ALCOHOL ADDICTION IN THE SYSTEM OF FORMS OF DEVIANT BEHAVIOR OF MINORS

Schramm H.J., Zhetpisbayev B.A., Tynybekov S.

1Doctor of Law, Professor, University of Wismar, Wismar, Germany, email: hans-joachim.schramm@hs-wismar.de
2Doctor of Law, Professor, Al-Farabi Kazakh National University, Almaty, Kazakhstan
3Doctor of Law, Professor, Head of the Department of Civil Law and Civil Procedure, Labor law, Al-Farabi Kazakh National University, Almaty, Kazakhstan e-mail: serikkaly@rambler.ru

Abstract. Solving the problem of combating alcohol abuse of minors seems to be the most effective only by studying the patterns of genesis and the further development of the mechanism of addiction and addictive forms of behavior, one of which is the alcoholization of minors. The analysis of addiction and addictive forms of behavior makes it possible to understand their real place in the structure of public relations, to predict the consequences of their distribution and to take measures to eliminate these negative phenomena.

Antisocial behavior of a minor in the form of alcoholism is interconnected by the influence of various factors, primarily the external social environment (especially the microenvironment), as well as the individual characteristics of the minor’s personality, which cause his individual response to various life problems, independent solving which is problematic for a minor.

The article analyzes the emergence and development of alcohol addiction among minors, and also the authors conducted sociological survey to identify different forms of addiction among schoolchildren and students in Kazakhstan. This scientific article is based on traditional and innovative approaches, and such methods as the dialectical method of cognition, comparison, analysis and other empirical methods are widely used.

Key words: minor, addict, addiction, addictive behavior, alcoholism, sociological survey, prophylaxis, prevention, control measures, anti-alcohol policy.
Schramm H.J. et al.

Introduction. In modern legal science, the problems of addictive forms of deviant behavior of minors remain unexplored. Addiction (addictive behavior) is a destructive tendency of a minor to be negative: to smoking, alcoholism, drug addiction, vagrancy, begging, tendency to run away from home, etc. In our research, the problem of alcoholization of minors will be considered as a form of addictive behavior. Without understanding the mechanism of occurrence and the process of addiction, it is difficult to analyze many problems of juvenile delinquency, as well as issues that primarily concern the problems of alcoholism, which is one of the reasons for the formation of sustainable skills of juvenile delinquent behavior (Zhetpisbayev B.A., Baimakah R.M., Kuttygaliyeva A.R., 2013).

The essence of this addictive behavior of a minor is found in the desire to change his mental state through alcohol intake, which allows the minor to fix his attention on certain objects or activities. Simultaneously, the process of drinking alcohol, addiction to it and its effect is accompanied by the development of intense emotions and, as a result, it begins to control the life of a minor and deprives him of the will to resist addiction. This form of behavior is characteristic of minors with low resistance to psychological difficulties, who do not adapt well to a quick change in life circumstances, and in this connection seek to achieve psycho-physiological comfort faster and easier. Addiction for them becomes a universal means of escaping from real life (Nagayev V.V., 2009). For self-defense, minors with an addictive pattern of behavior use a mechanism in psychology called “desire thinking”: contrary to the logic of cause-effect relationships, they consider as a real only that which corresponds to their desires. Consequently, interpersonal relationships are violated, and the teenager is alienated from society.

Addictive behavior in the form of alcoholization, is formed gradually. The onset of deviation is
associated with experiencing an intense acute change in the mental state of a minor in connection with taking alcoholic substances that entail certain non-standard actions, as well as an understanding that there is a certain way to change one’s psychological state, to experience a feeling of elevation, joy, ecstasy.

Subsequently, there will be formed sustainable reliance on alcoholic substances.

Difficult life situations, states of psychological discomfort provoke an addictive reaction. Gradually, this behavior becomes the usual type of response to the requirements of real life. And addictive behavior develops as an integral part of a personality, which means that another ‘new’ personality arises, displacing and destroying the former one. This process is accompanied by an internal struggle, the emergence of feelings of anxiety, fear and various kinds of doubts, which become obsessive and inseparable from the person. At the same time, protective mechanisms are activated, contributing to the preservation of the illusory feeling of psychological comfort. The defensive formulas are: “I don’t need people”, “I do what I like”, “if I want, everything will change” (Lukyanenko M.V., Romashenko A.E., Yakhyarova G.D., 2006).

