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Interdependence of Marginality and Anomie

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■ **Abstract.** The causes, characteristics, and consequences of marginality and anomie, their mutual influence and connection are considered. Anomie is essentially a complex of social and cultural pathologies that affect society. Legal anomie has distinctive features. Marginality can be considered as a state of the individual, which implies its exclusion from social structures and generates uncertainty of social positions, which affects the consciousness of the person, their lifestyle and actions. Marginality underlies disorganisation and reorganisation processes in the life of society, it contributes to the emergence of anomie, the grounds of which generally consist in the discrepancy between the dominant ideology of priority of law and limited legal means and ways of satisfying life's needs. The consequence of anomie may be a sharp increase in the crime rate. Therefore, the study of marginality as a prerequisite for anomie is justified and relevant. The purpose of the study is to identify factors of marginal behaviour that have a destructive, even criminogenic potential; focusing on the fact that marginality destabilises social relations, leads to conflicts, offences, and anomie. The methodological basis of the study is a system of philosophical and ideological, general scientific and special scientific principles and methods, in particular: the principles of objectivity, concreteness, complexity; dialectical, formal and logical, systemic, structural and functional methods. The conclusions indicate that marginality is one of the causes of anomie, which, in turn, contributes to the further marginalisation of society. The scientific originality of the study is determined by the totality of the formulated conclusions and consists in explaining the interdependence of marginality and anomie, identifying ways to neutralise anomie processes through the practical implementation of the principles of the rule of law, legal equality, and eliminating the causes of marginal behaviour. The study results contribute to identifying ways to influence people who are prone to marginal behaviour, improving the means and methods of overcoming anomie in society, and reducing the manifestations of illegal behaviour. This indicates their practical significance

■ **Keywords:** conflict; offences; criminalisation; society; crisis

■ Introduction

In modern society, anomie manifests itself in the deepening of conflicts between different groups of the population, undermining the moral foundations of society, and increasing crime rates. There are many prerequisites for anomie. One of these prerequisites is marginality. The phenomenon of marginality significantly affects social processes, contributes to the disorganisation of public life, and creates a complex of problems which require their own understanding and solution by modern science, including legal science.

It is particularly important in societies that are in the process of transformation, in a globalised world [1]. Now the process of globalisation provokes the strengthening of ethnic, cultural, and religious relationships of different levels and content of social systems, leads to the mutual dependence of the countries of the world, the aggravation of contradictions between them, the establishment of a new balance of power on continents, the enrichment of some countries and the accumulation of social problems in others, an increase in the flow of migrants to developed countries, a corresponding increase in the number of people who have lost their social status, are forced to adapt to changes and find their place in society anew. At the same time, the state's obligations in the field of human rights protection, unfortunately, are not always fulfilled [2]. This state of affairs contributes to the deformation of legal consciousness.

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The war, in particular the war unleashed by Russia against Ukraine on February 24, 2022, also adds serious problems. This war brings not only destruction and death to Ukrainians and Russians, but also an acute food crisis to the world's poorest countries, which means an even greater spread of poverty. Before the war, Ukraine was a major food seller. Now Ukrainian chernozems are littered with mines and damaged Russian tanks, and Russia is preventing the export of Ukrainian grain in every possible way. A huge number of people have been forced to become refugees and migrants since the beginning of hostilities. As a result, new marginal strata appear that are prone to deviant behaviour. This stimulates anomie. Anomie, as is known, is a violation in the axiological and normative system of society, in which the influence of social norms, including legal norms, on the behaviour of members of society decreases, and the scope of legal regulation sharply narrows. Anomie is a threat to public safety. Accordingly, the study of marginality as a prerequisite for anomie is justified and relevant.

The purpose of the study is to identify factors of marginal behaviour that have a destructive, even criminogenic potential; focusing on the fact that marginality destabilises social relations, leads to conflicts, offences, and anomie.

The scientific originality of the study is determined by the totality of the formulated conclusions and consists in explaining the interdependence of marginality and anomie, identifying ways to neutralise anomie processes through the practical implementation of the principles of the rule of law, legal equality, and eliminating the causes of marginal behaviour.

