

Guidance and the Filipino Youth in Conflict with the Law

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Background

Juvenile crime and delinquency are serious problems in every society today. Their intensity and gravity depend mostly on the social, economic and cultural conditions in each country. There is evidence, however, of an apparent worldwide increase in juvenile criminality combined with economic recession, especially in marginal sectors of urban centers. From 1995 to 2000, over 10,500 children were arrested and detained every year. In many cases, youth offenders are "street children" who have been exposed to violence in their immediate social environment, either as observers or as victims. Their basic education, when they have it at all, is poor; their primary socialization from the family is too often inadequate; and their socio-economic environment is shaped by poverty and destitution. Rather than relying solely on the criminal justice system, approaches to the prevention of violence and crime should include measures to support equality and justice, to combat poverty and to reduce hopelessness among young people (UNICEF, 1995).

In essence, adults have always been concerned about the miscreant behavior of their youth. Perhaps this worry and attention were derived from the perception that a nation's future rests on the development of its youth. Perhaps the concern over youthful deviance stems from the thought that today's delinquent is tomorrow's criminal, if nothing is done to change the antisocial behavior of the youth. Be that as it may, when youngsters are known to have been involved in criminal activity, people become concerned. *Why did they do it? What did we do with them?* These are the questions adults ask, and the demand for answers seems to become stronger with each new generation of adults (Shoemaker, 1993).

Since, there is a dearth of research on this population in the area of Counselor Education in the Philippines, it therefore interests the researcher to take a closer look into the dynamics of these juvenile delinquents and its implications to guidance and counseling. In a typical counseling process,

all underlying causes of a client's problem—be it physical, emotional, psychological, social, or spiritual - are immensely considered in order to identify the best treatment approach. Most youth offenders who are confined in juvenile institutions or home care centers are observed to have a dysequilibrium of these facets of personality. Guidance counselors are taught and are being trained on understanding the dynamics of an individual which greatly contribute to one's state of well being. In the long run, the clients themselves will greatly benefit from the guidance services that will be provided to them. This dauntless attempt to probe the world of juvenile delinquents and their innermost beings assumes that the incarcerated youth offenders will soon be reintegrated to the society to which they belong.

Mechanism of Juvenile Delinquency

The problem of juvenile "crime" has existed for hundreds of years. Indeed, as Wiley Sanders indicates, juvenile offenders have been noted in many of the written records of human history (1970). Numerous editorials, commission reports, and governmental statistics reveal that juvenile crime, including that of youth gangs, not only existed but was a source of concern to the citizens of Europe and America in the eighteenth and nineteenth centuries. Even early Anglo-Saxon laws contained provisions for the punishment of child offenders (Sanders, 1970).

Proposals for preventing and diminishing delinquency, as well as controlling and punishing the young perpetrators, have assumed so many different forms that any casual reader of the literature can be excused for being totally confused and bewildered. But essentially the question of causation is paramount. In the Middle Ages, and into the nineteenth century, children and adults were lumped together as one group, and whatever explained the misbehavior of older criminals was actually applicable to younger ones. Such was the case with demonology, and it was actually true of the first systematic criminology of the modern era, known as the classical position (Inciardi, 1978; Empey, 1982; Vold & Bernard, 1986).

Demonology assumes that criminal and delinquent behavior is caused by demonic possession. While this view of criminality can be traced to primitive societies, it still maintains some popularity today among lay persons (Shoemaker, 1996).

The classical school in criminology argues that people, adults and children, act according to free will, rationally exercised, in the pursuit of happiness and minimization of pain. According to some of the early proponents of this thought, such as Cesare Beccaria, and to some extent his English utilitarian follower, Jeremy Bentham, all persons including children, are thought to weigh the costs and benefits of their proposed actions before they embark on them, and all persons, it is assumed, possess the ability to do so (Shoemaker, 1996).

