



License applied: [CC-BY-NC 4.0](https://creativecommons.org/licenses/by-nc/4.0/)

**DOI:**

<b>Title:</b>	THE IMPACT OF CRIME ON SOCIETY IN THE CURRENT SOCIO-ECONOMIC ROMANIAN CONTEXT
<b>Authors:</b>	Adrian NICOLESCU

**Section:** SOCIAL SCIENCES

**Issue:** 1(19)/2020

<b>Received:</b> 12 January 2020	<b>Revised:</b> No
<b>Accepted:</b> 16 February 2020	<b>Available Online:</b> 15 March 2020

Paper available online [HERE](#)

## **THE IMPACT OF CRIME ON SOCIETY IN THE CURRENT SOCIO-ECONOMIC ROMANIAN CONTEXT**

**Adrian NICOLESCU<sup>1</sup>**

---

### **ABSTRACT:**

*CURRENTLY, WE CAN EASILY SEE THAT THE PHENOMENON OF CRIME IS MANIFESTING BOTH IN DEVELOPING OR UNDEVELOPED COUNTRIES AS WELL AS IN DEVELOPED COUNTRIES, NOT TAKING INTO ACCOUNT THE ECONOMIC, POLITICAL AND SOCIAL SITUATION OF THE SOCIETY AS A WHOLE. IN ORDER TO COMBAT CRIME, EFFORTS ARE BEING MADE BY ALL THE ACTORS INVOLVED, AND THE EFFORTS ARE OUTLINED, IN PRINCIPLE, AT THE LEGISLATIVE LEVEL BY ELABORATING AND UPDATING THE NORMATIVE ACTS CONCERNING THIS FIELD AND, NOT LASTLY, BY MODERNIZING THE TECHNIQUES FOR PREVENTING THESE ILLICIT ACTIVITIES, WHICH HARM ALL SOCIAL VALUES PROTECTED BY LAW. IN THIS CONTEXT, WE ARE WITNESSING AN ACCELERATION OF THE PROCESS OF GLOBALIZATION THAT INVOLVES AN EXPANSION OF THE COMMUNICATION NETWORKS, THE INCREASE OF INSECURITY ON ALL LEVELS, THE PROLIFERATION OF CONFLICTS OF ANY KIND, AND ALL THESE WILL GIVE RISE TO THE RAPID INCREASE OF THE PHENOMENON OF CRIME, ESPECIALLY WITH AN ORGANIZED, DIVERSIFIED AND CROSS-BORDER CHARACTER. IT MUST BE KNOWN THAT IT IS NECESSARY TO INCREASE THE DEGREE OF KNOWLEDGE REGARDING THE EVOLUTION AND IMPACT OF CRIME ON SOCIAL AND ECONOMIC DEVELOPMENT ON TODAY'S SOCIETY BY USING LEGAL AND TECHNICAL TOOLS TO COMBAT THIS RATHER COMPLEX PHENOMENON, BEING A CERTAIN FACT THAT AMONG THE IMPORTANT FACTORS THAT AMPLIFY THIS PHENOMENON ARE SOCIAL EXCLUSION, POVERTY AND UNEMPLOYMENT.*

---

**KEY WORDS:** CRIME, KEY INSTITUTIONS, DETERMINANT FACTORS, SOCIAL ORDER

### **1. GENERAL CONSIDERATIONS**

The expansion of organized crime represents an imminent danger and a clear threat to all the states of the world, regardless of their development status, determining a conclusive analysis and a complex evaluation, in order to adopt the appropriate and connected legislative and administrative measures for limitation and combating crime at international, European and national level. The impact is felt both by the European and global economies, seriously affecting the fiscal revenues of the states. It is noteworthy that in the current European and international context, a manifestation of environmental offenses has been found, which have a special and long-term impact on the living conditions of the communities.

---

<sup>1</sup> Senior lecturer Ph.D., Faculty of Letters University of Craiova (Romania), nicolescu\_adrian89@yahoo.com

Certain offenses committed on the environment are irreversible in the sense that the damage can no longer be repaired, neither partially nor wholly. The imminent risks regarding environmental degradation, associated with the activity of cross-border crime networks and economic crime, are properly identified and managed by integrating environmental criminology into environmental governance. In this situation, a greater attention is required on the prevention, detection, investigation and criminal prosecution of the offenses against the environment, not only for the natural persons, but especially for the legal persons, following as much as possible the recovery of the caused damages, but also restoration of the affected areas.

