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MORAL AND ETHICAL ASPECTS OF POLICE ACTIVITY

<http://doi.org/10.23939/law2024.44.202>

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Abstract. It was found that the observance of moral and ethical norms and standards in police activity play a significant role in the formation of the professional culture of the police officer, the development of the internal imperative of duty and full cooperation with citizens based on mutual trust. Compliance with ethical norms and standards of behavior enables police officers to work not only according to the requirements of the letter of the law, but also the spirit of the law.

It is emphasized that in modern society, law enforcement activity is perceived from the position of serving the people, restoring justice, legality and law and order, and the policeman is the personification of high moral virtues and ethical ideals. Serving society requires, first of all, respect for human rights and freedoms, protection of public order, compliance with moral and ethical standards in interaction with the population, and ensuring the rule of law in society.

It is noted that the ethical norms of the police officer's behavior are regulated by the relevant rules and are closely related to disciplinary requirements. The global practice of regulating the ethical aspect in the activities of police officers is quite developed. There are international norms that states take as a basis when forming provisions and statutes that regulate the moral, ethical and disciplinary component of the functioning of the law enforcement system.

Attention is focused on the fact that an important aspect of police activity is the prevention of abuse of rights. At the basis of such negative manifestations of the policeman's behavior as abuse of official position, power is, first of all, abuse of law.

Ideas embedded in the principles of law are important for the formation of legitimate beliefs of a police officer, like any other person, because it is precisely such ideas that reflect the aspirations, the essence of the ideal of the development of a particular society. Worldview culture of a person cannot be fully formed without defining value-legal social ideals.

Keywords: moral norms; ethical norms; professional ethics of a lawyer; ethical codes; value-legal guidelines.

Formulation of the problem. The reform of the law enforcement system, which began in Ukraine before the full-scale invasion of Russia, involves not only professional aspects of the police, but also a moral and ethical component.

Police activity is closely related to communication with citizens, interpersonal communication in crisis situations. It is in such situations that the population expects not only professional help, but also support, attention and empathy.

Ethical norms of police officer behavior are regulated by relevant rules and are closely related to disciplinary requirements.

The global practice of regulating the ethical aspect in the activities of police officers is quite developed. There are international norms that states take as a basis when forming provisions and statutes that regulate the moral, ethical and disciplinary component of the functioning of the law enforcement system.

Today, the issues of police interaction with the population based on the provision, observance and implementation of fundamental human and citizen rights are relevant. This approach will promote non-discrimination of citizens based on race, language, gender, property and other characteristics.

Unfortunately, the provisions regulating the moral and ethical aspects of police activity still need improvement and development in accordance with the requirements of modern civilized society.

Analysis of the study of the problem. The peculiarities of the implementation of moral and ethical standards in the activities of law enforcement agencies were studied by scientists in the field of jurisprudence, psychology, and criminology. Police activity requires the implementation of innovative approaches to communication with the population, to relations with employees, in accordance with international and domestic practice and social standards of personal behavior.

For a comprehensive coverage of the topic, the Law of Ukraine “On the Police” is of great importance, which, in addition to the duties and rights of police officers, defines the principles of their activity, cooperation with the population, and features of communication with victims and offenders [1]. The order of the Ministry of Internal Affairs of Ukraine approved the “Rules of Ethical Behavior of Police Officers”, which provide for the ethical component of the police officer's activity, requirements for his behavior, appearance, and deontological aspects of his activity [8].

I. V. Zdrenyk, M. V. Povalena, and O. I. Savaida analyze the peculiarities of professional ethics through the analysis of international standards and requirements [2]. T. V. Kolesnik characterizes the principles and norms regulating the ethical behavior of the police in the field of ensuring labor discipline [3]. G. M. Petrova [5] investigates the value aspects and implementation of the principles of ethical features of police behavior, while Y. V. Svichkaryova [4] and A. V. Lapkin reveal the content of professional ethics in the activities of law enforcement agencies [6]. V. A. Trofimenko [7] conducts an important analysis of regulatory legal acts on the ethical behavior of police officers in the context of cooperation with society. E. Tyagniryadno emphasizes the issue of gender communication in the field of police activity [9].

Important for our research are the Practical Guide to Combating Corruption and Official Offenses in the Police, developed by the Geneva Center for Governance in the Security Sector [11] and the European Code of Police Ethics [10], which reveal international ethical standards of police activity and give practical recommendations.

The purpose of the article. The goal is to analyze the moral and ethical aspects of police activity on the basis of philosophical-legal and general theoretical approaches.

