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CHARACTERIZATION OF GUILT, RESPONSIBILITY AS SOCIAL CATEGORIES IN PSYCHOLOGY AND DEVIANCE THEORIES

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Abstract

The scientific work is devoted to the characterization of such psychological and legal categories as guilt and responsibility. It is noted that the studied phenomena, having a specific historical character, are polyscientific categories and are the subject of research in such sciences as psychology, jurisprudence, conflictology, sociology. The purpose of this study is to provide a comprehensive examination of guilt, responsibility, and their relationship with deviant behavior. The study will use a mixed-methods approach, combining qualitative and quantitative research methods. The main theories of deviance are considered. Statistical data on the crime rate in the Russian Federation for different periods are given. A separate part of the study is devoted to the characterization of extremism and terrorism as one of the global negative phenomena of modern times. On the example of the Chechen Republic, the experience of combating these negative factors in the youth environment is given and measures for further countering these phenomena are listed, taking into account the specifics of the regional component. In conclusion, it is concluded that the subject builds a line of behavior based on the available alternative, freedom of choice, desires and interests. And if this choice is made in the direction of deviant behavior, then such a fact is inevitably associated with the process of responsibility (in psychological and legal terms) and the individual's feelings of guilt.

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Keywords: Crime, extremism, legal awareness, responsibility, terrorism, theories of deviance

1. Introduction

The categories of guilt and responsibility are primarily psychological concepts, but at the same time, they are no less, and maybe more, historical and legal in nature. In different epochs of the genesis of society and the state, the understanding of responsibility and one of its elements – guilt was ambiguous, and sometimes even contradictory. At the dawn of the emergence of human society, the attitude to the phenomenon of responsibility, its understanding and mechanisms of implementation were reduced to an elementary primitive level according to the talion principle – an eye for an eye, a tooth for a tooth, when in most cases the punishment for an act that caused known harm was provided for the death of the harmdoer, regardless of whether he was guilty or not for such an act. It seems to us that such an approach to individual responsibility, which developed in the ancient period, reflected, first of all, the attitude of the interests of the ruling class and the position of the "strong" side in the legal relationship, in contrast to the modern understanding of responsibility issues, in which the principle of justice, individualization of responsibility, punishment of only the guilty offender comes to the fore. In other words, with the development of both society and state institutions, the genesis of responsibility in the historical context has been embodied at the present stage in the form of its formulation from the standpoint of the principle of guilt that is, bringing to justice only the guilty offender.

2. Problem Statement

Guilt and responsibility are complex psychological and legal concepts that have been studied extensively in various fields, including psychology, jurisprudence, conflictology, and sociology. However, there is a lack of comprehensive research that examines the relationship between guilt, responsibility, and deviant behavior. Moreover, the study of these phenomena requires a historical understanding as well as regional considerations, such as the case of extremism and terrorism in the Chechen Republic. At the same time, it is important to study the mutual influence of these scientific categories in the implementation of individual responsibility issues.

3. Research Questions

The following research questions are raised by this study: What is the relationship between guilt, responsibility, and deviant behavior? How do historical and regional factors contribute to our understanding of guilt and responsibility? What measures can be taken to counteract negative phenomena such as extremism and terrorism in the youth environment, considering the regional component?

4. Purpose of the Study

The purpose of this study is to provide a comprehensive examination of guilt, responsibility, and their relationship with deviant behavior. Moreover, this study aims to understand the historical and regional factors that contribute to our understanding of these phenomena. Finally, the study provides insights into measures that can be taken to counteract negative phenomena such as extremism and terrorism in the youth environment, taking into account the regional component (Karpov, 2019).

5. Research Methods

The study will use a mixed-methods approach, combining qualitative and quantitative research methods. Qualitative data will be collected through literature reviews, interviews with experts in the field, and case studies of specific regional contexts such as the Chechen Republic. Quantitative data will be collected through the analysis of statistical data on crime rates in the Russian Federation for different periods. The qualitative and quantitative data will be analyzed using thematic analysis and statistical techniques, respectively.

6. Findings

Guilt and responsibility as categories that are the subject of research of various sciences, and, first of all, psychological science, suggest that the researcher of these phenomena should take into account the factor of the relationship of these categories to psychological concepts. For the potential bearer of guilt and responsibility acts as a subject, first of all, of the psyche and mental activity, as well as a subject of social interaction, that is, interpersonal interaction with similar individuals. Further, this subject, building up his behavior, performing actions and deeds based on his will, through the expression of will aimed at achieving his own interest, thereby acts either as a subject of lawful behavior or as a subject of offense from the point of view of the legal component of this process. As for such factors as will, expression of will and interest, it is significant that these categories have their primary importance not only in psychology, but also in law, in particular, in civil law¹.