Researchers have recently identified several important insights into adolescence and problem behaviors. First, high-risk youths often experience multiple difficulties. They are frequently socialized in economically stressed families and communities, more often than not have histories of physical abuse and sexual victimization, typically have educational and vocational skill deficits, and are prone to become involved in alcohol and other drug abuse and forms of delinquency (Cimler & Bearch, 1981). Second, adolescent problem behaviors—especially delinquency, drug and alcohol abuse failing in or dropping out of school, and unprotected sex—are interrelated. An involvement in one problem behavior is generally indicative of some participation in other socially undesirable behaviors (Rothman, 1980). Finally, there may be a common factor underlying all problem behaviors. The pursuit of this general tendency is generating considerable excitement among those interested in adolescent research.

According to Martha Deboissous, the reason for the increase of juvenile delinquency in the Philippines is a long extended childhood. When children are very young, their parents are in a hurry to make them grow. They are made to wear long pants. At the age of ten or thereabouts they have gangs of their own, some smoke, others drink, and still others have dates. And when at sixteen, seventeen or eighteen, they choose the wrong path, or delinquency, parents protect them and say they are still too young to be brought to the courts of justice (Kapunan, 1974).

High-risk youngsters are easily identified by teachers, probation officers, welfare case workers, youth activity supervisors, and others who work with children because they tend to have similar backgrounds and personal characteristics. Youth agencies have used assessment instruments to evaluate high-risk youths for decades. These assessment instruments

generally use seven background and personal characteristics to predict high-risk behaviors (Bartollas, 1997):

1. *Age.* The younger the child is when he or she enters the system, the higher the risk.
2. *Psychological variables.* The more a child is rebellious, identifies with nonconformity, and has poor self-esteem, the higher the risk.
3. *School performance.* The more a child has problem in school with achievement, behavior problems, and truancy, the higher the risk.
4. *Home adjustment.* The poorer a child's interaction with parents and siblings, the higher the risk. The more a child violates curfew, fails to respond to discipline and supervision, and runs away from home, the higher the risk.
5. *Drug and alcohol use.* The earlier the age of onset, the more frequent the use, and the more serious the drug, the higher the risk. The more the parents have a history of drug or alcohol abuse, the higher the risk.
6. *Neighborhood.* The more a neighborhood in which a child lives is characterized by disorganization, poverty, and multiple social problems, the higher the risk.
7. *Social adjustment of peers.* The more the child's friends are involved in problem behaviors, including delinquency, drugs, truancy and disruption in school, sexual acting out, and gangs, the higher the risk.

It is generally believed that the more these antecedent factors are present in a youth's life, the more likely it is that he or she will become involved in a problem behavior. It is also widely accepted that the interaction or accumulation of these background and personal factors is related to the frequency and seriousness of a youth's involvement in a problem behavior. One factor in itself may make little difference, but for a youngster who lives in a high-crime community, whose friends have a history of delinquent behavior and drug use, who has little support at home, and who does poorly

at school, the likelihood increases that this youth will become involved in one or more of these behaviors (Bartollas, 1997).

Methodology

Concurrent Transformative Design was utilized in the study. It uses an explicit advocacy lens which is usually reflected in the purpose statement, research questions, and implications for action and change. Quantitative and qualitative data are collected and analyzed at the same time. Priority may be unequal and given to one form of data or the other or, in some cases, equal and given to both forms of data. Data analysis is usually separate, and integration usually occurs at the data interpretation stage or, if transformed, during data analysis. Concurrent designs are useful for giving voice to diverse or alternative perspectives, advocating for research participants, and better understanding a phenomenon that may be changing as a result of being studied (Hanson, Creswell, et. al., 2005).

To substantiate the objectives of the study, psychological tests which measure Mental Ability (Raven's Progressive Matrices), Interest (Brainard Occupational Preference Inventory), Personality (Edward's Personal Preference Schedule), and Self-Concept (Pasao Self-Concept Scale) were administered, analyzed and interpreted to all the participants; Focus Group Discussions were also conducted to find out the perceptions of the youth offenders of the causes of their juvenile behaviors; a prototype Guidance program was proposed and tried out through group guidance and in-depth individual counseling sessions to identify the extent of the Guidance services which can be utilized in this setting.

