

## **ABUSE OF THE MINOR. FORMS OF ITS MANIFESTATION AND EFFECTS ON THE PERSONALITY**

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*Parents who apply violence towards minors consider that physical punishments are the main means of disciplining the minor to comply with the rules of behavior imposed by the family. In the practice of many states, these punishments necessarily accompany the primary socialization process, being applied even in the first year after the birth of the minor, continuing during the preschool and school period, until the teenage years. These punishments often go beyond the permitted limits, resulting in serious injuries, up to fractures and trauma.*

*Evidence shows that most of the parents who resort to these violent means grew up and were, themselves, educated in a family environment characterized by violence, being subjected to abuse themselves. In turn, an important part of the minors assaulted by these parents will become aggressors themselves, if violence as a means of discipline was supported by the existing beliefs and norms in the family.*

**Keywords:** *violence, minor, family, punishment, adolescence, trauma.*

## **ABUZUL ASUPRA MINORULUI. FORME DE MANIFESTARE ȘI EFECTE ASUPRA PERSONALITĂȚII**

*Părinții care aplică violența față de minori consideră că pedepsele fizice sunt niște mijloace principale de disciplinare a minorului pentru a se conforma regulilor de comportare impuse de familie. În practica multor state, aceste pedepse însoțesc, în mod obligatoriu, procesul de socializare primară, fiind aplicate chiar în primul an după nașterea minorului, continuând în timpul perioadei preșcolare și școlare, până în anii adolescenței. Aceste pedepse depășesc, de multe ori, granițele permise, soldându-se cu răniri grave, mergând până la fracturi și traumatisme.*

*Evidențele arată că cea mai mare parte dintre părinții care recurg la aceste mijloace violente au crescut și au fost, ei înșiși, educați într-un mediu familial caracterizat de violență, fiind supuși chiar ei maltratărilor. La rândul lor, o parte importantă dintre minorii agresați de către astfel de părinți, vor deveni, ei înșiși, agresori, dacă violența ca mijloc de disciplinare a fost sprijinită de convingerile și normele existente în familie.*

**Cuvinte-cheie:** *violență, minor, familie, pedeapsă, adolescență, traumatism.*

## L'ABUS DU MINEUR. FORMES DE MANIFESTATION ET EFFETS SUR LA PERSONNALITÉ

*Les parents qui appliquent la violence envers les mineurs considèrent que les châtiments corporels sont le principal moyen de discipliner le mineur pour qu'il se conforme aux règles de comportement imposées par la famille. Dans la pratique de nombreux États, ces peines accompagnent nécessairement le processus de socialisation primaire, étant appliquées même dans la première année après la naissance du mineur, se poursuivant pendant la période préscolaire et scolaire, jusqu'à l'adolescence. Ces punitions vont souvent au-delà des limites autorisées, entraînant des blessures graves, pouvant aller jusqu'à des fractures et des traumatismes.*

*Les preuves montrent que la plupart des parents qui recourent à ces moyens violents ont grandi et ont eux-mêmes été éduqués dans un environnement familial caractérisé par la violence, subissant eux-mêmes des abus. À leur tour, une partie importante des mineurs agressés par ces parents deviendront eux-mêmes des agresseurs, si la violence comme moyen de discipline était soutenue par les croyances et les normes existantes dans la famille.*

**Mots-clés:** violence, mineur, famille, punition, adolescence, traumatisme.

## НАСИЛИЕ НАД НЕСОВЕРШЕННОЛЕТНИМ. ФОРМЫ ПРОЯВЛЕНИЯ И ВЛИЯНИЕ НА ЛИЧНОСТЬ

*Родители, применяющие насилие по отношению к несовершеннолетним, считают, что физические наказания являются основным средством дисциплинирования несовершеннолетнего к соблюдению правил поведения, установленных семьей. В практике многих государств, эти наказания обязательно сопровождают процесс первичной социализации, применяясь уже в первый год после рождения несовершеннолетнего, продолжаясь в дошкольный и школьный период, вплоть до подросткового возраста. Эти наказания часто выходят за дозволенные пределы, приводя к тяжелым ранениям, вплоть до переломов и травм.*

*Имеющиеся данные свидетельствуют о том, что большинство родителей, которые прибегают к этим насильственным средствам, сами выросли и получили образование в семейной среде, характеризующейся насилием, и сами подвергались жестокому обращению. В свою очередь, значительная часть несовершеннолетних, подвергшихся насилию со стороны таких родителей, сами в будущем станут агрессорами, если насилие как средство дисциплины поддерживалось существующими в семье убеждениями и нормами.*

**Ключевые слова:** насилие, несовершеннолетний, семья, наказание, травма.

### Introduction

Placing the minor at the center of a society's concerns must be a priority of all the factors and actors involved and responsible for his protection.

Thus, protecting the minor from birth against any form of abuse or exploitation by the adults of their own family is one of the basic priorities of

Convention on the Rights of the Minor, signed on November 20, 1989 [7].

