Criminalistics Doctrine of the Personality of Juvenile Participants in Criminal Proceedings

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Abstract
Criminalistics as a science has no cognitive value unless it provides rational tools that can improve the efficiency of detecting, investigating and preventing crimes. This qualitative study aimed to examine the criminalistics doctrine of the personality of juvenile participants in criminal proceedings taking into account factors like genesis, essence, structure, purpose, formation and prerequisites of a scientific theory. The primary data was collected for legal archives, writings of the leading scientists and criminologists. A theoretical framework guided this study to establish criminalistics as a science rather than an academic discipline. The result justified the need of a scientific criminalistics doctrine about the personality of a juvenile participant in criminal proceedings. The study made it evident that at the present stage there is a multi-level and multifunctional system of specific criminalistics theories about the personality of participants in criminal proceedings, which needs to expand, supplement and specify the general theoretical section of the science of criminalistics. The findings of this study, definitions and the content and structure, would provide useful insights to legislators, judges and lawyers to understand this science of criminalistics. This will help them to find the relevance of the relationship between criminalistics theories within a single system. However, this doctrine in question requires a separate independent inquiry in future studies by overcoming the time limitations and the need to give more focused attention.

Keywords: scientific theory, criminalistics doctrine, personality, criminal proceedings

Introduction
Criminalistics can be defined as the application of scientific methods to the recognition, collection, identification, and comparison of physical evidence generated by criminal or illegal civil activity. It also involves the reconstruction of such events by
evaluation of the physical evidence and the crime scene (Siegel, 2023). In general understanding, criminalistics, when recognized as the application of scientific methods, it is an absolute necessity for individuals to associate the science of criminalistics with their environment, its patterns, phenomena, etc. However, in the course of its development, humankind has begun to realize that its future depends not merely on the accumulation of knowledge about the world, but on the acquisition of knowledge aimed at understanding, systematizing and comprehending the truth. Thus, to understand the science of criminalistics as a scientific activity, there is a need for a purposeful accumulation and systematization of its factual knowledge and learning about the application its scientific methods.

Scientifically and methodologically, criminalistics is also known as forensic science. Forensic science is one of the branches of science that deals with criminal and civil laws, and which focuses on collection, preservation, and scientific evidence during the process of investigation. However, the only difference is in the application. The forensic scientist functions as a specialist within his particular area of knowledge, while the criminalist is a competent scientific investigator in all physical-legal problems. The criminalists accumulate scientific knowledge that must always be consistent and systematic. Such an accumulated knowledge is largely different from everyday knowledge based on life experience and common sense as it makes use of scientific generalizations and hypotheses that cannot exist in isolation; they are always interconnected, explaining, supplementing and clarifying knowledge about the phenomena of the world around us.

Criminalistics as a science has no cognitive value when isolated from the entire system just as any integral scientific knowledge cannot exist in its discrete expression. Contextually, therefore, the characteristics of scientific knowledge could be identified as consistency; systematic viewpoint; validated by facts, rather than abstract categories or faith; aims to explain newly discovered facts through hypotheses, theories and laws; and seeks to create new concepts and categories, laws and theories (Ruzavin, 1974). Any system based on scientific concepts and categories, therefore, describes objects and explains the phenomena of the world around, based on these characteristics. It is the consistency, systematic viewpoint, acknowledged facts, and a process that has the ability to test various hypotheses and theories to create new concepts and ideas that give birth to reliable scientific knowledge. This also proves that scientific knowledge is the result of a special type of cognitive activity, which has its own specific means, methods and criteria. These methods speak of not only an object or a phenomenon, but also explain the patterns of their interaction with the outside world. Such an explanation is possible only with a precise treatment of concepts, categories, laws and other elements of theoretical knowledge. Only a systematic scientific theory is capable of accomplishing this and creating new scientific knowledge.

In this sense, criminalistics or its theories are no exception. As professor A.A. Exarchopulo notes: “The creation of a criminalistics theory became possible at a certain stage in the development of criminalistics science and reflected the general pattern in the progress of scientific knowledge. Through the generalization of empirical material and the creation of specific criminalistics theories towards more general theories and teachings, and through their systematization – to the formation
of a general theory of science: this is the historical development path of criminalistics” (Exarchopulo, 1993). This seems to be possible only through a systematic cognitive activity, which has its own specific methods and criteria, similar to the characteristics mentioned above: consistency, systematic viewpoint, facts validated through a process and the ability to test various hypotheses and theories to create new concepts and ideas and give birth to reliable scientific knowledge.

There are various traits of the personality of juvenile participants brought for criminal proceedings. Right at the outset, juvenile offenders or juvenile delinquents lack physical and psychological maturity as they remain unaware of the crime or offence they are involved, accidentally or deliberately. Juvenile delinquency is often a result of curiosity, peer influence and fractured family conditions where children cannot receive formal education. Among the personality traits that juveniles develop include impulsiveness, audacity, venturesomeness, risk taking, lack of empathy, and like. Although these offenders are often correlated with antisocial and criminal conduct, it is also a proven fact that most of such juvenile delinquents do not grow up as adult criminals (Robins, 1974; Robins, 1978). It does also suggest that chronically delinquent juveniles may have to face risk factors but they do not grow into criminals. The science of criminalistics is yet to take into cognizance this fact that individual factors like lack of education, peer influence and fractured family conditions, do contribute to the personality of a juvenile delinquent but these factors contribute very little until a particular age, which if not checked can cause higher risks for the child or the adolescent to turn into a chronic delinquent. Besides, there is also a need to check whether biological (genetic) and environmental factors play any role in influencing the delinquent behavior (Bock & Goode, 1996).

