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The Impact of Globalisation on Legal Conduct

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■ **Abstract.** One of the adverse consequences of globalisation is the spread of illegal conduct in the world and an increase in crime rates. This circumstance determines the relevance of the subject under study. It is argued that the causes of illegal conduct are determined by the contradictions of social development, ideological confrontation, economic, political, social inequality of the world's countries and the deformation of legal consciousness. The globalisation of the shadow economy, the emergence of new tax evasion schemes, including through offshore companies, laundering of proceeds from crime, piracy, raider seizures of other people's property, arms trafficking, aggressive globalism in the foreign policy of a number of states, regional wars, domestic conflicts, information wars, arbitrary interpretation of certain religions, distortion of their principles by extremist organisations – all this causes the crisis state of the economy, politics, socio-cultural and spiritual spheres of society and crime in many countries of the globalised world. The purpose of this study is to highlight the understanding of illegal conduct through the lens of the adverse impact of globalisation processes on it. The methodological framework of this study comprises a system of philosophical and ideological, general scientific and special scientific principles and methods, namely principles of objectivity, concreteness, complexity; Aristotelian, systemic, structural-functional, formal legal, and comparison methods. The study found that illegal conduct in a globalised world is promoted by social contradictions generated by globalisation or stimulated by this process. It is noted that globalisation is contradictory. It has both positive and negative, anti-criminogenic and criminogenic properties, and criminogenics dominate – it is a peculiar consequence of both political, economic, and cultural expansion, and a significant stratification among the extraordinarily rich and poor not only at the national level, but also at the international level. Deformation of legal consciousness, extreme individualism, illegal conduct, crime, corruption affects the standard of living of society, contributes to the violation of human rights and forces us to independently search for numerous ways to realise legitimate interests, including illegal ones. The limitation of certain managerial capabilities of the state, which is necessarily the case in a globalised society, also has a negative impact on solving problems of human rights protection and crime prevention. It is proved that in general, globalisation contributes to inequality, injustice, the destruction of traditional values of society, people's uncertainty about the future, the growing threat of illegitimate use of armed forces and aggression in the face of growing competition and imperial aspirations of individual governments. The scientific novelty of the article is an attempt to find all the globalisation factors that affect the deformation of legal conduct and stimulate the growth of crime rates. The results of the study contribute to finding ways to influence persons prone to illegal conduct, improving the means and methods of combating criminal organisations and individual criminals. This is the practical significance of the article

■ **Keywords:** illegal conduct; globalisation processes; crime; corruption; legal awareness

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■ Introduction

At present, the world is living in an era of globalisation. This term refers to an objective process and a natural stage in the development of the economy 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. A characteristic feature of globalisation is the uneven development of individual countries, a combination of trends, rapprochement, and distance. Unevenness leads to instability. Accordingly, the entry of humanity into the era of globalisation leads to a situation where there is a threat of transition of the transforming system to a chaotic state, a threat to international security. Internal changes in a transforming country are usually actively stimulated from the outside to determine the main direction and ensure the manageability of the transformation itself. On the one hand, globalisation facilitates interaction between states, creates conditions for all countries to access the advanced achievements of Humanity, Saves resources, stimulates world progress; on the other – there is a consolidation of the peripheral model of the economy, unjustified loss of their resources by countries that do not belong to the most developed countries of the world, turning them into raw materials appendages of such countries, impoverishment of the population, its discontent and growing tension in the world.

Globalisation can lead to very contradictory consequences for national and international security, create new, unprecedented opportunities for the development and prosperity of various countries, as well as new, extremely dangerous challenges and threats. One of these challenges is the decline of morals and the deformation of legal awareness, which affects legal conduct. As you know, legal conduct covers both lawful and illegal conduct. Lawful behaviour is the activity of individual and collective entities that follows the norms of law, is carried out in the forms of compliance with legal prohibitions, performance of legal obligations, use of subjective rights, law enforcement, which is guaranteed and protected by the state. Legitimate behaviour is normative, and its consequences are usually favourable for the subject.

Illegal conduct is anti-normative, it violates a prohibitive or binding rule of law, is socially harmful, and is dangerous for personal and public interests protected by law. Illegal conduct (offence) is the opposite of lawful behaviour, a type of antisocial behaviour.