■ Literature Review

Anomie and marginality were studied by representatives of various sciences: philosophers, sociologists, psychologists, lawyers, political scientists, cultural scientists, anthropologists, etc. The term "marginal person" was first introduced into scientific use by the American sociologist Robert Park back in 1928, when he investigated the situation of migrants who could not completely change their lifestyle and adapt to the new environment. Such individuals occupied an intermediate place in society, were a certain border between social groups. R. Park [3] considered a marginal person as a person who is a carrier of cultural conflict between different groups, different cultures, and different civilisations.

The connection between Durkheim's sociological concept of anomie and the problems of criminology was established as early as 1938 by the American sociologist R.K. Merton [4] in his article "Social Structure and Anomie". The main reason for crime, he considered the contradiction between the values that

society directs people to achieve and the possibilities of achieving them according to the rules established by this society.

The concept of the "marginal person" was substantiated in the 1930s by the American cultural scientist E. Stonequist [5]. Common features of such a person are isolation, ignoring any norms, a heightened sense of their race, and an inferiority complex. Such a person is an apostate, finds themselves between the group from which they left and the group to which they seek to join, they are characterised by various forms of mental disorder and deviant behaviour.

Modern study on the theory of anomie in the scientific English-language literature was conducted by O.V. Pletnirov [6].

V.A. Kuzmenkov [7] systematised scientific approaches to the study of anomie, identified six groups of theories that explain this manifestation of social pathology, namely: structural and functional, socio-cultural, communicative and informational, criminological, psychological, managerial.

The analysis of the concept of marginality in the views of representatives of the Chicago School of Sociology was carried out by M.D. Napso [8], who considered the social, cultural, and psychological aspects of this phenomenon, studied the conditions for the emergence of marginal forms, drew attention to the processes of adaptation and integration of marginals into a new socio-cultural context, showed the negative and positive aspects of marginalisation processes.

The relationship between anomie and crime in the works of E. Durkheim was considered by B. DiCristina [9]. The activity of marginal groups from the standpoint of criminology was investigated by A.O. Yosypiv [10].

These authors investigated marginality as a product of social mobility, noted the problem situation of a person who is excluded from social relations. However, the fact that marginal behaviour not only destabilises public relations, but also leads to conflicts, offences, and anomie has been ignored. Such research is the task of the author of the study.

■ Materials and Methods

The choice of research methods is determined by the purpose of the study. The methodological basis is a system of philosophical and ideological, general scientific and special scientific principles and methods, in particular: principles of objectivity, concreteness, complexity; dialectical, formal and logical, systemic, structural and functional.

The application of the principle of objectivity reveals that the causes of anomie can exist independently of the subject of knowledge, that it is necessary to investigate not only their genesis and state at the moment, but also to consider possible further transformations.

Guided by the principle of concreteness, it is assumed that truth is always concrete, abstract truth does not exist. For example, the norm of behaviour should be specified. Otherwise, this is not the norm. The principle of complexity contributes to the investigation of various factors of anomie, including the marginalisation of society, the causes and consequences of this process. The dialectical method allows understanding the process of spreading marginality and the emergence of anomie, determining the factors contributing to this, understanding the nature of these phenomena and their manifestations through the consciousness of a person and society. The formal and logical method was used to define the concepts of “anomie”, “marginality”, “marginal person”, “marginal behaviour” and the like.

The system method is applied in the process of determining the impact of marginality on legal behaviour. The structural and functional method explained the relationship between social marginalisation and anomie.

■ Results and Discussion

Marginality (from Latin *margo* – edge, border) refers to complex social phenomena that are interpreted differently in the scientific literature. From the standpoint of social philosophy and sociology, marginality is a state of an individual who is rejected by society or a particular community due to its denial or non-compliance with the norms, rules, and requirements of this society.