There is a dearth of studies on the criminalistics doctrine and personality of juvenile participants in criminal proceedings, with respect to genesis, essence, structure and prerequisites. The current study therefore, aimed to fill this research gap by obtaining the scientific knowledge about juvenile personality-criminality correlation and the role that the delinquent behavior can play in the building of a juvenile personality.

**Theoretical Framework**

The theoretical basis of any branch of scientific knowledge, including criminalistics, is enriched by establishing specific scientific theories of varying degrees of generalization, whose system forms the foundation for future development. This intention requires clear criteria for the formation of reliable theories (concepts) to combat the phenomena of pseudo-teachings, or pseudo-theories. Such criteria should ostensibly include the definition of a typical structure (composition) of scientific theories, the prerequisites for their formation and specific empirical generalizations that serve as their basis.

Any specific criminalistics theory must contain the basic doctrines and initial points, referred to as principles in science. Such criminalistics principles, typically distinguished by their scope, are usually divided into principles of criminalistics science and principles of practical endeavors. For instance, Exarchopulo (2018)
identifies a few principles, which are proposed as components of criminalistics theory, namely: the principle of precedence of legal provisions over criminalistics recommendations; the interconnection between criminalistics science and practice; the focus on the best practices of criminalistics support for law enforcement; a creative approach to solving practical problems; and combination of high efficiency and validity of criminalistics decisions (Exarchopulo, 2018). Since the validity of these initial propositions seems apparent, it is believed that it is superfluous to present the entire arguments, and will simply be limited to only listing them.

Despite the seemingly apparent differences between scientific and commonplace knowledge, unfortunately, criminalistics often has to deal with attempts to generate pseudo-theories that try to pass off the “well-forgotten” past discoveries as modern scientific findings, although the former are actually pseudo-discoveries. In reality, many of them turn out to be based on common sense or everyday knowledge alone. Belkin (2001a) rightly notes, such scientific theories are “... a kind of criminalistics phantoms, mind play of an ambitious author trying to thus leave his mark on science.” Due to the great significance of the phenomenon of scientific theories for the development of science as a whole, the issues of their formation, functioning and establishing their reliability come to the fore for researchers. In the case of a specific criminalistics theory regarding the personality of juvenile participants in criminal proceedings, these issues may only be resolved through a general philosophical approach.

In this regard, some concepts and categories of a particular specific criminalistics theory not only can, but should be used to describe and explain another specific criminalistics theory. This provides a clear and precise structure for both criminalistics in its entirety and its general theory. The concepts and categories of a specific criminalistics theory as components of its structure can be divided into empirical and theoretical. Although this classification is conditional, it still allows clearly demonstrating the sensory/empirical and rational/theoretical nature of any specific criminalistics theory and correctly determining which approach prevails in a particular theory.

Theoretical terms are introduced into the language of criminalistics to describe the properties of and relationships between abstract objects in a certain idealized system. In this regard, their adequacy, correlation and veracity can only be confirmed by empirical interpretation (Ruzavin, 1974). This specifically reveals the inextricable connection and interdependence of empirical and theoretical concepts and categories. The importance of identifying concepts and categories as components of a specific criminalistics theory lies, among other things, in their functional purpose. First of all, they ensure the deductive systematization of criminalistics knowledge, allowing one to logically derive other concepts and statements from the initial ones. When creating a specific criminalistics theory, it is important both to describe the properties of abstract objects and their connections, which are theoretically explained by criminalistics laws. These interrelations between objects can, of course, be either random in nature or relatively regular and constant - qualities that are known as consistency in science.

In this case, criminalistics laws reflect the natural connections between real objects studied by criminalistics, which is apparent both in the mechanism of the
crime itself and in the process of detecting and investigating crimes. Along with these two components of the subject of criminalistics, its laws also reflect the process of development of criminalistics science, that is, the process of obtaining new criminalistics knowledge. In other words, an epistemological analysis of the essence of a specific criminalistics theory is urgently needed in order to subsequently form a specific doctrine of personality of a juvenile in the domain of criminal justice. In order to achieve this goal, this logic determines the structure of the study from general theoretical questions applicable to scientific and criminalistics theories as a whole and move on to specific questions related to the particular doctrine under consideration. This goal, however, cannot be achieved unless the following tasks remain unsolved, namely determining the composition of a specific criminalistics doctrine on the personality of juvenile participants in criminal proceedings; determining the presence of prerequisites for its formation; determining the scientific status of the issues under consideration. For this reason, this study aimed to theoretically justify the formation of a specific criminalistics doctrine about the personality of juvenile participants in criminal proceedings.

**Literature Review**

- *Criminalistics As A Branch Of Scientific Knowledge*,

Science, as an integral part of the culture of any civilization, is in itself a subject of knowledge, since the process of accumulating scientific knowledge, its structure, and peculiarities of systematization have a considerable sociocultural significance and are of undoubted scientific interest. Being an established independent branch of scientific knowledge, criminalistics does not constitute an exception. Since the early days of this new branch of knowledge, its founders have always sought not only to accumulate and systematize empirical data, but also to form theoretical generalizations, and explain the phenomena encountered in the practice of combating crime from a scientific viewpoint (Exarchopulo, 2018).

Ruzavin (1974) appropriately stated: “The progress of scientific knowledge lies not so much in the detection of connections between observed phenomena and in the discovery of empirical laws, but in the establishment and application of theoretical concepts and laws that reveal deeper, inner properties of and relationships between phenomena. It becomes possible to explain empirical laws and generalizations about observed objects through concepts and laws that are relevant to ideal objects.” (p134)

As the science of criminalistics develops, it becomes centered on specific scientific theories, and gets interconnected with other knowledge domains, to eventually transform into a complex, scientifically structured branch of scientific knowledge. In this regard, it seems necessary to examine the genesis, essence structure and prerequisites of such developed criminalistics branch of scientific knowledge, as Exarchopulo (2018) rightly observed that it is impossible to distinguish a criminalistics theory from other forms of rational thinking without a methodological study of its genesis and essence (Exarchopulo, 2018).