An offence can be considered as an illegal, guilty, socially harmful act (action or inaction) of a tort-capable person, which entails legal liability. This behaviour has become widespread in the world at the same time as the success of globalisation. Globalisation creates new, extremely dangerous challenges and threats both for society and for an individual, often creating conditions

for violating their rights [1]. This leads to the spread of illegal conduct and an increase in crime rates. This circumstance determines the relevance of the subject under study.

The problems of a globalised society, including the causes of illegal conduct, were studied by well-known foreign and domestic scientists who analysed the goals, means, concepts, mechanisms and consequences of globalisation in the legal, economic, political, cultural and other spheres, identified the essential characteristics of illegal conduct, studied the signs of crime, its causes, dynamics, structure and nature of crimes [2]. In particular, Ya. Hylynskyi proved that globalisation is fraught with threats to all mankind, one of them is the globalisation of deviant manifestations, which is especially noticeable in the example of organised crime and terrorism [3]. V. Luneev studied the features of globalisation that contribute to the commission of crimes, as well as its positive aspects that will contribute to the prevention or prevention of criminal deviations. In the structure of these features, a significant place is occupied by the problems of employment, financial speculation markets, loss of sovereignty by national States, and others [4].

I. Matskevych justified the opinion that globalisation not only does not solve the problem of crime, but also creates conditions for its transformation into new types and forms. Globalisation processes provide a qualitatively different state of crimes in the field of communications, cyberspace, crime related to migration, and most importantly – crime of a terrorist and extremist profile [5]. L. Shelley draws attention to the fact that modern achievements of science and technology correlate with the emergence of similar novelty and audacity phenomena of the criminal world and terrorism, and the latter are increasingly inclined to combine, creating a certain terrible “conglomerate”. If earlier criminals had their own niche in all social systems without exception, this turned them into a natural opponent of terrorism, now crime and terrorism gravitate towards each other, since “they have a common ecosystem”. This ecosystem is a new, understudied phenomenon, a product of globalisation [6].

These authors usually considered a certain problem and did not focus on the study of all the globalisation factors affecting the deformation of legal conduct that stimulate the growth of crime rates [7]. However, such a study would be useful, it would help to understand how it is necessary to influence people who are prone to illegal conduct, how to improve the means and methods of combating criminal organisations and individual criminals to be able to act ahead of time, and not eliminate the consequences. Admittedly, such a study cannot be limited to one article. However, certain aspects of this complex issue require immediate

resolution, at least within the framework of this article.

Purpose of this study is an analysis of the adverse impact of globalisation on legal conduct and determining the possibilities of its neutralisation.

■ Materials and Methods

The choice of research methods is determined by the tasks that the authors set for themselves. The methodological basis of the article is a system of philosophical and ideological, general scientific and special scientific principles and methods, in particular: principles of objectivity, concreteness, complexity; methods of formal-logical, systematic, structural-functional, formal-legal, comparison.

Guided by the principle of objectivity, the authors proceeded from the fact that factors of legal conduct often exist independently of the subject of knowledge, that they should be considered not only at the moment, but also take into account possible transformations in the future. The principle of concreteness stimulated authors to realise that there is no abstract truth, the truth is always concrete. For example, illegal conduct is not any behaviour, but one that violates a prohibitive or binding rule of law. The principle of complexity provided an opportunity to study various aspects of the problem of globalisation factors of legal conduct, namely: the essence of lawful and illegal conduct, its causes and consequences, the causes of corruption, crime, etc.

The formal-logical method was used to define the concepts of “globalisation”, “globalisation factors”, “corruption”, and “legal conduct”. The system method is applied in considering the criminogenic consequences of globalisation as a system of elements that manifests itself in various spheres: economic, political, legal, religious, etc. The structural and functional method is used to describe and explain all the globalisation factors of legal conduct, to study the relationship between them within a single whole, to determine the function of each of them in an integral structure. The formal legal method is used to formulate the concepts of “legal conduct”, “criminogenic consequences”, and “transnational crime”. Using the comparison method, all globalisation factors of legal conduct (primarily illegal) were compared with individual consequences of globalisation.

■ Results and Discussion

The transformational processes of globalisation lead to changes in all spheres of society. The mutual dependence of the world’s leading countries is increasing, and at the same time there is an aggravation of contradictions between them. The reason is the intensification of the struggle for profit, for influence in the world, for minerals, sales markets, for territories and transport communications, labour, etc. Contradictions are growing simultaneously with the growing needs

of humanity and the onset of negative global climate changes, which result in a shortage of vital resources. With increasing tension in the world, the risks of new wars and conflicts increase [8].

