

UDC 343.847
DOI: 10.56215/0122272.67

Social-Wide Prevention Measures in Relation to Vandalism in The Modern Context

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■ **Abstract.** At the present stage of development of society, the problem of vandalism does not lose its relevance, but is actively developing, expressing itself in new forms (vandalism in relation to landscaping, outdoor lighting, and small architectural forms, vandalism in relation to Jewish monuments – anti-semitism). Nowadays, vandalism reigns in various spheres of public relations with the participation of all segments of the population, the legal nature of this phenomenon is constantly developing, improving, and does not correspond to the conventional legal interpretation. Thus, the purpose of the study is to consider and characterise measures of social-wide prevention aimed at effectively preventing the commission of vandalism in modern conditions. The methodological basis of the study consists of dialectical, formal logical, system and structural, and statistical methods. The theoretical basis of the study is the papers of Ukrainian and foreign researchers on the analysed negative social phenomenon and improving the effectiveness of countering it in Ukraine in the modern context. The study examines the issue of vandalism as an urgent problem of modern society, because in modern social conditions vandalism poses a real threat to the national security of the country and requires an urgent state response. The author formulated the definition of the concept of prevention of criminal offences related to vandalism, which fully reveals the structure of prevention, considering the significance and area of vandalism. During the study of the procedure for preventing vandalism, it was established that one of the areas of prevention in law enforcement activities are social-wide measures. It is determined that social-wide prevention, first of all, should be aimed at improving the well-being of the population through influencing social transformations that determine the social, economic, cultural and educational, ideological, legal, organisational and managerial existence of society. It is highlighted that the peculiarity of prevention measures in modern conditions is to consider all elements of criminal offences initiated on the grounds of committing acts of vandalism. The practical significance of the study is both theoretical and practical, because the described scientific provisions, individual generalisations, conclusions, and recommendations can be used in the future in research and in the educational process, because today there is a tendency to a comprehensive study of vandalism to improve the effective mechanism for preventing it

■ **Keywords:** acts of vandalism; political measures; economic measures; social measures; ideological measures; cultural and educational measures; organisational and managerial measures; legal measures

■ Introduction

Vandalism is one of the most common manifestations of aggressive illegal behaviour, which has a number of features, in particular: group character, latency, surprise, unpredictability, speed of actions, and criminal orientation. V.V. Vytvitska [1, p. 69] notes that

quantitative and qualitative indicators of vandal-oriented offences are a specific barometer that demonstrates the “degree of the internal state of society”. Ultimately, the actions of vandals committed in public places acquire a special anti-social connotation and negative social significance. Moreover, their consequences become known to a large circle of people, which causes resistance, indignation, and rejection of such behaviour. Despite the fact that the problem of vandalism has always been relevant, in modern conditions it has increased significantly in new colours and has gained importance at the social-wide level [2, p. 57].

■ Suggested Citation:

Dobroskok, A.Yu. (2022). Social-wide prevention measures in relation to vandalism in the modern context. *Scientific Journal of the National Academy of Internal Affairs*, 27(2), 67-74. doi: 10.56215/0122272.67.

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■ Received: 18.03.2022; Revised: 03.06.2022; Accepted: 30.06.2022

As the review of scientific studies and research papers shows, interest in vandalism does not decrease over time, and this negative phenomenon is investigated by representatives of various branches of knowledge, including criminologists, psychologists, sociologists, specialists in the field of criminal law, etc. This paper will consider studies on vandalism prevention in recent years. Thus, K.A. Bocharova [3] in the study “Vandalism as a manifestation of aggressive illegal behaviour” examines the essence of aggressive illegal activities, investigates the motives and reasons that contribute to the commission of such actions, and also focuses on the imperfection of sanctions defined by the Ukrainian legislation. In addition, K.A. Bocharova [4] in the publication “Aggression as a dominant behaviour of a vandal criminal” describes the criminological structure of the criminal’s personality according to socio-demographic, moral and psychological, social role, criminal and legal characteristics. K.A. Salayeva [5] in the study “Prevention of vandalism in modern conditions” makes proposals for rationalising preventive activities in the field of countering acts of vandalism and the mechanism for implementing these recommendations in the current legislation. A.S. Skorokhodova [6] describes the degree of prevalence of vandalism and the social consequences caused by it, the socio-psychological characteristics of persons prone to committing an offence, the motives that control them, and ways to prevent and control vandalism. O.V. Kruzhkova and I.V. Devyatovskaya [7] in the paper “Organisational vandalism: to the problem of the destructive behaviour of personnel” investigate the problem of destructive behaviour of persons within the framework of complex organisational vandalism, its forms, psychological basis, and factors contributing to the manifestations of vandal orientation, and characterise prevention considering the psychological causes of this phenomenon. S.Yu. Malakhov [8] in the paper “The concept of “vandalism” as a subject of criminological research” describes the etymology of the occurrence of vandalism, its classification and the genesis of criminal liability for committing the analysed criminal offence.

