

UDC 340.12+343.97
DOI: 10.33270/04221201.9

Illegal Behaviour in the Modern World: Causes and Consequences

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Abstract

The criminalisation of public relations, which is noticeable in many countries of the modern world, is acutely felt in Ukraine as well. Usually a citizen is defenceless against crime, and criminals are not always punished. This situation forces modern science to turn to understanding a number of current issues related to the causes and consequences of illegal behaviour, to identify ways to prevent it. This circumstance determines the relevance of the subject matter. The purpose of the study is to identify and characterise the causes of illegal behaviour and its consequences in the modern world, in Ukraine in particular. The scientific originality of the results allow expanding and refining knowledge about the causes of illegal behaviour. First of all, this applies to the reasons that are conditioned by the challenges and threats that are relevant in modern world. These include globalisation, artificial intelligence, the spread of viruses. The practical significance is that the laws and recommendations defined in the paper can be used both in the training of specialists in the specialty "law" and in practical activities to prevent illegal, in particular, criminal behaviour. As a result, the study came to the conclusion that the causes of illegal behaviour are mainly related to the acute contradictions of society itself, injustice and social inequality, which has always existed and exists now, total corruption. Psychological and biological factors that determine one or another behaviour in each case should also be taken into account. Questionable morality of public consumption has an extremely negative effect on behaviour. It can be argued that a person's illegal behaviour is the result of a complex interaction of many factors, the action of which is mediated by specific relationships, the specific situation in which the person finds themselves. Socially dangerous consequences of illegal behaviour can be crimes that cause real damage to public relations, which is expressed in a set of negative changes causally related to illegal behaviour, which affect the social, legal, economic, moral, and other values of society and the individual in particular. Civilised countries are able to control human behaviour and respond to the threats and challenges of today. Control over behaviour implies voluntary self-restriction of rights, but such self-restriction is necessary for the survival of mankind. It is necessary to change the system of values, moral and ethical norms adopted in society to reduce the manifestations of illegal behaviour. A holistic approach to neutralising the causes of illegal behaviour requires a social policy aimed at overcoming social injustice

Keywords:

crime; corruption; marginalisation; legal consciousness; globalisation

Article's History:

Received: 25.08.2021
Revised: 24.12.2021
Accepted: 23.01.2022

Suggest Citation:

Tymoshenko, V.I. (2022). Illegal behaviour in the modern world: Causes and consequences. *Law Journal of the National Academy of Internal Affairs*, 12(1), 9-16.

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Introduction

The criminalisation of public relations, noticeable in many countries of the modern world, is also acutely felt in Ukraine. According to the Numbeo service, which forms the Crime Index, Ukraine ranks 54th in the world (out of 135) in terms of crime as of 2021. In Europe, Ukraine ranks third after Belarus and France on this indicator. The most common crimes in Ukraine were theft and robbery. Over the past few years, the number of crimes under the articles “Human trafficking,” “Banditry” and “Legalisation (laundering) of property obtained by criminal means” has increased [1]. The situation is complicated by the war in the east of the country and the spread of COVID-19. Therefore, not everyone in modern Ukraine can enjoy safety or legal protection. Citizens are usually defenceless against crime, and criminals are not always punished. This situation forces modern science to turn to the understanding of numerous current issues related to the causes and consequences of illegal behaviour and to identify ways to prevent it. This circumstance determines the relevance of the study.

The term “illegal behaviour (offense)” refers to a type of antisocial behaviour that violates a prohibitive or binding rule of law, is dangerous to the individual and society, and affects their interests protected by law. Such behaviour in psychology is called delinquent (Latin *delinquens* – misdemeanour, guilt). This act of a person who deviates from the current regulations, threatens the welfare of others or of the social order as a whole, and is criminally punishable in its extreme manifestations. A person who demonstrates illegal behaviour is considered a delinquent person, and the acts themselves are torts. Delinquent behaviour is a form of deviant behaviour. Deviant behaviour (Latin *deviatio* – deviation) means human actions that contradict the officially recognised normal, and the norms (standards, patterns) that have actually developed in this society and violate them. Deviations can be both positive and negative. Negative deviations are dysfunctional. They disorganise the system. This is a social pathology: crimes, alcoholism, drug addiction, suicide, etc. Such deviations need the attention of legal science.

