by average academic progress and behavioural problems; inability to adapt to the standards existing in the group. Problematic relations with the schoolmates yield the basis for the development of negative attitude of a young person toward the school.

Coping of a young person in the society greatly depends on his/her self-esteem that may either motivate or discourage his/her activity and gives a direction to his/her behaviour. Self-esteem is a result of socialisation and it has developed on the basis of influence by the family, school, friends and social surroundings. Low self-esteem is often the catalyst of aggressive behaviour.

The next significant developer of personality are mass media, i.e. television, radio, printed press (the main types of mass communication), also the Internet. Information obtained through these channels must be true and reflect the attitude of society regarding an event that has taken place. Since mass communication is a very powerful and influential institution, one must focus on its quality in order for it to perform the (legal) function of the agent of socialisation successfully. However, unfortunately, not everything that reaches the addressees, i.e. members of society, is educational, esthetical or ethical. Moreover, the violence that is constantly propagated (especially through the films on television) encourages to follow that example. Death seen on television or in films does not create any horror or fear with regard to this phenomenon, it may rather seem like a joke to be practiced on others. It is especially true regarding young people who beat, strike or torture. In cases when the school violence has been made public, the peers neither sympathise with the victim nor imagine themselves in this role. They simply enjoy their superiority over the victim. Everything happens so easily, without a particular notice, "like in the movies".

At the same time, one cannot ignore two relevant aspects when dealing with this problem. Firstly, nowadays media has become a business which is expected to make a profit. Figuratively speaking, it has to sell goods that are bought. Information must sell well, i.e., must attract people to watch, read and listen. Secondly, the problems of media and violence are related to the era and the current society. Every period has its heroes, and the perception as to how good or bad the people are in a particular story or relationship, depends considerably on the media's interpretation. Two decades ago children's broadcasts promoted the idea that the good always triumphs over the evil, e.g., cartoons showing how one can make and keep friends when one is honest, helping and friendly, subsequently being successful in life. The contemporary heroes of cartoons are cyber beings who destroy planets and each

other; slyness, meanness, power and inventiveness are the characteristics valued when destroying “enemies”.

Mass media are a strong power, the so-called “fourth power” in addition to legislative, executive and judicial power. It plays a vital role in shaping a person’s legal consciousness via influencing its structural components.

In 2007 the Social and Market Research company *Saar Poll* conducted a survey among students of upper secondary schools and according to that, media have a significant role as the legal agent of socialisation for young people. The attitude of young people to Estonian courts is mostly shaped by the press (75%), then by laws (63%) and TV series (60%); and much less by friends (53%), school (52%) and family (45%), according to this research. Whilst a positive change towards attitudes may be created by school (63%) and laws (59%) and family members (45%), a negative change may be caused by the media (56%) and TV series (44%), feature films (42%) and friends (41%).²² The results of the omnibus research conducted by *Faktum & Ariko OÜ* among the Estonian population (ages 15-74) in 2007 show that, firstly, the media and then the laws have the substantial influence in shaping people’s attitude towards the courts. The media have both a positive (37%) and a negative (32%) influence. Any contacts with the law have changed the attitude towards the courts into a more positive one (38%).²³ The results of the research should make the media concerned that they are granting commercial effectiveness the superiority instead of being a positive agent of socialisation.