Given that crime is a growing phenomenon with profound and serious consequences for the environment in which we live, discovering, adapting and choosing the most appropriate and effective means of prevention is a continuous and permanent concern for both lawyers and sociologists.

In the literature, criminality is a social problem, since it includes a significant discrepancy between the value reference systems and the expectations of individuals.<sup>2</sup>

A prudent society will defend not only after the crime has taken place but before it will occur. Thus, all appropriate measures will be taken to prevent the establishment of the conditions for the formation of crime, by engaging in an intense, systematic fight to combat the causes of crime.<sup>3</sup>

We emphasize that the effects of the crime phenomenon can be significantly reduced by clear prevention and control policies, but under no circumstances can the effects be stopped altogether, given that criminal behavior is a dimension of human conduct.

Taking into account the extent to which the crime is known and the extent to which the criminal law means react against it, it can be divided into real, apparent and legal crime.

The real crime represents the totality of the criminal offenses committed in a territory, in a certain period of time. This means that in practice, there is always a quantitative difference between the number of crimes actually committed and the number provided by the judicial statistics.

The apparent crime comprises the totality of the crimes reported to the judicial authorities and registered as such. This type of crime is different from the real crime, because it cannot be known and quantified for the following reasons - not all the criminal facts are brought to the knowledge of the authorized bodies of the state and registered as such; a final court decision is not pronounced in all cases, regarding all the criminal facts notified after the final investigations; a good part of the facts reported remain with unidentified authors.

The legal crime represents the totality of the criminal acts for which final sentencing decisions have been pronounced.<sup>4</sup>

## **2. THE CAUSES OF THE SOCIAL PHENOMENON OF CRIME**

Currently, the phenomenon of crime is driven by a multitude of factors that dominate today's society, which is constantly changing, and which the authorities must take a quick approach to. Among the most essential generating factors of the phenomenon we list economic factors, demographic factors, socio-cultural factors, family, the impact of mass media.

---

<sup>2</sup> Tudor Amza, *Criminologie*, (Bucuresti: Editura Lumina Lex, 1998).

<sup>3</sup> Aurel Dincu, *Bazele Criminologiei*, (Bucuresti:Editura Procardia, 1993).

<sup>4</sup> Ion Chipaila, *Criminologie Generala*, (Craiova: Editura Stech, 2009), 23-24.

The economic factors that determine a criminogenic behavior are unemployment, the standard of living and, last but not least, the economic crises. Unemployment consists of the essential decrease of the incomes for the acquisition of the primary means of existence which determines a certain behavior contrary to the law order. The economic crises lead to a decrease in the standard of living that affects both the production, as well as the level of wages and the unemployment rate. In the absence of a reaction stemming from the state, constantly in social protection, people may be vulnerable in terms of their predilection for crime.

Family plays an essential role in the life of a child. Thus, delinquency studies have shown that, in many cases, the atmosphere in disorganized families, lack of parental authority, control, and their affection as a result of divorce, have determined children to adopt antisocial acts.

Regarding the socio-cultural factors, the specialized literature argued that, "in a broad sense, culture represents the totality of the material and spiritual values created by human society throughout history. Criminology is particularly interested in those cultural factors that play a predominant role in the positive or negative socialization of individuals and which ultimately lead them to commit antisocial facts."<sup>5</sup>

### **3. DEFINING ELEMENTS OF ORGANIZED CRIME MANIFESTED IN ROMANIA**

"At a national level, organized crime manifests itself in many sectors of economic and social life, trying to control areas and financial markets, as well to infiltrate into the real economy by using intimidation and corruption in order to obtain profit and influence. The opening of borders in the region has facilitated the movement of people, goods and capital."<sup>6</sup>

"The organized crime groups in Romania, without being essentially different as a way of organizing and acting from the international ones, have some specific features: they have a specialization and they act on certain criminal segments; their mode of organization is predominantly "cell" type; they act in predetermined geographical areas; they have mobility in identifying new countries where they can carry out their criminal activities; they have permanent concerns in identifying new modes of operation and in reorienting them to new criminal spheres; they use the financial product obtained to carry out new criminal activities; they deal with money laundering and reinvestment in legal activities; they easily recruit new members to replace the old ones in the group structure; those active in the sphere of economic-financial crime target all segments of society, using all available financial instruments and even legislative loopholes; abroad, Romanian organizations are mainly known for their activities in the sphere of human trafficking, cybercrime and drug trafficking."<sup>7</sup>

The phenomenon of crime in Romania has certain peculiarities, so in the field of human trafficking, the counties in Moldova compared to those in the rest of the country, are more exposed, due to the low standard of living and the high unemployment rate. The victims, destined for internal and external trafficking, are especially minor and come from disorganized families, with a low level of education and with a maximum risk of social exclusion.

