Volume 18 Issue 23
Originally issued as H4



Global Journal of human-social science: H Interdisciplinary
Volume 18 Issue 4 Version 1.0 Year 2018
Type: Double Blind Peer Reviewed International Research Journal
Publisher: Global Journals
Online ISSN: 2249-460x & Print ISSN: 0975-587X

Postmodern Country, Globalization and the Deviant Behavior of Youthg People

By Rumen Vassilev
Trakia University

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Of course, the author presents only part of his vision of the catastrophic impact of this important factor on our country's legal framework regarding children and the protection of their rights.

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GJHSS-H Classification: FOR Code: 200206



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I. Introduction

Legal concepts defined at different times and by different generations of scholars referring to the definition state are based on the existing real and evolving historical social structure and community. The state of modernity, its legal structure, its model, its functioning and its organization impose a legal order, which is why it can be defined as a historical, authoritative and legal form of self-organization. In the course of the historical development of the knowledge of the state, various theories have formed, which can be divided into three main directions:

- Socially explaining the state as a kind of social community;
- Power, which presents the state as a governmental structure;
- Jury, seeking an explanation of the state as a legal model.

The emergence of the state is that historical beginning, that historical moment in which the result of the progressive development of a certain ethno-social model has arisen, the reliance of which relies on cohesion, as a necessity to maintain the newly emerging social, political and geostrategic environment of the ethno- . The governmental character of the state stems from the realization of those economic, political, social and legal mechanisms which it itself defines as priorities for itself and which in practice maintain its structure and its functions as such.

Author: Lawyer, Assist., PhD at the Department of Social Activitiesat the Faculty of Medicine, Trakia University - Stara Zagora, Bulgaria.
e-mail: rumvas2003@yahoo.com

The notion of a state in today's modern version introduces Machiavelli into his "The Master". But long before it talks about the functions of the state and formulates its notion of its ideal option, Plato convinces us that it should be based not on: "... to make a very happy part of the people, but if possible to be happy all citizens. "

Of course, many would now determine Plato's views, and not only his, utopian state functions, but how much better than everyone in a state to be happy thanks to the efforts and order that they themselves they impose it because, from the modern point of view, as a voters, they model it.According to him, the state should impose the same for all its laws and order and the "guards" in the same way to take care of the action and their observance. These views are, inherently, a sufficient basis to build up a number of scientific schools that affect the structure of the state, the society and the divisions in it, as well as the creation of the many existing education systems that influence the education of children. There may also be a question as to why Plato is quoted and why it needs to be related to the topic of development. The answer is not at all complex. Plato is a beginning, a philosopher whose central issues are the theses and questions of state, law, order, and education at all ages and levels. Still, being born in a family of high social status, having the best time for your time, and among your teachers being Socrates, who is himself a victim of the restored democracy in Athens, are circumstances that do not happen to everyone.

With the millennial development of philosophical views after Plato, his ideas have been the subject of detailed research and analysis by many scientists who have established Pythagoras close to Philosophical themes and views. Moreover, there are scientists, including Bertrand Russell, claiming that: "... what is apparent Platonism, after being analyzed, is Pythagorean in its essence." Ultimately, the divergent views do not make the author of the State, and especially his thesis of the order in which the "ideal state" is created, unimportant and loved.

From a democratic point of view, what distinguishes modern state and state power from domination in the negative sense is the legitimacy of freedom, because today there is the freedom of citizens who are active participants in the constitution of all power. On the issue of the public, about the power of

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the freedom of the people in defining and legitimizing the state, Z. Rousseau has made a special contribution to "The Public Contract or Principles of Political Law" written in 1762, maintaining his basic idea that the people must be identified with the state through the so-called A "public contract", in the sense and meaning of which it can influence the legal processes in it, and in the public contract the law is a pillar and everyone should obey the laws. Rousseau states that "The unfair contract, in which the strong enslave the weak, must be replaced by a new social treaty that provides each citizen with protection from the community and will benefit it with freedom and equality."