Presenting main material. In modern society, law enforcement activity is perceived from the position of serving the people, restoring justice, legality and law and order, and the policeman is the personification of high moral virtues and ethical ideals.

According to the legislation of Ukraine, the National Police is the central body of the executive power, which serves society by ensuring the protection of human rights and freedoms, countering crime, and maintaining public safety and order [1].

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Serving society requires, first of all, respect for human rights and freedoms, protection of public order, compliance with moral and ethical standards in interaction with the population, and ensuring the rule of law in society.

Compliance with ethical and moral norms is an important aspect in any professional activity. Codes of ethical behavior are relevant for the profession of a medical worker, teacher, lawyer, civil servant, etc.

Scientists note that honor, conscience, duty, freedom, justice, truth, as categories of ethics, constitute universal human values. These value orientations of society for an individual determine the limits of permissible behavior in society, in particular, in professional activity. Morality and law interact and complement value aspects through ethical standards and norms [2, p. 34–37].

Through moral and ethical norms, the deontological aspect of a lawyer's professional activity is revealed, and the internal imperative of official duty is formed.

A consolidating value-oriented natural legal ideology should become the main factor in overcoming the negative processes of anti-value legal consciousness, and its main task is to absorb all the best value and legal constructions.

Practical experience proves that moral and ethical regulation of social relations is important for ensuring the stable functioning of society. Social relations, first of all, are built on the basis of value-legal interaction of individuals.

In professional activity, ethical norms do not replace legal norms, the law, which police officers are guided by. The goal of implementing moral and ethical principles is not to turn law enforcement agencies into a “punitive” body, but, on the contrary, to establish interaction with the population based on mutual respect, mutual understanding and cooperation.

Moral regulation in professional activity is not a panacea, but forms value orientations, moral and ethical, communicative culture of a police officer, as well as legitimate attitudes in professional self-realization. Moral norms take precedence in the process of regulating social relations, when legal norms cannot fully regulate them. We are talking about legal conflicts, or the regulation of social relations in periods of crisis (war, state of emergency, social anomie).

It is important that police officers adhere to moral and ethical norms not only in professional activities, during the performance of official duties, but outside the service [3, p. 57-61].

A policeman should be a model of behavior in everyday life, in communication with acquaintances, neighbors, at home and in public places. A morally stable personality remains so, regardless of conditions and surroundings.

This level of moral and ethical behavior is facilitated by a developed moral, ethical, professional and communicative culture of a person.

Of course, the perception, understanding and interpretation of moral norms and ethical principles can be subjective. To avoid subjective perception and attitude to the situation, it is necessary to be guided by the norms prescribed in the Rules of Ethical Behavior of a Police Officer.

Note that the subjective approach is not negative, but it should be applied at the level of the internal imperative of official duty.

The central place in the system of regulators of the legal and moral and ethical behavior of a police officer in official activities is occupied by the legal ideal, which is a concentrated expression of a person's legal culture.

The legal ideals of a person, in particular, a police officer, are revealed in three aspects:

- general social aspect of non-normative regulation of social relations;
- value regulation of group legal awareness;
- dispositional regulation of social relations, based on individual characteristics of legal awareness.

Social consciousness contains a complex hierarchical system of value regulators. Among them, a special place is occupied by the set of social values, or, as they are often called, universal human values.

Scientists note that the professional ethics of law enforcement agencies can be interpreted according to two approaches: – broad and – narrow.

In a broad sense, the professional ethics of law enforcement bodies is part of professional ethics in general and reveals the peculiarities of professional activity, mutual relations in the team during the professional activity of a police officer. The narrow aspect concerns the moral and ethical principles of an individual police officer as an individual. Permissible aspects of official and non-official behavior, personal qualities, values and beliefs are revealed [4, p. 75–78].

The basic principles of a policeman's professional ethics should constitute the essence of his professional activity. They reflect the fundamental ideas that shape a police officer as a professional in accordance with qualification requirements. If the moral and ethical requirements in professional activity are not met, then it is not appropriate to characterize a police officer as a professional. Only a set of moral, ethical, professional and professional components determines the personality of a police officer. If the moral and ethical component is not developed at a sufficient level, then public trust in the police is lost, and police officers undergo professional deformation. Such a situation can provoke opposition from citizens [5, pp. 32–43].

An important aspect of police activity is the prevention of abuse of law. Often we are talking about the abuse of official position, power, but at the basis of such negative manifestations of a person's behavior is the abuse of rights.