Summary

Pursuant to the statistical data, in recent years the increase in the number of violent crimes characterises the crime in general, including the crimes committed by minors. It is possible to draw a conclusion that the agents of socialisation, first of all, family, have not fulfilled their task well enough. The quality of values and norms that a person obtains from home to be carried on into his/her own life depends a lot on the relationship with the family. Tensions at home that have been caused by various reasons may manifest themselves in different forms of domestic violence. From the children’s point of view, family violence has a disastrous effect on the development of their personalities, causing permanent damage to the psyche of the child and leading the child to other forms of violence, e.g. school violence and development of general cruelty. The standpoint that violence creates more violence has been proved here: the child who witnesses hostility between parents or physical abuse at home grows up with the knowledge that such behaviour is normal (in its everyday sense, even traditional) and he/she is likely to practice it with peers or birds and animals; on the other hand, it may cause fear and frustration in the child and this, in turn, creates an actual possibility for him /her to become the “target” of violence. Consequently, the domestic violence must be dealt with primarily by the family itself. The issue is so serious that the Ministry of Justice has set this as a priority of action in its strategic plan. Plans have been made to reduce domestic violence through two spheres: enhancement of legal consciousness and dissemination of information concerning family violence; and harmonisation of judicial practice in cases of family violence. There is an aim set for 2012 to update textbooks of social education and prepare the teachers of social education for dealing with the topics that concern family violence, violence outside the family relations (including the gender-based violence) and possibilities to help the victims of violence. Regular surveys of court

proceedings are made by the department of analysis in the Ministry of Justice, the Police and the Border Guard Board. This enables possible regional differences and problems in proceedings to be identified and analysed. In addition to the analyses there are meetings of the police officers and prosecutors that enable the improvement and harmonisation of the practice. These roundtable meetings give an opportunity to agree on shared work principles or to work out additional guidelines to harmonise the practice. By analysing manslaughter and murder, statistics can show how many cases of these crimes have been related to preceding family violence.²⁴

In the author's opinion, it is really important that the issue is dealt with at the state level, however, even this would not bring about a rapid improvement of the situation. As a rule, family violence originates from the adults, i.e., parents. Thus, the solution should also start from the parents instead of the children (for example, if one would primarily talk about violence in the classes of social education). A more realistic solution could be the enhancement of the awareness of the population about violence as a serious problem. The increase in awareness could hypothetically motivate people to increasingly control their behaviour and in case of conflicts in family relationships find quick solutions and the possibilities of sparing children future problems. Efforts should be made to encourage future generations to be able to solve their conflicts in a civilised way and not by physical violence and mental abuse. An opportunity for that is created by knowingly shaping legal consciousness in the above-mentioned direction.

School certainly has a role to play here, since the contemporary young people spend a great part of their time outside the family circle. Influence of school experience is added to family experience and the relations of students with their peers and teachers have a particular importance. Rules of the game in legal consciousness are the same as in sport: elementary legal principles of fault, conscience, damages, when accidents or cases of violence occur between the students. Home and school should cooperate more than ever before in order to reduce violence. Ignoring the problem does not solve the problem. The issue of school violence has been under attention in the Estonian media now and again. School violence has two aspects – violence between students and violence between students and teachers. Taking the existing possibilities, e.g., the rights that teachers have at school, into account on both levels, it seems that there is no solution to the conflict. In the author's opinion, it would be reasonable for the schools to employ people who maintain order, which could be called patrolmen, who at least could intervene in conflicts between the students. The other axis of conflicts – teacher-student conflict – is more complicated and in cases where the basis for the conflict is a taunting attitude of a teacher towards a student, the school management should consider dismissal of the teacher after all the circumstances have been clarified. Hiding heads in the sand by school managers (principals) in reality means that the victims of violence cannot obtain and continue their education to find a job they like. Violence of students toward teachers is as serious if not a more serious problem than the violence among the students. A shocking example of the case of students taunting a teacher and physically attacking him was published in the Estonian press on January 29, 2013. (See: *Õpetajate leht*. The clip about taunting was put on the Internet on January 29, 2013.) In such cases the guilty students must not be excluded from the circle of social influence. These cases once more indicate that families have failed to shape the basic principles of a respectful attitude in their children.