A system thinker, thinking and analyzing in his turn, he imposes as a next and no less important problem for the normal functioning of a state, that of the functions of the executive power, which, according to Rousseau, must derive from laws born of willpower and protecting interests of the people, while being applied under the control of the sovereign. He accepts that the source of statehood is the people, and its essence is its common will, as part of the individual will that is directed at the common good, which means that what must be done by all, to fulfill the common will expressed in a universal law applicable to all or universal subordination of the laws in force.

Friedrich August von Hayek argues that "... a state in which many elements of a different kind are so interconnected that we can, based on our knowledge of a spatial or temporal distinct part of the whole, form faithful assumptions about the rest, or at least predictions that are likely to be true. "

The attempt to clarify the notion of "order" in its legal nature is useful because it gives an idea of the realities in which a state, its legislation and its society as a whole are developing.

Many years will pass from Plato's time to the first time that the term "rule of law" is introduced by the German law professor Robert von Mol, who in the “Die deutsche Polizeiwissenschaft nach den Grundsätzen des Rechtsstaates” analyzes the work of the German police and the circumstance , that it complies and applies the basic provisions of the local legislation. Of course, Mol is not alone in the essence of interpreting and applying this thesis.

Wilhelm von Humboldt's thesis, which states in an attempt to establish the boundaries of the state's activity, is that "if human development is a fundamental goal," it is the duty of the state to adapt its organism to the guarantee of human rights , thus protecting the security and freedom of the people, which is why it is necessary to determine the extent of the powers of the state, which should be limited mainly to ensuring human integrity. For Humboldt, however, the state is always associated with a "limitation of freedom," so it can not be seen as "evil, though necessary." Even before him, Kant wrote: "... the state is a union of a multitude of people subject to legal laws," while at the same time specifying the criteria to be met by the law, which makes it clear that it attaches mainly to the relationship between the law and other phenomena with which he should be bound.

There are many definitions and theories on the concept of the state in the legal space, but the traditional and most common definition is related to the theory of Prof. Georg Jelinek for its constitutive legal elements, which consists of three essential elements defining the state as: ".. territory, people and ruler ".

Legality and rule of law in one country can be achieved through an effective regulatory system, harmonized with the international law, stemming from the perspective of the population, because it should reflect individual and mass interests without being contradicted. There is no question that the basic objectives and tasks that the government has to establish must be legally justified and set out in a legitimate legal, moral and moral framework that aims at their realization. In fact, the rule of law, acting and subordinate to the relevant legal, moral and moral framework, is the result of the difficult and long pathway that human consciousness has undergone since the spontaneous, the primary fulfillment of established rituals, traditions and norms of conduct to the conscious subordination of power and the coercion resulting from the law. The peculiarities of the relationship between law and morality are also related to the fact that the latter is a valuational valuation phenomenon, which, as right, has a normative expression. Moral norms contain and impose negative obligations and the main means of ensuring that they are complied with in the absence of their own conviction, with the positive assessment, as for ethical norms, of mental coercion. In this sense validation, legislative writing, the legalization of moral principles and norms through their reflection in law can be taken as an expression of their participation in the formation of its characteristics. This is the form through which morality penetrates into law as the only ready norm of public behavior. The law has the special purpose of guaranteeing the status of society, its homeostasis, its pulse, reflecting the interests of all social strata and making them common goals.

Equally important, however, for each state are its institutions, because the understanding of the rule of law would be incomplete if it is not about the activities of the institutions in it. This is necessary due to the fact that the right to construct and its ubiquitous influence in the state is indeed crucial, but we must not forget the fact that not the law itself, but law enforcement is much more important for prosperity, so and for the stability of the state. In this sense, it is necessary to emphasize the fact that there is no state, and therefore legal, sphere of influence in which there is no institution and institution

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that can practically enforce in its own power and professional environment. In order to realize the state doctrine and to develop the law enforcement in it, there can hardly be anything more important and more valuable than to realize the ways to overcome and overcome the processes related to the presence and development of criminal and deviant behavior of minors. Stability, social reality in one country must be saturated with norms in force in the widest sense, with norms that bring real and positive results on the economy, health, education and morality of society in it, which is why the law is no less value and meaningful of lawmaking, the principle of which should strengthen the state's stances.