Due to the specificity of age, the lack of social experiences and especially due to the total dependence on adults, minors represent the most vulnerable social category. The

increase in violence against minors represents one of the most serious social problems facing contemporary societies. The number of minors who are maltreated even by their parents according to studies undertaken and published statistics indicate that this number is increasing [1, p. 18].

These evidences are, moreover, consistent with the theory of learned aggression (Bandura A., 1973) and with those concepts that consider that the aggression of minors is determined, most often, by an authoritarian style of education, based on severe punishments.

At the same time, the data of the various researches undertaken indicate that family

violence is closely related to various structural characteristics of the family, including its way of organization, relations between members, income, occupational status of parents, gender of parents and minors, level of education and patterns of parental authority.

Although violence against minors is not limited to a single social class, it seems to be more prevalent, however, among the classes and strata defined by a lower economic status, being more characteristic of those families where the parents have a low level of education, occupations modest and low income. In general, these families are defined by norms and values that seem more favorable to solving the difficulties and problems of existence through aggressive and violent means. Within them, the relationships between family members, between parents and minors, have a lower cultural content, the emphasis being primarily on practical values and norms of immediate utility.

**Materials used and applied methods.** In the preparation of this article, the normative, juridical -normative, comparative -historical, regional and national that ensures the legal protection of minors from abuse in the family. The following methods were used: historical, comparative, logical, analysis and synthesis, systemic.

### **Results obtained and discussions**

Violence against minors in the family appears, at the same time, to be linked to the problem of poverty, to the difficulties faced by families with an income below the poverty line. Families that are characterized by tendencies of violence against their own members and, in particular, against minors, are typically families that have to face numerous existential problems [18, p. 155-157].

In this context, articles 19, 32, 33, 34, 35 and 36 of the Convention on the Rights of the Minor enshrine the minor's equal rights to physical and personal integrity. They come to

detail the minor's right to be protected from what has been arbitrarily called "abuse" in different societies.

Physical, mental and emotional abuse of the minor violates the provisions of art. 19 of the Convention to be "protected against any form of violence, injury or physical or mental abuse, but also the minor's right to life, survival and development (art. 6), to honor and dignity (art. 16), to rest and vacation, to practice recreational activities appropriate to his age (art. 31), the right to the best possible state of health (art. 24) [4, p. 50].

As a type of physical sanction applied by parents to their minors, the notion of maltreatment involves numerous definitions and interpretations of a moral, legal or educational nature.

In the English language, these notions are equivalent to that of abuse (*abuse*) which designates a series of deliberate actions (hits, injuries, outrages, insults, etc.) intended to bring damage, from a physical and emotional point of view, to the victim, actions that they are contrary to the social norms that require the protection of minors. The notion of abuse against the minor refers, in fact, to any behavior of the adult that has a negative impact on the former.

Other researchers also consider that the abuse of the minor can be defined as the intentional causing of an injury that affects the physical and/or mental health of the minor,

Child abuse takes place by taking advantage of the power difference between an adult and a child by disregarding the personality of the latter.

The abuse of the minor is always done with destructive intent, and the neglect usually occurs against a background of parental indifference and ignorance vis-à-vis the minor's needs [1, p. 18].

In general, social (informal) norms, as well as legal (formal) ones, prohibit the use of aggression and violence against any member

of society, but none of them specify from what point the beating of a child by a parent becomes reprehensible and punishable aggression from a legal point of view. What some consider the abusive behavior of the parent or educator as something abnormal, others appreciate it as acceptable behavior, even necessary for disciplining the minor.” In general, no one defines an act of mistreatment as violent if that act is permitted or required by a social role.

That’s why most parents don’t define slapping a child as an act of violence, because they see it as a necessary part of parenting. From this perspective, family violence in general, that against minors in particular, is neither defined nor sanctioned, as such, by outsiders, because family roles allow the use of violence within limits that are always subject to interpretation” [22, p. 133-148].

For some specialists, physical punishment applied to minors by their own parents is a permissible and even legitimate solution. In most countries, with some exceptions, parents and, often, teachers who teach small classes, are recognized with the legal right to apply these sanctions. The same physical sanctions applied by foreign persons, who do not have guardianship or educational relations with minors, are considered criminal offences. Some countries, including Sweden, instead prohibit corporal punishment by parents or educators. The purpose of the legislation in this area is not to penalize those who violate these regulations, which is why this law is not incorporated into the criminal codes of the respective countries. Such legislation actually pursues two main objectives:

1. Ensuring a unitary regulation, with a unitary character, in this field;
2. Identifying those parents who need help in the education of their minors, through specialized services.

For example, in the Penal Code of the State of Texas (USA) it is stipulated that the use of force, except that which may bring the death

of the victim, against a minor under the age of 18, is justified under the following two conditions:

When the author is the parent of the minor, a step-parent or his guardian; o When the author honestly believes that force is necessary to discipline the child or to protect or ensure his education.

Thus, in the specialized literature there are different opinions regarding the type of behavior that can be considered abuse of the minor. The difficulties lie in the fact that the idea of child abuse is closely related to the sociocultural context and can vary considerably in time and space [21, p. 134].