Questions about the essence of scientific theories in general, and criminalistics theories in particular, are extensively present in scientific literature. For instance, in the context of Russian criminalistics, several critics and scientists have devoted their works to the questions of the essence, purpose and place of specific criminalistics

According to Gross (1908), the founder of Forensic sciences, a gradual transition took place from a simple generalization and systematization of empirical material to its theoretical generalization and comprehension. The science of criminalistics thus emerged as focused accumulation and systematization of factual knowledge about the detection and investigation of crimes. This process was aligned with the realization that theory, unlike other forms of rational cognition, always provides more complete, integrated and systemic knowledge about the surrounding reality. While it originated as a system of empirical information about the criminalistically important signs of a crime, special methods and means of its cognition, which also obeyed the general laws of the development of science, criminalistics gradually moved on to the sensible identification of new scientific problems, which is the basis for the formation of theories in any science. The existing paradigm of scientific research has also changed accordingly.

In one of his works, celebrated scientist Kuhn (2009) pointed out that normal science is always based on the detection of anomalies and contradictions that allow to develop scientific theories, which lead to a paradigm shift and ultimately – to a scientific revolution and breakthrough. Anomalies and contradictions detected in the phenomena studied by science stimulate the creation of scientific theories and in our case – a specific criminalistics theory is created about the personality of a juvenile participant in criminal proceedings.

- Relevant Laws and Ordinances as Criminalistics Solutions

In order to provide criminalistics solutions to all participants, several legislative attempts had been made. For instance, at the international level, Universal Declaration of Human Rights of December 10, 1948; Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power of November 29, 1985; Recommendation of the Committee of Ministers of the Council of Europe “On the position of the victim in the framework of criminal law and procedure” of June 28, 1985 No. R (85) 11; and like, have emphasized the rights and legitimate interests of persons and organizations victimized by crime among these functions (Decree, 2010). At the same time, special protection is required for those participants in criminal proceedings whose ability to independently exercise such protection using their lawful rights is significantly limited. Such restrictions may be caused by the peculiarities of mental or physical development, the participant’s age and other factors, which are often impossible to overcome without scientific support for the implementation of lawful rights. The participants in criminal proceedings in need of assistance first and foremost include juvenile crime victims and juvenile witnesses (United Nations, 2007).

In this regard, the Resolution of the UN Economic and Social Council, which approved the Guidelines on Justice in Matters Involving Child Victims and Witnesses of Crime, was entirely justified. Once realized, the relevance and importance of this issue points to an ostensible need for significant efforts to make criminalistics solutions more attractive to scientists and more functional. They also need to
deliver results as a means of scientific and criminalistics support for the activities of investigators, the court, and justice in general, who are forced to engage juvenile victims and witnesses in implementing their functions and solving their tasks, since their awareness of the circumstances of a crime may be unique, or even the only one available to law enforcement agencies tasked with fighting crime.

- **Criminalistics in the Russian context**

  The domain of Russian criminalistics was under a significant influence of its West German counterpart; however, it paid more attention to the problem of the personality of participants in criminal proceedings. This is apparent in the extensive range of personality studies conducted by Russian criminalistics scientists, which examined the issue of personalities of participants in criminal investigations. For instance, Burinskii (1903), laid the theoretical foundation for the study of personality through handwriting; Brasol (1916) heeded sufficient attention to the personality of a participant in criminal proceedings; Yakimov and Mikheev (1930), examining the problem of obtaining testimony from witnesses and their evaluation, recommended taking into account the peculiarities of witnesses’ personalities while interacting with them. He also noted the need to study the criminal from the point of view of his personality features that form the criminal inclinations of the subject of criminal activity.

  The scientific developments of Gromov (2003), another well-known Soviet criminalistics expert, were just as important for the formation of a criminalistics doctrine about the personality of participants in criminal proceedings. He revealed the utmost importance of noting the impact of personality characteristics of the interrogated person on the effectiveness of communication during interrogation. There are various academic writings including the first criminalistics textbook for higher educational institutions, edited by Ya. (1938); investigation report into the personality of the accused (Tsvetkov, 1973); a doctoral dissertation on Criminalistics study of the personality of the accused (Glazyrin, 1973); a study on victimology which offered a new direction in the theory and practice of combating crime for the first time (Frank, 1972); and last, but not the least, a monograph by highlighting the criminalistics doctrine of the victim and addressing the problems of criminalistics study of the witness’s personality (Tsentrov, 1988).

  In fact, these theoretical elaborations mainly concerned the study of the personalities of the criminal and the witness, and investigators were advised to use this information in their work with them. Meanwhile, the results produced by Russian scientists were not limited to the use of information on the personality in legal proceedings. Since then, criminalistics experts who follow the general personification trend in humanities and realize the importance and exclusivity of the personality of a participant in criminal proceedings as a source of criminalistically significant information, began to form relevant specific criminalistics theories.

