

THE CRIME OF CHILD KIDNAPPING IN ALGERIAN SOCIETY AND ITS REPERCUSSIONS -A PSYCHOLOGICAL PERSPECTIVE –

Sadaoui Meriem^{1,*}, Djokhdome Fatiha²

¹ University Center of Aflou (Algeria), m.sadaoui@cu-aflou.edu.dz

² University of Laghouat (Algeria), f.djokhdem@lagh-univ.dz

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Abstract

There is no doubt that the right to freedom is a legitimate right for any human being, and it is recognized and guaranteed by various laws and legislation. All constitutions stipulate this right and work to consecrate and protect it. Therefore, any attempt to attack this right represents a blatant transgression and violation of the general rules of society, which leads to destabilization and security of society.

This means that any restriction of the freedom of individuals is considered criminal behavior, due to the negative effects it has on individuals and society. Thus, the crime of kidnapping becomes one of the most serious crimes, if not the most dangerous, as it threatens the social structure of any society, in addition to the other crimes that may result from it. ...

Algeria, like other societies, has not been spared from the spread of this dangerous phenomenon, especially against children, and this is evident from what the media, especially newspapers and television shows, have become aware of in the form of almost daily media reviews. Which calls for the necessity of examining this criminal phenomenon with some study and investigation in order to try to investigate the causes and drivers of its spread, and to study its effects on the victim himself and on society in general.

Keywords: Child, kidnapping, Crime, Psychological perspective, Algeria.

Introduction

Crime has evolved with the development of societies over time and eras, influenced in its development by a group of social, economic, and political variables. With each era, criminal forms and patterns associated with that era emerge on the local, regional, and international societal scene. And in the society in which these crimes find an appropriate environment to spread and penetrate into its social, economic and political structure in order to be the source of demolition and destruction of this society (Al-Harbi, 2011, p. 3)

1- Concepts and terminology of the study:

the crime:

Linguistically, it means crime, and its source is the criminal, which is the one who commits evil against himself and his people, so he is the guilty person and all of them are criminals. The term crime, according to linguists, refers to transgression and committing a sin. (Majaji, 2015). From a legal standpoint, it refers to an intentional or intentional act that violates the orders, prohibitions and

prohibitions of the criminal law, under circumstances in which no legal justification or excuse is applied. (Jaber, 2007) from (Jazzar, 2013)

As for terminology:

Kidnapping:

Kidnapping in language means taking something from the hand of its owner by force or fraud, while kidnapping in the meaning of the law is taking a child from his family by removing him from his original place and from his family who are taking care of him (Abdel Aleem, 2006); Or it is taking the child from the place in which he was placed or deceiving him (Cornot, 1998) according to (Hamis, 2015).

children:

There is no general agreement among specialists on defining the stage of childhood and its divisions, and there are differences between societies in defining the stage of childhood. However, most countries in the world have ratified the Convention on the Rights of the Child, which stipulates that a child is “every human being under the age of eighteen years, unless national laws specify a minor for majority” (United Nations, 1989, p. 2) from (Al-Harbi, 2011, p. 17).)

Accordingly, by kidnapping children, it is intended to take them by deception, concealment, and cover-up, or by any means taken by the kidnapper to carry out his crime for purposes including (Magaji, 2015):

- Adoption.
- Changing custody.
- For sexual purposes, whether male or female.
- To request ransom payment.
- To steal his organs.

In Algeria, official security reports circulated by local media revealed terrifying numbers related to crimes affecting children, as the same numbers indicate the disappearance of (267) minor children in 2012, and (15) children were subjected to disappearance every month. While (500) children were kidnapped between 2010 and 2012, the majority of them were subjected to sexual assault, suffocation, murder, or their organs were amputated for the purpose of selling them.

2- Characteristics of the kidnapping phenomenon

(Marzouki, 2011) summarized the overall characteristics of the kidnapping phenomenon as follows:

- Speed of implementation:

The subject of kidnapping, whether an individual or a group, is carried out quickly and in the shortest possible time, and as a result it is a socially reprehensible process. The kidnapper resorts to speedy execution so that his situation is not revealed on any side, and so that he does not face social disapproval on the other hand.