The era of globalisation affects the boundaries that previously defined the natural rights of each person, their personal sovereignty and private life. Recently, restrictions on human rights have been significantly expanded and introduced to: ensure state and public security or the economic well-being of the country; prevent riots or crimes; protect health and morals; ensure the rights and freedoms of others; protect national security, territorial integrity; prevent the disclosure of confidential information; to maintain the authority and impartiality of the judicial authorities [9]. It is clear that the restriction of rights cannot be perceived positively by everyone.

Globalisation is a test of national and cultural identity, and tolerance and dialogue of cultures are the main means of overcoming contradictions in such conditions. In the context of globalisation, with the strongest influence of global culture, it is exceedingly difficult for individuals to maintain their own identity, which leads to mental illnesses and an increase in feelings of abandonment and insecurity. People are increasingly turning to primitive forms of self-realisation, because under the influence of manipulative technologies, it is much easier to accept a ready-made primitive identity than to build your own. In addition, 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 runs into a defensive reaction of national-oriented traditions of legal systems. The reaction to the tension that arises in this regard may be illegal conduct, a type of which is criminal behaviour.

The increase in crime rates is a response to political and economic expansion, on the one hand, and to the progressive stratification into “rich” and “poor” not only at the national level, but also at the interstate level – on the other. The collapse of crime has become one of the most acute problems of our time [10]. In particular, in Ukraine, criminal processes have become total in nature. The crisis state of society, the war unleashed by Russia, the decline in morals led to the fact that people began to take for granted not illegal conduct, but illegal. Furthermore, the population has long been accustomed to corruption, does not hope to protect their legitimate interests in the courts and, as a result, is inert nostalgic for the past, or tries to realise their legitimate interests in all available ways, not always considering their legality. Without a doubt, global globalisation problems affect the demanding situation in Ukraine.

Delinquency (misdemeanour, guilt) is a behaviour, understood as the actions of a particular person that

deviate from the current laws, threaten the well-being of other people or social order and are criminally punishable in their extreme manifestations. A person who demonstrates illegal conduct is considered as a delinquent person (delinquent), and the acts themselves are considered as torts. Delinquent behaviour is a form of deviant behaviour. Under deviant behaviour (lat. *deviatio* – deviations) understand the actions of a person and social phenomena that do not meet the officially established or actually established norms (standards, templates) in a given society, violate them. The deviation can be either positive or negative. Negative deviations are dysfunctional, they disorganise the system. This is a social pathology: crimes, alcoholism, drug addiction, suicide, etc. [11]. It is precisely such deviations that require the attention of legal Science. They indicate the existence of a conflict between the individual and society, between individual and public interests. These conflicts are stimulated and worsened by various factors, including the consequences of globalisation, primarily criminogenic ones.

Geopolitical conflicts are of particular concern. The violation of the geopolitical balance caused by the destruction of the bipolar system of international relations is a condition for increasing social instability in the world and increases the risk of geopolitical conflicts that have unpredictable dire consequences for the world community and stimulate both illegal conduct and crime.

The consequences of globalisation in the economic sphere are dangerous. These are the globalisation of the shadow economy, the emergence of new tax evasion schemes, including through offshore companies, laundering of proceeds from crime, piracy, Raider seizures of other people's property, trade in weapons, low-quality goods, counterfeit medicines, etc. In the political sphere: aggressive foreign policy of several states, regional wars, internal conflicts, information wars, indirect wars, that is, the complex use of methods of economic and informational influence on the enemy in combination with operations of special services, military threats and demonstration of military power, including threats to use nuclear and bacteriological weapons. In the legal sphere—the use of legal instruments to influence the policies of sovereign states. In the religious sphere: arbitrary interpretation of certain religions, distortion of their principles by extremist organisations. In the socio-cultural sphere: destruction of national systems of education, health, social protection, culture, marginalisation and degradation of the population, formation of a criminal market for Cultural Property, promotion by the mass media of the cult of violence and cruelty [12]. Each country brings its own cultural characteristics to the World Environment. Often, deep cultural differences lead to many problems related to contradictions in the system of values, which can significantly affect the

legal consciousness of the population and its legal conduct. The main criminogenic consequence of globalisation is the globalisation of crime, including transnational organised crime, international terrorism, and global corruption.