- **Juvenile Personality and Delinquent Behavior**

  There exist several longitudinal studies on the juvenile personalities and causes of their delinquent behavior such as those who are behaviorally inhibited, anxious and shy (Blumstein, Farrington, & Moitra, 1985), fearless and impulsive (Kerr et al., 1997), and discontented and lack of gratification with their socio-economic life.
(Mischel, Shoda, & Rodriguez, 1989). Other studies have found juvenile personalities affected by hyperactivity disorders due to lack of attention and ending in antisocial and aggressive behavior (Hechtman et al., 1984; Nagin & Tremblay, 1999; Sanson et al., 1993; Satterfield, Hoppe, & Schell, 1982). Other studies have reported that a major cause of juvenile delinquency is their lower verbal IQ, poor language skills, lack of psycho motor skills during the childhood and kindergarten years resulting in low school grades (Fergusson & Lynskey, 1997; Lynam, Moffitt, & Stouthamer-Loeber, 1993; Maguin & Loeber, 1996; Statin & Klackenberg-Larsson, 1993; Stockholms & Magnusson, 1989). Studies have also found the use of drugs and alcohol as another big reason for juvenile delinquency (Johnson et al., 1991).

A few studies pointed out the lack of cognitive and scientific reasoning in their personality (Moffitt, Lynam, & Silva, 1994; Séguin et al., 1995), misconception about social bonds and lacking problem-solving skills (Dodge et al., 1997). Other studies have attempted to find a correlation between cognitive deficits and delinquency as early as preschool years and maturing as they grow into adolescence (Lynam et al., 1993; Moffitt et al., 1994). Some of these studies are relevant to the current context as they hint at the correlation between delayed cognitive skills and aggressive behavior, such as (Barnett, 1995; Séguin et al., 1995) who have attributed the deficit of a scientifically acquired knowledge of skills as a major cause of aggressive behavior in later life. Studies have recommended the prevention of juvenile delinquency (Alekseev, Gerasimov, & Sukharev, 2001; Schweinhart & Weikart, 1993; Schweinhart, Barnes, & Weikart, 1993; Tremblay et al., 1995) by reducing the delinquent behavior and fostering cognitive development.

**Methodology**

The study utilized a qualitative and descriptive research design (Creswell & Miller, 2000) considering the problem of criminalistics as a science or an academic discipline with a case study approach (Patton, 2014) and to address the rationale of analyzing a juvenile as a participant in the criminal proceedings using the science of criminalistics. Such a case based approach with a qualitative research design, required citing theories, legislations and opinions of scientists, and other experts on criminologists. Owing to its scientific nature, the study also used the dialectical approach, which served as the conceptual basis for studying criminalistics with a general, scientific and interconnected and interdependent scientific inquiry methods, which involved historical, systemic/structural, epistemological analysis.

A close reading approach was adopted to collect the data and retrieve the required information. The data comprised both primary and secondary. The primary material was sourced from the laws and ordinances related to criminalistics while the secondary legal material comprised material taken from archives, books and journal articles related to criminalistics. A systematic library research for theoretical matters was conducted for collecting the theories, views, and doctrines (Zhang, Tam, & Cox, 2021). The data was analyzed through a qualitative analysis method, using various methods like content analysis, coding and construct building to ensure scientific conclusions are drawn (Simatupang, 2010). A need was felt to make this study prescriptive in its analysis since it aimed to prevent the juvenile delinquency with scientific methods.
Results

The study brought into light certain revelations related to the essence, structure (composition), formation, purpose, and prerequisites for the formation, of a criminalistics doctrine about the personality of a juvenile participant in criminal proceedings. All these factors were examined in the light of a pertinent theory applying the cognitive principles of scientific knowledge. The following is an account of all these factors in the light of a criminalistics doctrine:

- *Essence of a Specific Criminalistics Theory*

  The *essence* of a specific criminalistics theory about the personality of a juvenile participant in criminal proceedings relates more as a general type of scientific theory. This essence of a scientific theory, with respect to a specific criminalistics theory, can be examined in the following two dimensions: first, as a result of scientific research, or as ready-made scientific knowledge; second, as a process of obtaining new scientific knowledge. In the first case, the essence of a scientific theory is revealed through its structure (composition), content, by determining the place of scientific theory in the system of general theoretical knowledge. In the second case, an understanding of the essence of a scientific theory is achieved through analyzing its activities aimed at obtaining new knowledge, through an assessment of the formation, development and generalization of scientific knowledge.

  Without delving into a thorough analysis of the positive and negative aspects of the numerous approaches to understanding the essence of a scientific theory, it should be kept in mind that the essence and purpose of a scientific theory are most comprehensively understood only when the former and the latter are successfully integrated. This requires first to define the concept of scientific theory at the present stage of development of epistemology. An analysis of modern literature demonstrates that different authors define the essence and significance of scientific theory in different ways. For instance, Lebedev (2018) defines scientific theory as a logical, evidence-based system comprising ideal objects; though this definition emphasizes on a specific system, it is not illustrative of its essence. Gorkovenko (2011) defines scientific theory as an integral system of rationally meaningful, factual knowledge, reflecting the patterns of organization and development of nature and social reality. At the same time, knowledge can be obtained not only as a result of constructing abstractions, or thinking, but also as a result of ordinary sensory perception of reality, which, in turn, is not theorized, that is, scientific knowledge. The most convincing definition of scientific theory has been provided by Ruzavin (1978) who defined scientific theory as a system of abstract concepts and statements that formed an idealized representation of reality. It is apparent, however, that no scientific theory reflects the entire reality, but only one of its fragments called the subject area of scientific theory.

  Andreev (1985) understands theory as a vast sphere of knowledge that reveals the patterns of functioning and development of a certain totality of material or spiritual phenomena. It describes and explains these phenomena, and is aimed at the progressive transformation of nature, social relations and humankind. According to him, scientific theory is a broad and comprehensive form of human
knowledge, a system of logically coherent information about the corresponding set of phenomena, determined by the systemic organization of the material world itself. Specific criminalistics theory is no exception, since it is also an idealized display, a certain model of reality. At the same time, the subject of any particular criminalistics theory includes only certain aspects, sides, properties, consistent connections within a fragment of cognizable reality reflected in theory. These aspects determine the specificity of a scientific theory.