The Ministry of Justice has planned to take some measures in the fight against school violence this year: *“In the framework of state supervision, the Ministry of Education and Research in cooperation with the Police and Border Guard Board will start exercising control over the application of rules for a safe learning environment provided in the Basic Schools and Upper Secondary Schools Act in order to improve safety at school. There is a plan to prepare a follow-up programme about Internet safety (online safety) and information materials for child victims of violent crimes. The Children and Youth at Risk programme submitted by the EEA Financial Mechanism was approved, and the implementation of a four year programme started in autumn 2012. There is also a plan to analyse the practice of treating convicted minors, and to continue with drafting a new Juvenile Sanctions Act and the Child Protection Act.”*²⁵

As mentioned above, the mass media have enormous opportunities at their disposal to shape the people’s mentality and system of values. Although their influence on the youth is stronger, more decisive and more noticeable, they still have an obligation to help adults acquire role models to be applied in the constantly changing social environment that requires adaptation. Media as an agent of socialisation could be more efficient by limiting the communication of materials propagating (promoting) violence. There is already enough violence in society, so perhaps the media should use its means to fill the consciousness of people with positive emotions.

The issue of violence must be treated seriously, because it is a phenomenon that harms society in all of its forms. The attitude of society towards violence and perpetrators of violent acts really matters. The awareness that violence as a phenomenon exists by itself is not sufficient. Society must react to every identified case of violence. The feedback given to the child about his/her aggressive behaviour is important.

The feeling of impunity must not be promoted amongst the perpetrators of offences and violent acts because impunity encourages offenders to continue their activity and select increasingly dangerous means. The institutions dealing with educating the youth should not delegate liability to each other and seek the guilty parties elsewhere. The above especially concerns the parents who think that the teachers should be responsible for the actions of their children as soon as the children enter the school in the morning. Teachers are not able to fill in the educational gap caused by poor parenting. At home children should be brought up to respect every person and all living beings. Respect for the older people in our society should be one of the basic principles, the so-called constitutional norm of behaviour. It depends on all of us as to how long it will take before we reach this elementary level.

In conclusion, the answer to the question, whether and to what extent we are able to curb the proliferation of any form of violence, is quite clear: it depends on all of us, since the result can be positive only when the society as a whole makes the effort.

Sources

Bibliography

1. Hess, B. B., Markson, E. W., Stein, P. J. Sotsioloogia (Sociology). Tallinn: Külim, 2000. (In Estonian.) ISBN 9985-850-71-8.
2. Kaugia, S. Õigusteadvuse olemus ja arengudeterminandid (The Essence and Development Determinants of Legal Consciousness). Tartu: Tartu Ülikooli Kirjastus, 2011. (In Estonian.) ISBN 978-9949-19-734-7.

3. *Keltikangas-Järvinen, L.* Agressiivne laps. Kuidas suunata lapse isiksuse arengut (Aggressive Child. How to Guide the Development of the Child's Personality). Tallinn: Koolibri, 1992. ISBN 5440007644.
4. *Markina, A., Saar, J.* Alaealiste hälbekäitumine Eestis, Tšehhis ja Ungaris: rahvusvaheline self-report-meetodil tehtud delinkventsuse uuring (ISRD-2). (Deviant Behaviour of Minors in Estonia, Czech Republic and Hungary: international research of delinquency (ISRD-2) carried out the on self-report method.) In: *Juridica*, 2009, VII. ISSN 1406-1074.
5. *Sootak, J.* Kriminaalpoliitika. (Criminal Policy.) Tallinn: Juura, Õigusteabe AS, 1997. (In Estonian.) ISBN 9985-822-56-0.
6. *Weissel, E.* Sicherheit um jeden Preis? In: *Zeitschrift für Rechtsvergleichung*, 1998, Heft 3. ISSN 0486-1485.