<sup>5</sup> Gh. Nistoreanu, C. Paun, *Criminologie*, (Bucuresti: Editura Europa Nova, 2000), 93.

<sup>6</sup> <https://intelligence.sri.ro/criminalitatea-organizata-sub-lupa/>. Accessed at 12.11.2019.

<sup>7</sup> <https://intelligence.sri.ro/criminalitatea-organizata-sub-lupa/>. Accessed at 12.11.2019.

With a significant impact, tax evasion also manifests itself throughout Romania, especially in the area of large urban centers where a large number of companies trading products from China or Turkey are concentrated. Many of these acts of trade are illegal and contrary to the rules in force. Committing such illicit acts, which deviate from the rules of coexistence, are crimes that the criminal law severely punishes and it should not be neglected that these illegal behaviors feed the underground economy, which is becoming increasingly aware of a great diversity of illegal businesses giving birth to an uncontrolled monetary mass.

Computer crime is not to be neglected, it continues its upward, existing and international trend. Romania, along with the other European states, is still a country providing cybercrime, in the fields of computer fraud, credit card fraud, but also computer attacks. The main direction registered in the last period is the one of the computer attacks, Romania being a launching country, the "infrastructure", but also a target. International trends and new modes of operation immediately find their place in Romania, and in this sense, hackers, botnet networks, financial malware and ransomware, can be exemplified.

Last but not least, since the principle of free movement of goods and, in particular, of the persons of Romania is implemented, the latter is on the international map regarding the drug trafficking route, becoming a territory with many implications for storage, delivery as well as drug use. Means and methods of trafficking are constantly changing and adapt rapidly to the demands of the market, which significantly hinders the activity of the bodies empowered to prevent and combat the illicit activities.

In the big urban and university centers in Bucharest, Cluj, Iași, Constanța, Timișoara, there is an acceleration in the drug consumption. In these areas, the central and local authorities make sustained efforts, finding and preventing the trafficking and consumption of drugs crimes in which Romanian or foreign citizens are involved. For organized crime in the European community, because of being a transit country, Romania represents a real alternative for the introduction of cocaine in other European states. It can be noticed that in Romania, the competence of preventing and combating the investigation of organized crime is divided between several authorities that, in principle, do not cooperate efficiently and sufficiently, which results in that in many situations there are overlaps and the causes of the phenomenon are not properly investigated by the competent authorities.

#### **4. MEASURES TO PREVENT AND COMBAT THE PHENOMENON OF CRIMINALITY**

In the specialized literature it is highlighted that the definition and evaluation of the concept of criminal policy for crime prevention must take into account three dimensions<sup>8</sup> : the first refers to the criminal law in force regarding the system of sanctions applied to the delinquent individuals, the second includes specialized institutions for prevention and specialized social control against crime, and the third one includes social reaction to crime and criminality.

Given the fact that total eradication of the effects of crime cannot be completely achieved, all the measures used to limit this phenomenon must take into account the multitude of criminal acts committed throughout the territory, as well as the particularities of the situations in which different persons or even institutions become targets of such crimes.

We believe that all the measures to prevent and combat the phenomenon of crime should be aimed at a more efficient application of existing legislation, and the obligation of

---

<sup>8</sup> Radulescu S.M., Banciu D., *Sociologia crimei si criminalitatii*, (Bucuresti: Casa de Editura si Presa „Sansa” SRL, 1996), 224

the legislature is to complete and permanently improve the legislation on crime so as to keep the pace with the constantly changing reality. At the same time, it should not be neglected that better cooperation and collaboration between the responsible institutions in order to limit the criminal activity would be welcomed.

Also, institutions with significant attributions in the field of crime must orient their activity in two main directions regarding the prevention of this phenomenon. First, the authorities should consider the victims of these crimes by creating complex programs for counseling and assisting the victims, as well as those who have been the perpetrators of a crime. Secondly, they should aim to create the possibility of perfecting its own people who are active in this rather complex field and who are in a difficult position to control ascension and constant change.