Unlawful conduct is the antithesis of legal conduct that complies with the rule of law. Illegal behaviour in its essence means the existence of a conflict between the individual and society, and between individual and public interests. These conflicts are stimulated and exacerbated by various factors, primarily criminogenic.

Some authors have identified the essential characteristics of illegal behaviour, focused on criminal behaviour, and analysed the dynamics, structure, and features of certain types of crimes [2, p. 1-5]. In particular, L. Shelley encouraged to consider the alarming fact that modern advances in science and technology correlate with the emergence of similar in novelty and audacity phenomena of the criminal underworld. Nowadays, crime and terrorism gravitate to each other and cooperate

because the possibilities of such cooperation increase in the context of globalisation [3]. A comprehensive analysis of theoretical and applied issues related to the protection of human rights and legitimate interests from socially dangerous encroachments was conducted by V. Haltsova, S. Kharytonov, O. Khramtsov, O. Zhytnyi, A. Vasyliiev [4]. The issue of human rights protection in conflict with the law was considered by E.Yu. Barash [5]. Factors stimulating the growth of crime rates were considered by G. Farrell [6].

The above-mentioned researchers considered certain aspects of the problem of illegal behaviour and did not focus on a comprehensive analysis of all the factors that affect the spread of such behaviour in the modern world and the elimination of which would help prevent it. Such research would help to find ways to influence people prone to illegal behaviour, and to find new means and methods of combating criminal encroachment, to be able to act in advance, rather than eliminate the consequences. Such a study cannot be limited to one article. However, the authors suggest that some aspects of this problem should be considered now.

The purpose of the study is to identify and characterise the causes of illegal behaviour and its consequences in the modern world, on the example of Ukraine.

Materials and Methods

The choice of research methods is determined by the tasks set by the authors. The methodological basis of the study is a system of philosophical, general, and special scientific principles and methods, in particular: principles of objectivity, specificity, complexity, and the following methods: formal and logical, systematic, structural and functional, comparative and legal.

The authors assumed that the factors of unlawful behaviour exist independently of the subject of knowledge, and they should be considered not only at the present moment, but also all of their possible transformations in the future should be taken into account, based on the principle of objectivity. The principle of specificity has encouraged the authors to realise that there is no abstract truth because the truth is always specific. For example, unlawful behaviour is not any possible conduct, but one that violates a prohibitive or binding rule of law.

The principle of complexity has provided an opportunity to explore various aspects of the problem of globalising factors of unlawful behaviour, namely: the essence of globalisation, its consequences in different spheres, the essence of legal and illegal behaviour, its causes and consequences, corruption, crime, etc.

The formal and logical method was used to define the concepts of “illegal behaviour”, “delinquent behaviour”, “globalisation” and “outcast”. The systematic method is used in the process of studying the preconditions of illegal behaviour in various spheres: economic, political, ideological, etc. The structural-functional method is used to describe and explain all the causes of illegal behaviour, to study the relationship between them, and to determine

the function of each of them in a holistic structure. The comparative-legal method made it possible to compare the consequences of illegal behaviour and assess the possibility of compensating them.

Results and Discussion

First of all, attention should be paid to economic reasons among other reasons for illegal behaviour. They include the crisis of the economy, even economic instability, the collapse of organisational, economic, and industrial relations and structures, and the shortcomings of the financial system of the country, the impoverishment of the population.

The report by the Oxfam International Economic Association dedicated to the international economic forum in Davos, Switzerland, indicated that the financial situation of the richest people on the planet has grown over the year and now only 1% of the world's population owns more than half of all wealth. The poor half of the population is satisfied with less than 1% or even 0.5% of world wealth if you subtract their net debts [7]. According to the report of this association, the purpose of which is to solve the problems of poverty and related injustice, it follows that property stratification does not promote lawful behaviour.