Marginal person is a person, the worldview and the way of life of which do not correspond to what is recognised as a standard in a certain society, is traditional. This is an individual who is “on the edge” and this state affects their consciousness, lifestyle, and actions in a contradictory way. Usually, such a person demonstrates alienation, isolation, self-doubt, and uncertainty in society. Marginal behaviour can be considered as based on the personal anti-social interests of the individual. Marginalisation is the process of pushing certain social groups, or individuals, out of society. A favourable environment for this process is the crisis state of society [11].

Modern society creates conditions for the emergence of a marginal state. Significant groups of the population fall into the sphere of marginality, the number of marginal persons is growing, which indicates the expansion of the marginalisation space, the gap between a person and the usual environment, which leads to the emergence of internal personal conflicts with oneself and society. In the context of increasing social mobility, which leads to serious changes in the social structure, marginality takes on the features of a widespread negative phenomenon. Marginal persons themselves are often associated with those who are called social outsiders.

A marginal situation is associated with the transition state of a certain group or person. Usually, migrants, persons without a specific place of residence, alcoholics, convicts serving sentences, or those who have already served their sentences get into this situation. Even a law-abiding person can get into such a situation, who will either seek to get out of such a state, while acting within the framework of the current legislation, or he is absorbed in the situation and becomes a criminal [12].

Anomie is also a negative phenomenon, a manifestation of social pathology, a violation in the axiological and normative system of society, which is reflected in the following: a significant decrease in the importance of moral and legal norms, their violation; disorganisation of social, political and legal institutions, weakening of their influence, primarily the influence of the state; a decrease in the stability of the whole society, the destruction of social solidarity; a significant decrease in social discipline; disintegration of society; conflicts between social groups; the division of society into “leaders” and “losers”.

The causes that give rise to anomie are primarily social, they are systemic in nature. Endless reforms, usually incomplete, unemployment, increasing poverty, deepening social inequality, injustice and inefficiency of social control mechanisms, inevitably leads to the degradation of social values, the loss of the significance of moral norms, the destruction of the once established social system.

Anomie causes such a psychological state of a person, characterised by loss of orientation in life, a person faces the need to choose to fulfill or ignore norms that contradict each other. The uncertain position of an individual leads to the fact that people have increased frustration, a sense of helplessness, isolation, emptiness, uselessness and meaninglessness of their existence. A person deliberately refuses to comply with the current social norms, destroys ties with society, loses moral guidelines, and the meaning of life, and becomes marginal. All this increases the depression in society, which loses the ability to effectively regulate the behaviour of its members.

The cause of anomie at the micro level may be a negative assessment of an individual by an important and significant group. For example, for young people, the main factor in the occurrence of socio-psychological stress may be poor results in sports competitions, negative attitude on the part of their peers, low grades in an educational institution. The source of individual marginalisation and abnormal tension at the level of the individual is always “negative relationships with others, in other words, relationships in which the individual is not perceived the way they would like to be perceived” [13]. A researcher from Saudi Arabia, M.A. Alduraivish [14],

hypothesised that there is a causal link between marginal parents and illegal behaviour of children, and the presence of deviant friends and the establishment of a criminal. The researcher found that the influence of deviant groups of peers and deviant or marginal parents in adolescence is quite similar. Both a group of peers and parents occupy an important place in the life of a teenager. It is their influence that determines the further behaviour of a person.

Detention and imprisonment have a significant impact on a person's behaviour. The key features of the prison environment that affect a person's behaviour and character are the following: the inability to communicate with family and friends who have remained at large, the prisoner does not have personal space, they cannot choose those who will be around, must obey certain rules that they do not always agree with. This has a very negative effect on the psyche. Prolonged imprisonment completely changes a person. Therefore, the studies highlight the need for social and psychological support of convicts, the organisation of patronage over persons who have served their sentences [15].

A crucial role for marginal behaviour is played by the factor of alienation, due to which an individual opposes themselves to others, isolates from them, ceases to be a full member of society, does not take part in political, economic, legal processes, and rejects generally accepted values. Apathy, frustration, and despondency towards society are complemented by low self-esteem, feelings of inferiority, increased emotionality, vulnerability, and anxiety. As a result, there is a fear of being offended, forgotten, neglected, which is confirmed in practice, especially in a marginalised society. Quite often, the only way out of this situation, the marginal person considers suicide or aggression towards others. A marginal person can show aggressive behaviour not only openly, but also covertly, disguised, direct their aggression at such persons and objects that are not related to their state of frustration at all, and take out anger on individuals who are not involved in their problems. This state of the marginal person, in turn, stimulates anomie.