Transnational crime as a set of crimes that, according to international legal instruments, are recognised as transnational and are naturally repeated in more than one state over a certain period of time and cause damage to two or more states or the interests of legal entities or individuals of two or more states, has received a powerful impetus for development due to the opportunities provided by globalisation. In the structure of transnational crime, three elements are traditionally distinguished: international crimes; crimes of an international nature; crimes related to foreigners. Now its destructive capabilities are increasing due to the erosion of state borders, increased transparency, and the expansion and interpenetration of economic markets that were previously closed or tightly controlled by states. This creates conditions for the emergence of new, previously unknown forms of international crime and its professionalisation.

Transnational crime is often organised. The characteristic features of transnational organised crime and the ways of its functioning are: the presence of a complex structure; ignoring state borders, International and national legislation; the struggle for new spheres of criminal influence in one or more countries; the presence of a powerful material and financial base; the implementation of their intentions through bribery of officials, violence, extremism and terrorism; conspiracy, intelligence and counterintelligence, penetration into state authorities and management, primarily bodies and institutions engaged in foreign economic activity, border and customs control; exit from the shadow sector of the economy, money laundering, the use of modern information and computer technologies, scientific and technological achievements in the commission of crimes; the commission of criminal acts as a business to obtain maximum benefits; the use of significant differences in the criminal justice systems of different countries.

The transformation of organised crime in a particular country into transnational crime is due to socio-economic factors. However, a prerequisite for the development of already formed organised criminal ties in the criminal environment of different states, their international integration and transformation into transnational organised crime should be recognised as the corruption of the governments of individual national territories, the low level of countering crime by law enforcement agencies, technological progress and globalisation processes.

International criminal organisations are both the cause and consequence of the changes that have taken place in global politics and the economy: the

collapse of the Soviet Union and the formation of a number of independent, but economically very weak and unprotected states with transparent borders that are not always properly protected; the establishment of the European Union, which led to the weakening of customs procedures, passport and currency controls in Europe; changes in China's policy, which gave impetus to the active growth of economic relations in this country. It is the combination of these factors, according to some scientists, which has become a condition for the formation and strengthening of Transnational Organised Crime [13].

National Crime in the context of globalisation is becoming a concentration of primitive, mostly self-serving, general criminal offences that border on a marginal lifestyle and can be controlled by criminal justice authorities.

In the last decade, the international community's concern has increased over the changing types of crime and the emergence of new types of crimes, such as cybercrime, maritime piracy, crimes against wildlife and the illicit trafficking of Cultural Property, human organs, and counterfeit medical products. To a certain extent, this is due to the significant amount of illegal income that can be obtained, as well as using modern technologies and loopholes in national and international legal documents.

Global changes that ambiguously affect the course of World Development are one of the causes of corruption [14; 15]. Corruption is deeply rooted in the public administration system and is purposefully supported by Ukraine's internal and external opponents.

Among scientists, there are different approaches to defining the concept and main characteristics of corruption. The definitions discussed in the scientific literature differ in that the authors refer corruption to an offence or only a crime or consider it as a multidimensional social phenomenon.

In the scientific literature, an interesting idea has been substantiated that corruption is a natural form of adaptation of an undeveloped person to the conditions of a developed civilisation. Focusing on the standards of living of a "modern developed society", a person does not seek to meet the requirements of this "modern developed society". Thus, according to European fashion, 99% of the population is accustomed to the fact that everyone should live with dignity, but they must live according to their condition. In a progressive economy, people who are more responsible survive. Having acquired a tendency to refrain from crimes, meanness, impudence, a person thereby loses the means of survival in conditions of lack of resources. If a person had to live under the conditions of economic standards that came from outside, it is likely that he will use new opportunities according to the old rules (look for ways to steal under new conditions) [16].

Intellectual degradation is a dangerous consequence of corruption. Constant life in conditions of violations cannot but deform the individual, and this applies to both sides of a corrupt act. In the moral aspect, there is a discrediting of important attitudes and values for society and replacing them with others corresponding to corruption, but extremely dangerous [17, p. 502].

Intellectual degradation leads to the degradation of professionalism and the spread of profanity, primarily in education and science. Corruption in education is dangerous, because citizens who take part in this process get used to the acceptability of corrupt actions from childhood. As a result, a favourable ground is automatically created for further corruption arbitrariness and degradation of the moral norms of society. However, the paradox is that only through education, in principle, can the growth of corruption in society be stopped, while reducing its danger. As a result, we have such an ironic "cycle of corruption in nature" [18, p. 65].