According to the general understanding, abuse constitutes endangering, in intentional or unintentional forms, the physical and emotional development of the minor [3, p. 238].

The United Nations Global Study on Violence Against Violence (UN Global Study on Violence Against Violence) uses as a definition of the concept of violence any form of physical or mental violence, injury and abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse [18.05.2014].

According to the legislation in force [14] and specialized literature, the forms of abuse of minors could be classified into several categories:

- *physical abuse* - acts of physical violence practiced intentionally or the failure to prevent such acts directed at the minor, which affects his physical integrity. Other specialists believe that physical abuse is the action or lack of action by a parent or person in a position of responsibility, power, or trust that results in actual or potential physical harm. It involves punishments such as: tying up the minor, hitting, wounding, poisoning, scratching , etc.

- *emotional abuse* - the serious effect, actual or potential, on the emotional and behavioral development of the minor, caused by subjecting

him to persistent and severe forms of emotional ill-treatment or abandonment, other opinions present emotional abuse as a behavior committed intentionally by a deprived adult of emotional warmth, which offends, mocks, devalues, wrongs or verbally humiliates the child, thus affecting his development and emotional balance [1, p. 19].

- *sexual abuse* - engaging minors and adolescents in sexual activities, which their level of development does not allow them to understand and give their informed consent or which violates the social prohibitions of family roles, as well as other specialists are of the opinion that sexual abuse of a minor would be forcing or urging him, by an adult, to participate in sexual activities that serve the adult's pleasure. Sexual abuse includes: enticing, persuading, corrupting, forcing and compelling the minor to participate in activities of a sexual nature or assisting another person during activities that serve to obtain pleasure for adults.

In a comparative aspect, analyzing Romanian legislation, we find another classification according to which sexual abuse includes the following forms:

1. sexual molestation, exposure of the minor to insults or language with a sexual connotation;

2. as well as touching the minor in the erogenic zones with the hand or by kissing, regardless of the age of the minor;

3. situations that lead to the satisfaction of the sexual needs of an adult or another child who is in a position of responsibility, power or in a relationship of trust with the child victim;

4. attracting or forcing the minor to commit obscene actions; exposing the minor to obscene materials or providing such materials to him, etc.;

5. early marriage or engagement of minors involving sexual relations (especially in Roma communities);

6. genital mutilation;

7. sexual harassment;

8. lack of care and protection of the minor or neglect in the family - lasting absence of the care and protection due to the minor or failure to fulfill the obligation to protect the child from any kind of dangers, including cold or hunger, which have the effect of serious deterioration of health or development the minor.

A more detailed specification regarding the forms of neglect of minors in the family can be found in Romanian legislation, namely:

1. food neglect - deprivation of food, the absence of several essential foods for growth, irregular meals, inappropriate or inappropriately administered food for the minor's age;

2. clothing neglect - inappropriate clothes for the season, clothes that are too small;

3. dirty, lack of clothes;

4. neglect of hygiene - lack of body hygiene, repulsive smells, parasites; medical negligence, absence of necessary care, omission of vaccinations and control visits, failure to apply the treatments prescribed by the doctor, failure to attend recovery programs;

5. educational neglect, the instability of the system of punishments and rewards, the lack of tracking of school progress;

6. emotional neglect - lack of attention, physical contacts, signs of affection, words of appreciation [11].

Forced domestic labor - forcing minors to do various household activities that prevent them from going out to play, meet friends or even do their homework. According to studies carried out in the given field, about 7% of minors are very often subjected to such abuse and 36% of minors are sometimes subjected to forced domestic work.

Violence in school by teachers - involves all acts of discrimination, accompanied by verbal or physical violence by teachers on students. According to the experts'



opinions, discrimination is manifested by disproportionate criticism of a particular student, physical violence is manifested by the use of blows or other forms of violence by teachers towards students and verbal violence is manifested by shouting and humiliating the student during teaching activities [22, p. 31].

In the specialized literature we find opinions regarding other forms of violence or abuse of minors, namely, infanticide, abandonment and incest.

Infanticide as a form of extreme violence against minors. Throughout the centuries, minors were denied their identity, they were subjected to countless humiliations, they were the victims of countless abuses committed by parents, educators or other people, in such a way that the social history of childhood includes a long line of violence, mistreatment, bad treatments, which often took on downright dramatic forms.

The most serious of them is infanticide, widespread in many pre-industrial societies, forced to contend with extremely low levels of food resources.

Infanticide has been known since ancient times, especially in East Asian societies. In most cases, infanticide has a specific female character, being directed against newborns, in order to ensure, in this way, the labor force necessary for the survival of the collective and the necessary defense capacity against external enemies.

In Sparta (Ancient Greece), such practices were “normal”, encouraged, even by official regulations.

In China and Japan, where the frequency of infanticide was extremely high, it did not occur, however, except in extreme conditions, when the succession of female births exceeded the permissible limits and when the age of the mother or the amplitude of the intergenerational intervals (the period of time separating two consecutive births of a

woman - *author's note* ), made the possibility of a male birth unlikely.