As a result, the addictive part of the personality of the minor fully determines the behavior of the minor. He will be isolated from society, find problems in communication with people not only on the psychological, but also on the social level, and loneliness will grow. Furthermore, there is a fear of loneliness, so the addicted person prefers to stimulate himself by superficial communication with his peers or other people around him, by the desire to be in the circle of a large number of people. But such a teenager is not capable of full-fledged communication, deep and long-term interpersonal contacts, even if the people around him strive for it in every possible way. The main for him is those objects and the results of their actions, which are his means of addiction – alcohol.

In general, studying the mechanism of the emergence and development of addictions and addictive forms of behavior makes it possible to understand their real place in the structure of social relations, to predict the consequences of their spread and take measures to eliminate these negative phenomena.

Antisocial behavior of minor in the form of alcoholization is interconnected by the influence of factors, primarily the external social environment (especially the microenvironment), as well as the individual personality characteristics of the teenager, which cause his individual response to various “life problems” (Issues of studying and preventing juvenile delinquency, 1970).

In addition, great importance is attached to the forms of state response to the problems of a minor inclined to addiction. Ineffective government protection of the rights of minors (to health protection and medical care, to housing, to social protection, etc.) is essentially a source of social tension in society, which predetermines a difficult financial situation, as well as a depressive condition of not only minors, but also adult citizens. From this it follows that the state by protecting the health of people, providing state support of the family, motherhood and childhood, ensuring the right of everyone to an adequate standard of living and social protection, is trying to solve the whole range of priority tasks that constitute one of the main directions of the Republic of Kazakhstan as a legal, democratic state.

**Literature review.** Currently, the term “addiction” is being used in various spheres of life starting from psychology to medicine. Moreover, the addiction is mostly associated with drugs, psychotropic substances and alcohols as wine, beer or vodka and there are many published research papers in science discussing this issue from several aspects. However, there is no any paper examining alcohol addiction in a certain period of an individual from the perspective of law.

In Kazakhstan science there are some authors, who focus on the mentioned thesis and they have also published several papers and books. Those pioneers are B. Zhetpisbayev, A. Aytpayeva and S. Sartayev.

**Materials and Methods.** The research is based on the dialectical method of cognition and systematic approach in order to study the social and legal phenomena arising in the system of addictive forms of behavior of minors expressed in the form of alcoholization of a minor.

The methodological base is characterized by both traditional and innovative approaches, methods and techniques of research of considered social relations. In the process of research, there have been applied the methods of analysis and synthesis, modelling, generalization, prediction, abstraction, historical and legal, comparative legal, formal legal and other methods.

**Results and Discussion.** Ideas about what alcoholic beverages are and how they act arise early in children. Even in early childhood, children playing “hosting guests” arrange a feast, pour into a glass, clink, and then depict drunken guests, almost completely copying their actions, behavior, voice, gestures (for example, neighbor Uncle Vanya and others.).
Thus, according to Y. F. Prilensky and N. D. Ivanyuzhenko, 32 percent of boys and 7 percent of girls played such games in kindergartens. 23-34 percent of girls and 32-43 percent of boys of them actually tried beer, 13–26 percent and 21 percent – wine, 7-13 percent and 11-16 percent – vodka, respectively. Already at this age, 13 percent of girls and 16 percent of boys liked the wine (Prevention of juvenile delinquency, 2007).

Thus, the first impressions of alcohol are formed in early childhood, and it was based on their own experience among almost a third of children.

A study of the teenagers, who are prone to alcohol consumption, by N.G. Yakovlev, led to the following conclusions:

– firstly, earlier (two to three years) compared with their peers familiar with the use of alcohol;
– secondly, the difference in motives (reasons) of alcohol use;
– thirdly, the intensive formation of the habit of consuming alcohol in free time, and in some cases – needs. To this can be added such a distinguishing feature as the inexperienced use of alcoholic beverages in large doses.