Legal anomie has its own specific manifestations: its nature is determined by a complex process of awareness of the discrepancy between life standards and social experience and the new requirements of the social environment; social inequality, lack of opportunities to implement their legitimate interests and needs in society.

Institutional prerequisites for legal anomie are expressed in the dysfunctionality of the institution of law, the priority of implicit, latent functions of law over declared functions, and the expansion of opportunities for institutionalisation of non-legal practices. First of all, the social structure of a modern

marginalised society, whose members have mutually exclusive social interests and use legal resources at their own discretion and in their not always legitimate interests, contributes to reducing the importance of legal norms. This refers not just to non-compliance with the norms, their violation, but also the absence of sanctions for this. Nominally, the norms continue to exist, they can be implemented, or they can be violated with impunity. The authorities that should bring violators to justice, at best, demonstrate inaction, at worst – they themselves are involved in the offence. The most effective way to solve everyday problems is not to comply with the laws, but to circumvent them, using not formal means, but their “connections”, influence, and bribes. The idea that it is impossible to achieve the protection of personal rights legally prevails and is actively cultivated.

Legal anomie negatively affects not only the marginal strata of the population, but also focuses on various social groups. Legal anomie is associated with the expansion of the sphere of illegal freedom, inefficiency, up to the complete loss of state control over the implementation of laws, the spread of illegal behaviour, and criminalisation of society. The term “criminalisation” usually refers to a form of anomie in which there are no differences between positive (for society) behaviour and negative, crime rates increase, criminal authorities influence economic and political processes, and the spiritual sphere. Crimes that were previously quite rare are increasingly being recorded. Legal nihilism is becoming a lifestyle for a huge number of people. The law loses its significance, instead of it reigns personal interest, own discretion, arbitrariness, the desire to achieve goal no matter what, corruption, irresponsibility.

Evidently, the criminalisation of society is the result of both objective and subjective factors. A distinctive feature of anomie in the modern world is the complete disregard for the interests of society and the priority of personal interests, even selfish ones that violate the legitimate interests of other persons and overall society.

Wars, riots, terrorist attacks, and cataclysms of various types that can occur even under the influence of atmospheric processes contribute to the spread of anomie and the growth of the number of marginal persons in society. All this leads to disorganisation of management, chaos, deepening the social division of the population, and mass illegal behaviour. In particular, according to the Prime Minister of Poland, M. Morawiecki, Russia's war against Ukraine already has global consequences in the form of the current situation in Ukraine and it is difficult to assess them in the future. A prolonged war in the long run can mean “the emergence of a new global hegemony that can marginalise the Western world” [16]. The war

started by a nuclear state is pushing the world towards a potentially deep restructuring. This has led to an escalation of tension in the world and encourages the European Union, the United Nations, NATO, and all civilised countries to reconsider their attitude towards Russia as an aggressor country and take new positions.

A particularly sharp and intense increase in anomie is observed when crisis processes worsen, when social protection systems of the population are destroyed, the standard of living of citizens decreases, laws and regulations are not implemented, the foundations of social existence are undermined, individual and public legal awareness is deformed, and the morality of individualism prevails. To implement personal interests, people are increasingly using not legitimate means, but effective ones under these circumstances. This is possible due to the destruction or loss of their functions by institutions and groups that mediate relations between the individual and the state.

Transformational processes that lead to negative phenomena in the spheres of economy, politics, spiritual life, war, corruption, poverty – all this contributes to the emergence of a normative vacuum that levels the current legal norms, demoralises society and the individual, and deepens the crisis of public and individual consciousness. The main signs of the modern crisis include: instability; change in basic social values up to their loss; predominance of material interests over spiritual ones; extreme individualism and intolerance to any opinion other than one's own; injustice; promotion of arbitrary means of satisfying basic needs. All this leads to the destruction of a single spiritual space, the loss of socio-cultural identity, the marginalisation of society, and marginal behaviour.