Currently, in the same way, our society is aware of such illegal acts as infanticide, and respectively they are considered as crimes that are regulated by the criminal law, in which it is provided that: “The murder of the newborn minor, committed during the birth or immediately after the birth by the mother who is in a state of physical or mental disorder, with diminished discernment, caused by the birth is punishable by imprisonment for up to 5 years [6].

Family abandonment as a form of violence against the minor is particularly frequent in agrarian societies, infanticide has also experienced a great spread in industrializing societies, due to the lack of adequate economic conditions, but also due to the absence of contraception and legislation to authorize it. Along with infanticide, as such, the abandonment of the minor was practiced, also a form of infanticide, however, disguised, representing a common practice. Beginning in the 19th century, rates of infanticide have gradually ceased to decline, in relatively modest proportions, consistent with changing attitudes toward the child and its economic or emotional value. The development of the family feeling towards the child, Jean-Claude Chesnais (1981, p. 107) appreciated, is a characteristic phenomenon of the urban bourgeoisie, and this feeling only spread later in the popular media [2, p. 108].

The sociological studies carried out in recent years have highlighted the frequency of the stabilized environment of tension and conflict, of physical and moral suffering in family coexistence relationships, this environment being called by Roger Muchielli and other psychologists family desertism [18, p. 110].

Desertion can present itself in mild forms in disorganized families (having as the main causes the impossibility of respecting family duties and the refusal to fulfill these

duties) the consequences being borne by each member of the family and minors especially due to the tense atmosphere, the conflicts that sometimes determine neglect or abandonment of minors. In a tense family atmosphere, the child is agitated, unstable, nervous, due to which his psycho-behavioral development and maturation is delayed or deviated. The child is confused by the conflicting relations between the parents, is timid and complex in the collective due to the family situation.

A severe form of family desertion is family abandonment, which from a psychosociological point of view is present in two situations: real abandonment and apparent abandonment.

Real abandonment occurs in: divorce, non-recognition and abandonment of the minor, by adoption.

Apparent abandonment is present in situations of willful or forced neglect of family relationships. This phenomenon of family desertion and family abandonment affects its unity and balance, both materially and morally, generating tensions included in the “abandonment neurosis” syndrome.

Reuben Hill called the phenomenon of parents’ voluntary and forced renunciation of the obligations of raising and educating the minor - deparentization .

This parent-child relational breakdown always involves an emotional response, which can take various forms and degrees of manifestation, as well as the two poles of the equation - the abandoned and the abandoner - which can be equally discussed.

Having a motivation (correct or incorrect) the one who produces the abandonment can have the feeling - momentary or lasting - of satisfaction (relief) or dissatisfaction (regret) in general it is not frequent to reach the clinical thresholds in this category, in the case of regret there is the variant correcting the fact and returning to the old situation. The same thing does not happen with those abandoned, in whom psychic manifestations of variable

intensity and duration can be highlighted, with an infinite color depending on the structure and necessity of each personality, the age at which this abandonment occurs, the existence of a latent psychopathological situation and the degree of adaptation to the new situation.

The particular problem is actually that of the abandoned one, who will be faced with emotional deficiencies, all the more intense, the younger the age at which the abandonment occurred.

The most common forms of abandonment are the following:

- total abandonment - usually practiced in premarital relationships , by young girls, abandoned by their partners immediately after the birth of the child, by prostituted, delinquent or divorced mothers. In all these cases, the lack of opportunities for raising a child and social stigma are the main determinants of abandonment;

- semi-abandonment - practiced by one or the other of the parents, after a divorce situation. in this case, the task of raising and educating the child is felt as a burden, and his existence is recognized as an obstacle <sup>10</sup> the formation of a new life as a couple;

- covert or cryptic abandonment - consisting in the emotional rejection of the child by the mother, in her lack of interest in his elementary needs and in the adoption of indifferent or violent behaviors, going up to the daily mistreatment of the child.

#### ***Incest, violence against minors***

Some authors [18, p. 53] appreciate that, along with maltreatment, incest is also a distinct form of violence directed against minors, which has been manifested in recent times, including in our country, in increasing proportions. Such a form of violence, which is most hidden from public opinion, seems unnatural and unusual, but studies show that it is characteristic of many families in which the mother is either absent from the home or

unable to perform her marital duties. Incest involves, however, not only sexual relations between father and daughter, but also sexual relations between other categories of relatives. Erich Goode distinguished, in this sense, between incest initiated by older people on younger ones and incest that takes place between equals in age [8, p. 53].

Due to the social condemnation associated with this particular form of deviance, representative statistics in this area are lacking. Robert Geiser (1979) believes, for example, that for every reported case of incest, there are twenty other unreported cases. Rough estimates show, however, that over 90% of incest cases involve father and daughter, stepfather and stepdaughter, grandfather and granddaughter, with the remaining 10% involving homosexual relationships between fathers and their sons (Herman J., Hirschman L., 1981). A sociological study, carried out in the USA, revealed that 19% of investigated women and 9% of investigated men stated that they were victims of sexual abuse, initiated by their parents, and one in five women and one in eleven men were victimized sexually either by members of the family group or by family friends (Finkelhor D., 1979).