With Romania's accession to the European Union, the entire legislative framework had to be harmonized with the legislation of the Member States. Therefore, the legislation of the European community has been transposed into national legislation with the sustained effort of all the actors involved in order to achieve this objective.

With the entry into force of the Lisbon Treaty, all EU Member States have an imperative obligation to strictly follow the directions set out in different fields, in particular in the field of combating crime. The treaty establishes the following areas of crime - terrorism, human trafficking and sexual exploitation of women and children, illicit drug trafficking, illicit arms trafficking, money laundering, corruption, counterfeiting of means of payment, computer crime, organized crime.

"In order to ensure the closeness of laws, regulations and administrative rules of the states in criminal matters, the Treaty gives the right of the European Parliament and the Council to decide, by directives adopted according to the ordinary legislative procedure, on the definition of offenses and sanctions in the fields of criminality which has a cross-border dimension."<sup>9</sup>

Also, through directives, in accordance with the provisions of art. 82, para. 2 of the Treaty on the Functioning of the European Union, the possibility of the European Parliament and the Council to establish minimum norms to ensure mutual recognition of judicial decisions in criminal matters, as well as police and judicial cooperation, regarding the following aspects - mutual admissibility of evidence between Member States, the rights of persons in criminal proceedings, the rights of victims of crime, other special elements of the criminal procedure identified by the Council, in advance, by a decision- has been recognized.

The Treaty of Lisbon outlined a legal framework manifested, in principle, through the efforts made to guarantee the freedom of movement and the prompt European response to the global threats facing today's society. Also, the treaty further strengthened the protection of fundamental rights and democratic control over EU policies on internal security and was the one that made the European Parliament a co-legislator on police and judicial cooperation in the field of organized crime.

The European Parliament and the Council play an essential role in the policy of preventing and combating crime as they outline, in principle, the main powers and competences of Europol, an institution of force in this field. Europol's main mission, as a law enforcement agency of the European Union, is to assist Member States in preventing and combating all serious forms of international crime. Its role is to contribute to a more secure Europe, for the benefit of all EU citizens, by supporting EU law enforcement, by exchanging

<sup>9</sup><http://www.dragomirlaw.ro/articles/Rolul%20organizatiilor%20internationale%20de%20securitate%20pentru%20prevenirea%20si%20combaterea%20criminalitatii%20organizate.pdf>. Accessed at 13.11.2019

and analyzing crime information. At present, Europol is cooperating to combat the crime phenomenon with 17 countries outside the EU, nine EU bodies and agencies and three other international organizations, including Interpol, which is involved, in many respects, in Europol's operational activity.

“The European Commission considers that the assessment of the threat posed by the serious forms of crime and organized crime from 2017 constitutes a basis for establishing EU priorities in tackling crime for the next four years. Based on these considerations, the Commission invites the Council to approve the inclusion of the following eight types of crime in the list of priorities of the EU policy cycle on serious and internationally organized crime for 2018-2021: cybercrime, drug crime, illegal immigrants introduction, organized crime against property, trafficking in human beings, trafficking in firearms, fraud in the field of VAT and environmental crimes.”<sup>10</sup>

## 5. CONCLUSIONS

Crime is one of the manifestations that inevitably accompany problems such as poverty, lack of resources, lack of opportunities, lack of opportunities, marginalization. Considering that the phenomenon of crime as a social problem that does not take into account the geographical barriers or the levels of development, an American expert in this field characterized it, several decades ago, as a genuine "symptom of the decay of a nation", which synthesizes the main shortcomings of cultural, educational and economic policy.<sup>11</sup>

Studies by the Rowntree Foundation have shown that economic policies, including welfare and social security programs, do not cause significant effects on youth crime or delinquency unless they have a full impact on a nation's psychology and culture.<sup>12</sup>

In other words, the facts contrary to the social order or even the crimes are not only generated by economic causes, but also by numerous other psychological and cultural variables. The response to the phenomenon of crime is multidisciplinary and involves the activity of a large number of central and local public institutions, as well as citizens or different civic, religious or social organizations existing at local level, so that their sometimes complementary, overlapping or even contradictory activity, may be, as far as possible, reduced or even eliminated.