These sociological studies conducted by us among minors also reveal an unusual picture. So, to the question of what impact alcohol consumption has on the life dynamism of society, 89 percent of minors said that drinking is a great social evil and that this evil must be fought at all levels of the life of the society (state). However, on the other hand, as it turned out in the course of the study, the same overwhelming majority of minors either “drink like everyone else” or do not completely prevent it.

About half of the surveyed minors answered the question whether they wanted only non-drinkers to surround them and they said that they would not like to have a non-drinker among their friends. The third part of the respondents thinks that they would be offended if they were invited to visit and the host did not offer alcohol (Zhetpisbayev B.A., Aytpaeva A.K., 2002).

More than 40 percent of the minors surveyed believe that alcohol consumption within the “norm” is harmless and does not affect performance, and every fifth minor fully accepts appearing drunk on the street, in public transports, in places of rest, if only this does not lead to scandals and conflicts. At the same time, it is interesting that the same number of minors considers that the appearance of a woman in a drunken state in a public place is an unacceptable and disgraceful phenomenon.

Regarding the motives of alcohol consumption by minors, it is necessary to point out that among juvenile offenders, less often than in the control group, there are drinkings exclusively on the occasion of holidays, birthdays and on the occasion of so-called other traditional occasions. Simultaneously, it is logical that the motives for drinking alcohol directly reflect the unfavorable social conditions of this category of teenagers (Dolgov A.I., 1981).

Therefore, it is not accidental that when explaining the motives, the reasons for committing a drunken teenage crime, as a rule, they refer to difficult life conditions in the family, life failures, and the fact that it is easier to endure grief, shame, pain, and insult. Thus, in conducting sociological studies, V. M. Kormshchikov obtained the following results: – 30 percent of young men and 26 percent of girls explained their use of alcohol by saying that “there was nothing to do”, they drank for “courage” in order to “have fun” etc. In general, the direct influence of the company as the only reason for the use of alcoholic beverages was named only by 8-10 percent of the subjects. The rest already had desires and habits, although they were formed under the influence of friendly companies, but then turned into independent (Kormschikov V.M., 1977).

In the scientific literature, in the study of the problems of alcoholism of the population, as a rule, three groups of sociological indicators of the severity of the alcohol problem and the extent of alcohol abuse in the country are used:

– firstly, the level of alcohol consumption per capita and the structure of consumption;
– secondly, the characteristics of mass behavior, which is a consequence of the consumption of alcohol;
– thirdly, the damage caused to the economy and society by drunkenness.

The alcohol consumption indicator makes sense only in combination with data on the structure of consumption. It is necessary to take into account a number of characteristics, for example, regularity of consumption, duration, connection with food intake.

It is also important to study the general indicators of the prevalence of alcoholism and indicators of the distribution of total alcohol consumption among the population, and in particular:

– the number of drinkers, non-drinkers and moderate drinkers;
– the distribution of alcohol consumption between men and women;
– distribution of alcohol consumption by age and other socio-demographic characteristics;
– behavior with the same degree of intoxication and evaluation of this behavior also significantly differ in the socio-cultural and ethnic groups (Issues
of studying and preventing juvenile delinquency, 1970).

All the above characteristics of alcoholization of the population are included in the concept of the model of alcohol consumption, and when assessing the alcohol situation, three models of alcohol consumption are traditionally distinguished: wine, beer and vodka. These models have developed historically and are manifested in the traditions of alcohol consumption among different people.

The wine model became widespread in countries such as France, Italy, Portugal, Armenia, Georgia, Moldova. They are characterized by the regular consumption of weak grape wine for lunch and dinner. This model has an extremely high total consumption of alcoholic beverages (by the beginning of the 80s in France – 15.8 liters of absolute alcohol per person per year, in Italy – 13.9 liters). A particular problem in these countries is the consequence of alcoholism, as a threat to the health of drinkers and their offspring.

The vodka model traditionally prevails in Poland, Russia, Finland, Sweden and other countries, where up to half or more of the total alcohol intake is for strong drinks. This model is characterized by: a high uneven distribution of alcohol consumption among the population, the existence of groups that stand out sharply by immoderation and asocial behavior, and severe intoxication as a consciously achieved goal of consumption. The countries of the predominantly vodka model, noticeably lagging behind the “wine” in total consumption of alcohol per capita per year, often have no less negative consequences.