The most common cases are cases of incest between stepfather and daughter.

Any act of incest between parents and minors is an act of violence or abuse directed against the latter. "Sexual child abuse is, in fact, the involvement of dependent and immaturely developed minors and adolescents in sexual activities that they do not fully understand and in relation to which they cannot express full consent. It is an act that violates the social taboos of family roles".

Lack of power, knowledge and discernment are the main elements that distinguish a sexual relationship between an adult and a child from natural sexual relationships, between partners who decide, knowingly, about their own sexual options.

A series of American research has shown that the average age of girls who are victims of incest acts varies around the age of 10.2 years, that is, a very young age, at which the child has neither the ability to discern nor the power to oppose.

But incest is not limited only to sexual relations between father and daughter, there can also be more isolated cases of sexual relations between a mother and her own son, between a brother-sister, uncle, niece, etc.. On the other hand, unlike rape, sexual abuse of one's own children does not necessarily involve penetration or the use of physical force. While rape is a more isolated case that manifests brutally, child sexual victimization (incest) can go on for months or years, without anyone knowing what is really happening in the family.

In its entirety, any act of incest, any sexual relationship between an adult and a child, between a father and a daughter, between a mother and a son, between minors and other relatives in the family, represents an act of victimization, abuse or violence, sanctioned by law. Sexual intercourse between relatives on the direct line up to the third degree inclusive, as well as between relatives on the collateral line (brothers, sisters), is punishable by up to 5 years in prison and for the same actions they are not liable to criminal liability if, at the time of their commission in fact, they have not reached the age of 18 and the age difference between them is not greater than 2 years [6].

Given these sanctions, incest constitutes one of the most "secret" and intimate deviant acts. Some studies show that only a small proportion of incest cases involve actual sexual relations between father and daughter, with most cases involving exhibitionism (exposing the genitals to the minor), manual sexual stimulation, or oral sex. inevitably, the attention of the authorities. That is why, even if they largely coincide, incest itself must



be differentiated from sexual victimization, which has different forms of manifestation. The most frequent

The main reason why these forms do not develop into a genuine sexual relationship is the father's fears that, once she has been devirginized, her daughter will need to be cared for by a doctor, which will attract incest and victimization. sexual relations occur between a natural or stepfather and his daughter (natural or step), which manifests itself with an intensity more than 30 times higher than in the other forms.

It should be noted that all these estimates are developed by the research undertaken in the USA, in Moldova there is no sufficient data in this field, except for some cases reported by the press. The cases presented in the statistics of the Internal Affairs Bodies are completely insignificant, unable to reflect the real extent of this phenomenon.

As for the main causes of incest, they are multiple, with numerous explanations. Traditionally, incest has been explained as a form of aberrant manifestation of male authority and dominance in society and in the family. Some researchers believe that as long as, as an instrumental leader, the father dominates his family, he will be able to sexually abuse his own minors. The vast majority of fathers do not decide to use this authority, but to the extent that this “prerogative” is implicitly guaranteed to all men, some will use it as such. in conditions where “fathers exercise leadership roles, raising and educating their minors, and to the extent that mothers raise and educate their minors but do not own the leading swarm, the circumstances favoring the commission of incest between father and daughter will prevail (in society - subl. ns.) [9, p. 204].

Other factors involved in father-daughter incest are as follows:

- the father's alcoholism and the mother's physical or mental incapacity, which determines the assumption of the role of “surrogate

wife” by the oldest or only daughter; behavioral and personality disorders that characterize some fathers,

- dominated by pedophilia tendencies and who no longer show any sexual or emotional interest in their own wives. These disorders should not be absolutized, as several researches show, in this sense, there are numerous cases in which none of the perpetrators of incest are psychotic .

- the mother's absence from the home, which causes the daughter to assume her roles, including the role of the father's sex partner (so-called role confusion). A broken home, a deceased or abandoned mother, an alcoholic or deranged father are the most favorable conditions for cases of incest involving father and daughter;

- the inability of some men to find suitable sex partners, which is a fact

- causes him to turn his eyes on his own daughter;

- other factors, including existing crowding in the home (insufficient space), isolation of the family and its autonomy from social controls, existing opportunities (in the case of the unemployed, for example, who have the necessary conditions and time to choose their own sex partners daughters) etc. [18, p. 56].

Regardless of the forms in which it manifests (being accepted, tolerated or obtained through violence, intimidation and terror) any act of incest has multiple traumatic effects on the minor, especially in terms of his future development as an adult. The loss of self-esteem, personal and elderly trust, physical and emotional frigidity, the inability to develop normal relationships with friends of the same age, the subsequent tendencies towards abuse, suicide, alcoholism, drug use and prostitution, are only some of these effects with particularly dramatic implications. Added to all this is the attitude of stigmatization adopted by those around, constituting a secondary form of victimization.