The question that is the subject of this analysis is when and under what circumstances today's state, the postmodern state of a model that emits democracy, law and order, becomes a model that allows young people to deviantly behave.

In dictatorial regimes and in societies involved in hostilities and conflicts, the environment seems familiar. It is impossible to talk about respecting the democratic legal norms of children's rights, which leads to subordination and human deprivation, hunger, disease and exploitation, high growth of child mortality and miserable existence. According to a UNICEF report, "Children in poverty live in an environment that is detrimental to their mental, physical, emotional and spiritual development." They become a victim of military doctrine, and the state is unable to intercept this process.

The subject of analysis in this paper is the thesis of the crackdown on the legal system in established and functioning democratic societies and state constructions, influenced by the globalizing world of militant views shaken by financial and economic crises, crises of moral values, crises, following the increasing migratory flows, lead to deviance in the behavior of minors.

In modern times, established democracies have shown that statehood is powerless, it is legally baffled and socially helpless when faced with the crisis of morality and the marginalization of ethnic groups in it. The globalizing state is in a profound institutional and moral crisis that deprives it and the legal norms placed in its space are unsustainable because of the social and moral decay of the identity of the generations. The perpetrators of the state model admit the existence of multiple risky social groups of uneducated, marginalized, inexperienced and inactive young people, from an increasing number of juvenile offenders subjected to their physical survival alone.

When the moral and legal norms (as a common social regulator, created and perfected in human communities, unique and unique) are not a priority in the process of educating and training minors when they are overwhelmed or ignored when they have not become part of educational norms, moral personality and do not become a way of behavior, create conditions for the development of children, giving rise to deviant behavior. The crisis of personal and family moral values brought about by the deteriorating financial and economic performance of a family adds to the reasons why the state is not able to control the processes of marginalization of large groups in it, leading to deviant behavior of minors. In these circumstances, deviation goes beyond legal norms, but in order for a society to function within the normal legal boundaries, the level of deviation must be within certain limits or, as E. Durkheim says: "... provided that it reaches but does not exceed the level characteristic of a society of a particular kind ", otherwise society is in a state of anomie, the legal framework of the state is not capable of strengthening its essence.

Minors and minors, as the most vulnerable part of our society, succumb to the temptations and misunderstood values offered today. As Mareva notes, social inequality is a complex problem, driven by the overlapping of a number of factors, including discriminatory practices, social inequality, etc., which to some extent deter the social development of adolescents.

In this sense, it can be argued that the overall social system and the social environment itself become deviant, creating conditions in which the growing and developing generations suffer from its essence.

When there are permanent and inconsistent changes in the overall legal, economic, socio-cultural and educational system, the opportunities and circumstances for developing deviant behavior are increased. The essence of the behavior of all of us is determined by the relationship of dependence between each of us as an individual and the environment in which we develop and the lack of social experience of minors and the social environment consisting of many norms, imperative, presses them, placing them in the conditions of its performers without being able to rethink it. Even trying to interpret the definition of their behavior called "associal" or "deviant" means breaking the norms that are placed and valid for the social environment that defines the path of society outlined by the legislator. These are actions and actions that lead to violation of the norm, without any thought of the possibility of the consequences and sanctions that would follow. By "interacting with the norm" in this aspect we should understand its rationale, as well as the consequences that would result from its overcoming. And once it does not interact with the environment, there are not many chances to implement it, because interaction implies some degree of compliance with it, some respect for and respect for it.