In our opinion, the above definition of scientific theory is characterized by an excessive level of abstraction, and can be reduced to a system of human knowledge about the world. Such an approach to the explanation of the concept in question does not define its essence or reveal its full meaning. Hence, it does not allow determining the structure of a scientific theory, which is mandatory for understanding its essence.

• **Structure (Composition) of a Specific Criminalistics Theory**

While talking about the structure (composition) of a specific criminalistics theory of the personality of a juvenile participant in criminal proceeding, Belkin (2001b) rightly noted that the structure of a specific criminalistics theory can be imagined as a functional system with certain modes and patterns. Hence, in order to understand the structure or composition of such a system it is important to examine the relationship of its various components based on objective laws. These components represent the structure of a specific criminalistics theory, including that of the personality of a juvenile participant in criminal proceedings. There are at least three components to represent the structure namely, abstract objects component; criminalistics concepts, categories, principles and laws; and system of logical conclusions.

The first component of abstract objects is based on the fact that any criminalistics theory is an idealized reflection of reality, which allows disengaging individuals from real phenomena and objects that are characterized by an infinite number of properties and features. Such theories are based on systems of abstract objects. For example, criminalistics theories of crime events are based on abstract objects like “criminal” and “victim of a crime,” while criminalistics doctrines of understanding the crime event are based on the concepts of “investigator,” “court,” “expert,” etc. in other words, both the objects and their connections and relationships are idealized and set aside. The need to “cleanse” such connections and relationships is due to their diversity in reality, which prevents its theoretical comprehension. A prime example of the “cleansing” of connections and relationships between idealized objects is the theory of criminalistics identification, which distinguishes between the identifiable and identifying parties, undoubtedly idealizing the actual interactions of these objects. Meanwhile, in reality each of them experiences the action of the other (Exarchopulo, 1991).

The functioning of complex real systems depends on a variety of conditions, prerequisites and initial parameters. Therefore, to theoretically understand them, the scientist is forced to ‘simplify’ both the real depiction of cognizable phenomena and their interrelations. Simplification in epistemology is conducted by introducing abstract or idealized objects, by “cleansing” them from a multitude of interrelations
that are insignificant for a given scientific study. The presence of such a system of abstract objects is the conceptual basis of any theory, including specific criminalistics theories. Exarchopulo (1993) notes that such idealized models can be a reflection of either criminalistics itself (the basis of scientific theories) or a criminal event (criminalistics theories of crime) or activities that aim to establish the truth in the process of detecting and investigating crimes (criminalistics theories of understanding a crime event).

The second component of criminalistics concepts and categories, principles and laws, define the properties and interactions of abstract objects. The concepts and categories describe the properties of idealized objects within a specific criminalistics theory, and principles and laws describe and explain their relationships. In the current context, to describe such idealized objects as “juveniles” and “investigator,” and to explain their interrelations, concepts and categories such as “personality of a minor participant in criminal proceedings,” “investigative actions,” “psychological contact,” etc. are introduced into the personality doctrine. The concepts and categories of a specific criminalistics theory should correspond to the concepts and categories of criminalistics as a whole. In their totality they form a complex system that represents a formalized verbal expression of the entire object domain of reality reflected by the theory, and, ultimately, form a special language of the science of criminalistics.

The third component of system of logical conclusions requires that the concepts and categories of a specific criminalistics theory must meet the requirements of formal logic, objectively reflect the logical properties of idealized objects, and be clear and precise in their content and scope. Their uniformity in the description and explanation of cognizable phenomena ensures the correct logical structure of the specific criminalistics theory, its clarity and reliability. This last component of a specific criminalistics theory is a system of consequences, conclusions and evidence that can be deduced from its laws and principles. These logical consequences in the form of judgments and statements are subject to verification by practice. The problem of verifying the reliability of a specific criminalistics theory and its confirmation in the practice of combatting crime is becoming increasingly more relevant today. The reason lies in the fact that the confirmation of validity of the logical consequences arising from the criminalistics theory’s laws and principles reveals its meaning and allows substantiating the practical expediency of the created specific criminalistics theories.

- **Formation of a specific criminalistics theory**

  The formation of a specific criminalistics theory, including that of the personality of a juvenile participant in criminal proceedings, originates from understanding the essence of a scientific theory as preconceived scientific knowledge, and its vital processes whereby it is obtained. This process of constructing theoretical concepts and models of the specific criminalistics theory leads to its formation and developing such a specific criminalistics theory that determines the necessity and the demand for this kind of theoretical research and development. Belkin (2001b) offers the stimulus, which he calls the “basis” for theoretical generalization, is a fact defined by the author as an objective phenomenon and an element of human cognitive activity. From his viewpoint, understanding a fact as the central element of
scientific knowledge allows to reveal the process of formation of specific theories more comprehensively and correctly.

In connection with the formation of a specific criminalistics theory, Exarchopulo (2014) notes, “Theory has proved essential wherever and whenever scientific problems capable of stimulating cognitive activity emerged” Such an understanding of the incentive to form any specific criminalistics theory is fully consistent with the paradigm of the modern development of criminalistics as a science. During the formation process, a scientific problem is characterized either by evident contradictions between new and known facts, or arises in connection with the discovery of new facts that do not fit into the explanations offered by the existing theory. In this regard, Ruzavin (1978) rightly remarked: “The process of creating a theory begins not just with the accumulation of empirical facts, and not even with their generalization, but with the identification of a specific problematic situation…”

Likewise, Karpovich (1980) noted: “...the progress of knowledge consists in the formulation, clarification and solution of new problems. At the same time, the problem acts as a connecting element in the progressive movement of human knowledge from incomplete and inaccurate to increasingly more complete and accurate.” This infers that the very essence of scientific knowledge is linked to the emergence and resolution of new problems. Moreover, a scientific problem is often one of the preconditions for scientific progress.