Protection against the abuse of rights is implemented in various spheres of human self-realization, but regardless of the means and methods of its implementation, it is aimed at ensuring the lawful life of a person. It is very difficult to determine whether a person is abusing his right. The line beyond which one cannot cross in the process of realizing one's subjective rights is very thin. We cannot always reliably determine where exactly our right ends and the right of another person begins.

It is worth noting that abuse of law, dishonest behavior, moral deformity are evaluative categories, the regulation of which requires the application of the norms of natural law.

Today, in the positive law of the state, the regulation of the specified categories is also becoming widespread. The norms of the law are “humanized”, attention is paid to the moral aspects of misconduct, approaches to the interpretation of moral factors of misconduct are being expanded. It is important to take

into account the reasons and intention of the abuse of the right, the fact that a person can abuse his subjective right due to a misunderstanding, without malicious intent.

It is impossible to allow a situation where a person is prevented from realizing his natural rights. Natural rights are the basis of fundamental human rights that are protected by the state throughout the civilized world. The inability to realize one's natural rights can be the cause of a person's illegal behavior, can provoke a person to disregard the norms of society.

There is an opinion that moral and ethical requirements in the activities of police officers can be divided into two types: – requirements common to all law enforcement officers; – requirements relating to employees of certain divisions, in accordance with the specifics of their activities. It is important to unify such requirements and establish them in a single code of moral and ethical behavior of a law enforcement officer [6, p. 83-86].

In our opinion, this unification approach is somewhat dangerous, because each sphere of law enforcement activity has its own peculiarities and specifics of interpersonal communication. For example, an investigator who interrogates a victim is guided, in addition to general, by special ethical norms in each specific case, such as an expert or a patrol officer.

We agree with the opinion that the implementation of moral and ethical rules in the behavior of a police officer contributes to his conscious perception of his social, professional and personal status. A policeman has the opportunity to exercise his powers not only by forceful methods, but also to demonstrate his professionalism based on ethical norms [7, p. 175–184].

In accordance with the legislation of Ukraine, the Rules of Ethical Conduct of Police Officers are a generalized collection of professional and ethical requirements regarding the rules of conduct of police officers and are aimed at ensuring the service of the police to society by ensuring the protection of human rights and freedoms, combating crime, maintaining public safety and order on the basis of ethics and universal human values [8].

The mentioned rules contribute to the fact that the policeman is aware of his moral responsibility to society, and the oath of loyalty to the Ukrainian people imposes on him much wider duties than those prescribed in the job instructions.

Ideas embedded in the principles of law are important for the formation of legitimate beliefs of a police officer, like any other person, because it is precisely such ideas that reflect the aspirations, the essence of the ideal of the development of a particular society. Worldview culture of a person cannot be fully formed without defining value-legal social ideals. Future police officers, studying in educational institutions, must first of all learn and understand information about the value ideals of the society they serve.

The principles of law in a certain way “program” a person's legal behavior, direct it in the right direction. Legal information that a person perceives stimulates his rightful self-assertion.

In the process of gaining knowledge about the norms of law in a specific society, state, a person becomes aware of them, correlates them with his own values and beliefs and tries to form such a type of behavior that will ensure that it will be not only socially acceptable, but also socially useful.

We agree with the opinion that the work of police officers is psychologically stressful, often associated with critical, conflictual, emotionally unstable situations. In order to appropriately describe such communication, scientists use the term “aggressive communicative environment”. This term is used by police officers to explain the terms of communication in various professional situations, in particular, with persons who do not want to make contact, who perceive a police officer aggressively. The conflict can manifest itself openly, or it can hide behind the external calmness of the person. The police officer feels an emotional distance and must use all methods and professional skills to overcome the negative attitude of the interlocutor [9, pp. 164–169].

Conflict situations can arise not only because of the deliberate misconduct of the person who committed the offense, but also because this person was not aware of his actions or did not foresee the consequences. Of course, the police officer must analyze the reasons and take appropriate measures. A

police officer cannot show his subjective attitude towards a person, regardless of whether such an attitude is positive or negative. Ethical norms of professional activity determine that any biased attitude is not allowed.

The Committee of Ministers of the Council of Europe recommends that the governments of the member states be guided in their domestic legislation, practice and police codes of conduct by the principles set out in the text of the European Code of Police Ethics, which is attached to this recommendation, with a view to their gradual implementation, and to give the widest possible dissemination of this code [10].

During the performance of official duties, a police officer must adhere to the principles of activity specified in the legislation of Ukraine: rule of law, legality, respect for human rights and freedoms, openness and transparency, interaction with the population, justice, equality, political neutrality, impartiality of justice, impartiality and equalities [1, p. 8].