The concept of “vandalism” is quite common and often used in various genres of literature. As a rule, this term is used to define destructive actions with the humiliation of honour and dignity of a person, aimed at destroying or damaging someone else’s property. In legal science, the definition of “vandalism” has a specific meaning. For example, in legal encyclopaedic publications, it is interpreted as “illegal, senseless destruction or damage of material and cultural values” [9, p. 63]; “deliberate illegal (or non-normative) damage or destruction of someone else’s property, which is a goal in itself” [7]; “intentional damage or destruction of property that is in

public or private ownership” [3, p. 16]; “actions of a person who intentionally destroys (distorts, spoils) property without the consent of the owner or a person who has the right to use it” [8, p. 64].

The purpose of the study is to describe the set of measures used to prevent acts of vandalism committed in Ukraine in the modern context, and positions on making appropriate changes to the legislation of Ukraine to improve the performance of the system for preventing this phenomenon.

The object of research is the process of committing acts of vandalism, which entails negative consequences both for the individual and for the overall society.

■ Materials and Methods

During the study of the analysed problem issue, considering a certain goal, the following methods were used: *analysis*, since the system of preventing vandalism was studied comprehensively, for an in-depth understanding of the issue, in the process of studying a single whole was divided into appropriate parts. The study also used the *modelling method*, since the essential signs of vandalism were considered according to a particular model, the purpose of the study was formulated; *formal and logical method*, which described a set of measures to prevent acts of vandalism; *dialectical method*, since in parallel with the prevention measures, the causes, patterns, and other phenomena that contribute to the commission of this criminal offence were investigated.

These methods were used at all stages of the study, in particular, during the definition of scientific problems, their relevance, goal setting, presentation of the main material, and formulation of conclusions.

The theoretical basis of this study was the papers of researchers on the concept, content, and existing system of vandalism prevention, and a set of laws and regulations, in particular, the Criminal Code of Ukraine [10], the Criminal Procedure Code of Ukraine [11], Code of Administrative Offences of Ukraine [12], the Law of Ukraine “On Amendments to Article 194 of the Criminal Code of Ukraine (Concerning Liability for Vandalism)” [13], Draft Law of Ukraine “On Amendments to the Criminal Code of Ukraine Concerning the Protection of Monuments, and Historical and Cultural Landmarks” [14].

■ Results and Discussion

Vandalism as a negative social phenomenon. In the public consciousness, there is a certain stereotype of a “vandal”, who appears as a primitive being with disabilities in mental development. And at the same time, the danger of vandalism is manifested in the fact that these actions not only grossly violate public order, the peace of citizens, and the norms of public morality, but also cause great property damage, and as a rule, budget funds are spent on restoring

destroyed objects. In addition, it increases the public danger of vandalism committed by a group of persons, and committed on the grounds of race, religion, nationality, hatred of a certain social group, etc.

Destruction of property most often occurs impulsively, under the influence of a situation involving several people. There are usually three or four of them, and they are most often the same age. Even a well-mannered person, once in a group with a negative leader, will not behave as usual, and may also resort to vandalism. In addition, vandalism is often accompanied by other, more serious offences.

Vandalism is related to mass riots (Article 294 of the Criminal Code of Ukraine), hooliganism (Article 296 of the Criminal Code of Ukraine), intentional destruction or damage to cultural heritage objects (Article 298 of the Criminal Code of Ukraine), grave desecration (Article 297 of the Criminal Code of Ukraine), intentional destruction or damage to property (Article 194 of the Criminal Code of Ukraine), damage to communication routes and vehicles (Article 277 of the Criminal Code of Ukraine) [10]. Most often, judicial practice develops in such a way that the court covers all actions of a convicted person with one more serious offence, indicating that damage to property, desecration, damage or destruction of buildings and other structures were the result of mass riots, hooliganism, deliberate destruction or damage to property, etc. The difference between vandalism and other offences is made by the subject or place of the crime.

The fight against vandalism should be carefully planned and carried out at different levels and areas. Prevention of vandalism is carried out by applying measures to eliminate the main causes of such crime, using a separate influence, in particular, preventive, on the behaviour of persons prone to illegal actions [5].

