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**Experience of Reactions to Violence and
Delinquency among Migrant
Adolescents in Germany and Israel -
Application for a German-Israeli
Research Project**

Beiträge aus dem Fachbereich 3

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1. Summary

The project proposal is seen as supplementing the Norms and Conflicts of Violence project. In addition to analyzing migration-related stress factors, integration opportunities, the importance of family, school and peers and personal disposition, we plan to examine the impact of institutional reactions by youth welfare facilities, juvenile courts, youth parole facilities, institutions for diversion and mediation of delinquency and violence by young migrants, and subjective expectations of punishment. The concept envisioned can be used to examine interconnections between self-reported delinquency, risk perception of behavior and subjective expectation of punishment. It can be assumed that the impact of sanctions depends less on their objective severity than on the subjective expectation of punishment.

The deterrent effect of informal sanctions and moral condemnation is an important aspect of this research. The significance of informal sanctions by the families of delinquent migrants is to be analyzed from this angle. Also of interest are the extent to which ideas of sanctions are influenced by the society of origin and how young migrants experience the official punishment norms of the respective host societies.

The project investigation design makes it possible to check the impact of measures in different groups of migrants who have committed offences. We will question juveniles who have been sentenced on the one hand to non-custodial educational measures and diversion and on the other to a suspended sentence as minors.

This is designed as a multi-stage study. First, we plan to conduct a guideline-supported survey of fifteen offenders in Germany and fifteen in Israel, all of whom are migrants from the Soviet Union's successor states. The main purpose of this approach will be to obtain comments on official ideas of law, on relations with the juvenile courts and juvenile welfare system, on the importance of informal and formal sanctions and on subjective expectations of punishment.

Next, we plan to survey approximately 200 fourteen- to sixteen-year-old adolescent migrants in each of the two countries, using a standard questionnaire. The sample is to take account of the greatest possible difference in the severity and frequency of crimes committed and in juvenile court responses.

Next, we plan to survey approximately 200 fourteen- to sixteen-year-old male migrants in each of the two countries, using a standardized questionnaire. This sample survey will be multi-layered. The sample is to make provision for the largest possible difference in the severity and frequencies of crimes

committed and in juvenile law reactions. Therefore, 100 juveniles sentenced to non-custodial sentences or diversion and 100 juveniles not committed in crime. In order to control for the period of integration, these young people will have spent a maximum of five to six years in the country of immigration.

The questionnaire contains items on the content areas self-reported delinquency, previous offences, condemnation, reason for condemnation, victims of violence, attitude toward reporting a crime, experience of reactions from the police, youth assistance and law enforcement authorities, expectations of institution-specific possibilities for action by the police, youth assistance and law enforcement authorities, experiential and behavioral problems, features of family structure, educational situation, financial situation, family and upbringing climate/parental violence, school education climate, reasons for migration, migration decisions, expectations of the host society, gender role orientation, collectivism/individualism, language skills and language practice, opportunities for social participation, coping behavior/conflict management, peer group relations, media consumption and recreational behavior. It is planned to conduct the study in cooperation with Dr. Dr. Bracha Sheiban at the Western Galilee College in Acco.

2. Starting Situation

Immigration and crime has always been a controversial subject of debate, not only in public but also among academics (Lombroso 1895; Bannenberg 2003, Marshall 1997; Short 1997; Vazonyi/Killias 2001). While in the 1970s and 1980s in Germany the focus was mainly on guest workers and their involvement in crime, the discussion soon shifted to crime among second- and third-generation immigrants. Debates about asylum seekers' and immigrants' involvement in organised crime came to prominence during the course of immigration in the 1990s. At present, discussion is centered on the participation of male immigrants in violent crime and on ethnic Germans from the Soviet Union's successor states. However, the focus of attention is shifting increasingly to immigrants as victims of crime.