Beer model is close to wine; in terms of alcohol consumption, “beer” countries occupy the middle place.

In this aspect, it is possible to point out that the main part of drinking minors prefer beer. In the streets of the city, you can often see a minor who drinks beer straight from the bottle, or who freely buys beer in a store. While studying this problem and conducting a sociological survey among first-year students of the Faculty of Law of Al-Farabi Kazakh National University on the subject of determining which alcohol is preferred by non-adults, 78 percent of respondents indicated beer, explaining that, firstly, it is cheap in cost, secondly, none of the others seriously regard beer as an alcoholic beverage capable of causing serious consequences, and thirdly, if the consequences are unpleasant for a drinker (a gripe from adults, parents, etc) they can always be justified that they actually drank only beer. At the same time, paradoxically, 95 percent of respondents agree that beer contributes to the development of skills in the systematic consumption of alcoholic beverages and subsequent alcoholization. However, this does not serve as a basis for the cessation of consumption of beer by minors.

A sociological survey of undergraduates at the same university indicated that vodka was the most popular in this environment (78 percent of the respondents).

In a sociological survey of juvenile delinquents (353 teenagers in labor camps and 120 out of them), 15 percent of respondents to the question asked them: “How did you spend your free time before the conviction?” answered that they drunk or spent time in search of alcohol (Zhetpisbayev B.A., 2001).

Thus, it is possible to clarify the alcohol situation among minors by studying the effects of alcohol consumption:

- deformations of personality (narrowing the world of a minor to the level of a small world of drinking companions);
- the number of crimes related to drinking, and their share in general, the volume of crimes;
- the number and proportion of accidents on the basis of drunkenness, delivered to a medical detox center;
- the presence of chronic alcoholics;
- economic and material damage from crimes and from accidents, costs for the treatment of patients with alcoholism, that is, all damage resulting from alcoholism;
- spiritual and moral damage, damage to relations in society, family, etc. (Prevention of juvenile delinquency, 2007).

Under the considered aspect, D.D. Yenikeyeva described and analyzed various forms of alcoholism and drug addiction among non-adults. The research identifies risk groups among schoolchildren, to which teachers and parents should pay particular attention. There are given the features and description of the behavior of students, who are prone to consume alcoholic beverages are given. So, the main symptoms of the beginning alcoholism of a minor are:

- pathological craving for alcohol;
- loss of quantitative control;
- extinction of a protective emetic symptom;
- systematic alcohol intake.

D. D. Enikeyeva described 3 stages of alcoholism in minors. Giving detailed medical-physiological and psychological characteristics of each of these stages, D. D. Enikeyeva notes that alcoholism in juveniles progresses rapidly (formed 2-4 times faster than in adults) and is atypical in many respects. The hogging syndrome (withdrawal) also occurs quickly.
and from the beginning is accompanied by mental disorders: irritability, nastiness, depression, gloom, anxiety, fears and nightmares, hallucinations, and convulsive seizures.

In juveniles, there is also a malignant course of alcoholism, when severe mental disorders prevail over other manifestations of the disease. Alcoholic hallucinosis, as well as alcoholic psychosis, is repeatedly noted in such cases. Degradation occurs quickly. Such minors no longer study, they don’t stay at work for a long time due to labor discipline and drunkenness, become homeless, beggars, majority have many police reports or several convictions (Yenikeyeva D.D., 1999).

In all cases, to prevent domestic drunkenness and alcoholism of schoolchildren, teachers and parents need to study the causes and symptoms of this deviant behavior, to know of the individual and psychological characteristics of children and adolescents, as well as the advantages and disadvantages of various forms of prevention. In this context, the following types of preventive activities are distinguished: primary prevention; health education; identification of risk groups; secondary prevention.

Historical and cultural studies show that the properties of alcohol and drugs have been known to people since ancient times and have been used to enhance the effect of changes in consciousness during worship. They were made from plants, and their consumption was part of a religious ritual, which accompanied the festivities. The ancient Greeks even erected at one time the statues of the god of wine, Bacchus, and the goddess of wisdom, Minerva, although the goddess of water, Nymph, was later placed between them, probably considering it necessary to dilute the wine with water.