A crisis is also possible in the field of human rights. Thus, during the coronavirus (COVID-19) pandemic, older people were at a disproportionately high risk of severe infection and mortality. They were also vulnerable to loneliness and social isolation during a pandemic. Consequently, the psychological and physical burden on such people increased, which is a certain marginalising factor. In addition to physiological risk, morbidity, polypharmacy (use of more than five medications per day) and increased mortality, various social factors such as insecurity, loneliness, isolation, ageism, sexism, addiction, stigmatisation, ill-treatment, and restriction of access to medical care are crucial negative factors in a pandemic situation. Added to this burden were weakness, cognitive and sensory impairments, restrictions on freedom of movement due to quarantine, and the traditional poverty of the vast majority of pensioners. Marginalisation and restrictions on human rights increase the suffering of older people during COVID-19 pandemic[17]. All this contributes to the spread of anomie.

This state of affairs contributes to the demoralisation of society and depression of the individual, who is aware of their rightness, but at the same time helplessness. For some people, this is the cause of apathy, despondency, loss of interest in life, even suicide. Other people believe that they have the right to achieve what they want, even if they have to commit a crime to do so. Now, for example, in Ukraine, against the background of violation of the principle of equality, sharp social division, inflation, poverty, corruption, manipulation of public consciousness, and war, the deformation of all forms of legal consciousness is noticeable. Focusing on own personal problems, indifference to the problems of society, despondency, or even despair becomes a distinctive feature of modernity. The majority of the population focuses on their own problems and has little interest in public life. Psychologists have proven that to protect against the prevailing negativity in the world, an individual needs negative, not positive information. Realising that he or she is not the only one having difficulties, comparing himself or herself with others who are also suffering from injustice, lawlessness, helplessness, the individual is only trying to survive. At the same time, modern man is characterised by well-founded aggressiveness and constant readiness for self-defence.

A certain place among the factors of anomie and marginalisation is occupied by globalisation, which contributes to the migration of people from one country to another. Forced migration is usually accompanied by severe consequences for a person: physical and mental health worsens; people experience post-traumatic stress, which manifests itself in increased aggressiveness and deterioration of relationships with other people. At the same time, they find themselves in an unusual environment, where the language, social norms and traditions, and religion are different. Migrants often become outcasts in society, which contributes to their marginalisation and the spread of anomie.

To overcome the state of anomie and reduce the level of marginalisation of society, it is necessary to implement a set of political, socio-economic, ideological, and legal measures that the state should provide.

In political terms, a change in socio-economic policy, de-bureaucratisation of the state apparatus, and strengthening control over the activities of the authorities, which should make decisions taking into account the opinion of relevant specialists, can contribute to overcoming anomie and reducing the marginalisation of society.

The socio-economic policy of the state should be based on real economic indicators, not fictional ones, be effective and balanced, aimed at economic growth, overcoming poverty, and social protection of the entire population.

In ideological terms, it is necessary to achieve the establishment of a system of national values and ideological guidelines. It is ideology that allows creating a system of values and guidelines that will underlie political behaviour, determining specific goals of national policy, and selecting the means to achieve them. When developing an ideology, the state should strive to achieve unanimity and consensus in society, which are necessary for social and state stability, and would contribute to the unification of the entire population of the country into a single whole.

The state should work to improve legislation, eliminate shortcomings in laws and regulations that violate the rights and legitimate interests of citizens, and achieve proper implementation of existing regulations. First of all, it is necessary to achieve social justice, implement the principle of legal equality, reduce crime rates and reduce corruption.

■ Conclusions

Thus, marginality is one of the causes of anomie, and anomie, in turn, contributes to the further marginalisation of society. Marginality can be considered as the state of a person who is rejected and ignored by society or a particular community because of its violation of the norms adopted by that community or overall society.