- Good mental management of the operation:

The kidnapper makes a series of elaborate plans, as he studies all the methods that ultimately lead to the arrest of the victim or victims, and the completion of the kidnapping according to the conditions studied in advance. The mental management stage may last for hours and days, or even months and years, depending on what the process requires and the goals sought from it.

- **Specific kidnapping:**

The kidnapper often specifies his purposes in terms of quality or quantity. Kidnapping a human being is different from hijacking an airplane. Kidnapping a child from a poor family is not the same as choosing hostages sometimes; Thus, quality and quantity are important and basic characteristics that characterize the crime of kidnapping.

- **Kidnapping is characterized by intent**, as it is not possible to find a crime of kidnapping prevalent in any society that has innocent purposes, by which we mean the goals and intentions that the kidnappers seek to achieve through their actions, and they are precisely defined goals and intentions in advance. (Marzouki, 2011, p. 12)

3- **Purposes of the crime of kidnapping:**

The motives for committing the crime of kidnapping were numerous and varied due to its nature, as they can be summarized in the following points (Al-Hamil, 2013):

- **Material objects:** This is when the kidnapper resorts to kidnapping to obtain money by demanding ransom from the family of the kidnapped person.
- **Psychological or mental purposes:** It means committing the crime as a result of pathological behavior or psychological or mental disorder. These motives make the criminal commit his crime as a result of wrong mental imaginations or representations in implementation of pathological behavior, and it is usually observed that such crimes are committed by the offender alone.
- **For sexual purposes:** The goal of kidnapping may be sexual assault, and the people who are vulnerable to it are children, and this is confirmed by the percentage of kidnapped children.
- **For the purpose of stealing human organs and trading in them:** As a result of the scientific development in the medical field, the spread of incurable diseases and the unavailability of human organs commensurate with the number of patients, the phenomenon of kidnapping homeless people and children in order to steal their organs and trade them has spread.

4- **Factors for the spread of the kidnapping phenomenon:**

There are many factors that lead to committing the crime of kidnapping due to the nature of this crime, and they can be summarized into four types (Jazzar, 2013):

Psychological factor:

The crime of kidnapping is carried out as a result of pathological behavior, emotional disturbance, or mental defect suffered by the perpetrator, or psychological pressure resulting from a vengeful motive. This last type of kidnapping is often between two stubborn rivals to each other... and the person who commits the act of kidnapping is a complex person who suffers from depression, frustration, and various traumas, which generate aggressive behavior because the person suffers from sexual complexes, especially his exposure to sexual abuse, or he may be The person is accustomed to using addictive substances, and this personality is known as anti-social behavior.

Estimating the extent of the influence of the psychological factor is an objective matter to be decided by the trial judge, and he has the right to use psychological and neurological examinations and the assistance of specialists and psychiatrists, which are done in such cases to determine whether the offender actually suffers from these psychological and mental diseases and disorders. However, even if these cases occur, they are rare cases, and precautionary measures must be applied to the perpetrator and placed in a psychological clinic to protect him and others. (Elmaamri, 2006).

Social factor:

The social factor means the circumstances that surround a person from the beginning of his life, and relate to his relationships with other people at all stages of his life, starting with the family, then school, and the community of friends. Patricia (1997) believes that if the family is the primary factor in upbringing, it is also a factor that generates deviance.

If any defect befalls the family, it will then be shaken and its entity will be disturbed. As for school, research conducted by researchers confirmed that most of the young criminals were suffering from maladaptation in the study population (Sobhi, 2006); We find that the group of comrades provides psychological and technical learning for the individual, as psychological learning means the moral preparation necessary to commit a criminal act. The group of comrades helps the young man overcome fears and avoid feelings of guilt resulting from violating the law. It also camouflages feelings of guilt because responsibility is collective, not individual.