As a finality of the analysis of the given compartment, which is based on national and international legal provisions, as well as different treatments of different scientific studies, we can deduce a broad definition of violence against the minor, namely this phenomenon represents forms of ill treatment characterized by a series of deliberative actions produced by the parents or any other person in a position of responsibility, power or in a relationship of trust with the child, which are contrary to the rules regarding the protection of minors and which cause or could cause injury or damage from a physical point of view or emotional, and endanger his life, health, physical development, intellectuality, honor, dignity and morality.

The given study confirms that theoretically there are different forms of violence against the minor, but in reality a combination of. For example, physical abuse is accompanied by emotional abuse, sexual abuse usually involves physical and emotional abuse, etc.

Thus, depending on the types of combined violence, the characteristics and the gravity of the act, violence against minors entails disciplinary, civil, contraventional or criminal liability of the perpetrator/aggressor.

As a phenomenon, violence or abuse against minors occurs when adults apply harmful treatments to minors manifested both physically and spiritually, causing them organic injuries or mental disorders.

In some situations, the abuse may have only one manifestation or dimension, while in others the child may be exposed to several or even all forms of abuse combined. Abuse is a complex phenomenon, always generating physical and moral pain, and determined by certain causes.

Various studies have shown that the dependencies and social limits to which minors are subjected in an adult world create a series of situations that predispose them to the risk of being victims of violence. Besides

these situations, there are also factors that act in favor of the minor, in a protective sense. Also, the areas where the risks are manifested can constitute as many areas of intervention, and the risk situations can also be factors that trigger the signaling. The risk and protective factors listed below apply to both child and family violence.

Indeed, the production of acts of abuse against minors is catalyzed by risk factors, in addition to the general risk factors of family violence, we also distinguish some specific factors directly related to violence against minors, divided into three categories:

a) *Parental or abusive adult characteristics:*

Abusive adults themselves suffered from abuse or had an unhappy childhood.

Abusive adults have suffered and been affected, in turn, having experienced episodes of physical or mental abuse and had an unhappy childhood, thus conforming to the behavioral pattern of their childhood victims. The abusers or the respective adults need support and help in psychologically solving the problems that left their imprint from childhood;

- Excessively consumes alcohol, drugs.

Parents who abuse alcohol or drugs cause both physical and moral damage to their minors. Drunkenness causes adults to various immoral actions, which demeans the dignity and honor of a person. Accordingly, the child growing up in such an environment, in addition to the fact that he can become a victim of physical abuse, can also learn this model of immoral and degrading behavior from his parents.

- They have mental illness, depression, including suicidal or psychotic behavior .

Abusive adults are emotionally unstable or have poor health that does not allow them to secure the minor's life, they are mentally or emotionally immature, with a low threshold for tolerance of frustrations and with adaptation difficulties, lacking relational

empathy. They cannot delay their own gratification and release their stress on the spot. They are hostile and dismissive because they lack confidence in their own abilities. They look for protective “parental” support in their own child, whom they emotionally burden with personal problems;

They have limited knowledge of the minor’s development, do not appreciate him correctly, have unrealistic expectations from him (regarding reactions, performances).

Abusive adults do not have the relevant skills, namely in the field of educating a child. This is a consequence of a phenomenon that today destroys the moral and spiritual aspect of society, determined by citizens going abroad to earn a living, leaving their minors with some close relatives or friends. Thus, the child does not receive the necessary education from the parents, not having the opportunity to understand what parental affection consists of. Regarding minors who did not have parental affection, when they become parents themselves they end up in a situation where they do not know how to properly educate their minors, a fact that causes the appearance of a form of violence or abuse towards minors.

They have a conflictual educational style (either authoritarian, critical, intolerant, hostile, restrictive, or hyperprotective, anxious or perfectionist, or indolent, whatever).

When parents are too authoritarian, it is a sign that the presence of minors is overwhelming (and sometimes unwanted). And they can only manage it through strict rules designed to give minors a well-defined space, a kind of quarantine. So that the little ones do not invade the parents’ existence. Such parents believe that the appearance of minors means a long list of privations and hardships and too few gains. They are tempted to think that they could have done something more with their lives if there were no minors in their lives.

- They have relational rigidity and an increased rate of aggression,

The communication of aggressor adults is ambiguous, they do not know how to express their feelings towards those close to them, they cannot separate the positive feeling towards the child from the negative feeling towards what the child has committed. They have relational rigidity and an increased rate of aggression;

b) *Characteristics of the minor:*

- unstable child, difficult to discipline;

Such minors have poor sustainment of attention and low persistence of effort on some task. Minors affected by this disorder are disinterested, quickly bored with repetitive, monotonous tasks, jump from one unfinished activity to another, lose concentration during tasks, and make mistakes in routine tasks when unsupervised.

- low birth weight;

One in four children born prematurely (with a gestational age of 23-30 weeks) and with a very low birth weight (less than 1500 grams) have signs of autism if they are examined after the age of 3-4 years. Autism is a complex condition that appears in the first 3 years of life. The disease stems from a neurological dysfunction that makes social interaction and communication skills difficult. Thus, minors and adults suffering from autism have difficulties in verbal and non-verbal communication, social interactions or relaxation activities, which determines their victimization in cases of family violence.