Results and Discussion

Results of the study showed that theft is the most common offense committed by the juvenile participants, mostly males with age ranging from fifteen (15) to seventeen (17) years old, belonging to medium-sized poor families and in first year high school prior to apprehension. In terms of their psychological profile, the participants of the study have Average Mental Ability, Interests, Personality Traits, and Self-Concept within group norm of the tests that were administered to them.

The profile of the respondents who are regarded as juvenile delinquents may seem to imply that the psychological angle of delinquency which could be inferred from the tests administered to them are very dynamic in nature - that regardless of mental ability, line of interests and career choices, personality characteristics, and level of self-concept; one may still be vulnerable to commit delinquent acts just like any other adolescent, considering further the interplay of the environmental factors around him. Moreover, worthy to mention in the findings are the juveniles' need for *intracception, affiliation, achievement, order, and nurturance* which may present the complexities of an adolescent's journey towards growth, development, self-exploration, and self-actualization that need to be keenly recognized by the person himself, so that he will be able to appreciate and overcome the circumstances of everyday living and survival.

Moreover, based from the results of the Focus Group Discussion (FGD), the juvenile participants perceived the following concepts as causal to their delinquent behaviors:

- (a) *Personal Factors*: lack of self-control, vulnerability to temptations, innate stubbornness, inability to share one's thoughts and emotions, and inadequate drive from within to do good;
- (b) *Family Factors*: absence of a happy home, disturbed family relations and communication, lack of discipline and guidance from parents, unemployment of parents and large family;
- (c) *School Factors*: the nature of a public school in the metropolis—leniency with rules and policies, inconsistent grading system, lack of co-curricular activities that are provided to students, stereotyping and discrimination from some teachers and classmates, peer influence and the high need to belong to a certain group;
- (d) *Community Factors*: the very nature of poverty-stricken community way of living—a lot of unemployed residents, a number of drug addicts in the place, lack of political will and responsibilities from authorities, poor quality of education provided to poor communities, and the colloquial mentality of people towards juvenile delinquency itself; and,

(e) *Religious Factors:* very seldom attendance in mass and other forms of worship and prayer, absence of parents as role models in their spiritual enrichment, and inactive participation in different church activities.

The established concepts towards delinquency, as perceived by the youth offenders themselves, perhaps mirror an image of the culture of today's generation of adolescents, who are reared in economically challenged families, compromised quality institutes of learning, and society of weak leaders. Delinquency therefore is a product of personal regard to oneself, and an interweaving of psychosocial factors outside of the self that builds one's character and total well-being. In the end, these juvenile offenders are left with no option at all except to hold on and to hope that in time, they will live life at its fullest with the intervention from the ONE who is above all things.

Therefore, a prototype guidance program for youth-in-conflict with the law who is institutionalized should include various approaches and concepts in youth rehabilitation, therapeutic communities, psychotherapy, psychological assessment and group processes. Every single entity that is involved in the development and reformation of youth offenders should be immensely considered in the formulation, implementation and evaluation of the program to ensure its dynamism and applicability to this group of clients.

Guidance, being a unique profession has a lot to offer in the rehabilitation of juvenile offenders who practically need a professional, a counselor for one, who could help him cope up with the adversities and challenges of the circumstances which they are in. A guidance program therefore which is tailored-fit in this non-traditional setting of the profession is basically needed to be included in the protocol of therapeutic interventions to help them become the best persons they are ought to be in their respective families and communities.

Recommendations

1) *To the rehabilitation team of the Molave Youth Home.* Consider the proposed guidance program for its full implementation to the clients that they serve; utilize the results of the study in further augmenting the quality of health care and in better understanding the needs of the juvenile offenders;

guidance services in its entirety and not only group guidance and individual counseling should be included in the rehabilitation protocol of the institution; and, conduct follow-up and constant monitoring of the attitudes, traits, behaviors, and self-concept of those who participated in the study while still being instituted.