Measures of social-wide prevention. Important and effective measures to prevent vandalism are measures that are implemented at the social-wide level. Having analysed the existing scientific approaches to the interpretation of the essence of social-wide crime prevention, it becomes clear that this is the development and implementation of measures by special subjects defined at the legislative level to identify and eliminate political, economic, social, ideological, cultural, educational, and legal factors that have a negative impact on society in general. A.P. Zakaliuk [15, p. 123] notes that in general, actions aimed at preventing the emergence, development, and implementation of the causes and conditions of crime in society are carried out by various subjects both at an early stage of preventive activities and before the prevention of recurring crimes.

Thus, the study suggests that measures to prevent vandalism should be grouped into 7 blocks: political, economic, social, ideological, cultural and educational,

organisational and managerial, legal, which together would have an impact on each branch of social existence and, at the same time, reduce those determinants that contribute to the commission of vandal crimes.

The first group of general vandalism prevention measures – **political**, the main goal of which is to improve the diplomatic situation and overcome the systemic crisis in the country. Ukraine is going through difficult times both in terms of legal policy in general, and in terms of management in the field of crime prevention in particular [16, p. 87]. Negative phenomena and processes that exist in the political sphere provoke aggression, cause distrust of political figures and political parties, reduce the level of social tolerance of the population, generate a thirst for demonstrative self-affirmation, and a desire to destroy and establish justice. As a result, cases of abuse of state symbols, damage to administrative buildings, painting or destruction of propaganda posters have become more frequent.

It is worth outlining the following main measures of political orientation in preventing vandalism:

- implementation at the national level of specially developed programmes for the prevention of vandal crimes. An important aspect is the development of state programmes in various areas of society's development, in particular, in the context of general economic, social, cultural, and spiritual functioning;
- improvement of the quality of life of citizens by changing state minimum standards;
- strict compliance with the requirements of Constitution [17] and other legislation of the state aimed at strengthening the rule of law in the field of protection of human rights and freedoms, expanding their reserves. Understanding and feeling the possibility of implementing human rights and freedoms is an integral element of legal awareness, to increase the latter in Ukraine, it is important to ensure that everyone has a clear idea of the law, while the state should direct its policy in educational activities to consolidate each citizen's awareness of their rights and obligations as a subject of law and legal relations [18, p. 249];
- implementation of a rational national policy to eliminate racial and interethnic conflicts;
- development of a state strategy for the appropriate protection of cultural heritage sites. In addition, it is necessary to develop and implement a decommunisation policy in historical sequence;
- introduction of more effective mechanisms for implementing the national policy of the family institution in the context of child protection, based on international standards.

The second group of general vandalism prevention measures – **economic**. The existence and reproduction of vandalism are also influenced by economic factors. The socio-economic situation in Ukraine is difficult, the standard of living is declining, inflation

is growing, and this, of course, outrages citizens and forces them to resort to decisive actions. According to O.O. Bilousova [19, p. 25], the instability of the economy has a significant impact on the activities of criminal groups, which leads to the strengthening of their illegal positions. S.A. Khalipaeva [20, p. 56] points that people's dissatisfaction with the implementation of their spiritual or material needs leads to the accumulation of feelings of emptiness, frustration, confusion, and humiliation, which causes the search for comfort in an antisocial environment. In addition, it increases the level of aggressiveness of people, encourages illegal offensive actions to meet personal needs. Moreover, an oligarchic model of the economy has been established in Ukraine [6, p.18], as a result of which the phenomena of the shadow economy are observed, labour relations are decreasing, and the poverty of a significant part of the population increases. All this causes an increase in the criminogenic potential of society and increases the scale of crime [21, p. 18].

Economic measures should improve the overall level of profitable development of the country, in particular, they should include:

- launch of an uncompromisingly new programme of socio-economic recovery of the state;
- constant state control over the pricing policy for goods, reducing the level of inflationary manifestations;
- improvement of the level of income of citizens, reviewing the financing of relevant national and local programmes;
- increase the social payment system;
- support of domestic producers at the state level in all areas;
- development of the cultural and educational sphere, social infrastructure;
- development and modernisation of Ukrainian production, restoration of the activities of a number of enterprises;
- creation of new jobs and addressing issues related to unemployment.

The third group of general vandalism prevention measures – **social**. Some types of vandalism (for example, damage to religious buildings, shrines, religious buildings, cultural heritage sites, inscriptions with offensive statements about certain national groups) can provoke social conflicts [6].