Conclusions as to the structure, development and causes of crime among young migrants are highly differentiated, depending on whether they draw on light field data or on self-report study findings. Pfeiffer et al. (2005) use light field analysis to demonstrate that the proportion of non-Germans alleged to have committed shoplifting, fare-dodging and robbery increased during the period from 1984 to 1993. The authors attribute this increase to the large number of migrants who came to Germany after the fall of the Berlin Wall. Between 1993 and 2002 there was a decline in the proportion of non-German suspects in connection with most criminal offences. The rise in the average age of non-Germans and an increase in the proportion of female non-Germans have been cited as "crime-curbing" factors (Pfeiffer et al., loc. cit. 30ff.). Self-report studies show that young Turkish offenders are disproportionately involved

in violent crime (Wetzels et al. 2001, 217f.). The frequency with which violent crimes are committed increases with the length of stay. There are also accounts of inter-ethnic group conflicts with considerable risk potential (Bannenberg 2003, 37).

Problematic living conditions have been found to be a risk factor for violence. Adolescents with little education who live in families where the parents' educational and job status is low, whose family climate is marked by conflict and violence and a lack of emotional warmth, and who are more frequently affected by unemployment and social welfare are more likely to commit crimes (Wetzels et al. 2001, 281, Lösel, Bliesener 2003, 140ff.).

Similar trends are found among young ethnic Germans from the Soviet Union's successor states. Although they do not count as foreign nationals in law, one finds among them similar integration problems and involvement in crime (European Commission of Justice and Home Affairs n.d.; Luff 2001; Grundies 2000; Dünkel n.d.) to that found among immigrants from Turkey or from the successor states of former Yugoslavia. The main characteristics of these were outlined in a research proposal by Heitmeyer, Fishman, Eisikovits and Mesch (n.d.).

Israel, unlike Germany, has traditionally been a country of immigration and is most familiar with the associated problems of integration. Compared with other countries (Japan and Scotland), Israel has a relatively low rate of juvenile crime (van der Veen 2002). However, the situation there has changed following the arrival of migrants from the former Soviet Union since the end of the Cold War. Approximately 15 percent of Israel's population is from the Soviet Union's successor states. Most are from Europe, but a minority is from Asia. A large proportion of Russian immigrants live on the outskirts of cities (Mesch & Fishman 2006). Among them, too, the likelihood of delinquency increases in relation to difficulties in acculturation, experience of discrimination, lack of family control and involvement with delinquent peers (Ellenbogen-Frankovits et. Al. 2004; Heitmeyer/ Fishman/ Eisikovits/ Mesch n.d.; Mesch/ Fishman/ Eisikovits 2003). On the other hand, it has been found in Germany that the problem declines as the length of stay increases (Schmidt-Rodermund, Silbereisen & Wiesner 1996; Schmidt-Rodermund & Silbereisen, 2002).

3. The Central Questions

The object of the Conflicts of Norms and Violence project is to identify factors that induce but may also prevent juvenile violence and delinquency among migrants from the former Soviet Union in Germany and Israel. However, its remit does not include either the impact that the (institutional) reactions of police, social workers, psychologists and juvenile courts have on preventing or reinforcing juvenile delinquency or the connection between institutional reactions, social control by parents, school and peer influence. These are orientational questions for the adoption project.

The background to this complex of questions is the ascertainment that ethnic German resettlers are convicted of serious crimes and juvenile custodial sentences with above-average frequency compared with autochthonous youths. They are over-represented in penal institutions and the risk that they will re-offend is comparatively high. Non-custodial and diversion measures are less likely to be applied to them (Bannenberg 2003, Walter 2003).

Again, police officers, state prosecutors, juvenile court judges, social workers and staff of penal institutions encounter a more restrictive view of the law, with a tendency to punitiveness, a rejection of state institutions and a tendency toward self-administered justice (Bannenberg l.c.; Otto, Pawlik-Mierzwa 2001).