Among the objective factors of marginality can be distinguished: transformation processes in society, economic, political, and social crisis, any conflicts in society, globalisation. Subjective factors of marginality are determined by the psychological and physical characteristics of each individual. Specific legal factors of marginality are imperfect legislation, gaps in law, criminalisation of society, deformation of legal consciousness, violation of human and civil rights and freedoms.

Marginality affects social processes, contributes to the disorganisation of public life, creates a complex of problems, including conflicts, illegal behaviour, and anomie. Anomie is a manifestation of social pathology, in which social norms and institutions

disintegrate, and the real direction of transformation diverges from the declared goals and values. This is a discrepancy between the institutional system and the goal that is approved by the population. At the level of individuals, this state manifests itself in a conscious refusal to comply with existing social norms, including legal norms, destruction of ties with society, change of moral values and attitudes. In the spiritual sphere, anomie manifests itself in the uncertainty of the value system of the social community and the lack of clear value patterns in particular.

It is important to understand anomie as a discrepancy between the goals and standards of living imposed by modern society, and the limitations of ways to legally meet officially approved goals.

Legal anomie can be considered as a state of inconsistency between legal norms and social practices of the population. It manifests itself in mass illegal behaviour and criminalisation of society, one of the signs of which is a sharp increase in crime rates. Legal anomie generates a chain of destructive changes aimed at expanding the scope of illegal freedom, inefficiency of state control over the implementation of laws and bylaws, and criminal degeneration of basic social institutions. The role of the state in the life of society is reduced to protecting the interests of privileged groups of people.

The influence of anomie on the management of social processes in society significantly depends on political and state institutions, on the activities of government bodies. In a stable society, the level of anomie cannot be high. However, stable development is possible only if there is an effective system of legal, moral, and other norms and social institutions that ensure their implementation.

Overcoming the marginalisation of society and anomie should follow the path of maximum neutralisation of their socio-structural and ideological determinants, reorientation of society to lawful behaviour, increasing the effectiveness of legal norms, and establishing the rule of law and increasing the civic activity of each person.

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Взаємозалежність маргінальності та аномії

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■ **Анотація.** Розглянуто причини, характерні риси й наслідки маргінальності та аномії, їх взаємовплив і взаємозв'язок. Доведено, що аномія становить комплекс соціальних і культурних патологій, які вражають суспільство. Правова аномія означена певною специфікою. Маргінальність можна розглядати як стан особи, що передбачає її виключення із соціальних структур і спричиняє невизначеність соціальних позицій, що позначається на свідомості особи, її способі життя та діях. Маргінальність слугує основою дезорганізаційних і реорганізаційних процесів у житті суспільства, зумовлюючи появу аномії як наслідку розбіжності між домінуючою ідеологією пріоритетності права й обмеженими легальними засобами та способами задоволення життєвих потреб, що може призводити до різкого зростання рівня злочинності. Обґрунтовано актуальність дослідження маргінальності саме як передумови аномії. Метою роботи є визначення факторів маргінальної поведінки, що мають руйнівний, навіть криміногенний потенціал; зосередження уваги на тому факті, що маргінальність дестабілізує суспільні відносини, призводить до конфліктів, правопорушень та аномії. Методологічною основою статті стала система філософсько-світоглядних, загальнонаукових та спеціально-наукових принципів і методів, зокрема: принципи об'єктивності, конкретності, комплексності; методи діалектичний, формально-логічний, системний, структурно-функціональний. У висновках констатовано, що маргінальність є однією з причин аномії, яка своєю чергою сприяє подальшій маргіналізації суспільства. Наукова новизна статті полягає в поясненні взаємозалежності маргінальності й аномії, визначенні способів нейтралізації аномічних процесів через практичну реалізацію принципів верховенства права, правової рівності й усунення причин маргінальної поведінки. Результати дослідження сприятимуть віднайденню оптимальних шляхів впливу на осіб, схильних до маргінальної поведінки, удосконаленню засобів і методів подолання аномії в суспільстві та зменшенню виявів протиправної поведінки, що підтверджує їхню практичну значущість.

■ **Ключові слова:** конфлікт; правопорушення; криміналізація; суспільство; криза