These global trends are present in Ukraine, where the gap between rich and poor is staggering. According to the report "Self-assessment of households of their income level for 2020 of the State Statistics Service" there is a dash in the category "prosperous", i.e., less than 0.1% of Ukrainians identify themselves as rich. A significant part of Ukrainians (31.9%) does not consider themselves poor, but also do not consider themselves to be in the middle class. Only 1.6% of Ukrainians indicate that their financial situation has improved over the past year. The financial situation remained unchanged in 43.6% of Ukrainians, "rather deteriorated" – in 29.5%, and deteriorated – in 21.2%" [8]. According to the Ukrainian ombudsman L.L. Denysova, 77% of pensioners live on the verge of humanitarian poverty in Ukraine [9]. Property inequality is known to generate conflicts in society and crimes against property.

One of the significant sources of illegal behaviour is **social inequality**. Some social groups receive social privileges, while others are deprived of such privileges. The sharp social demarcation, corruption, and poverty of the majority of the population are social phenomena that are present in modern Ukraine. Social inequality leads to social distortion, deterioration of the health status of the population, including psychological health, and an increase in the number of people with alcohol or drug addiction, which affects the behaviour of an individual, his degradation, and an increase in crime rates.

According to B.V. Barchi, "the study of psychological health and well-being of the individual in the extreme conditions of life is especially relevant at the present stage of development of society. First of all, this is due to

a significant increase in the number of natural, anthropogenic and man-made extreme impacts on humans" [10, p. 20-21]. Such negative effects on human behaviour include coronavirus. According to experts from the international organisation Global Initiative Against Transnational Organised Crime, COVID-19 has led to an increase in demand for several goods, including protective equipment and products of pharmaceutical companies with a parallel decline in their supplies; reduction of population mobility and closing of borders; increasing demand for digital solutions, including through remote work; growing anxiety of the population; employment of law enforcement officers in monitoring compliance with quarantine, etc. Corruption and relations with organised criminal groups have become a global problem in the health care system, manifesting itself both at the state level (in procurement, resource allocation) and at the individual level (bribery for priority health care or ignoring quarantine). There are known cases of fraud when consumers are provoked to buy non-existent medical equipment, offer to transfer the money for medical care that goes to the account of criminals [11]. All these facts do not contribute to the lawful behaviour of the population.

Political causes of illegal behaviour include political instability, distrust of government, and the use of power by the authorities for selfish purposes. Ubiquitous corruption and nepotism lead to the penetration of criminals into power structures. These consequences are facilitated by the shortcomings of the legislation, and its inconsistency with modern conditions, especially its ineffectiveness. The collapse of democratic institutions, the incompleteness of reforms in all spheres of public life, its bureaucratisation, and the intensification of the struggle for power by any means, despite their legitimacy and morality, are not the least in terms of the importance and passivity of civil society. Finally, national-ethnic and religious conflicts of a political nature also have a negative impact.

Total corruption in Ukraine is of particular concern. According to M.H. Kolodyazhnyi, corruption has become a tool for preserving existing assets and further accumulation of capital for the oligarchs. Otherwise, corruption has become an integral attribute of the activities, which helps to meet the inflated social and material needs for the middle class (officials of public authorities holding positions "A" and "B" of the civil service), and some officials of local governments. "Corruption has also become profitable, even for millions of ordinary citizens. Obtaining insignificant illegal benefits is an opportunity to meet vital needs for food, clothing, payment of unreasonably high tariffs for housing and communal services, payment for children's education, medical expenses, etc. For officials holding "B" positions in the civil service, illegal corruption revenues represent some compensation for the low and socially unfair level of their cash security for these persons. Corrupt practices are also convenient for other categories of citizens because they

contribute to tax evasion for small businesses, speed up the process of providing some administrative services, etc." [12, p. 73]. This situation indicates the spread of illegal behaviour in all spheres of public life.