A long-standing and urgent problem is the quality of Ukrainian science and its compliance with the urgent needs of the state. In other words, this refers to the "sanctum sanctorum" for everyone who crosses the threshold of a scientific or educational institution – scientific products, personal results of theoretical or applied research. At all times and socio-political formations, it was the quality of these products, their relevance, novelty, expediency and usefulness for the common cause that depended not only on the authority of the researcher, his further official or professional career, but also on the place of a scientific or educational institution in the hierarchy of non-material values of a certain community. And on a national scale, this is both its prestige and place in the world civilisation [19].

However, now, because of numerous additions to the ranks of corrupt pseudo-scientists, science is becoming a means of making money. The pinnacle of wisdom was wealth, and the question "If you are so smart, then why are you poor?" was perceived as a credo of life philosophy. According to this credo, the crowd of "merchants" in science has long defeated all other layers in terms of number and dictates its own rules of behaviour.

However, this is not only a problem for Ukraine. Fundamental science has been in a state of acute crisis since the second half of the twentieth century and has not discovered a single new law, has not created a single new fundamental direction. Qualitative development in science has stopped and survival on the principle "what do you want?". Applied science has defeated fundamental science, although it cannot exist without it. Those applied branches of science that are somehow connected with the manipulation of the masses and serve the cause of their subordination are developing. These are computer science, telemetry,

genetic engineering, biotechnology, and Social Psychology. All of them serve the needs of social management in the direction of strengthening the manipulative component [20]. The only exception is the rapid development of science in the countries of Southeast Asia, which will go down in the history of human civilisation as evidence of the great opportunities of states that have embarked on the path of independent development. This applies to Japan, China, Hong Kong, Korea, Singapore, Malaysia, Taiwan, Thailand, Indonesia, and the Philippines, which have achieved impressive success in all areas of public life.

A characteristic feature of the era of globalisation and a significant factor in crime is 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. People find themselves on the edge of various social systems, ideologies, and religions that are unusual for them and that are not always easy for them to join. Migrants often become outcasts of society [3].

At the same time, with the increase in the volume of illegal importation of migrants observed in recent years, the degree of sophistication of this type of crime is sharply increasing. Persons involved in the smuggling of migrants use the latest communication technologies to obtain information about changes in border control measures and adapt to them; in response to restrictions, they quickly change their routes. Social networks and digital communications provide such offenders with unprecedented ways of supply: the ability to carry out direct sales and attract customers through modern social networks; and to a lesser extent depend on local intermediaries.

On the other hand, the introduction of digital technologies clearly reduces information gaps that can be exploited by persons engaged in illegal importation of migrants. Mobile and network technologies can be used to help migrants connect on popular social networks for support and information. Furthermore, the proper use of technology can help governments, businesses, and non-governmental organisations prevent and mitigate the effects of this disaster [21].

The share of migrant criminals in the commission of serious crimes is usually consistently high. Most often, they commit theft, fraud, robberies, robberies, terrorist acts, murders, evade customs duties, are involved in the smuggling of narcotic drugs, weapons, military supplies and explosives, special technical means of secretly obtaining information, etc.

The main factors determining the increase in crime of foreign citizens and stateless persons are: the illegal nature of their stay on the territory of another country; employment of migrants mainly in the shadow sector of the economy, where wages are low, the employee is deprived of social guarantees, and often

simply disenfranchised; negative attitude towards migrants of the local population, interethnic, interreligious and interfaith conflicts; low prestige of their social role, discomfort that they experience as a result of being in a culturally foreign space, the presence of a marginal environment. The change in the priorities of the legal consciousness of migrants caused by globalisation can lead to illegal conduct. Thus, the massive flow of migrants to the European Union and the increase in crime are directly related. A significant role is played by the demographic composition of migrants: migrants and refugees are mainly young men, and it is this category of the population that most often commits crimes. Foreign migrants of this age group, as a rule, do not have a higher education, and the motives for crimes are material difficulties. Furthermore, they are socially isolated, lonely, and live side by side with people who are in the same conditions and under the influence of the same risk factors. Most of them are in places similar to refugee camps, where it is almost impossible to be alone, which increases the risk of committing crimes. A significant part of the crimes committed in this environment, especially of a violent nature, are committed by refugees and are directed against refugees like themselves [22].