Socio-cultural environment in society has a huge impact on globalization processes. This factor has

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a detrimental effect on the moral and ethical values created and imposed in the social environment. It may seem at first glance that this process does not seem to be particularly significant as an impact on the deviant behavior of children, it may be perceived as too unambiguous and realizing influence only in the sphere of finance and the economy, may be available and accepted that this process has no direct impact on children's behavior and therefore its consideration in such an aspect is unnecessary, but the reality shows that this factor is one of the great challenges for international law specialists are asking to create international rules that will divide and unify legislative mechanisms, applying them identically throughout the world, and are particularly burdensome in the field of social and criminal law. Many professionals view it as an objective, inevitable and irreversible process without trying to look for a definition that is fully and equally valid for everyone, and usually associate globalization with economic and financial aspects. Undoubtedly, globalization has a significant impact on the movement of financial and legislative initiatives at regional, continental and intercontinental levels, undoubtedly leading to market integration of goods and services, influencing factors of production such as capital, financial flows, labor (or its crisis) , technologies and information.

The features of globalization, as an idea and direction, include the reduction of natural barriers and political constraints that, on the one hand, distribute national and regional markets and, on the other, rearrange social and moral-ethical values in society. On the other hand, these processes lead to the struggle to preserve the customary and the applicable law because they are seen as a threat to the preservation of national and social identity. They are seen as an encroachment on the traditions and even the way people live.

From the historical point of view, the roots of this powerful factor of influence on societies and the individual, such as globalization, can be found in the early 1600s and the late 19th century when it was really just about trade and economic relations when they were born and sought their place in the economic and political space. Since then, the territory of transformation and reformation of the public sector, the functioning of moral and moral values, the functioning of communicative mechanisms and legal norms has been widening, and the process is continuous.

In the face of the constantly arising conflicts brought about by the processes of globalization, influencing the individual states and their legal constructs, Jürgen Habermas writes: "The constitutionalization of international law has long been directed not only at that pacification, which also stood at the beginning of development in towards the European Union. The bursting of the bubble of neo-liberal illusions stimulates the view that financial markets, and even the functional systems of global society penetrating national borders in general, bring problems to a state that states or coalitions of states are no longer able to master" more "As early as the days of the French Revolution, the tension between the rights of the citizen and of man has implicitly conjured up the claim to a global imposition of equal rights for everyone. This cosmopolitan claim means that the role of human rights should not be exhausted by a moral critique of the unfair relations of a still highly stratified global society. Human rights are adapted to institutional incarnation in a politically constituted global society. "

Again, he says, "States have no rights, only people have, and therefore people, not states, are the main historical figures, it should depend on how politics is being conducted. In fact, they are turned into unloving viewers. " This Habermas thesis does not find a decisive reflection and influence in the legislation of the post-totalitarian societies of the countries in united Europe, relevant to the social and crisis issues that affect the rights of the children as a whole and, in particular, those with deviant behavior. When analyzing the processes in our country, the location of the political authorities, the political legitimacy in it (and this is necessary due to the fact that the imposed, emerging and developing political subjects and ideologies, competing, express claims to the sovereign, influence it and legislation), we come to the conclusion that social legal regulation among the countries of united Europe is more than necessary and we especially need it when it comes to formulating a common legal framework in the " in-society "and" state (social environment) - child ".

In this sense, the process of globalization makes the achievements of human intelligence, its theoretical and practical developments and market realization rapidly available to the majority of people, while at the same time the associal phenomena and the wrongful conduct of the underage and minors accompanying humanity are at the edge, and too often outside the legislative control again for the same reasons.

There are polarly different views on this factor, which inevitably influences the destinies of the people. Professionals who consider themselves neo-liberal, embrace globalization and support it. In their view, the globalized economy is more efficient because removing market constraints - such as trade liberalization and deregulation of capital markets and labor markets - are seen as the only way to boost economic growth, trade balancing, and lower unemployment. Others believe that the idea of a global market without national borders is impossible, and the globalizing economy needs them, in their view, to be governed and regulated by the respective national governments, who have to coordinate their policies to deal with this process,

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because one of the most important aspects of globalization is economic.