Other sources

1. Kuritegevus Eestis 2012 (Criminality in Estonia 2012) – Report of the Ministry of Justice. (In Estonian.) Available: <http://www.just.ee/orb.aw/class=file/action=preview/id=57890/Kuritegevus+eestis+2012+-+Justiits> [last viewed 06.02.2013].
2. Ministry of Justice, “Laste seksuaalsest väärkohtlemisest” (About Sexual Abuse of Children). (In Estonian.) Available: <https://ajaveeb.just.ee/vagivallavastu/?p=27> [last viewed 01.10.2011].
3. Ministry of Justice, “Vägivalla vastu võitlemise arengukava aastateks 2010-2014” (Development Plan for Fighting against Violence 2010-2014). (In Estonian.) Available: www.just.ee/orb.aw/class=file/action=preview/id=56652/V%E4givalla+V%Ehend [last viewed 20.10.2012].
4. Ministry of Justice, “Vägivalla vastu võitlemise arengukava aastateks 2010-2014. 2011. a täitmise aruanne” (Development Plan for Fighting against Violence 2010-2014. Report of Performance in 2011). (In Estonian.) Available: www.just.ee/orb.aw/class=file/action=preview/id=56652/V%E4givalla+V%Ehend [last viewed 20.10.2012].
6. Ministry of Justice, *Riigiteataja* (State Gazette), “Kriminaalpoliitika arengusuunad aastani 2010. Üldpõhimõtted” (Trends of the Development of Criminal Policy till 2010. General Principles). (In Estonian.) Available: www.riigiteataja.ee/ert/act.jsp?id=637829 [last viewed 03.11.2011].
7. Ministry of Justice, *Riigiteataja* (State Gazette), “Kriminaalpoliitika arengusuundade aastani 2010 heakskiitmine. Riigikogu 21. oktoobri 2003.a otsus” (Approval of the Trends of the Development of Criminal Policy till 2010. Decision of the *Riigikogu* on 21 October 2003). Available: [last viewed 04.04.2007].
8. Ministry of Justice, “Kriminaalpoliitika arengusuunad aastani 2018. Riigikogu 09.06.2010.a otsus” (Trends in the Development of Criminal Policy till 2018. Decision of the *Riigikogu* 09.06.2010). Available: www.just.ee/orb.aw/class=file/action=preview/id=50603/Kriminaalpoliitika+arengus [last viewed 22.10.2012].
9. Supreme Court, “Gümnaasiumiõpilaste õigusteadvuse uuringu tulemused. November-detsember 2007” (Results of Research on Legal Consciousness of Students of Gymnasiums) *www.saarpoll.ee*. Available: www.riigikohus.ee/vfs/683Noorte_%F5igusteadvuse_uuringu_aruanne.pdf [last viewed 25.08.2010].
10. Supreme Court, “Õigusteadvus. Uuring Eesti elanikkonna õigusteadvusest. Tallinn, juuni/juuli 2007” (Legal Consciousness. Research on Legal Consciousness of Estonian Population. Tallinn, June/July 2007). Available: www.riigikohus.ee/vfs/600/uuring_2007_õigusteadvus.pdf [last viewed 25.08.2010].

References

- ¹ Legal consciousness is a conception about the right arrangement (regulation) of social behaviour, perception of the norm-based socially acceptable existence independent of knowing or not-knowing the regulations and ability proceeding from one's legal consciousness to evaluate law. (Kaugia, S. Õigusteadvuse olemus ja arengudeterminandid (The Essence and Development Determinants of Legal Consciousness). Tartu: Tartu Ülikooli Kirjastus, 2011, p. 23). (In Estonian.) ISBN 978-9949-19-734-7.
- ² Socialisation is a life-long process during which an individual acquires culture, learns to know oneself and one's social personality. (*Hess, B. B., Markson, E. W., Stein, P. J.* Sotsioloogia. (Sociology.) Tallinn: Külim, 2000, p. 288). (In Estonian.) ISBN 9985-850-71-8.
- ³ The agents of socialisation are persons, social groups and institutions which influence the development of the personality of a person, educate and guide him. The agents of socialisation are the