- parental problems;

The given phenomenon relates to the problems related to some circumstances related to the birth of a child. Thus, a newborn can become the victim of abandonment immediately after birth or of infanticide by the mother who may be in a state of affection or under the influence of mental disorders.

- Attachment disorders;

Reactive attachment disorder is a rare but

severe condition in which minors do not form healthy bonds with parents or caregivers. Minors with reactive attachment disorder have often been neglected or abused in early childhood, passed through multiple foster families, or come from orphanages where their emotional needs were not met. Because their basic needs for affection, comfort, and stimulation were not met, these minors did not learn how to achieve affectionate attachment to other people. They cannot receive or give affection.

- behavioral problems or disorders;

Conduct disorder refers to a group of behavioral and emotional problems in young people. Minors and adolescents with this disorder have difficulty following rules and behaving in an acceptable manner in society. They are often seen by other minors and adults as bad or delinquent, without them realizing that it is a mental condition.

- sick child, with a disability;

Sick minors and those with disabilities always need special care and increased social assistance. Currently, from a financial point of view, it is very expensive to maintain such institutions where disabled minors are admitted, respectively due to lack of finances, employees in the given field determine the victimization of disabled minors. Within a family, a child with a disability can also be a victim of violence against the minor, being neglected or not receiving due attention and support [1, p. 19].

- the status of the minor (from other relationships, child out of wedlock, adulterous...).

The child as a result of an unwanted pregnancy or as a result of a relationship outside of marriage can also easily become a victim, because his parents can refuse to him which will lead to a potential incorrect education with the lack of due affection.

*Socio-economic conditions:*

- social isolation of the family or marital

conflicts. The social isolation of a family acquires a stigma in the eyes of others and at the same time a sense of stigma and guilt that makes them isolate themselves. The violent husband does not want his wife to maintain social relationships in which she can confess her suffering and possibly be able to receive support;

- divorce is another traumatic time for the child that can lead to emotional abuse. Thus, the minors see themselves thrown into the middle of a chronic conflict in which one of the parents accuses the other, and they are forced to "take the side of one of them". The child becomes anxious and often has confused feelings. He loses a parent without being allowed to grieve or ask for and receive help. The minor's associated anger and despair are often not expressed directly, and the minor becomes depressed and/or difficult. He is going through a process that can affect his relationships with those close to him, in a negative and long-term way;

- single parent or in a cohabiting relationship. The growth and development of the minor in such an environment often leaves deep traces in his mental evolution and the absence of one of the parents is felt at high altitudes, the single parent is forced to assume a double role trying to substitute the absence of the other, thus affecting and fulfilling own obligations;

- crowding in the home space. The presence in a residential space of a large number of inhabitants, a fact that affects or creates discomfort, leads to the appearance of domestic conflicts that in turn can result in some consequences or consequences that negatively influence the coexistence or good development of minors;

- economic stress, poverty. A child's needs are different in type and structure from those of an adult. In the case of the minor, poverty refers to the entire range of resources necessary for his development into an adult person with the necessary opportunities for normal social

functioning. Thus, minors from poor families face the highest risk of abandonment, of being placed in the care of the minor's protection services;

- professional stress, situational losses (unemployment, deaths, frequent moves, fires, accidents). A neglect of minors can be determined by some problems related to the service, which indirectly affects the condition necessary for a child. Professional stress or other negative professional circumstances can lead to violent manifestations on family members who, in turn, victimize them, taking over the hyperauthoritarian or violent educational model.

A mother who is a victim of her husband's violence is less able to provide the basic care needed for the minor (food, house, hygiene, clothes, physical health) or to protect him from injuries.

Accidents, physical or social dangers, overwhelmed by shame for what is happening to her, by sentimental failure in the most important interpersonal relationship, by terror from her husband, by self-accusations, the woman is no longer able to play any of the roles imposed by family life.

Finally, we come to the conclusion that all these causes that determine violence against minors cannot exist independently. Likewise, in some combination the given causes intersect, which, in turn, determines some of the forms of violence or abuse towards minors mentioned in the previous chapter.

Child abuse is a situation that lasts over time. The directly or indirectly affected child usually goes through different stages that gradually influence the course of his physical, mental and emotional development. They are not limited only to the actual period of abuse, but also to the moments following the ill-treatment. The intervention of various authorities and agencies investigating the case, not infrequently, has the effect of further victimizing and traumatizing the minor [14, p. 73].

Violence can have immediate and/or long-term consequences for the child's health, development and well-being. In the long term, the consequences also affect adult life, being reflected in the difficulty to develop or maintain intimate relationships with the opposite sex or even social relationships in general, to find a stable job, to have the attitudes and skills needed to be a good enough parent, etc.

Not only the act of violence itself has consequences, but also the context in which it occurs. Usually there is an interaction between several risk factors that lead to the emergence of consequences and increased impact. Repeated interviewing/hearing of the minor after the discovery of the act of violence can also revictimize the child.