Globalisation factors of illegal conduct are directly related to the contradictions of social development, ideological confrontation and economic, political, and social inequality of the world's countries, and therefore to different degrees of their participation in globalisation processes. On a global scale, the policy of globalisation increases the gap between poor and rich countries, social and economic inequality, worsens the already deplorable situation of the population of the world's poorest countries, can lead to armed conflicts, the destruction of individual peoples' cultures, their physical extermination and create conditions for the disappearance of entire nations. At the domestic level, the contradictions generated by globalisation lead to the curtailment of social programs, limiting the role of the state in solving social problems, including the protection of human rights and crime prevention. The personal level of contradictions is associated with a worldview crisis, loss of identity, anxiety, and extreme individualism, which pushes a person to solve their own problems in any way, even illegal. This situation has criminogenic potential. Now globalisation processes have not only activated the dynamics of all types of crime and caused their interpenetration, but also limited the possibilities of social control over crime both by limiting the resources of individual states and by lagging the opportunities for international cooperation with the objective needs of crime-fighting practice.

The inconsistency of globalisation is influenced by the riskogenics of modern communities, which are characterised by instability and uncertainty. The entire

social reality, all social strata and groups are at risk, which threatens the development of countries and peoples both at the global, local and regional levels. The underdevelopment of civil society and its institutions, economic instability, changing political, cultural, moral values, and awareness of social insecurity make modern society a “risk society”. All these processes, combined with the ambiguity of globalisation itself, lead to unpredictable consequences.

Under the influence of the processes of globalisation, there is a devaluation of traditional legal values, a decrease in the level of moral guidelines, which leads to a loss of legal orientation and the formation of legal nihilism. As a result, certain legal and moral norms become unable to influence the legal consciousness of subjects of legal relations. At the same time, democratic values themselves, including rights and freedoms, are used as a means of geopolitical influence, which calls into question the basis for their universalisation and legitimacy [23]. Society should realise that the construction of a democratic state governed by the rule of law and Ukraine’s entry into the European system of human rights protection should take place in reality, as well as be supported by the relevant domestic and foreign policy of the country regarding human rights, a harmonised system of legislative acts and real mechanisms for guaranteeing fundamental freedoms [24].

Globalisation completely allows for inequality and even implies the division of the world into a “centre” and “periphery”. The main goal of relations between the Western “global over society” and the rest of the world is to dominate other countries. The Westernisation that it is carrying out is aimed at the total dissemination of market values of Western civilisation and increasing the role of international financial and economic organisations. This is a planetary-oriented expansion carried out by individuals, collectives, States and Interstate associations in various spheres and is accompanied by the convergence of various civilisational systems, the erasure of differences between them, the subordination of all national cultures to a single cosmopolitan cultural standard. Westernisation is aimed at bringing certain victims (countries capable of uncritically borrowing models of public life that the West imposes on them) to such a state that they lose the ability to exist independently, and aims to make them an appendage, a donor of the “global community”. It can provide economic assistance to a “reformed” country, but only to the extent that it contributes to control over its economy, loss of economic independence and security. In particular, one of the factors of Western globalisation is the rapid entry of the English language into our lives. But English-language expansion cannot be positively perceived by most of the population, which does not speak this language and does

not understand the need for such innovations. Such processes often cause hostility towards western culture, social protest, they do not contribute to legitimate behaviour and improve the criminal situation in the country and in the world.

The scientific novelty of the publication lies in the fact that it proves that the globalisation factors of illegal conduct consist in social contradictions that are generated by globalisation or stimulated by this process. Illegal conduct is promoted by the following factors: ideological contradictions, economic, social, political inequality of individual countries involved in globalisation processes; the development of local economic crises into global ones; the restriction of certain managerial capabilities of the state, which negatively affects the solution of problems of human rights protection and crime prevention.

■ Conclusions

Globalisation is accompanied by incredibly significant transformations of the socio-psychological state of the individual, in particular, it contributes to the deepening of contradictions associated with the ideological crisis of the individual, loss of identity, extreme individualism and deformation of legal consciousness. Globalisation leads to inequality, injustice, the destruction of many established forms of existence, the erosion of traditional values of society, creates a state of uncertainty of a person before challenges, contributes to the growing threat of illegitimate use of armed forces and aggression in the face of growing competition and imperial aspirations of individual governments. Globalisation creates conditions for optimising interstate cooperation in the fight against crime, while at the same time contributing to the spread of crime. The spread of crime to a certain extent becomes a response to political, economic and cultural expansion, on the one hand, and to the progressive stratification into very rich and too poor, not only at the national level, but also at the interstate level, on the other.