This sometimes leads to a call for tougher juvenile criminal law. Another popular argument is that state benefits (child allowance, welfare) should be withdrawn from parents of repeat offenders who commit serious crimes. This contravenes both German law on assistance to children and young people and juvenile criminal law. On the principle of "education before punishment," the juvenile criminal law system in Germany and Israel is geared to a welfare state model rather than a judicial model. In the welfare model the decision-making discretion of the juvenile court judge, social workers and psychologists active in juvenile justice and welfare depends to a large extent on the prognosticated success of education and resocialization. In contrast, the judicial model ties in with criminal laws in judging delinquent behavior. Value is attached to education in this model, too, but punishment is the last resort and is imposed in proportion to the crime. Both models exist in hybrid forms (Dünkel 2005). At present, a conflict is emerging in Germany among those who wish to uphold juvenile law but to dispense with education as a guiding principle (Albrecht 2002). On the opposing side is the Deutsche Vereinigung für Jugendgerichte und Jugendgerichtshilfen (an organisation of juvenile court judges, prosecutors, social workers active in juvenile justice and welfare, and criminologists). Its representatives adhere to the idea of education in the sense of special prevention and want to expand mediation and community sanctions. With regard to the institutional level of the juvenile justice system, the following questions are to be explored:

1. What understanding of the law and subjective expectation of punishment is developed by young immigrants who are frequent offenders compared with those with little involvement in violence and delinquency?

One must hypothesize a connection between integration and the understanding of law. Migrants who have problems integrating into a modern society presumably give preference to particularist rules in their own ethnic group. Conversely, migrants who are regarded as integrated are guided by universal legal norms, including those of juvenile law.

2. What reactions do interventions by police, social workers, psychologists and juvenile court judges evoke in young immigrants who are frequent offenders and in those who with hardly any involvement in violence and delinquency? The more frequent and serious the crimes, the less the effect of social control by the juvenile justice system. Conversely, it is also true that in the case of minor and infrequent crimes low-intervention methods (non-custodial measures and diversion) are most effective. Nonetheless, the efficiency of legal interventions always depends partly on integration, the social situation and social control by parents, and on the ability to form prosocial relationships with people of the same age in the immigration society. Based on this hypothesis, the following question is of interest:
3. What are the links between social control by means of legal provisions and social control by parents and peers? Juveniles who are frequently convicted of serious crimes are presumably found to experience little social control in their parental homes, have little self-control (Gottfredson & Hirschi 1990) and negative social relationships with their parents (Agnew 2001). They are largely subject to the control of their own ethnic peer group (of delinquents). Juvenile law interventions have little effect on them. Youths who commit hardly any crimes grow up in a family with firm social control and have strong relationships with peers in the immigration society. They see the legal norms of the immigration society as having high validity.

4. Design of the Research

This is designed as a multi-stage study. First, we plan to conduct a guideline-supported survey of fifteen offenders in Germany and fifteen in Israel, all of whom are migrants from the Soviet Union's successor states. The main purpose of this inductive approach will be to obtain statements from these young people on their ideas of law, punitiveness and their relationship with the juvenile courts system. The items developed for this purpose are to be analyzed, first logically and then empirically, so as to be able to operationalize the subject areas "subjective expectation of punishment" and "Ideas of law and relationship with the juvenile courts system."

Next, we plan to survey approximately 200 fourteen- to sixteen-year-old male migrants in each of the two countries, using a standardized questionnaire. This sample survey will be multi-layered. The sample is to make provision for the largest possible difference in the severity and frequencies of crimes committed and in juvenile law reactions. Therefore, 100 juveniles sentenced to non-custodial sentences

or diversion¹ and 100 juveniles not committed in crime. In order to control for the period of integration, these young people will have spent a maximum of five to six years in the country of immigration.

As far as possible, the qualitative interviews and the questionnaire survey are to be conducted in the same regions as the interviews for the Conflicts of Norms and Violence project. This will establish a relationship of the two projects to a similar regional context. Respondents for the written survey are to be recruited in juvenile court assistance (Jugendgerichtshilfe) institutions and in institutions for non-custodial measures and diversion.