An important element in the process of personality formation as such is the process of formation of legal awareness, legal culture of subjects of interpersonal relations. After all, in most cases, legal nihilism, which is one of the causes of personality deviance, is not formed simultaneously, but even from the period of adolescence. Legal awareness as an element of the personality structure, formed, including through psychological and pedagogical education, is an important component in the subsequent model of the implementation of an individual's behavior. This conclusion is confirmed by I.B. Umnyashova: It seems important to note another condition that contributes to the prevention of deviant behavior in childhood and adolescence — the development of legal awareness of all subjects of educational relations (Umnyashova, 2020). The lack of legal awareness or its insufficient degree is associated with the risk of expressing the behavior of the subject, which is considered unethical, antisocial and inhumane, and, ultimately, illegal. Illegal behavior presupposes, as its natural result, a reaction to such a state of affairs on the part of society and the state. In other words, misconduct is characterized by such legal categories as guilt and responsibility of the individual.

It should be noted that guilt is not responsibility, as many individuals have an opinion, and responsibility is not only guilt, although, of course, these are correlating scientific categories, but, nevertheless, these are not equivalent concepts.

¹ See.: art. 1, 152.2 of Civil Code Russian Federation, art. 46, 117, 136, 154 of Criminal Code of the Russian Federation, art. 1.2., 2.7., 5.35 of Administrative Code of the Russian Federation. URL: www.consultant.ru (Accessed 27.10.2021).

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When considering the problems of guilt, the researcher comes across a number of the following questions: how does a person understand guilt, how does he define it? What emotions and feelings are associated with the suffering of guilt by an individual? As a rule, guilt as a phenomenon is characterized as an individual's reaction to the result of deviant behavior. It is natural that a legal researcher is interested in wine as a legal category. At the same time, it should be noted that a general judgment about guilt can be formed only if a comprehensive analysis of this category is carried out from the point of view not only of legal science, but also of the sciences we have outlined above and, first of all, as it seems to us, from the position of a sociopsychologist researcher.

K. Izard (1980) formulates guilt as a fundamental emotion that has an evolutionary and biological nature, and notes that "guilt arises in cases in which a person feels personally responsible. Which had quite a lot of popularity in the last century, the theory of psychoanalysis, the founder of which is considered Freud (Freud, 1940), when analyzing personality behavior, proceeds from the relationship of three elements (links) in the psychological structure of personality: Id (It), Ego (I) and Super-Ego (Super-I). According to this theory, guilt is one of the results of the collision of the Id and the Super-Ego.

If we turn to legal psychology in the context of the issues under study, then the well–known researcher Enikeev (1996) has the following definition of guilt: Guilt is the mental content of an illegal action, expressed in the inconsistency of either goals and motives, or methods and results of action with the norms of law. There is also a point of view that the most important factor influencing the determination of responsibility and guilt of the subject is the motivation of the offender (Gulevich, 2006).

We proceed from the fact that the psychological interpretation of guilt and responsibility implies their characterization from the position of such a psychological (internal uncomfortable) state of personality that arises in situations when a person undergoes a sense of guilt, in connection with a negative assessment of his actions, due to violation of established imperatives. This state acts as a regulator of relations at the internal and interpersonal level (Idrisov & Nintsieva, 2020). In other words, we argue that psychology puts the responsibility of a person to himself in the first place, unlike legal science, where the subject of an offense is responsible, first of all, to society and the state.

At the same time, according to Vasilyeva and Korotkova (2004), guilt, designed to play the role of a social regulator in the life of society <...>, contributing to its integration, has acquired disjunctive functions in practice. They explain this phenomenon by the fact that "unconscious, irrational forms of guilt prevail in psychic reality, making communication difficult and reducing a person's ability to social adaptation" (Vasilyeva & Korotkova, 2004, p. 70). As we can see, these researchers understand the essence of guilt from the standpoint of existential theories.

In our opinion, from the "point of view of law, guilt is the personal attitude (mental, volitional, etc.) of the offender to the results of his action (inaction), which has a legal consequence" (Idrisov p.19, 2010), and responsibility is the obligation of an individual established by the state to undergo deprivation of a personal and (or) property nature, depending on the degree of social the danger of the offense and the result of the act committed by him.