The professional culture of a police officer consists of several types. These types are called subcultures and are classified into subcultures of investigators, police officers, and civilian police officers. Ethical norms of behavior between representatives of different categories often differ. Police officers working in departments investigating murders and other crimes against life, health, honor and dignity of a person pay considerable attention to moral and ethical standards of communication with victims, victims of criminal acts. It is important to understand the psychological state of a person, to try not to traumatize his psyche and not to cause an aggressive emotional reaction. Often, in such cases, psychologists are involved in the conversation, who are able to control the emotional state of the person and adjust the communicative process in the right direction [11, p. 27].

Separately, we note that the behavior of a police officer outside of duty significantly affects his image in society. A police officer is obliged to strengthen the authority of law enforcement agencies, regardless of where he is. Immoral behavior outside the service can be interpreted as a violation of the rules of ethical behavior. The appearance of a police officer must also meet the requirements of the statute. Neatness, culture of speech, erudition, moral stability and observance of social norms and principles of behavior of an individual policeman form the level of trust of citizens in law enforcement agencies.

If we are talking about the behavior of a police officer with a detained person, then according to the requirements of the rules of ethical behavior, he must clearly explain to the person the reasons for the detention, it is not allowed to restrict the will of the person, except in cases provided for by law, if necessary, provide the detainee with medical assistance, explain the rights of the detainee, ensure humane attitude and respect for the detainee.

In communication with colleagues in the service, it is necessary to show tact, mutual respect, readiness for cooperation and help. No personal, friendly or, on the contrary, not friendly relationships should affect the results and quality of work.

For violating the rules of moral and ethical behavior, a police officer may bear disciplinary responsibility, which is regulated by the disciplinary statute.

Conclusions. Therefore, we came to the conclusion that the observance of moral and ethical norms and standards in police activity play a significant role in the formation of the professional culture of the police officer, the development of the internal imperative of duty and full cooperation with citizens based on mutual trust.

Modern society strives for the formation of law enforcement agencies based on the principles of anthropocentrism and mutual respect. Compliance with ethical norms and standards of behavior enables police officers to work not only according to the requirements of the letter of the law, but also the spirit of the law. This approach forms a positive cooperation between representatives of law enforcement agencies, contributes to the formation of citizens' confidence in the safety and openness of communication with police representatives.

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Дата надходження: 03.09.2024 р.

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МОРАЛЬНО-ЕТИЧНІ АСПЕКТИ В ПОЛІЦЕЙСЬКІЙ ДІЯЛЬНОСТІ

Анотація. З’ясовано, що дотримання морально-етичних норм і стандартів у поліцейській діяльності відіграють значну роль для формування професійної культури поліцейського, розвитку внутрішнього імперативу службового обов’язку та повноцінної співпраці з громадянам на основі взаємодовіри. Дотримання етичних норм і стандартів поведінки дає можливість поліцейським працювати не тільки за вимогами букви закону, а й духу закону.

Наголошено, що в сучасному суспільстві правоохоронна діяльність сприймається з позиції служіння народу, відновлення справедливості, законності і правопорядку, а поліцейський є уособленням високих моральних чеснот та етичних ідеалів. Служіння суспільству вимагає, перш за все, дотримання прав і свобод людини, охорона суспільного порядку, дотримання морально-етичних норм у взаємодії з населенням та забезпечення панування закону у суспільстві.

Зазначено, що етичні норми поведінки поліцейського регламентуються відповідним правилами і тісно пов’язані з дисциплінарним вимогами. Світова практика врегулювання етичного аспекту в діяльності поліцейських є досить розвинута. Існують міжнародні норми, які держави беруть за основу при формуванні положень та статутів, що регулюють морально-етичну та дисциплінарну складову функціонування правоохоронної системи.

Акцентовано увагу на тому, що важливим аспектом у поліцейській діяльності є попередження зловживання правом. В основі таких негативних проявів поведінки поліцейського як зловживання службовим становищем, владою є, перш за все, зловживання правом.

Для формування правомірних переконань поліцейського, як і будь якої особи, важливе значення мають ідеї, закладені в принципах права, адже саме такі ідеї відображають прагнення, сутність ідеали розвитку конкретного суспільства. Світоглядна культура людини не може повноцінно сформуватися без визначення ціннісно-правових суспільних ідеалів.

Ключові слова: моральні норми; етичні норми; професійна етика юриста; етичні кодекси; ціннісно-правові орієнтири.