Globalization is a process of integrating national farms into an interconnected and interdependent world in the world or the Community economy (as is the case with the European community), the creation of global markets for goods, services, technology, capital and labor and this process is uneven, overcoming certain shocks and difficulties and generating a number of conflicts with particular emphasis in the social spaces of the countries. Together with freedom in its global sense, the development of democratic processes and formal respect for human rights have globalized and expanded the characteristics of such elements of human beings as poverty, violence, environmental pollution, terrorism, and almost without interruption. military invasions, political corruption, moral deformations, age and student immaturity, as well as intellectual backwardness.

Unfortunately, the transition to democratization of societies has made people feel a sense of social insecurity, of social anxiety. At such times and in situations as the ongoing transition of democratization of the processes of development into a society like ours, to sudden and profound changes in it, the mechanisms of personality to identify, to counteract and to personal stability weaken to a great extent.

Very often the processes of influence on the personality are extremely strong and they either downplay or totally ignore the opportunities of children to protect themselves in social or intellectual terms and sometimes even purely physical. In a very direct and negative way, one of the important features of modern globalization, linked to the decreasing value and volume of direct human labor, is influenced by the increased automation in production, and the inability to realize in the labor process is a factor that damages and sometimes destroys human dignity, because man unrecognized through his labor is not considered useful in both personal and family contexts.

The possibility of his being degraded, his thoughts and actions being rearranged in negative terms, unlock processes of deviant behavior are increasing because the goals, ideas and the superiority of his spirit are already reduced to his physical survival. The inability of the state to create new jobs, finance and implement not global but sectoral policies leads to the closure of social frameworks and the impossibility of assisting the unemployed and uninsured by them, which leads to the emergence of strong migratory waves. For many countries, the migration process has become a vital and widely accepted economic strategy, and for many to get into the huge migratory flow and work abroad is not just a quest for economic prosperity and social status but a way of survival.

Globalization, democratic processes and the unification of Community law have led to the fall of visa regimes, and this process has opened the flow of migrants, which has an irreversible effect on families, children, their psyche, and their development. Migration involves the transfer of the most valuable economic resource, such as human beings from poor to wealthy countries, and family, local communities and the home of migrants suffer from this process. The migrant community is becoming a new kind of life, with new rules, laws and problems. In these circles, the negative impact on children is inevitable because they are detached from their roots, their mother tongue degrades, the grammar is influenced, the vocabulary is mixed, and the difficulties in the communicative aspect are increasing, and hence their overall emigration as a whole unexpectedly negative dimensions. It is noted that there is no sector of the manufacturing and especially social sphere for the country that sent the migrants, which will not negatively affect these processes, although on the other hand there are constantly increasing legal restrictions on their restriction in the host countries.

The well-known Polish postmodernism researcher, globalist and sociologist Bowman, analyzing globalization and its implications for man in his book of the same name, says: "For some," globalization "is what we are obliged to do if we want to be happy; for others "globalization" is the cause of our misery. For everyone, however, "globalization" is the indestructible part of the world, an irreversible process; it is also a process that affects us all to the same degree and in the same way. We are all in a process of "globalization" - to be "globalized" means roughly the same for all "globalized".

Modern thinking and contemporary lifestyles imply that the factor globalization affects the family, the life, the individual, his or her soul and life, his or her identity and identity. In our country, this process is even more dynamic because it is coupled with a prolonged post-communist transition, coupled with a prolonged period of political fluctuations and collaborations in our society that form a multitude of elements that violate boundaries and norms, especially morally, as laws are increasingly being violated.

The most disadvantaged of all these negative processes and phenomena that are essential for globalizing societies are children because they reflect in a particularly aggressive way the many problems that accompany the existence of the elderly due to the social, economic and social conditions, the strong dependence on the precarious labor market at the expense of family reunification and consolidation and the strengthening of its moral value, its intellectual, social and legal development.

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