Important in the analysis of responsibility and guilt are such categories as will, expression of will and interest, because there is an active volitional moment in guilt, which clearly explains that an action (illegal) generates guilt, and action, in turn, is impossible without the active will and will of the

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individual. As it seems to us, the will, the expression of interest are not just interconnected, but more – they are mutually conditioned and correlate with the categories of guilt and responsibility. In addition, the will, being primarily a psychological category, nevertheless has a well-known legal significance. The concepts of "will" and "interest" are used by the legislator in the wording of a number of articles of codified normative legal acts of the Russian Federation.

The category of legal liability is mediated by the construction of an offense, one of the elements of which is guilt. At the same time, taking into account the complex structure of the concept of offense, it is characterized by some researchers as a phenomenon that determines a number of the following factors: economic, psychological, legal, informational, social and biological (Malein, 1985).

Of course, the study of guilt and responsibility as semi-scientific categories should be based on a comprehensive, comprehensive analysis, because their actions and results are also manifested comprehensively and comprehensively. The scientific justification of guilt as a necessary condition of responsibility is determined by the doctrine of the determination of human behavior and free will. Determination is understood as the predestination of human behavior, its actions by objective laws of the development of society, as well as a set of specific social conditions and subjective factors (Idrisov & Nintsieva, 2020).

At the same time, the problem of juvenile delinquency is still acute in Russia from a separate perspective of the issues under consideration. Deviant behavior of adolescents is associated with various objective and subjective factors: the external conditions include, first of all, the family and the social environment, and the internal ones include the predominance of a number of personal characteristics, such as the incompleteness of personality formation, the presence of specific, often non—constructive ways to resolve difficult situations (Shulga & Dvoryanchikov, 2020). The number of crimes committed by teenagers tends to increase from year to year. In the context of finding ways to solve this issue, I.B. Umnyashova (2020) formulates a number of conditions for the primary prevention of deviant behavior of adolescents, the implementation of which, in her opinion, will help change the situation for the better.

In the context of this issue, the situation with the manifestation of factors of extremism and terrorism among young people deserves special attention. This topic requires a special approach, given the enormous importance attached to it in the national security strategy of the state. Within the framework of this work, we will outline a number of important aspects of the phenomenon of extremism and terrorism.

Etymological analysis of the concept of "extremism" (from Lat. "extremus" – "excessive", "critical", "incredible", "extreme") allows us to conclude that this is an ideology of adherence to extreme positions in views and the choice of the same means to achieve certain goals. In turn, the concept of "terrorism" (from Latin – "terror") in translation means – fear, horror. This is an activity (actions) aimed at intimidating the population by committing an explosion, arson or other actions of a criminal nature in order to achieve political goals. It is no secret that these concepts and processes (extremism and terrorism) are always present literally "next to each other". Ultimately, where extremism is, terrorism "appears" sooner or later. At the same time, we tend to adhere to the opinion that the concepts of "extremism" and "terrorism" are correlated as a whole and a part, since one of the forms of extremism is terrorism. Extremism and terrorism are naturally interrelated and organically complement each other" (Bel'skii &

Satsuta, 2019). A number of researchers speak about the need to differentiate these concepts (Gaivoronskaya et al., 2020).

As recent events taking place all over the world, and in particular in the Russian Federation, show, extremist sentiments not only retain their presence in various social groups, but more – this problem is becoming more widespread. Youth extremism deserves special and increased attention in this situation. Due to the young age, it is sometimes difficult for representatives of the younger generation to navigate such acute topics for society as religion, faith, political institutions and a number of other fundamental elements of modern society and the state. According to the researchers, it is the youth who reacts most acutely to the problems that arise in society. Representatives of the younger generation tend to unite into groups (communities) based on interests, life views and social orientation (Idrisov, 2022).

As part of the analysis of these phenomena by law enforcement agencies, it is noted that since the moment of the beginning of the systematic fight against extremism, it has largely evolved from rare, mostly hooligan manifestations, to mass illegal actions, explosions, arson, murders, and other serious crimes. Individual subjects of extremist activity have been replaced by extremist communities involving a significant number of people in their activities, primarily from among young people (Shipunova, 2004).

The younger generation is subject to extremist influence and is most vulnerable at the stage of growing up and personality formation. Since it is in the immature consciousness of the representatives of the younger generation that the seeds of extremism are laid, which subsequently give a sad "harvest" in the form of specific crimes of an extremist and terrorist nature. As life shows, in most cases, young people between the ages of 18 and 30 join the ranks of illegal armed formations (Idrisov, 2022).

Speaking about recruitment to extremist and terrorist organizations via the Internet, some authors note that special websites and chats for teenagers and young people, as the most suggestible category of citizens, are widely used for involvement in extremist or terrorist organizations. Work with them is carried out in a form accessible to them – for example, Internet games (Gaivoronskaya et al., 2020).