As for technical learning, it means learning the secrets and mysteries of the work of other, more experienced and experienced deviants. Through these two learnings, deviance with the group becomes more beneficial, as the pleasure increases because the members of the group share it with him, and fame increases because the members of the group exchange conversations among themselves about the good performance, strength, and courage shown by the young man. While performing deviant acts. (Boufoula, 2010)

Economic factor:

The economic reason is a fundamental factor in the emergence of the crime of kidnapping, as this factor represents the basis that leads to its spread, whether at the internal or international level, and then there are two basic indicators:

- Studies conducted on the subject of kidnapping have indicated that the perpetrators of kidnapping crimes are mostly young people, because they often suffer from difficult economic conditions.
- Most of those who commit the crime of kidnapping are concentrated in cities suffering from deteriorating economic and social conditions where the standard of living is low. Therefore, the difficult economic conditions create an environment that produces terrorism. For example, unemployment, inflation, low standard of living, disproportionality between wages and high prices, and the inability of the individual to spend to obtain his necessary needs result in anxiety, tension, and hatred towards society, which may prompt the commission of crimes of assault on persons. (Abd Essattar, 1977).

The researcher also touched on the cultural factor, which she divided into two parts, the media factor and the scientific work, and showed how the media of all kinds are a curse on society, and make some of its members criminals.

The researcher (Wazzani, 2015) added the factor of moral and religious decay as a reason for the crime of child kidnapping. The collapse of moral values has the worst impact on societies, which raises the crime rate and makes it easier for individuals to commit it, since they do not have moral values that prevent them from doing so. The absence of religious motive is one of the biggest and most dangerous things that leads to committing a crime. There is no deterrent for a person to stop him from committing it, as religious motive is the strongest possible thing that prevents a person from committing crimes, as

it was said in the past by one of the Western philosophers: "Religion is the opium of the people." That is, it affects them to the point of sedation and they obey its rulings without thinking, so no one is able to violate the teachings of his religion. Religious motive is the strongest thing that can prevent a person from committing a crime, and the collapse of religious motive means opening the way for crimes to be committed without deterrence, even if they are kidnapping a child and attacking his freedom and all his rights. (Nabih, 2007).

5- The psychological effects on the kidnapped child:

Davison (1997) believes that all types of child abuse have a psychological impact on the child, as they may affect his development and emotional, social, and behavioral adjustment, and such effects may be short or long-term (Mounira Bent Abderrahman, 2005, p. 95). The latter also believes that a child being exposed to abuse often leads to his failure to develop trust between himself and others. It also weakens his ability to concentrate and reduces his social skills, which prevents him from succeeding in studying or forming social relationships. (Munira bint Abdul Rahman, 2005, p. 96)

Tips and instructions to protect children from kidnapping:

Although this crime requires joining hands and harnessing the efforts of civil society organizations and governmental bodies and institutions, awareness must begin with the family first, and the child must be careful to follow the advice of his parents, teachers, and those closest to him. Here are some tips and instructions to avoid - as much as possible - our children being exposed to this crime:

- Educating the child and warning him against luring strangers anywhere, regardless of the lurer's intention and whatever reasons he gives to the child, and not to submit to his temptations.
- Avoid talking to strangers outside the home, on their way to or from school, or anywhere, and do not trust a stranger, regardless of his intention.
- Adults, including parents, adhere to the instructions of the police and security personnel.

In light of the spread of the crime of kidnapping, a statement was made by the Director of the Criminology Institute of the National Gendarmerie on the obligation of the kidnapper's family to notify security services immediately after the kidnapping, because the first hours following the kidnapping are important in confronting the kidnapper. Among the recommendations and suggestions are the establishment of a rapid reporting system through all media outlets in order to publish the picture of the kidnapped child in all public places and means of transportation, as well as publishing the picture of the kidnapped person, expanding and deepening research by all departments, and also hearing witnesses (Elwatan, 2013) from (Hammas, 2015).

Conclusion:

The crime of child kidnapping is one of the most serious crimes that have greatly affected the security of our society, and certainly no one will deny that it is a phenomenon alien to our environment, and represents a multi-dimensional threat that worries Algerian society in all its segments. Therefore, all efforts must be combined to combat this phenomenon, which is considered a shameful mark in our society.

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