The ancient tribes of the Mediterranean were throwing into the fire rotted bunches of grapes (i.e., those in which the fermentation process had already begun) and from the smell of burning fruit they became intoxicated (Maksimova N.Yu., 2000).

A relatively cheap way to get strong drinks was mastered in the 16th century. For a long time alcohol drinks, especially strong ones, remained a luxury item for the majority of the population: they were expensive and inaccessible. The fundamental changes occurred after the industrial method of producing ethanol was discovered. It was a discovery that made possible the massive consumption of alcohol, and in the 18th century, it became widespread in such European countries as England, Germany, Sweden, etc. At the same time, vodka quickly came into use in Russia. We can say that vodka was born in the 19th century, and the 20th century aggravated a very difficult problem for human civilization – the problem of alcoholism.

In fact, alcohol has entered our lives, becoming an element of social rituals, a prerequisite for official ceremonies, holidays, some pastimes, and solutions to personal problems. However, this socio-cultural situation costs society dearly. According to statistics, 90 percent of cases of hooliganism, 9 percent of rape with aggravating circumstances, almost 40 percent of other crimes are related by condemnation. Murder, robbery, robbery, heavy bodily injury in 70 percent of cases is committed by drunk persons; about 50 percent of all divorces is related to drunkenness (Zhetpisbayev B.A., Aytpaeva A.K., 2002).

Unfortunately, alcohol is preferred not only by a more adult and socially well-established society, but also among minors, which, of course, points out depressing consequences.

In modern scientific literature there are many models of the most varied theories of alcoholism. Researchers of this anti-social phenomenon are constantly discussing which models of alcoholism are the most reliable and which are the most effective ways to combat alcoholism (Yeskendirov A.A., 2011).

Conducted research in this area allowed us to conclude that the most generally accepted and popular among the models of alcoholism are: moral; medical; psychological; genetic or hereditary models of alcohol abuse (Zhetpisbayev B.A., 2001).

The meaning of the moral model of the theory of alcoholism is that alcoholism, in this case, is regarded as a controlled human weakness. Proponents of this theory believe that a person, if he wants it, is fully able to stop drinking, and the fact that he does not quit drinking shows his inner moral weakness and lack of will.

The medical model of the theory of alcoholism lies in the fact that alcoholism is considered as an ailment, a disease that must be treated with medical means and methods, and preferably in special, adapted for this clinics. Of course, the medical model of alcoholism imposes on a person abusing alcohol less responsibility than a moral one. Supporters of this theory, as a rule, are less inclined to condemn and despise alcoholics.

The psychological model of the theory of alcoholism lies in the fact that alcoholism is considered as a means of relieving stress, relief from anxiety, depression, fatigue, etc. According to this model, alcoholism is most likely considered as a behavioral deviation from the norm, and not as a purely physical condition.

The meaning of the genetic or hereditary model of the theory of alcoholism is that supporters of this
theory are inclined to believe that alcoholism is inherited from parents to children (Ilyin E.P., 2000).

**Conclusion**

Alcoholization and the processes of alcoholization of society, including minors, have always been the conditions of particular concern to society and the state.

The Republic of Kazakhstan pursued an anti-alcohol policy at all stages of its development. There can be found two direction:

- first, limiting the availability of alcoholic beverages, reducing their sales and production, raising prices, toughening punitive measures for violating prohibitions and restrictions;
- secondly, efforts aimed at reducing the need for alcohol, improving social and economic conditions of life, the growth of general culture and spirituality, calm, balanced information about the dangers of alcohol, the formation of non-alcoholic behavioral stereotypes among the population.

The history of the fight against alcoholism has been a witness of attempts to introduce on the territory of some countries “prohibition” (England, USA, Finland, Russia). All of them did not achieve their goal, because the presence of alcohol is not the only and not the main reason for the existence of alcoholism. The problem of overcoming drunkenness and alcoholism is the most complex, it includes economic, social, cultural, psychological, demographic, legal and medical aspects. Only taking into account all these aspects, perhaps, will bring to successful solution.

