

Научная статья

УДК 343.9

АЛКОГОЛИЗАЦИЯ НАСЕЛЕНИЯ КАК ФАКТОР ОБОСТРЕНИЯ КРИМИНОГЕННОЙ ОБСТАНОВКИ

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Аннотация

Затрагиваемая в статье тема касается сложнейшей проблемы российского общества – алкоголизации, которая рассматривается в контексте противодействия преступности и снижения криминогенной обстановки. Кратко представлен терминологический аспект алкоголизма и алкоголизации, из чего делается вывод о том, что в вопросах противодействия преступности более предпочтительным является использование понятия «алкоголизация» как более широкого, позволяющего учитывать в качестве криминогенного фактора и те случаи употребления алкоголя, когда алкогольная зависимость отсутствует, но имеет место алкогольное опьянение при совершении преступления. Приводятся статистические данные по России и отдельным регионам, характеризующие долю преступлений, совершенных в состоянии алкогольного опьянения и отражающие позиции соответствующих субъектов РФ в общем рейтинге преступности. На основе изучения статистических данных формулируется вывод о наличии некоторой взаимосвязи между уровнем преступности и фактами употребления алкоголя. Отмечен дискуссионный характер вопроса оценки алкогольного опьянения как обстоятельства, влияющего на квалификацию деяния и назначаемое наказание. Высказывается мнение о необходимости пересмотра подхода к оценке алкогольного опьянения как обстоятельства, учитываемого при назначении наказания.

Ключевые слова: алкоголизация населения, алкоголизм, бытовая преступность, общественная безопасность, предупреждение преступлений, противодействие преступности, профилактика преступности

Original article

ALCOHOLIZATION OF THE POPULATION AS A FACTOR OF AGGRAVATION OF THE CRIMINOGENIC SITUATION

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Abstract

The topic covered in the article concerns the most difficult problem of Russian society – alcoholism, which is considered in the context of crime prevention and reducing the criminogenic situation. The terminological aspect of alcoholism and alcoholization is briefly presented, from which it is concluded that in matters of combating crime, it is preferable to use the concept of "alcoholization" as a broader one, which allows taking into account as a criminogenic factor those cases of alcohol consumption when alcohol dependence is absent, but alcohol intoxication occurs during the commission of a crime. Statistical data for Russia and individual regions are presented, characterizing the proportion of crimes committed under the influence of alcohol and reflecting the positions of the relevant subjects of the Russian Federation in the overall crime rating. Based on the study of statistical data, it is concluded that there is some correlation between the crime rate and alcohol consumption. The debatable nature of the issue of assessing alcohol intoxication as a circumstance affecting the qualification of an act and the punishment imposed is noted. The opinion is expressed that it is necessary to revise the approach to assessing alcohol intoxication as a circumstance that is taken into account when sentencing.

Keywords: alcoholization of the population, alcoholism, domestic crime, public safety, crime prevention, crime prevention

Introduction

Effective counteraction to crime and reduction of the criminogenic situation in Russian society are among the most important tasks of Russian authorities, primarily law enforcement. The importance of this task, on the one hand, is mediated by the need

to develop Russia as a state governed by the rule of law and maintain (ensure) the rule of law in it; on the other hand, by the presence of specific problems expressed in a fairly high level of crime.

The important role of countering crime is also evidenced by the existence of a specially adopted Federal Law No. 182-FZ of 23.06.2016 "On the basics of the crime prevention system in the Russian Federation" [1] (Federal Law No. 182-FZ). Article 6 of this law highlights the identification, assessment and forecasting of criminogenic factors of a social nature as one of the areas of preventive work. This justifies the interest in analyzing alcoholization of the population as one of the key criminogenic factors.