- channels of obtaining culture; each of them has its own mechanism how to mediate the culture of the given society and how to explain the relationship with the law. These mechanisms manifest themselves through functions that are performed by one or the other agent of socialisation. The quality of agents of socialisation is important, i.e. how well they perform their function in a given case. The level of (legal) socialisation of a person depends on just that.
- ⁴ Ministry of Justice, “Vägivalla vastu võitlemise arengukava aastateks 2010-2014”. (Development Plan for Fighting the Violence 2010-2014). (In Estonian.) Available: www.just.ee/orb.aw/class=file/action=preview/id=56652/V%E4givalla+V%Ehend [last viewed 20.10.2012].
 - ⁵ Ministry of Justice, “Vägivalla vastu võitlemise arengukava aastateks 2010-2014. 2011. a täitmise aruanne” (Development Plan for Fighting the Violence 2010-2014. Report of Performance in 2011). (In Estonian.) Available: www.just.ee/orb.aw/class=file/action=preview/id=56652/V%E4givalla+V%Ehend [last viewed 20.10.2012].
 - ⁶ Kuritegevus Eestis 2012 (Criminality in Estonia 2012) – Report of the Ministry of Justice. (In Estonian.) Available: <http://www.just.ee/orb.aw/class=file/action=preview/id=57890/Kuritegevus+eestis+2012+-+Justiits> [last viewed 06.02.2013].
 - ⁷ Ministry of Justice, “Vägivalla vastu võitlemise arengukava aastateks 2010-2014. 2011. a täitmise aruanne” (Development Plan for Fighting the Violence 2010-2014. Report of Performance in 2011). (In Estonian.) Available: www.just.ee/orb.aw/class=file/action=preview/id=56652/V%E4givalla+V%Ehend [last viewed 20.10.2012].
 - ⁸ Ministry of Justice, “Laste seksuaalsest väärkohtlemisest” (About Sexual Abuse of Children). (In Estonian.) Available: <https://ajaveeb.just.ee/vagivallavastu/?p=27> [last viewed 01.10.2011].
 - ⁹ Ministry of Justice, “Vägivalla vastu võitlemise arengukava aastateks 2010-2014. 2011. a täitmise aruanne” (Development Plan for Fighting against Violence 2010-2014. Report of Performance in 2011). (In Estonian.) Available: www.just.ee/orb.aw/class=file/action=preview/id=56652/V%E4givalla+V%Ehend [last viewed 20.10.2012].
 - ¹⁰ Kuritegevus Eestis 2012 (Criminality in Estonia 2012) – Report of the Ministry of Justice. (In Estonian.) Available: <http://www.just.ee/orb.aw/class=file/action=preview/id=57890/Kuritegevus+eestis+2012+-+Justiits> [position 06.02.2013].
 - ¹¹ Ministry of Justice, “Vägivalla vastu võitlemise arengukava aastateks 2010-2014”. (Development Plan for Fighting against Violence 2010-2014). (In Estonian.) Available: www.just.ee/orb.aw/class=file/action=preview/id=56652/V%E4givalla+V%Ehend [position 20.10.2012].
 - ¹² Ministry of Justice, “Vägivalla vastu võitlemise arengukava aastateks 2010-2014. 2011. a täitmise aruanne” (Development Plan for Fighting against Violence 2010-2014. Report of Performance in 2011). (In Estonian.) Available: www.just.ee/orb.aw/class=file/action=preview/id=56652/V%E4givalla+V%Ehend [last viewed 20.10.2012].
 - ¹³ Ministry of Justice, “Vägivalla vastu võitlemise arengukava aastateks 2010-2014” (Development Plan for Fighting against Violence 2010-2014). (In Estonian.) Available: www.just.ee/orb.aw/class=file/action=preview/id=56652/V%E4givalla+V%Ehend [last viewed 20.10.2012].
 - ¹⁴ Ministry of Justice, “Vägivalla vastu võitlemise arengukava aastateks 2010-2014. 2011. a täitmise aruanne” (Development Plan for Fighting against Violence 2010-2014. Report of Performance in 2011). (In Estonian.) Available: www.just.ee/orb.aw/class=file/action=preview/id=56652/V%E4givalla+V%Ehend [last viewed 20.10.2012].
 - ¹⁵ As a rule, politicians and common citizens understand safety as the opposite to the danger proceeding from crime. At the same time, safety is often addressed through liquidation and prevention of all kinds of risks that society encounters. In this case, the opposite to safety is not crime but the uncertainty that is caused by crime in most cases, and also from the fear of poverty or unemployment, war or pollution. (See: *Weissel, E. Sicherheit um jeden Preis? In: Zeitschrift für Rechtsvergleichung, 1998, Heft 3, S. 109-123. ISSN 0486-1485.*)
 - ¹⁶ Ministry of Justice, *Riigiteataja* (State Gazette), “Kriminaalpoliitika arengusuunad aastani 2010. Üldpõhimõtted” (Trends of the Development of Criminal Policy till 2010. General Principles). (In Estonian.) Available: www.riigiteataja.ee/ert/act.jsp?id=637829 [last viewed 03.11.2011].
 - ¹⁷ *Sootak, J. Kriminaalpoliitika* (Criminal Policy). Tallinn: Juura, Õigusteabe AS, 1997, p. 28. (In Estonian.) ISBN 9985-822-56-0.
 - ¹⁸ Ministry of Justice, *Riigiteataja* (State Gazette), “Kriminaalpoliitika arengusuundade aastani 2010 heakskiitmine. Riigikogu 21. oktoobri 2003.a otsus” (Approval of the Trends of the Development of Criminal Policy till 2010. Decision of the *Riigikogu* on 21 October 2003). Available: [last viewed 04.04.2007].
 - ¹⁹ Ministry of Justice, “Kriminaalpoliitika arengusuunad aastani 2018. Riigikogu 09.06.2010.a otsus” (Trends in the Development of Criminal Policy till 2018. Decision of the *Riigikogu* 09.06.2010).