### Conclusions

Therefore, the negative treatment applied to minors has a series of negative consequences for their life and future. The various sociological researches undertaken in the West on mistreated or abused minors have shown that mistreatment or abuse as a social problem determines and maintains a series of consequences, namely:

- Aggressive behavior of the minor;
- Isolation, passivity, emotionality;
- Pseudo mental deficiency;
- Insufficient structuring of the personality;
- Lack of behavioral control with emotional outbursts and aggression;
- Psychomotor instability;
- Disruption of emotional bonds;
- Inconsistency of feelings;
- Aggressivity;
- Antisocial conduct;
- Delinquency and the contouring of a psychopathic personality [15, p. 96].
- School difficulties: low performance, absenteeism, indiscipline;
- Role reversal: the child tutors the adult;



- Nocturnal disturbances: insomnia, nightmares, pollution, restlessness during sleep;
- Somatic pains such as headaches, stomach aches, chronic cough, allergies;
- Self-destructive behavior, prone to accidents;
- Unexplained injuries or incompatible with the history of the accident;
- Fear of physical contact initiated by parents or other people;
- Desperate crying or almost complete absence of crying;
- He seems to seek safety, adapting to the situation rather than relying on his parents;
- He seems constantly on the alert for potential danger, asking through words and actions what will happen next;
- They are constantly in search of food, things, advantages, services;
- Persistent escapist and deviant behaviors (especially in adolescents), such as: vagrancy; alcohol or drug abuse; prostitution; early marriage; the existence of a pregnancy [16, p. 37].

From this point of view, the consequences of any act of violence are extremely harmful, because:

> The existence of a family environment where there are chronic or violent conflicts is extremely harmful for the minor, even if he, personally, is not mistreated or abused;

> An abused child can learn to stop trusting adults and to fear any of their actions;

> Any maltreated or abused minor will later have problems with health and the image of himself, coming to believe that he has no value and deserves no one's esteem;

> A minor subjected to sexual abuse will later face the confusion of his own sexuality or its normal expression;

> Abused or maltreated minors will end up either withdrawn people, who will hide their feelings, or aggressive people, who will act explosively and aggressively.

Such categories of minors will most likely

learn that hitting or injuring close or loved ones is appropriate behavior, which is why they will become aggressors in their turn.

According to other specialists, they can be distinguished: direct consequences of the abuse, consequences on the minor's development and long-term consequences.

Direct consequences: burns, contusions, wounds, multiple fractures, psychosomatic, eating, sleep, behavioral disorders, depression, neurotic disorders (phobias), etc.

Consequences on the minor's development: behavioral disorders, decreased school performance, decreased cognitive ability, emergence of antisocial behaviors (criminal tendencies).

Long-term consequences: disoriented attachment type D, blockages in relationships with others, negative affective behaviors, emotional and social isolation, difficult communication, deficient adult personality, resort to marital violence [1, p. 15].

Another opinion regarding the classification of consequences is reflected in Romanian legislation [11], namely:

> on the affective level: atypical attachment (disorganized, type D), affective deficiencies, negative affects, aggressiveness, low self-esteem, etc.;

> in terms of other aspects of development: growth retardation, delays in motor, cognitive and language development, reduced social skills, etc.;

> in terms of school adaptation: low school performance, learning difficulties, etc. Similarly, in the same source we find a classification of the consequences depending on the type or form of abuse shown towards minors:

#### *The consequences of physical abuse*

Physical abuse can have physical, neurological consequences and can lead to disease, fractures, disability and even death. It also frequently leads to aggressive behavior, emotional and behavioral problems, learning

difficulties and reduced school performance. The context in which physical abuse occurs can be in the family, in various institutions (eg school, re-education center, foster care), in the community (eg on the street) and even societal.

#### *The consequences of emotional abuse*

Sustained emotional abuse especially has long-term consequences for the child's development, mental health, behavior and self-esteem. The contexts of this type of abuse are usually those related to domestic/family violence, adults with mental health problems and parents with low parenting skills.

#### *The consequences of sexual abuse*

Sexual abuse is often recognized by self-aggressive behaviors, depression, loss of self-esteem, and sexual behavior inappropriate for the minor's age. The severity of the impact is greater the longer and more intense the abuse, the older the child, if there is a component of premeditation, threat, coercion, sadism, etc. In the case of sexual abuse, once the child has recognized and disclosed it, the presence of an adult, especially a protective parent or a caregiver, in whom the child can trust and who can help him face this dramatic experience, is vital and to understand what happened to him, offering him support and protection.

#### *The consequences of neglect*

Severe neglect, especially of young minors, greatly affects the growth and physical and intellectual development of the minor, and in extreme cases it can lead to hospitalization, the installation of a disability and/or the death of the minor [11].

As a whole, violence begets violence, and this is nothing but the reflection of a certain social and family climate, where aggressive patterns dominate and where harshness and brutality constitute specific ways of resolving conflicts.

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