The main part

As part of the study of the problem of alcoholism, it is of paramount importance to solve the terminological question, for which we will turn to the normative interpretation of the concept of "alcoholism". In the Order of the Ministry of Health of the Russian Federation No. 140 dated 28.04.1998 [3], alcoholism is defined as dependence on alcohol. Moreover, it is divided into stages, phases, and periods that generally reflect the state of an alcohol-dependent person in terms of the presence of appropriate symptoms (signs).

Given that alcoholism is a medically diagnosed disease, it is appropriate to speak about its presence *de jure* only if there is a properly formed diagnosis. And it is quite obvious that not all people who have signs of alcoholism have a medically established diagnosis. Therefore, considering alcoholism as a criminogenic factor allows us to cover a relatively narrow segment of society. In this sense, the term "alcoholism" seems more appropriate because it can cover not only the part of society where alcoholism is recorded, but also society as a whole, because alcoholism, as a social phenomenon, is comprehensive.

Confirming the above, we can emphasize the possibility of considering alcoholization as any alcohol consumption, regardless of the quantitative and other

characteristics of this process (phenomenon). In addition, alcoholism can also be interpreted as the spread of alcoholism [4, p. 3].

The presented opinion is based on the fact that from the point of view of the impact on criminality, any alcohol consumption is important. This is also evidenced by statistics that keep separate records of crimes committed under the influence of alcohol [7]. It is obvious that the relevant data take into account, among other things, the facts of committing a crime by those persons who do not suffer from alcohol dependence, are not registered with the disease "alcoholism", but committed a criminal act in a state of intoxication.

The Concept of Public Safety [2] pays little attention to the problem of alcoholism. But even a single mention of this problem in this document is of no small importance in terms of assessing its role as a crime factor. Paragraph 13 of this Concept emphasizes that it is in a state of intoxication (both narcotic and alcoholic) that a significant number of crimes are committed. At the same time, mass alcohol abuse is indicated. And this gives quite good reasons for self-isolation of alcoholism in the system of factors contributing to the aggravation of the criminal situation in Russia.

A more vivid and convincing confirmation of the special significance of alcoholism as a factor of aggravation of the criminal situation is the statistical data on the state of crime presented by the Ministry of Internal Affairs of Russia for 2023. According to them, about 22.4% of crimes are committed under the influence of alcohol [7]. That is, almost every quadruple crime is determined by the factor of alcoholism, which cannot but cause extreme concern.

This problem of alcoholism and the role of alcohol consumption in the system of factors that aggravate the criminal situation is not as clear as it may seem at first glance, because in Russia there is a very significant differentiation of regions according to various characteristics, including:

- the amount of alcohol consumed per capita;
- the number of crimes committed, including specific ones;
- social and economic development, etc.

Therefore, general data on the proportion of crimes committed under the influence of alcohol are not sufficient to assess the problem under study objectively. To solve this problem, you should refer to information about the level of crime in certain regions, including due to alcohol consumption. The sources of this information were the report of the Ministry of Internal Affairs of Russia on the state of crime in Russia for 2023, as well as the Rating of regions by crime developed by the results of 2023 by specialists of FSUE MIA "Russia Today". The following is a list of regions with the highest proportion of crimes committed under the influence of alcohol, and in parentheses the place of the corresponding region in the Rating mentioned above is reflected, where the 1st place is occupied by the region with the minimum number of crimes registered per 10 thousand inhabitants, and the 85th-with the maximum:

- Nenets Autonomous District – 46.8% (81st place out of 85),
- Tyva – 43.1% (58th place),
- Chukotka Autonomous Region – 42.7% (78th place),
- Yakutia – 39.4% (35th place),
- Buryatia – 38.4% (79th place),
- Komi Republic – 37.3% (85th place),
- Trans-Baikal Territory – 36.9% (74th place) [7; 8].

The list presented above shows that many regions with the highest level of criminality are also characterized by the highest proportion of crimes committed on the basis of alcohol intoxication. There is no direct correlation here, if only because not all regions with the highest proportion of crimes committed under the influence of alcohol are among the most criminogenic regions. However, a certain relationship is still seen.