In a globalised society, criminal threats cannot be considered outside the context of globalisation and humanitarian processes. Crime is one of the factors that affect social life, violate human rights, and force us to independently search for any ways to realise legitimate interests, including illegal ones. Crime and terrorism are present-day factors of insecurity and, in some cases, political instability. One of the determinants of transnational crime is the liberal migration policy of several states, based on the absolutisation of human rights. In crime prevention, restrictions on human rights are unavoidable, but they must be consistent with the requirements of extreme necessity.

The processes of globalisation should be accompanied by the universalisation of criminal legislation, which will support the existence of common principles

for the formation of a system of criminal prohibitions for all countries. However, the universalisation of criminal legislation should not contradict the national interests of the country, which support the preservation of each state's natural opportunities to include in its legislation norms that correspond to the peculiarities of national traditions, legal culture, religion, and

objective living conditions of the population. Reducing the manifestations of corruption requires a change in the system of values and behaviour, moral and ethical norms, primarily in the upper echelons of power. A comprehensive approach to neutralising the globalising factors of illegal conduct requires the implementation of social policies aimed at eliminating the causes of offences.

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Вплив глобалізації на правову поведінку

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■ **Анотація.** Одним з негативних наслідків глобалізації визнано поширення у світі протиправної поведінки та зростання показників злочинності, що підтверджує актуальність статті. Зазначено, що причини протиправної поведінки детермінуються суперечностями суспільного розвитку, ідеологічним протистоянням, економічною, політичною, соціальною нерівністю країн світу та деформацією правової свідомості. Глобалізація тіньової економіки, поява нових схем ухиляння від податків, зокрема за допомогою офшорів, відмивання доходів, отриманих злочинним шляхом, піратство, рейдерські захоплення чужої власності, торгівля зброєю, агресивний глобалізм у зовнішній політиці низки держав, регіональні війни, внутрішньодержавні конфлікти, інформаційні війни, довільне глумлення деяких релігій, спотворення їх принципів екстремістськими організаціями – усе це зумовлює кризовий стан економіки, політики, соціально-культурної та духовної сфер суспільства, злочинність у багатьох країнах глобалізованого світу. Метою статті є висвітлення розуміння протиправної поведінки крізь призму негативного впливу на неї процесів глобалізації. Методологічною основою дослідження слугувала система філософсько-світоглядних, загальнонаукових та спеціально-наукових принципів і методів, зокрема: принципи об'єктивності, конкретності, комплексності; методи формально-логічний, системний, структурно-функціональний, формально-юридичний, порівняння. Встановлено, що протиправну поведінку в сучасному світі значною мірою зумовлюють соціальні протиріччя, що породжені глобалізацією або стимулюються нею. Констатовано суперечливий характер глобалізації. Зауважено, що їй притаманні як позитивні (антикриміногенні), так і негативні (криміногенні) властивості, причому криміногенність домінує, оскільки слугує своєрідним наслідком політичної, економічної та культурної експансії, а також істотного розшарування на дуже багатих і злиденних не лише на рівні національному, а й на рівні міжнародному. Деформація правосвідомості, крайній індивідуалізм, протиправна поведінка, злочинність, корупція впливає на рівень життя суспільства, сприяє порушенню прав людини та змушує до самостійного пошуку різних способів реалізації законних інтересів, у тому числі способів незаконних. Обмеження певних управлінських можливостей держави як обов'язкова риса глобалізованого суспільства також негативно позначається на розв'язанні проблем захисту прав людини й попередженні злочинності. Доведено, що глобалізація в негативному контексті сприяє нерівності, несправедливості, нищенню традиційних цінностей суспільства, невпевненості людей у завтрашньому дні, зростанню загрози нелегітимного застосування збройних сил та агресії за умов зростаючої конкуренції та імперських прагнень урядів окремих держав. Наукова новизна статті полягає в спробі визначення всіх глобалізаційних факторів, що позначаються на деформації правової поведінки та стимулюють зростання показників злочинності. Результати дослідження сприяють визначенню способів впливу на осіб, схильних до протиправної поведінки, удосконаленню засобів і методів боротьби зі злочинними організаціями та окремими злочинцями, у чому й полягає практична значущість статті

■ **Ключові слова:** протиправна поведінка; процеси глобалізації; злочин; злочинність; корупція; правова свідомість