In conclusion, the phenomenon of crime has a significant negative impact on the socio-economic development of today's society, but this impact is amplified by corruption that has penetrated at all institutional levels. State, through anti-corruption measures, clearly increases the economic efficiency and, implicitly, the administrative efficiency of the law enforcement institutions, and the administrative and political measures for the economic development precisely reduce the impact of crime on the individual, generating legal, but not illegal opportunities in order to obtain income, educational support, social and health programs for vulnerable groups.

Clearly through all these measures the society as a whole prevents any deviations from the law order.

The fight against organized crime is still a real challenge for the authorities that make sustained efforts to stop this phenomenon, which is quite difficult to find. Organized crime is

---

<sup>10</sup><https://ec.europa.eu/transparency/regdoc/rep/1/2017/RO/COM-2017-213-F1-RO-MAIN-PART-1.PDF>. Raport al Comisiei catre Parlamentul European, Consiliul European si Consiliu. Al saselea raport referitor la progresele inregistrate pentru realizarea unei uniuni a securitatii efective si reale.

<sup>11</sup> Walter A. Lunden, *Statistics in Delinquents and Delinquency*, Springfield, (Illinois: Charles C. Thomas, Publisher, 1964), 5.

<sup>12</sup> Rowntree Joseph Foundation, *Studies on Juvenile Delinquency*, (London: Cambridge, 1995).

a decisive element that favors terrorism, giving the actors of this phenomenon the possibility of acquiring weapons and acquiring illicit financial means.

Also, an issue currently faced by the empowered authorities in this field is the fact that "the border between cybercrime and traditional crime disappears to a greater extent as criminals use the Internet both as a way to intensify their activities, as well as a source of purchasing the means and finding new methods of committing crimes. Terrorism, organized crime and cybercrime are therefore interconnected areas, and supporting the fight against organized crime is a key priority for action at EU level within union security."<sup>13</sup>

---

<sup>13</sup><https://ec.europa.eu/transparency/regdoc/rep/1/2017/RO/COM-2017-213-F1-RO-MAIN-PART-1.PDF> .Raport al Comisiei catre Parlamentul European, Consiliul European si Consiliu. Al saselea raport referitor la progresele inregistrate pentru realizarea unei uniuni a securitatii efective si reale.



## REFERENCES

### 1. Books, articles

1. **Amza, Tudor;** *Criminology („Criminologie”)*, Bucharest: Lumina Lex Publishing House, 1998.
2. **Chipaila, Ion;** *General Criminology („Criminologie generală”)*, Craiova: Stech Publishing House, 2009.
3. **Dincu, Aurel;** *Criminology Basics („Bazele Criminologiei”)*, Bucharest: Procardia Publishing House, 1993.
4. **Nistoreanu, Gheorghe, Paun, Constantin;** *Criminology („Criminologie”)*, Bucharest: Europa Nova Publishing House, 2000.
5. **Rădulescu, Sorin, Banciu, Dan;** *Sociology of crime and criminality („Sociologia crimei si criminalitatii”)*, Bucharest, Publishing House and Press, “Sansa” SRL, 1996.
6. **Rowntree Joseph Foundation;** *Studies on Juvenile Delinquency*, London: Cambridge, 1995.
7. **Walter, A. Lunden;** *Statistics in Delinquents and Delinquency*, Illinois: Springfield, Charles C. Thomas, Publisher, 1964.

### 2. Other sources

1. <https://intelligence.sri.ro/criminalitatea-organizata-sub-lupa/>. Accessed on 12.11.2019.
2. <https://intelligence.sri.ro/criminalitatea-organizata-sub-lupa/>. Accessed on 12.11.2019.
3. <http://www.dragomirlaw.ro/articles/Rolul%20organizatiilor%20internationale%20de%20securitate%20pentru%20prevenirea%20si%20combaterea%20criminalitatii%20organizate.pdf>. Accessed on 13.11.2019
4. <https://ec.europa.eu/transparency/regdoc/rep/1/2017/RO/COM-2017-213-F1-RO-MAIN-PART-1.PDF>. Report from the Commission to the European Parliament, the European Council and the Council. The sixth report on the progress made in achieving a union of effective and real security.
5. <https://ec.europa.eu/transparency/regdoc/rep/1/2017/RO/COM-2017-213-F1-RO-MAIN-PART-1.PDF>. Report from the Commission to the European Parliament, the Council European and Council. The sixth report on the progress made in achieving a union of effective and real security.