Separately, we should mention the problem of criminogenic manifestations among minors. This problem is also ambiguously expressed in different regions of Russia: in some regions of the Russian Federation, the level of juvenile delinquency significantly exceeds the indicators reflecting its state in Russia as a whole. Thus, the Trans-Baikal Territory stands out among the regions with the highest level of juvenile

delinquency. Data reflecting the level of juvenile delinquency in this region [7] indicate that the factor of alcoholism is also manifested among adolescents.

A study conducted by Doctors of Medical Sciences A.V. Sakharov and N. V. Govorin showed that in the Trans-Baikal Territory in the adolescent environment, alcoholism affects a significant part of minors. Among adolescents (young men) aged 15-16 years, 65% of the surveyed participants were abstinent (i.e., non-drinkers), casual drinkers-21.6%, situational drinkers-8.6%, systematic drinkers-4.1%. Moreover, there were also habitual drinkers-0.6%. Among girls, the indicators were largely similar [5, p. 17], so we will not give them. However, these data also suggest that at least 4.1% of adolescents should be considered at risk. It seems that the problem should be of particular interest to the state and those leaders who are engaged in developing policies in the field of combating crime.

Of course, the state is currently taking very active and, I must say, largely effective measures aimed at preventing alcoholization of the population as a whole and among minors. However, statistical data and results of scientific research indicating the use of alcohol among this category of the population suggest the need to strengthen measures to counteract this social phenomenon, which not only negatively affects the health of the population, but also exacerbates the criminal situation.

In the literature, it is often pointed out that in reality the problem of alcoholization of the population is more acute than statistics show. And in many ways there is an explanation for this, because if there is a general decrease in the number of crimes, then it is unlikely that the specific share of crimes committed under the influence of alcohol will decrease: this indicator is consistently high [6].

This situation gives rise to reasons for reviewing the state policy in the field of combating crime caused by the factor of alcoholism, and the literature pays close attention to this. For example, K. P. Fedyakin and S. A. Galaktionov point out the expediency of a more consistent approach to solving the problem of criminal liability for committing crimes of the considered category. They justify their position by saying that such crimes are often committed when using sources of increased danger, which

is associated with a large number of victims [6]. At the same time, many crimes committed under the influence of alcohol are reckless, and therefore relatively mild punishments are imposed on the guilty, and this hardly contributes to the prevention of similar acts both on the part of the convicted person and on the part of others.

A review of the current approach to the assessment of crimes related to alcohol intoxication is largely hindered by the discussion about how the very fact of alcohol intoxication should be assessed: as a mitigating circumstance, an aggravating circumstance, or a neutral one? Moreover, an unambiguous assessment is also hindered by the fact that not in all cases of committing a crime under the influence of alcohol or in the presence of alcohol dependence, it is the use of alcohol that causes the crime. After all, there is no doubt that in some cases the presence of alcohol intoxication or alcohol dependence may not play any role in the commission of a crime [6].

Conclusion

Alcoholization of the population, without a doubt, is a significant factor that exacerbates the criminal situation, including among minors. Moreover, it is obvious that this factor primarily affects the level of various kinds of violent crimes; as for intellectual crime, this factor is unlikely to contribute to it.

The Russian policy in terms of countering alcoholism, including in the aspect of crime prevention, raises some questions. The very fact of the presence of alcoholic intoxication is not recognized as an aggravating circumstance in the qualification of the act and the imposition of punishment. Moreover, the commission of reckless crimes involving alcohol consumption, on the contrary, contributes to the appointment of relatively mild punishments, and this in no way allows for effective prevention of such crimes.

Given the above, it is important to take more radical measures aimed at reducing alcoholism as a factor that exacerbates the crime situation. It may be necessary to consider re-evaluating the state of alcoholic intoxication as a circumstance that is taken into account when assigning a sentence.

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