Ideological (sociopsychological) causes of illegal behaviour that lead to the deformation of the spiritual sphere and serve as one of the causes of crime are essential. These are social pessimism, anxiety, and uncertainty about the future, legal illiteracy, and deformation of legal consciousness. Moral degradation of the individual can lead to illegal acts. The disadvantages of moral education are manifested in the fact that a person has no idea of duty, honour, and dignity, and gets used to doing only what is beneficial and safe. There are several signs of the moral degradation of society. First of all, these signs include the creation of an illusory image of a successful person in social networks. Posting information on the Internet about jewellery, expensive clothes, leisure, parties, etc. only indicates that a person has deeply hidden his/her true dreams and seeks only the recognition of others. Degradation is also facilitated by addiction to alcohol, gambling, sex, and violence. All this takes time, money and leads to psychological problems [13]. The famous American psychologist A. Maslow identified several qualities inherent in people with personality degradation. First of all, these qualities include treating oneself as a person on whom nothing depends, as well as a minimum of desires. All actions are reduced to the satisfaction of purely physiological needs, i.e., to eat, sleep, and so on. Such people go to work only for money and meet people of the opposite gender only for sex. This includes the perception of the world only in black and white. The environment for a degraded person is divided into "own" and "other". These people try to protect themselves from "other" and have a very narrow social circle. The next sign is categoricalness. The degrading personality considers his opinion to be the only correct one and defines disputes and discussions as an unnecessary waste of time. A. Maslow also considered the poverty of the lexicon a sign of degradation. Man uses only elementary turn of phrase. In general, such people try not to talk. They want to avoid spending extra effort on verbal functions. Finally, addiction plays a big role. The already mentioned alcoholism, drug addiction, and gambling addiction are apparent signs of degradation. It is difficult to say whether they are a cause or a consequence of degradation, but the fact remains: if a person is addicted, there is a high risk that he/she will degrade [14].

Nowadays, a special type of personality with a crisis or catastrophic consciousness has already been formed. The person is fenced off from unbearable social reality by a rigid psychological barrier. He/she is absorbed by his own problems. Indifference and apathy have become a protection of man from an unjust world in which an honest man always loses. Aggression towards the outside world and oneself becomes the norm for a person with a catastrophic consciousness or even marginalised

groups. A marginalised element is a person whose worldview and way of life do not correspond to what is recognised as a standard in a certain society. Marginalised behaviour is an act that reflects the sociopsychological characteristics of an outcast. Crucial to antisocial behaviour is the factor of alienation, due to which a person opposes themselves to others, isolates themselves, ceases to be a full member of society, does not participate in political, economic, legal processes, rejects common values, does not consider it necessary to follow common rules and norms. Disappointment and despair about society are complemented by low self-esteem, feelings of inferiority, heightened emotionality, vulnerability, anxiety, etc. As a result, there is a fear of being offended, forgotten, and neglected, which is confirmed in practice, especially in a marginalised society. Such outcasts quite often consider suicide or aggression towards others as the only way out of the situation. The marginalised person can show aggressive behaviour not only openly, but also covertly and disguised, direct aggression at such people and objects that are not related to their state of frustration, and take it out on people who are not involved in their problems [15, p. 132]. The situation when socially marginalised groups of the population are formed, which are prone to illegal behaviour and are a threat to public safety, is especially dangerous.

The social determination of adolescent criminal behaviour is of particular concern. The most important social factors influencing the formation of such behaviour of adolescents are: poverty, living in a criminal area, the presence of weapons, the availability of drugs, the presence of the non-standard school, lack of cohesion of neighbours, the presence of episodes of violence in the media, drastic social change, etc. [16].

According to foreign researchers, deviant behaviour is facilitated by: low social status, which does not allow adolescents to meet the requirements of society; state of social anomie; contradictions between the requirements of society and the available means of their implementation; availability of illegal means to achieve the goal; shortcomings in the social system and justification of their own behaviour; criminal environment; benefiting from the commission of crimes; the presence of a criminal idol; social roles and authority; lack of social control [17, p. 17].