2. *To the juvenile participants.* Continue to actively participate in the different activities being provided to them by the institution to further enhance their already gained wisdom and respect for themselves; the pursuit for a new and better life comes from within themselves and the acceptance of the realities of life; thus, they should always live up to their own expectations, dreams and aspirations; and, strongly regard the family, frustrations and difficulties as sources of inner strength and hope to be the best person they could ever be.

3. *To the parents of the juvenile offenders.* Continue to inspire their children who are institutionalized by providing constant emotional and psychological support; the psychological endowments of their children that were inferred from the study should reinforce their desire to unceasingly support their children in nourishing the God-given gifts of talents, skills, and potentials to them; and, coordinate regularly with the social workers and with the other staff of the institution who are in-charge of their children and consult them whenever they feel like they need professional help in coping with the situation that they are in.

4. *To Guidance Counselors.* Consider the practice of Guidance in youth rehabilitation and to bring about change in them by utilizing a comprehensive and dynamic guidance program; make use of the norm that was established in the psychological profile of this population in interpreting and analyzing the same tests that were conducted by the researcher; continue to explore other populations that are considered non-diagnostically ill and bring to them the Guidance services that are basically necessary in the process of their rehabilitation; and, grow in the profession by working closely with the other members of the rehabilitation team, acknowledge and appreciate their unique roles as well.

5. *To future researchers.* Conduct a follow-up study on juvenile delinquency using the same or different research instruments in a national level; employ other forms of Guidance interventions which could be more

experimental in nature by comparing other variables such as demographics and other components of one's personality; using a descriptive approach, more in-depth case studies could be done with more number of sessions using a different nature of respondents; and, an ethnographic study on juvenile delinquency can also be done in a larger scale in the community level.

REFERENCES

- Bartollas, Clemens. *Juvenile Delinquency*, (4th edition). MA: Allyn and Bacon, 1997.
- Calhoun, G., Glaser, B., and Bartolomucci, C. "The Juvenile Counseling and Assessment Model and Program: A Conceptualization and Intervention for Juvenile Delinquency." *Journal of Counseling and Development*. JCD Alexandria: Spring 2001. Volume 79, Iss 2, 131-141.
- Granello, P. and Hanna, F. "Incarcerated and Court-Involved Adolescents: Counseling an at-Risk Population." *Journal of Counseling and Development*. JCD Alexandria: Winter 2003. Volume 81, Iss 1, 11-18.
- Hartwig, H. and Myers, J. "A Different Approach: Applying A Wellness Paradigm to Adolescent Female Delinquents and Offenders." *Journal of Mental Health Counseling*. Alexandria: January 2003. Volume 25, Iss 1, 57-75.
- Kapunan, Rocio R. *Educational Psychology*, (4th edition). Quezon City, Philippines: Rex Printing Company, 1974.
- Ryan, J. and Yang, H. "A Longitudinal Study of Adjudicated Delinquents in Residential Care." *Social Work Research*. Washington: March 2005. Volume 29, Iss 1, 31-39.
- Soresi, S., Nota, L. and Ferrari, L. "Counseling for Adolsecents and Children At-Risk in Italy." *Journal of Mental Health Counseling*. Alexandria: July 2005. Volume 27, Iss 3, 249-265.
- Williamson, T. et al. "Young Offenders, Schools and the Neighborhood: A New Approach to Data-Analysis for Community Policing." *Journal of*

Community and Applied Social Psychology. May/June 2005. Volume 15, Iss 3, 203-228.

Williford, Lori. "Teaching Self-Management Skills to Young Offenders." *Corrections Today.* Lanham: February 1996. Volume 58, Iss 1, 85.

Shoemaker, Donald J., *Theories of Delinquency (An Examination of Explanations of Delinquent Behavior)*, (3rd edition). New York: Oxford University Press, 1996.

Romig, Dennis A. et al. *Juvenile Delinquency Visionary Approaches.* Columbus, Ohio: Merrill Publishing Company, 1989.

<http://www.unicef.org/philippines/news/050804.html>

<http://www.fiu.edu/~bridges/glossary.htm#Mixed%20Method%20Design: %20%281%29>