The emergence of criminalistics problems determines the need for the formation of criminalistics theories. This happens for different reasons and under different conditions: both in the course of scientific research and as a result of a simple empirical generalization of the practice of solving and investigating crimes. A striking example of the dependence of theoretical research on the problems arising in science and practice is presented by the history of the criminalistics identification theory. At a certain point, a simple empirical generalization of the facts related to establishing the identity of criminals, became insufficient for solving the emerging criminalistics problems of their individualization. Potapov (1940) developed the theoretical principles of criminalistics identification at this time, which laid the foundation for the creation of the relevant theory. At the same time, the theory of criminalistics identification itself gave rise to new criminalistics problems and served as an incentive for further scientific research.

One can partly agree with the aforesaid opinions about the formation of a scientific criminalistics theory. Above all, it is because any specific criminalistics theory is initially based on a hypothesis characterized by a lower degree of reliability than theoretical laws. However, a hypothesis can only be confirmed by facts. It is the identification, description, and explanation of facts and the establishment of links between them that ensures the transformation of hypotheses into laws of criminalistics, which, as we know, underlie specific criminalistics theory. The epistemological understanding of a fact as the basis of a specific criminalistics theory entails a clear recognition that the knowledge of objective reality is rooted in facts at the theoretical level. Belkin (2001b) notes, “a fact – an element of scientific knowledge with its own specific features, a discrete particle of the flow of information about reality received by a person in the course of practical exploration of the world around him.”
• **Purpose of The Specific Criminalistics Theory**

The next step after the process of forming a specific criminalistics theory is to determine both the purpose of the criminalistics theory and its functions. The formation of theoretical knowledge suggests that a mere fact as a discrete part of the world around us is still insufficient for the creation of new specific criminalistics theory or for its modification and development. What the scientific knowledge requires is the purpose or the objective that implies a search for facts, or how and why the connections or relationship between laws can be explained. Kuhn (2014) rightly noted that finding the right purpose in the construction of a specific theory is a scientific problem, which, once identified, often leads to a paradigm change and a scientific revolution. The purpose of the scientific criminalistics theory is also to systematize and explain the structure of scientific knowledge soon after the completion of the formation and development of criminalistics science. Its main purpose is to examine empirical facts and materials related to any crime event or understand the process of its cognition for a comprehensive development of criminalistics scientific knowledge.

While the main purpose of a specific criminalistics theory is to integrate all the previously accumulated scientific knowledge in a particular sphere of criminalistics, its functions are manifold, namely: first, *informative function*, which means that a specific criminalistics theory forms an information complex that includes the original criminalistics concepts, categories, principles and hypotheses, that is, the necessary information about the relevant domain. Second, the *systematizing function*, which oversees how a specific criminalistics theory is designed to coordinate the existing scientific knowledge in a particular subject area and also to integrate it into a clearly subordinated system, characterized by profound interconnections and varied logical power of its elements. Finally, *Prognostic and explanatory functions*, which are not limited only to a specific criminalistics theory but are common to all scientific theories, as they reflect the scientific content of the latter. Therefore, being the highest form of rational knowledge in criminalistics, a specific criminalistics theory about the personality of a juvenile participant in criminal proceedings helps to successfully resolve fundamental and applied criminalistics problems.

• **Prerequisites for the formation of a criminalistics doctrine**

A major prerequisite for the formation of a criminalistics doctrine about the personality of a juvenile participant in criminal proceedings is to draw historical insights into the development of criminalistics theories. Such insights demonstrate how a specific criminalistics theory allows creating a comprehensive conceptual understanding of the patterns and relationships in a particular domain of reality. Another prerequisite is that the personality of juvenile participants in criminal proceedings should remain as an idealized conceptual model strong enough to fulfill the important role as a subtype of specific scientific theory. Such prerequisites can adequately reflect the most significant, natural connections between the characteristics of a juvenile’s personality, and the means and methods of effective communication and other interaction with children participating in legal proceedings that are developed on their basis. It is vital to bear in mind that such interaction should be carried out by law enforcement agencies in the process of solving and investigating criminal cases.
Additionally, with regard to the available theoretical and empirical material, there are objective prerequisites for the formation of a specific criminalistics doctrine about the personality of a juvenile participant in criminal proceedings. These include the following preconditions: first, it requires that the personality of a juvenile should be treated as the subject of scientific knowledge as well as the object of scientific research. It is necessary that this subject-object transformation should aim at intensifying the general personification trend in various branches of the scientific knowledge. Second prerequisite is a procedural phenomenality of a juvenile participant in criminal proceedings, as a result of which the need and importance of ensuring their rights and legitimate interests come to the fore. The third prerequisite is development of a unified methodology for studying the personality of a juvenile participant in criminal proceedings. Finally, there is a need to define and identify tactical features of both obtaining information about the personality of a juvenile participant in criminal proceedings, and the use of this information in order to ensure his rights and legitimate interests and increase the effectiveness of the preliminary investigation and judicial investigation with his participation.

As one of the prerequisites at the dawn of criminalistics, its founders were well aware of the need to study the personalities of the participants in criminal proceedings. This required access to the personal data, mainly for preventive purposes or to effectively detect and investigate crimes, but also from a criminalistics viewpoint, specifically, to improve and create new means of understanding a crime event. Thus, the data related to the personalities of the offender, the victim, witnesses, and other participants in the criminal process who somehow influence its course and results are the prerequisites not only in terms of applied use, but also as an object of scientific research. To fulfill these prerequisites, and based on the personality data collected, each of the participants in the preliminary investigation and criminal trial had to be assessed in two dimensions: first, as a source of information about the crime event. For instance, it could concern those who were to be interrogated in the case; or about persons who, as a result of the commission of a crime, carried traces of an event subject to investigation (in a broad sense of the word); second, as a source of information about themselves, their behavior and actions related to the crime; i.e., those who left traces at the crime scene, etc.