- Available: www.just.ee/orb.aw/class=file/action=preview/id=50603/Kriminaalpoliitika+arengus [last viewed 22.10.2012].
- ²⁰ Keltikangas-Järvinen, L. Agressiivne laps. Kuidas suunata lapse isiksuse arengut (Aggressive Child. How to Guide the Development of the Child's Personality). Tallinn: Koolibri, 1992, p. 49. ISBN 5440007644.
- ²¹ Markina, A., Saar, J. Alaealiste hälbekäitumine Eestis, Tšehhis ja Ungaris: rahvusvaheline self-report-meetodil tehtud delinkventsuse uuring (ISR-2). (Deviant Behaviour of Minors in Estonia, Czech Republic and Hungary: international research of delinquency (ISR-2) carried out the on self-report method.) In: *Juridica*, 2009, VII, p. 475. ISSN 1406-1074.
- ²² Supreme Court, "Gümnaasiumiõpilaste õigusteadvuse uuringu tulemused. November-detsember 2007" (Results of Research on Legal Consciousness of Students of Gymnasiums) www.saarpoll.ee. Available: www.riigikohus.ee/vfs/683Noorte_%F5igusteadvuse_uuringu_aruanne.pdf, pp. 3-4. [last viewed 25.08.2010].
- ²³ Supreme Court, "Õigusteadvus. Uuring Eesti elanikkonna õigusteadvusest. Tallinn, juuni/juuli 2007" (Legal Consciousness. Research on Legal Consciousness of Estonian Population. Tallinn, June/July 2007). Available: www.riigikohus.ee/vfs/600/uuring_2007_õigusteadvus.pdf, p. 8. [last viewed 25.08.2010].
- ²⁴ Ministry of Justice, "Vägivalla vastu võitlemise arengukava aastateks 2010-2014. 2011. a täitmise aruanne" (Development Plan for Fighting against Violence 2010-2014. Report of Performance in 2011). (In Estonian.) Available: www.just.ee/orb.aw/class=file/action=preview/id=56652/V%E4givalla+V%Ehend [last viewed 20.10.2012].
- ²⁵ Ministry of Justice, "Vägivalla vastu võitlemise arengukava aastateks 2010-2014. 2011. a täitmise aruanne" (Development Plan for Fighting against Violence 2010-2014. Report of Performance in 2011). (In Estonian.) Available: www.just.ee/orb.aw/class=file/action=preview/id=56652/V%E4givalla+V%Ehend [last viewed 20.10.2012].