The recognition of money and property as the main value leading to the transformation of everything into a commodity, and the alienation of the individual from society and the state, and vice versa, is the basis for the deformation of social consciousness. This situation contributes to the emergence of the psychology of individualism. All kinds of targeted information, religious and sociopsychological influences that brainwash their followers and form sectarian, extremist, and other suicidal sentiments, lead to negative consequences. According to V.A. Nomokonov, the inferiority of society is manifested in the real presence of shadow power,

“shadow law”, the shadow economy, shadow social forces, and shadow ideology, which together are a source of crime [18, p. 255].

Human behaviour is also influenced by globalisation. The term “globalisation” refers to an objective process and a natural stage in economic development that initiates integration and unification in the political, social, ideological, humanitarian spheres, and manifests itself both at the level of the international community as a whole and at the level of each individual community. The era of globalisation affects the boundaries that previously defined the natural rights of each person, their personal sovereignty and privacy. Legal consciousness, both individual and public, loses the usual moral guidelines that were formed in the past. At the same time, the need for universalisation and unification of legal regulators in connection with globalisation is confronted with a protective reaction of the nationally oriented traditions of legal systems. The reaction to the tension that arises in this regard may be illegal behaviour, a type of which is criminal behaviour.

Legal globalisation leads to the same consequences. “Legal globalisation can be defined as the process of forming a new, global system of legal norms that organise and ensure global intergovernmental interaction in various areas of modern society, in which international law, national law, and the law of international business associations are in a state of close interconnection” [19, p. 580].

Each country brings its cultural characteristics to the world environment because of globalisation. Significant cultural differences often lead to many problems related to contradictions in the value system, which can negatively affect the legal awareness of the population and lead to illegal behaviour. A characteristic feature of the globalisation era and a significant factor in crime is the active migration of the population, including illegal migration, when millions of people are forced to move from one state to another in search of work, shelter, security, and a better life. Migrants are always less adapted to living conditions than locals, which is the reason for illegal behaviour in the early stages of their stay in another country.

Nowadays, there is a difficult situation on the border between Poland and Belarus, where hundreds of migrants from the Middle East, Africa, and Asia are trying to get into the European Union [20]. Migrants can resort to any behaviour, including illegal, to save their own lives in a rather difficult situation.

In general, it is safe to say that the globalising factors of illegal behaviour are social contradictions caused by globalisation or stimulated by this process. Globalisation leads to inequality, injustice, and destruction of many established forms of being, erosion of traditional values of society, and creates a state of uncertainty and uncertainty of a person in the face of possible challenges. The conservative nature of the values of individual and social legal consciousness in the era of globalisation conflicts with the dynamic nature of social change [21].

The result of such confrontation can be a distortion of legal consciousness and illegal behaviour.

Human behaviour can be influenced by artificial intelligence. It can even predict or programme behaviour. Artificial intelligence can be used both to prevent crime and for criminal purposes, for example, to influence adolescents through computer games, or to induce them to commit suicide. The police often use new technologies in their work, for example, recognition and analysis of video materials, extraction of data from mobile phones, analysis of data from social networks, criminological forecasting, assessment of individual risks, etc. The use of artificial intelligence has significant advantages, but at the same time raises serious concerns about ethical and legal positions conditioned by the high probability of errors and, therefore, discrimination against individuals or groups of people [22, p. 150-159; 23]. Arguably, artificial intelligence is a threat to human rights to some extent. Ukrainian researchers have already expressed concern about these facts. They have considered the positive and negative impact of technological advances on the privacy of individuals and have explored ways to protect fundamental human rights in the context of global digitalisation [24; 25].

Conclusions

Thus, the causes of illegal behaviour are mainly related to the sharp contradictions of society itself, with the injustice and social inequality that has always existed and exists now, and total corruption. Society is trying to overcome some contradictions, but new criminologically significant factors are emerging that determine illegal behaviour. In addition, it is necessary to consider the psychological and biological factors that determine a particular behaviour in each case.

It is alarming that modern society has become filled with questionable morals of the consumer society. First of all, globalisation, artificial intelligence, and the spread of viruses contribute to illegal behaviour and are relevant in today’s world. It can be argued that the illegal behaviour of a person is the result of a complex interaction of many factors, the action of which is mediated by specific relationships, and the specific situation in which the person finds oneself.