Gross (2002) observed that it is a prerequisite to study the personality of participants in legal proceedings, an important pre-condition to access “accurate” and thorough knowledge about a person as the main material of the preliminary investigation.” Meanwhile, the analysis of scientific works published in the pre- and post-revolutionary periods of Russian history up to the beginning of World War II demonstrated that over the years only the prerequisites were created for the theoretical generalization and substantiation of the need to develop a doctrine of personality as an independent specific criminalistics theory. In Russian criminalistics, a purposeful elaboration of the doctrine on the personality of the participants in criminal proceedings only began in the mid-20th century. This became possible not only in connection with the initiated integration of criminalistics, primarily with such sciences as criminal procedure, criminology, forensic psychology, but also in connection with the intensive development of the theoretical basis of criminalistics, with the elaboration and creation of specific
criminalistics theories. The success in this field became a basis for the emergence of new criminalistics teachings - first of all, the teachings about the personality of the accused and the victim.

- **Place of the Specific Criminalistics Doctrine**

  In order to determine the place of the specific criminalistics theory of juvenile participants in criminal proceedings in the system of criminalistics knowledge, it is inevitable to address an urgent and pressing problem of determining the structure of the system of criminalistics. The systematization of criminalistics, along with the development of its ideas, has always been the subject of many discussions and debates of Russian criminalistics experts. Such a systemic structural approach is contingent on the objective need for a clear systematization and distribution of the obtained scientific knowledge, that is, the very epistemological nature of the phenomenon of science. In this regard, the application of the systemic structural research method gains relevance, which according to Belkin (2001b) had found its detailed justification in the 1960s.

  By examining principal viewpoints of criminalistics experts, it becomes easier to determine the place of the criminalistics doctrine of juvenile participants in criminal proceedings in the system of the general criminalistics theory. Right at the outset, there are a number of scientists like R.S. Belkin, A.I. Vinberg, V.Ya. Koldin, I.M. Luzgin, V.A. Obraztsov, A.A. Eisman, and A. A Exarchopulo, who have published seminal works in the field of criminalistics. While placing the criminalistics analyses published by these scientists, in the context of juvenile personality, it is revealed that the issues of determining the structure of criminalistics is chiefly characterized by a two- or three-partite structure. Moreover, these scientists placed their writings under the general theory of criminalistics and philosophical and methodological foundations. In this context, Piontkovsky (1955) considers the comprehension of the main philosophical categories to find an appropriate place for the subsequent consideration of the methodological problems of criminalistics.

**Discussion**

Among the first most significant monographic studies that examined the issues of the essence and content of the general criminalistics theory, were the works of R.S. Belkin and A.I. Vinberg. They defined the general theory of criminalistics as a system of its basic principles and provisions that determine its content and structure, development prospects and practical significance, its role and place in such a special area of human activity as fighting crime (Belkin & I., 1969). Later Belkin (2001b) elucidated the above definition as follows: “The general theory of criminalistics science is a system of its philosophical principles, theoretical concepts, categories and notions, methods and relationships, definitions and terms, it is a scientific reflection of the entire subject of criminalistics.” Belkin (2001b) also defined the following structure of the criminalistics system comprising four elements: general theory of criminalistics; criminalistics technology; criminalistics tactics; and criminalistics techniques. At the same time, the following question reasonably had arisen: how can the general theory of criminalistics, being a scientific reflection of the entire subject of the science of criminalistics, be only a part of its system?
As rightly noted by Exarchopulo (2018), the concepts of criminalistics as a science and general criminalistics theory should be perceived not only as comparable, but also in a certain sense as identical, since only a comprehensive system of theories can adequately reflect the subject of criminalistics completely, which, ultimately, is the content of the very concept of the science of criminalistics. In this regard, the general theoretical section of the science of criminalistics should have a different name, since it does not reflect its entire subject, but is merely an accumulation of individual criminalistics theories, which are theories of the highest level, based on the degree of their similarity.

Exarchopulo (2014) found a 5-step system of criminalistics starting with (1) Introduction to the science of criminalistics (scientific foundations); (2) Theoretical foundations of criminalistics (general theoretical part); (3) Criminalistics doctrine of a crime (criminal technique); (4) Criminalistics doctrine of the means and methods of understanding the crime event (criminalistics technology: criminalistics methods, criminalistics tactics, criminalistics methodology); and (5) Criminalistics strategy. Similar issues were considered in the work of Belkin (2001b), in which the interrelations of criminalistics theories within the framework of the general system, their multi-level nature, and various degrees of their generality were described in sufficient detail (Belkin, 2001b). Questions of inter-theoretical connections between the structural elements of the general theory of criminalistics found their proper reflection in a later work of Exarchopulo (2018).

At the present stage of development of criminalistics, its theoretical base comprises a complex, functional, hierarchical system of various theories and teachings, reflecting the entire subject of criminalistics in their totality. This system is characterized by complex connections between its structural elements. These relationships are complex since the system in question is characterized not only by strictly vertical hierarchical relationships, but also by horizontal relationships and interactions, which are just as valuable. Such multidirectional interconnections of criminalistics theories and teachings are essential from an epistemological viewpoint, since they endow the latter with additional meaning, thus enriching each other. Therefore, inter-theoretical relations between the elements of the system of the general criminalistics theory are formed from the connections that have arisen, whose methodological essence can be determined by their simplification or the reduction of one theory to another.