Measures of special prevention aimed at combating the alcoholization of minors are traditionally carried out in the process of organizing and conducting special operations to identify violators of anti-alcohol legislation. At the same time, the development of recommendations and relevant instructions on the alignment of forces and means, the development and distribution of best practices of administrative and jurisdictional activities of various state apparatus, juvenile police, commissions for the protection of the rights of minors, in terms of preventing and combating juvenile delinquency committed in alcoholism and alcoholism (Seyboldayev Y.S., 2006). In this aspect, the above authorities carry out the following anti-alcohol measures:

- identify minors, as well as parents and other persons prone to abuse of alcoholic beverages; carry out preventive work with them with the aim of forming a healthy lifestyle;
- make proposals to the relevant authorities on the rational placement of under construction and functioning trade enterprises, cafes, restaurants and other institutions that sell alcoholic beverages, due to their potential and negative impact on the crime situation in a particular area of the settlement;
- examine territories and especially places where minors and persons inclined to consume alcohol are concentrated (markets, shops, cultural and entertainment institutions, stations and public transport stops, etc.);
- prosecute persons who maliciously consume alcoholic beverages to various types of legal liability (Zhetpisbayev B.A., 2001).

Legislation prohibits the delivery of juveniles with craniocerebral injuries or other life-threatening injuries, symptoms of acute food poisoning or drug intoxication, who are in a state of alcoholic psychosis, into a medical detox. When such minor children are identified, law enforcement and other agencies must call emergency medical care at the scene (Pronin A.A., 2011).

**References**

Dolgov A.I. Socio-psychological aspects of juvenile delinquency. – M.: Legal. lit., 1981. – P.98.

Ilyin E.P. Motivation and motives. – SPb.: Publishing house “Peter”, 2000. – p.249.

Issues of studying and preventing juvenile delinquency // Collection of works, part 2. – M., 1970. – 145 p.

Juvenile Law: Textbook for universities / ed. A.V. Zaryaeva, V.D. Malkova. – M.: JSC Justitsinform, 2005. – 326 p.

Kormschikov V.M. Studying the mechanism of the influence of a dysfunctional family on the formation of the personality of a minor is an important condition for the prevention of offenses. In collection: The identity of the offender and the problem of preventing juvenile delinquency. – M. 1977.

Lukyanenko M.V., Romashenko A.E., Yakhyarova G.D. Deviant behavior and educational-corrective impact. = Almaty, 2006. – 100 p.

Maksimova N.Yu. Psychological prevention of alcoholism and drug abuse of minors: Textbook. – Rostov-on-Don: Phoenix, 2000. – p. 19.

Nagayev V.V. Juvenile justice. Social problems: textbook. A manual for university students / V.V. Nagayev. – M.: UNITY-DANA: Law and Law, 2009. – 255 p.
Prevention of juvenile delinquency. – Almaty, 2007. – 476 p.

Pronin A.A. Juvenile law: Textbook / A.A. Pronin. – Rostov-on-Don: Phoenix, 2011. – 282 p.

Seypoldayev Ye.S. Legal basis for the activities of commissions for the protection of the rights of minors in the Republic of Kazakhstan: problems of theory and practice. – Almaty, 2006. – 125 p.

Yenikeyeva D.D. How to prevent alcoholism and drug addiction among adolescents. – M., 1999.

Yeskendirov A.A. Juvenile justice in the Republic of Kazakhstan. Textbook. – Almaty: The department of the organization of research and publishing of the Almaty Academy of the Ministry of Internal Affairs of the Republic of Kazakhstan, 2011. – 272p.

Zhetpisbayev B.A., Aytpaeva A.K. Conceptual and theoretical problems of deviant behavior and legal socialization of minors in the Republic of Kazakhstan. – Almaty, 2002. – 266.

Zhetpisbayev B.A., Baimakhan R.M., Kuttygaliyeva A.R. The system of juvenile justice of the Republic of Kazakhstan / Ed. Doctor of Law, prof. B.A. Zhetpisbayev. – Almaty: NURPRESS, 2013. – 344 p.

Zhetpisbayev B.A. Theoretical problems of administrative and legal coercion in the Republic of Kazakhstan. – Almaty: Daneker, 2001. – 410p.