The socially dangerous consequences of unlawful conduct include crimes that cause real harm to public relations, expressed in the totality of negative changes caused by illegal behaviour, which undergo social, legal, economic, moral, and other values of society and an individual in particular. These consequences can be varied in their manifestations and heterogeneous in content. The possibility of measuring and calculating the consequences of unlawful conduct is relative. The damage caused by such behaviour can only be partially compensated, but the previous condition cannot be restored. Society can protect itself from offenses primarily by eliminating and blocking the causes of illegal behaviour. Civilised countries are able to control human behaviour and

respond to the threats and challenges of our time. Moreover, behavioural control involves voluntary self-restriction of rights. However, such self-restraint is necessary for the survival of mankind.

All the causes of illegal behaviour are unknown to modern science. At present, humanity does not have effective ways to eliminate even the known causes of illegal behaviour. There is a direct connection between the legal consciousness of a person and his behaviour. The distortion of legal awareness is a significant threat to the security of the perpetrator, other persons, and

society. Several economic, political, ideological, legal, and other challenges should be addressed to eliminate this threat. Modern science is faced with the task of identifying hidden mechanisms of influence on legal awareness to prevent the illegal behaviour of legal entities.

It is necessary to change the system of values and moral and ethical norms adopted in this society to reduce the manifestations of illegal behaviour. The holistic approach to neutralising the causes of illegal behaviour requires a social policy aimed at overcoming social injustice.

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Протиправна поведінка в сучасному світі: причини та наслідки

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Анотація

Криміналізація суспільних відносин на сучасному етапі активізується в багатьох країнах світу, зокрема в Україні. За цих умов громадянин є зазвичай беззахисним перед криміналітетом, а злочинці – не завжди покараними. Така ситуація спонукає сучасну науку звернутися до осмислення низки актуальних проблем, що стосуються причин і наслідків протиправної поведінки, визначити шляхи її попередження. Вказана обставина зумовлює актуальність теми дослідження. Метою статті є встановлення причин протиправної поведінки та її наслідків у сучасному світі, зокрема в Україні. Наукова новизна результатів полягає в розширенні й уточненні знань щодо причин протиправної поведінки. Передусім це стосується тих причин, що зумовлені викликами й загрозами, актуальними в сучасному світі, такими як глобалізація, штучний інтелект, поширення вірусів. Практична значущість полягає в тому, що визначені в статті закономірності й рекомендації можуть бути використані як у процесі підготовки фахівців за спеціальністю «Право», так і в практичній діяльності щодо попередження протиправної, зокрема злочинної, поведінки. Проведене дослідження дало змогу дійти такого висновку: причини протиправної поведінки переважно зумовлені наявністю в суспільстві гострих суперечностей, пов'язаних із несправедливістю, соціальною нерівністю і тотальною корупцією. Варто брати до уваги також психологічні та біологічні фактори, що визначають той чи інший варіант поведінки в конкретному випадку. Сумнівна мораль суспільного споживання вкрай негативно позначається на поведінці. Можна стверджувати, що протиправна поведінка особи є результатом складної взаємодії багатьох факторів, дія яких опосередковується конкретними відносинами та ситуацією, у яку особа потрапляє. Суспільно небезпечними наслідками протиправної поведінки можуть бути злочини, унаслідок яких завдається реальна шкода суспільним відносинам, що виражається в сукупності негативних змін, причиново пов'язаних із протиправною поведінкою, яких зазнають соціальні, правові, економічні, моральні й інші цінності суспільства та окремо взятої особи. Цивілізовані країни здатні контролювати поведінку людини та відповідати на загрози й виклики сучасності. Контроль за поведінкою, безперечно, передбачає добровільне самообмеження прав, однак таке самообмеження є запорукою виживання людства. Передумовою зменшення виявів протиправної поведінки є перегляд системи цінностей, морально-етичних норм, прийнятих у певному соціумі. Цілісний підхід до нейтралізації причин протиправної поведінки передбачає провадження соціальної політики, спрямованої на подолання соціальної несправедливості

Ключові слова:

злочин; корупція; маргінал; правова свідомість; глобалізація