Summary of Possible Questionnaire Content Areas

1. Self-reported delinquency, previous offences, conviction, reason for conviction
2. Victims of violence, attitude toward reporting incidents
3. Experience of police, juvenile assistance service and law enforcement authorities' reactions to crime
4. Expectations of institution-specific possibilities for action by police, juvenile assistance service and law enforcement authorities in response to crime
5. Understanding of law, subjective expectation of punishment"
6. Experiential and behavioral problems
7. Features of family structure, educational situation, financial situation
8. Family and upbringing atmosphere/parental violence
9. Housing situation
10. Reasons for migration, migration decisions, expectations of the host society
11. Gender role orientation
12. Collectivism/individualism
13. Language skills and language practice
14. Opportunities for social participation
15. Coping behavior / conflict management
16. Peer group relations
17. Media consumption and recreational behavior

The questionnaire content will include items on experiences as perpetrator and victim (Lösel 1975). They will include self-reported delinquency, previous offences, current and previous convictions, victim experiences and behavior as regards reporting.

The relationship with criminal law upholding institutions will be recorded by means of questions on experience of reactions by the police, young persons assistance service, juvenile jurisdiction system

¹ We plan to avoid interviewing juveniles in custody since it is difficult to control context effects there. Therefore only

and youth probation assistance service. Respondents will also be asked to state their expectations as regards institution-specific possibilities for action by the young persons assistance service and the juvenile jurisdiction system, their own understanding of the law (traditional versus modern) and the sentencing grounds for the offence committed (Diekmann 1980; Dölling 1985; Schumann et al. 1987).

To find out whether juveniles tend to cope with problems internally or externally, we plan in the area of experiential and behavioral problems (Achenbach 1991) to record social withdrawal, physical (psychosomatic) problems, anxiety and depression, social problems, problems of obsessive and schizoid behavior, problems of attention and impulsiveness, aggressive behavior and problems of self-esteem and identity.

Features of family structure will be surveyed to identify (Rössler 1994) risk factors for dissocial developments. Divorce, separation or death of parents, upbringing by a single parent, family size, parents' occupation, income and unemployment/dependence on social welfare, housing situation (segregation) all play a role in this.

In the area of family climate and upbringing, questions will be asked about cohesion, openness, propensity to conflict, independence, achievement orientation, cultural orientation, active recreational pursuits, religious orientation, organization and control Lösel 1994; Schneewind et al. 1985). In addition, it is important to record problems relevant to child aggression such as a lack of parental support, aggression, strictness, inconsistency of upbringing, conflicts and alcohol consumption.

The migration area includes questions about reasons for migration and decision to migrate, expectations of the host society, language skills and language practice. Items on gender role orientation, on opportunities for social participation and on collectivism/individualism will be recorded to find out whether migrants are more oriented toward traditional or modern values (Triandis 1993; Singelis 1994; Strobl/Kühnel 2000).

In the case of coping behavior/conflict management, following Seiffge-Krenke (1989) we differentiate between an active pattern of coping, internal coping and avoidance/withdrawal.

The peer group relationships area includes questions on membership of cliques, frequency of contact with them and group activities (Elliot et al. 1989; Bender & Lösel 1997).

As regards media consumption and recreational behavior, we will ask questions about the extent of television and video consumption, preferred content, motives for use, social contexts and media resources in the family and questions on alcohol consumption, smoking and use of illegal drugs and medications (Lösel & Bliesener 2003).

5. Applicant's Previous Work

adolescents awarded suspended sentences will be included in the sample.

In a study undertaken for the Ministry for Labor and Social Affairs of the German federal state of North Rhine-Westphalia, the applicant and Rainer Strobl explored the integration opportunities and problems of young ethnic German resettlers in the late 1990s (Strobl/Kühnel 2000; Kühnel/Strobl 2001). We found that in the case of young ethnic Germans the reasons for migration and circumstances of the migration process have no appreciable effect on the subsequent form of integration. Opportunities and experiences in the host country are very much more important than the attitude to the migration process. Subjectively perceived opportunities for social participation at school, in training, administration and politics are important conditions for successful integration into the host society. In the case of forms of integration classified as problematic, multivariate analysis revealed evidence of more serious disorders of existential orientation, higher alcohol and drug consumption and a higher frequency of deviant and delinquent behavior.