This group of measures concerns the social sphere of public life and provides for the following:

- compliance of living conditions with social standards of all segments of the population;
- work with social contradictions in order to eliminate them;
- various state support for the younger generation;
- improvement of the social and living conditions of residents;

– more effective implementation of measures to counteract domestic violence and provide appropriate assistance to persons who have been subjected to such violence;

– elimination of social inequality on such grounds as material, political, national, racial, etc.

The fourth group of general vandalism prevention measures – **ideological**. Ideological vandalism occurs when the destroyer imposes their own political or ideological beliefs, thereby demonstrating dissatisfaction with the existing government, people or nation living in the territories of the state. This behaviour is inherent in people who are prone to aggression against representatives of ideology, who broadcast the opposite position [4, p. 189].

The following ideological measures to prevent vandalism can be noted:

- restoration of forgotten spiritual values, moral principles, national culture, etc.;
- resolution of interethnic, interreligious, and interethnic disputes;
- restoration of patriotic education of the younger generation at the national level;
- rapid application of measures to respond to the propaganda of cruelty, cynicism, debauchery, immorality, and vandalism in the media;
- increase state control over the functioning of informal extremist unions, which are dominated by the cult of violence and cruelty;
- short-term and rapid response to crimes committed on the basis of racial intolerance, ethnicity, religion, etc.;
- development and introduction of a clear national idea, the so-called “national-state ideology”.

Measures aimed at preventing these crimes should include a large array of actions of an ideological, and cultural and educational nature to neutralise criminal and subcultural customs and traditions in society, reduce jargon, and minimise negative stereotypes of behaviour in everyday life [16, p. 26-27].

The fifth group of general vandalism prevention measures – **cultural and educational programmes**, aimed at improving the cultural and educational level of citizens:

- identification and further adoption of appropriate measures regarding disrespectful attitude to generally accepted norms and rules of conduct and demonstration of such actions to the public;
- development of government platforms aimed at promoting cultural and historical heritage [22, p. 85];
- raising the degree of education and upbringing of citizens with a special focus on young people;
- overcoming of legal nihilism and social parasitism;
- improvement of the knowledge, skills, and abilities of teachers and educators in teaching skills;

- development and introduction of educational programmes to combat vandalism into the academic process;
- setting up teaching activities with minors who are characterised by illiteracy, neglect, and belong to the risk group;
- support of clubs, creative groups, and youth centres whose activities are aimed at comprehensive personal development;
- organisation of festivals, exhibitions, fairs, and Olympiads aimed at developing the creative abilities and talents of the younger generation;
- conducting educational work with adolescents who have an uncoordinated or deformed system of value orientations;
- implementation of national cultural and spiritual measures;
- promotion of orderly, exciting socio-cultural work, tourism, energetic recreation, and other forms of leisure;
- implementation of explanatory work among the population to disseminate legal knowledge of the provisions of the current legislation.

Sixth group of general vandalism prevention measures – **organisational and managerial**, aimed at improving the work of entities that carry out measures to counteract vandalism and increase their effectiveness, in particular:

- increased control over law and order, discipline and legality in public life;
- promotion of the effective functioning of major social institutions;
- timely regulation of social contradictions that arise in the spheres of society's life;
- systemic destruction of causality, which causes vandal behaviour and contributes to the commission of aggressive and violent offences with a destructive nature;
- improvement of the material well-being of the population, housing and living conditions, and working conditions;
- increasing the limits of responsibility of state bodies and local self-government bodies for improper protection of objects of cultural value for modern and future generations;
- involvement of most public organisations in the implementation of measures to prevent vandalism;
- providing support to charitable and volunteer organisations that aim to improve the cultural level of individuals, develop the institution of family and childhood, and provide assistance to socially vulnerable segments of the population;
- development of measures to prevent vandalism together with international experts.

Seventh group of general vandalism prevention measures – **legal**, which aim to identify shortcomings in the regulatory framework for preventing vandalism and eliminate them:

- development of a special programme for the prevention of criminal offences that encroach on public order and morality;
- implementation of certain plans and programmes for the prevention of certain administrative offences;
- development of laws and regulations, the purpose of which will be to effectively protect motherhood, the institution of family, prevent the commission of domestic violence, strengthen the protection of cultural heritage objects, and resolve conflict situations against the background of interethnic and interethnic intolerance;
- conduct a so-called “audit” of the current Ukrainian legislation in these areas and further develop, make changes and additions, eliminate the identified shortcomings and gaps;
- improvement of the conceptual and categorical apparatus in the field of countering vandalism at the legislative level;
- measures aimed at improving the legal culture of the individual and their legal awareness.

M. Shepitko [23, p. 282] noted that the activity of the state to protect citizens and society from criminal attacks, and crimes in general, opens up an opportunity to study in more depth the prevention and counteraction of criminal offences by measures of public and state influence on the reform of criminal justice and its bodies in the long term.