Extremism and terrorism are destructive phenomena in any society. They affect not only the sense of justice, but also the way of thinking and life of young people in general. It is necessary to develop the most effective measures to neutralize the most dangerous manifestations of negative currents. It is necessary to form an anti-terrorist ideology among young people.

Without help and support from, first of all, the family, and then professional specialists (lawyers, theologians, sociologists, teachers), it is likely that representatives of the adolescent environment will become victims of propaganda and agitation by extremists and terrorists (Idrisov, 2022).

These issues are especially relevant in the youth environment of the Chechen Republic. Within the framework of this study, a questionnaire survey was conducted among schoolchildren (grades 9-11) of educational institutions in Grozny in the number of 250 people. According to the results of this survey, it turned out that only 14% (35 people) have a clear idea of the phenomenon of extremism, 20% (50 people) understand the essence, but do not have a clear idea, 26% (65 people) they do not understand the essence of this phenomenon and 40% (100 people) have the opposite, wrong idea about extremism (Idrisov, 2022).

Thus, as a result of the survey conducted, it was found that the knowledge of extremism and terrorism among students of schools and colleges of the Chechen Republic is not fully formed, and

sometimes a vague idea of these negative phenomena, which in itself already carries risks and poses a danger in the context of the possibility of influencing adolescents.

According to the data of Chechenstat (the official body of state statistics) (dated 01.08.2019), about 358,840 people live in the Chechen Republic aged 15 to 29 years, most of whom have their place of residence in villages remote from the city of Grozny (Idrisov, 2022).

According to the data provided by the Ministry of Education and Science of the Chechen Republic in the republic for the period 2020-2021, there were 479 schools (in 17 districts) with a total number of students of about 284,000 people, of which 49,636 high school students². And this number of school institutions continues to increase as part of the implementation of the national project "Education" for the transfer of all schools in the country to 1 shift form of education so already for the period of 2022. according to the data posted on the official website of the Ministry of Education and Science of the Chechen Republic, there are already about 493 general education institutions in the republic³, new facilities continue to be put into operation and built, in particular, from the new academic year (from the beginning of September), a new 3 school will open in the village of Geldagan, Kurchaloyevsky district (Idrisov, 2022).

According to the information provided by the Information Center of the Ministry of Internal Affairs of the Chechen Republic in 2019, about 40 young people were detained and brought to justice for terrorist and extremist manifestations⁴.

Of course, the efforts made recently in the Chechen Republic in solving the problem of extremism and terrorism has yielded a positive result. These issues are also reflected in a number of normative legal acts adopted in the Chechen Republic, among which the following can be distinguished (Idrisov, 2022):

- 1. The Law of the Chechen Republic of 15.06.2010 No. 16-RZ "On the prevention of offenses in the Chechen Republic" (paragraph 5 of Article 3).
 - 2. The Law of the Chechen Republic of 08.05.2008 No. 16-RZ "About youth" (articles 2, 4, 7).
- 3. The unified concept of spiritual and moral education and development of the younger generation of the Chechen Republic (approved by the Head of the Chechen Republic on 02/14/2013).

Undoubtedly, this regulatory framework contributes to a better solution to the problem of extremism and terrorism, but it is not a sufficient measure to be limited only to regulatory regulation. There is a need for scrupulous theoretical and applied research in this area in order to fully understand this phenomenon and identify effective measures to combat it.

The solution to the problems of extremism and terrorism among the youth of the Chechen Republic is seen in the implementation of the following socio-economic measures (Idrisov, 2022):

- 1) Improving the general educational level among young people (formation of adequate legal awareness, overcoming legal nihilism);
 - 2) Religious education and upbringing in the spirit of "moderate" Islam;
- 3) Solving the problems of youth employment, its involvement in the economic activity of the republic;

² Data on the number of schools in the Chechen Republic. URL: http://mon95.ru/schools (Accessed 04.12.2021).

³ Data on the number of schools in the Chechen Republic, URL: http://mon95.ru/schools (Accessed 04.12.2021).

⁴ The Ministry of Internal Affairs of the Chechen Republic summed up the results of activities for 6 months of 2019. URL: https://95.мвд.рф/news/item/17683696/ (Accessed 12.01.2022).

4) giving a new impetus to the processes of further development of national-cultural, traditional aspects of the life of Chechen society (a more attentive appeal to the "adats" that do not contradict the basic tenets of the Islamic religion, the Chechen Code of honor "Kyonahalla", education in young people of self-identity (language, from chechen: "nokhchalla", "ghillakh", "ghullakh", "ozdangalla" in the spirit of a tolerant attitude towards representatives of other social groups).