In a further study, foreign and German juveniles were examined for groups and group conflicts in juvenile penal institutions (Kühnel 2003, 2006). The findings suggest that in the penal institution studied, examined between individuals occur more often than group conflicts. There are several reasons why conflict dynamics are asserted primarily in interpersonal relationships. The extreme living conditions in prison are characterized by a struggle for scarce resources, by distrust of fellow prisoners and staff and by "survival" strategies in a situation of permanent insecurity that entail both physical and psychological risks. Studies on the formation of groups in penal institutions (Goffmann 1973; Hürlimann 1993; Kette 1991) all reveal orientations toward rational action in pursuit of a goal in prisoners' social behavior. Groups both provide backing and have a supporting function. Yet access to them is restricted and relations lack a strong group ethic and solidarity due to the lack of trust and to the strict control in prison.

6. Linking the Project to the Consortium's Research Complex

The Conflicts of Norms and Violence project is examining the structures, situations and orientations to action that lead to a high-risk integration of young migrants into subcultural milieus involving a high probability of them embarking on a criminal career. In doing so, it plans to examine firstly the socialization conditions, cultural norms and orientations that these young people bring with them from their society of origin, secondly their opportunities for integration into school, the labor market, administration and politics, and thirdly the role played by peers and the family in the process of increasing or decreasing norm conflicts and violence (Heitmeyer, Fisman, Eisikovits, Mesch n. d.). The study will also be used to identify protecting factors that can be used to absorb the stress of migration. The Experience of Reactions to Violence and Delinquency in Juvenile Migrants in Germany and Israel project will also start with an analysis of migration-related stress factors, integration opportunities, significance of the family, school and peers and of personal dispositions. It will, however, go beyond that

and concentrate on the institutional reactions of youth assistance institutions, juvenile courts, the youth probation assistance service and institutions for diversion and mediation of delinquency and violence by young migrants. This aspect is missing from the Norm Conflicts and Violence project. Our project's research design enables us to examine the differential effect of measures in different groups of migrants who have committed offences. We will study juveniles who were sentenced on the one hand to non-custodial educational measures and diversion and on the other to a suspended sentence for minors. To check the longer-term impact of these measures, ideally a longitudinal design would be required. However, the prescribed two-year period will not permit that.

Nonetheless, with the concept envisioned it will be possible to examine interconnections between self-reported delinquency, risk perception in behavior (probability of discovery) and subject expectation of punishment. One must assume that the effect of sanctions depends less on their objective severity than on the subjective expectation of punishment (Diekmann 1980; Dölling 1985). This leaves unresolved the question whether the perception of a risk of discovery influences behavior or whether it is formed through everyday experiences of delinquency and sanctions (Killias 2002, 453).

Another aspect is the deterrent effect of informal sanctions and moral condemnations. It is sufficiently well known that informal sanctions have a greater deterrent effect than formal sanctions. Social pressure and in extreme cases social exclusion are feared more than punishment by the state (Albrecht 1985; Grasmick & Green 1980). Moral condemnation by family and neighbors can therefore prevent a slide into crime. However, little is known as yet about the development of informal sanctions and moral judgments. Little is known, too, about the extent to which informal sanctions depend on official punishment norms (Durkheim).

It is interesting that a low crime rate and low rates of recidivism in Asian countries are attributed to a culture of reintegrative sharing (Braithwaite 1989). Again, one may doubt whether informal sanctions have a reintegrative effect in every case. If the guarantees provided by a state under the rule of law are largely cancelled, exposure (disgrace) can sometimes have the opposite effect, whereby delinquents are excluded and sanctions are imposed on family members and relatives. In dictatorial societies like that of the former Soviet Union, "rehabilitation" and "self-criticism" were popular means of establishing conformity.

In this project we will therefore also explore the following questions:

- What role do informal sanctions play in the families of young migrants?
- To what extent are ideas of sanctions influenced by the society of origin?
- What experience do young migrants have of official punishment norms in the host societies (Germany and Israel) and what sympathy is there for them?

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LIEFERBARE BEITRÄGE AUS DEM FACH- BEREICH 3

- 1/1989 **Beutner, Ralph**
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