With regard to the criminalistics doctrine of juvenile participants in criminal proceedings, the above-mentioned type of inter-theoretical relations (reduction) is determined through its derivation from the relatively more general criminalistics doctrine about the personality of a participant in criminal proceedings. In the abovementioned criminalistics system, the doctrine of the personality of a participant in criminal proceedings refers to the section of criminalistics known as the criminalistics doctrine of a crime (criminal method).

In general, the rationale for classifying the criminalistics doctrine of juvenile participants in criminal proceedings as a part of general theory can be reduced to its justification as a theory of the highest level of generality, since its main provisions, concepts and categories can be and are applied in all branches of criminalistics. We only need to add that the criminalistics doctrine of the personality of juvenile
participants in criminal proceedings, being a specific criminalistics theory of a high
degree of generality when compared to the theories and teachings of other branches
of criminalistics, is itself an element of a specific criminalistics theory of the
personality of participants in criminal proceedings. Such interrelations can be
characterized not only as a relationship between the whole and its part, but also that
between genus and species, based on the commonality of their cognized objects.

Today, we see not merely the justification and the need for a criminalistics doctrine
of the personality of a participant in criminal proceedings, but an already formed
system of specific criminalistics theories in this area. For instance, in 2006, Makarenko
successfully defended a doctoral dissertation entitled Criminalistics doctrine of the
personality of the accused minor (Makarenko, 2006). In turn, the criminalistics theory
developed by Makarenko was an element of the criminalistics theory of the personality
of the offender, which is highly generalized today. These theories are also elements of
the criminalistics theory about the personality of a participant in criminal proceedings.
Finally, they are all a part of the general theory of criminalistics.

For the sake of fairness and to ensure the comprehensive nature of this study, it is
concluded that not all scientists have agreed or currently agree with the justification of
the need to form criminalistics doctrines about the personality of participants in
criminal proceedings, including the doctrine about the personality of a juvenile. For
instance, the patriarch of Russian criminalistics Belkin (2001b) did not share an
optimistic view of the doctrines in question, considering it premature to discuss the
formation of a new specific criminalistics theory. However, at the same time, he did not
deny the relevance and prospects of studying the personality of a participant in
criminal proceedings by criminalistics science (Belkin, 2001b). He explained his stance
by the limited structure of the doctrine of the personality of a participant in criminal
proceedings. He believed that at present such a doctrine may include only three
elements, which would not be a sufficient basis for the formation of a presumably
independent specific criminalistics theory. Finally, taking into account the accumulated
theoretical material that forms the basis for the criminalistics personality doctrine, the
question of its viability as a new specific criminalistics theory has undergone both
qualitative and quantitative changes (Slavgorodskaya, 2015).

Conclusion
The study made it evident that at the present stage there is a multi-level and
multifunctional system of specific criminalistics theories about the personality of
participants in criminal proceedings, which expand, supplement and specify the
general theoretical section of the science of criminalistics. A juvenile participant in
criminal proceedings is a procedural phenomenon. The uniqueness of their
psychophysical and moral/emotional characteristics, their psyche determines the
objective impossibility of using general criminalistics methods, techniques and
means to ensure the procedural activities of the investigator associated with the
participation of a minor. In this regard, there is an objective need to form a specific
criminalistics theory about the personality of a juvenile participant in criminal
proceedings, which would integrate and act as a kind of “theoretical cap” for
numerous disparate, fragmented studies and evidence-based recommendations to
ensure the participation of juveniles in criminal proceedings.
The result obtained in the course of this study is the theoretical justification for the need to form a specific criminalistics doctrine about the personality of a juvenile participant in criminal proceedings, a determination of its structure for future researchers and a clear demonstration of the prerequisites for its formation. A content-related characteristic of the doctrine in question requires a separate independent inquiry and is still awaiting its researcher. The process of identifying scientific problems, including criminalistics ones, is a very time-consuming and creative matter that requires constant attention. Along with the development of science in general, and theoretical knowledge in particular, situations may well arise when the already known and recognized solutions to the identified criminalistics problems will neither fit into the existing paradigm nor correspond to the achieved level of scientific knowledge. That is why,

In criminalistics, it is important to be guided by the provisions of the epistemological theory of critical rationalism, whose basic principles were formulated by the famous philosopher Karl Popper (Popper, 1983). A thorough analysis of the evolution of this doctrine conducted by Exarchopulo (2014) clearly demonstrates how a critical attitude to its new definitions contributed to the emergence of scientific discussions in the context of the ever-changing ideas about the subject of criminalistics. As a result, it has led to the emergence of new solutions to a seemingly resolved scientific problem. Meanwhile, a critical attitude to the previously discovered solutions to known problems leads not only to new, better-grounded solutions, but also to the emergence of scientific problems that are new in criminalistics. For example, this is the current case with the criminalistics strategy doctrine, whose role and place in the system and theory of criminalistics had to be determined or altered with regard to the historical development of this science and foreign experience. The proposed solutions gave rise to a new problem, which, if resolved in the future is likely to require a revision of both the subject and the principles of systematization of criminalistics scientific knowledge.

The study concludes with this statement that criminalistics is adopted as a science rather than as an academic discipline. As rightly noted by Obraztsova (1997), a course in criminalistics as an academic discipline differs significantly from criminalistics as a science. Most importantly, criminalistics as an academic discipline has as its subject the already established knowledge generated by criminalistics, and secondly, this presented knowledge is reliable and positive, since the tasks of an educational course are different from the tasks of scientific research. These features determine the different structures in the systems of criminalistics as a science and as an academic discipline.

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