■ Conclusions

As a result of the conducted study of the existing state mechanism, a list of key measures aimed at social-wide prevention of the population as a whole is presented. However, the set of measures provides for an indirect nature, because it has an impact at the general level, so it is quite difficult to determine a direct connection with the dynamics of crime. Social-wide prevention is a kind of foundation for special and individual prevention, as it creates political, ideological, economic, legal, social, organisational, cultural, and educational conditions, is carried out by state bodies, public organisations, and also covers all sectors of society and directs its activities to identify the causes of acts of vandalism and criminal offences related to it.

Thus, the paper describes seven groups of measures for social-wide prevention, each of which has an inexhaustible list of positions. The first group is political measures that are aimed at raising and improving the diplomacy of the state, since there are vandal actions in political life in order to radicalise society. The economic component was studied next, because the presence of a shadow economy, a reduced standard of living, and the poverty of a significant number of Ukrainians, who are overwhelmed with aggression, humiliation, and frustration, leads to mass acts of vandalism.

A group of social measures is also an important element in the prevention system, because they are aimed at meeting people's needs for material goods, services, reproduction of the family, and the development of public communications to strengthen the state. The next group of ideological measures provides for the resolution of interethnic and interstate conflicts, the rapid response of the relevant authorities to manifestations of cruelty and cynicism, educating young people in patriotism, and monitoring the activities of informal entities that promote violence.

Cultural and educational measures are designed to improve the level of education and culture by introducing legal education classes into the educational process, improving the skills of scientific and pedagogical specialists in pedagogical skills,

continuous development and providing state support for the activities of diverse circles, conducting explanatory conversations among the population, etc. Organisational and managerial measures in the system of social-wide prevention provide for measures to support charitable organisations, intensive control over the legal order in society, regulation of social contradictions, etc. And the final block of the study is legal measures, the essence of which is to identify gaps in legislative acts.

Thus, when preventing offences related to vandalism, it is necessary to consider the multiplicity and possibility of new forms, consider the latency of this phenomenon, identify difficulties and eliminate them by conducting measures to prevent this phenomenon that entails significant negative consequences for society and the state as a whole.

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Заходи загальносоціальної профілактики вандалізму в умовах сьогодення

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■ **Анотація.** На сучасному етапі розвитку суспільства проблема вандалізму не втрачає актуальності, адже означена появою нових форм цього протиправного явища (вандалізм щодо озеленення, зовнішнього освітлення та малих архітектурних форм, вандалізм стосовно єврейських пам'яток – антисемітизм). Нині вандалізм наявний у різних сферах суспільних відносин за участю всіх прошарків населення. Правова природа цього явища постійно розвивається, удосконалюється та не відповідає традиційному юридичному тлумаченню. Метою статті є розгляд і характеристика заходів загальносоціальної профілактики, що спрямовані на ефективне запобігання вчиненню вандалізму в умовах сучасності. Методологічну основу дослідження становлять діалектичний, формально-логічний, системно-структурний і статистичний методи. Теоретичною базою статті слугували праці українських та зарубіжних учених щодо питань дослідження аналізованого негативного соціального явища і вдосконалення ефективності протидії йому в Україні. Доведено, що в сучасних соціальних умовах вандалізм становить реальну загрозу для національної безпеки країни та потребує невідкладного державного реагування. Сформульовано авторське визначення поняття запобігання кримінальним правопорушенням, пов'язаним з вандалізмом, у межах якого враховано структуру запобігання, значущість і спрямованість цього протиправного явища. Встановлено, що одним з напрямів запобігання в правоохоронній діяльності є заходи загальносоціального спрямування, що передбачають покращення добробуту населення через вплив на суспільні трансформації, які детермінують соціальне, економічне, культурно-виховне, ідеологічне, правове й організаційно-управлінське буття суспільства. Особливістю заходів запобігання визнано врахування всіх складів кримінальних правопорушень, розпочатих за ознаками вчинення актів вандалізму. Практична значущість статті полягає в тому, що описані наукові положення, окремі узагальнення, висновки й рекомендації можуть бути використані в науково-дослідній діяльності й освітньому процесі, адже на сьогодні простежується тенденція до всебічного вивчення вандалізму з метою вдосконалення дієвого механізму запобігання йому

■ **Ключові слова:** акт вандалізму; руйнування; політичні заходи; економічні заходи; соціальні заходи; ідеологічні заходи; культурно-виховні заходи; організаційно-управлінські заходи; правові заходи