Many of the above measures are given close attention by the regional authorities and they are being systematically implemented. And it is already possible to make interim results.

As noted by a number of researchers of the studied issues, "in isolation from terrorist and extremist ideology, terrorism and extremism cannot exist, since adherence to "extreme views and measures" must have a certain ideological background in order to receive a socio-political, not a psychological assessment" (Isaev & Gavlitskii, 2019, p. 19). As for the aspects of guilt and responsibility, the subjects of extremist and terrorist activities have such qualities underestimated or transformed. In other words, they do not adequately correlate their actions from the point of view of awareness of guilt and responsibility for their behavior, or they do not consider them to be something unnatural and contrary to the normal state of things, their self-awareness and perception of the surrounding reality (Idrisov, 2022).

In relation to the phenomena of extremism and terrorism, the factor of guilt and subsequent responsibility of the individual acquire a special psychological and legal significance, because the subjects of such activities, firstly, have inadequate, and sometimes frankly destructive ideological and psychological attitudes, and, secondly, pose a particular danger to the state legal system. Thus, the special attention of the law enforcement officer in the composition of offenses related to extremism and terrorism should be paid to the subjective component – the guilt of the criminal and his adequate responsibility, since insufficient accounting of them, as well as the reasons that contributed to the commission of the crime, suggest a recurrence of criminal acts of this nature (Ivanova & Stepanov, 2019).

Based on this, the fight against extremism and terrorism should be conducted comprehensively. The ideology of extremism must be opposed by another ideology – an ideology based on tolerance, true religion and faith, on an intellectual, educational and educational component. In addition, it is important, through law and overcoming legal nihilism, to take measures to strengthen interethnic interaction by the example of education in the spirit of equality and tolerance among young people. The target indicator of the new ideology in question should be a qualitative change in the psychology of the younger generation and the formation of levers of effective influence on the worldview of young people. Moreover, the measures taken within the framework of the designated ideology should be more developed, understandable and adaptive than the agitation system and channels for the dissemination of extremist and terrorist ideas. And in this process, it is important to work on prevention, prevention of deviant behavior, rather than on combating its negative consequences (Idrisov, 2022).

As part of the analysis of personality behavior, we proceeded from the position that we considered deviant behavior purely as delinquent. At the same time, the phenomenon of deviant behavior is much broader. As Zmanovskaya (2005) notes in this context: "... while deviation can have a positive and negative orientation, deviance means a form of deviation that, due to its own objective qualities and subjective assessment of society, has a pronounced negative meaning" (p. 46).

7. Conclusion

So, all of the above allows us to draw a number of conclusions of the following nature.

From a legal point of view, the fact of illegal behavior of the subject mediates the onset of legal responsibility for him. As a general rule, the subject is liable in the presence of guilt according to the principle of guilt. Meanwhile, the categories of guilt and responsibility, first of all, are formulated as psychological. In jurisprudence, they receive their expression within the framework of the implementation of legal sanctions and, thereby, receive their "legal" interpretation. As Dyagel (1966) noted very accurately in this context: "legal sciences do not create concepts different from psychology, but only use them" (p. 140).

The driving factor of responsibility, the cause of its occurrence and subsequent implementation by state authorities is the deviant behavior of a free (free will, choice, expression of will, etc.) subject. Any choice is made consciously and voluntarily and, accordingly, presupposes a subsequent act, that is, it speaks about the individual's action (this or that active behavior) within the framework of the realization of his choice and the expression of his own will. In turn, an individual's choice of a particular line of behavior is mediated and coupled with individual (subjective) internal attitudes of the individual (desires, interests, needs, etc.) and objective processes occurring around such a person.

Therefore, the subject of behavior must have the opportunity, some alternative to the implementation of his own behavior. At the same time, such a possibility of building a behavior model should be mediated by the action of the factor of free will (consciousness, expression of will, interest). In other words, the choice of the subject's line of behavior must be made consciously and voluntarily. And if, under all these factors and conditions, an individual admits and subsequently carries out illegal behavior that entails harm to another individual (personal and (or) material), then we can talk about the deviant behavior of such a subject, about his guilt and the implementation of liability measures against him, including legal, which is imposed by the state in the person of authorized bodies

And, finally, the necessary elements in a comprehensive counteraction to the phenomena of extremism and terrorism and extreme radicalism are: the development of the education system, religious, patriotic and civic education of young people, the formation of a culture of tolerance, interethnic communication and overcoming legal nihilism, as well as potential factors of deviant behavior among young people, which should be the key to the formation of a responsible and successful young generations. Based on the fact that the future is his – there is no other way.

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