

*ДО 100-РІЧЧЯ НАВС: ПРАДИЦІЇ ТА СУЧАСНІ НАПРЯМИ РОЗВИТКУ
НАУКОВИХ ШКІЛ НАВС У РЕАЛІЗАЦІЇ ПРІНЦИПІВ ПУБЛІЧНОЇ БЕЗПЕКИ
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BASIC PRINCIPLES OF LAW ENFORCEMENT

The state is both a significant element, a prerequisite, and a guarantor of the legal order. Law and order can thus be regarded as the unity of law and power, the result of their interaction. This is an order in which the legal position and relationships of all subjects of social, political and public life are clearly defined by law and protected by state authority. The most adequate form of the reality of the legal order is the rule of law.

Legal order - a specific social phenomenon that arises as a result of the mechanism of right-realization. The rule of law is objectively necessary for any state-organized society, first of all, in order to ensure the production of material goods without which society cannot exist. People's rights and responsibilities must also be brought to life. This is possible due to the legitimate behavior of the subjects. Only in this case can we talk about the real legal order.

The legal order in society functions with the help of the priorities and the basic principles according to which it is formed and operates. Such principles are the principles of the legal order.

According to well-known sociologist of law M. Weber, only where the principles of the legal order are respected and implemented, based on conviction in justice, where they agree with the activities of the government, which in turn monopolized the right to legislate and exercise power, there can be a language about legal and legitimate power that stands in the interests of society [1, p. 25].

The principles of law and order - these are characteristic, subjectively and objectively determined signs, with the help and with the direct participation of

which the formation of law and order, which are the dialectical basis of its existence and functioning [2, p. 85].

V. Borisov distinguishes the system of principles of the legal order, which consists of four groups: first, the general social principles that are inherent in all legal realities; secondly, the general laws on which the legal system and all legal institutions are formed and functioning; needs, common to the rule of law as a coherent entity; fourth, those operating in its structural units.

The general philosophical and social principles of law and order include:

- the scientific basis is the classical, dialectical direction of laws, interdependencies, interconnections of objects and phenomena: the basic principles of objective and subjective idealism;
- social basis - the interconnection of all social groups and segments of the population;
- the spiritual basis - the development and enrichment of the spirituality of the population;
- economic basis - economy, private, communal and state property, economic regime of a democratic society;
- political basis - consensus and balance of political forces and processes; socio-democratic transformations in all spheres of public life, political and state power as a general form of democracy;
- the foundations of development - the principles of democracy and liberal transformations, the protection of private property and the separation of powers into legislative, executive and judicial, more complete and effective satisfaction of people's needs, organization of public life, etc.

Speaking about the legal principles that operate in the legal system of a democratic society, one should distinguish the criteria according to which they are formed and consist of such elements as: 1) state-willed character, connection with democratic state power and power of state coercion; 2) active participation of the population in political and legal life; 3) democratic legitimacy; 4) the rule of law, its authority and security; 5) the presence of specific legal rules both in the design of state power and in its implementation; 6) obligatory prescription of the law absolutely for all participants of legal relations, equality and responsibility of all participants before the law; 7) providing real opportunities equal and fair to the exercise of rights, freedoms, legitimate interests and requirements for the performance of duties and the exercise of responsibility; 8) representative and binding nature of legal requirements and regulation of relations, normativity; 9) fairness, objectivity and truthfulness of the measure of legal coercion; 10) spatial-temporal parameters of the legal order.

There are general principles (for example, legality, constitutionality, fairness, assurance), special principles (for example, the principle of integrity, the subordination of correlation relations in the legal order structure, the principle of control both of society as a whole, and of special state bodies and entitled citizens).

to appeal to administrative authorities, the right to judicial protection of their rights and freedoms, including in international bodies).

According to A. Shaburov, the ideal rule of law can hardly be achieved because it depends on many conditions of social life [3, p. 256].

This allows us to distinguish two groups of principles of the legal order:

- natural principles (real), without which no specific-historical kind of legal order can exist at all (legal nature, control, guarantee, stability);

- Ideal principles - principles-ideals in which society is interested (existence of democracy, justice, efficiency, sustainability, durability, etc.).

The legal order differs from the public order in that it is formed on the basis of legal norms. Of particular importance for the organization of the legal order are the constitutional rules that form the basis of economic, political and law enforcement activities within the state. Therefore, the legal order governed by the rules of law defines the following principles: controllability, assurance, stability, etc.

The control of the legal order consists in the fact that the system of legal relations, which is its content, is under constant control by the special organs of the state, which provides for legal support and guaranteed nature. The rule of law is controlled by the system of bodies of interagency and intra-departmental control, as well as by the courts, prosecutors, interior ministries and other law enforcement agencies within their competence. In its content, it is a sphere of publicly significant social relations. Regarding national security, the legal order, both in the official and unofficial part, must be controlled.

The principle of the security of law and order has several aspects: first, it is the guarantee of human rights and interests, the satisfaction of which is the basis for the subjects' involvement in the sphere of law; second, it is the guarantee of legal prescriptions provided by the state and the lawful conduct of the subjects of law; third, the possibility of being a party to law and order through the exercise of subjective rights and the voluntary discharge of duties is guaranteed; fourth, the right to legitimate results as a basis for a stable legal order is guaranteed.

Legal stability is a stable, organized, coherent and orderly legal relationship and the relationships that make up its content. This is a certain constancy in the reproduction of socially valuable, useful forms of human life and at the same time eliminating negative tendencies in the legal life of society. Stability in the sphere of the legal order is a qualitative state based on the stability of law-making and law-enforcement practice, uniformity in the understanding and implementation of legal norms throughout the state, guarantee of legal capacity of subjects. Without this quality, the legal order looks like a set of deformed, existing legal relationships that are in a chaotic state .

To summarize, one can emphasize the existence of the material (regularities of the emergence, functioning and development of public relations and processes in the legal order structure); state-willed (the result of the state will, as well as the aspirations and interests of all participants of law and order) and the legal content

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of the legal order (enforceability of law and legality; the system of legal relations and relations between the subjects of the legal order, which is expressed in the agreement of subjective rights and legal obligations, their realization; state of regulation and ordering of legal processes, relations, relations).

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COOPERATION BETWEEN CIVIL SOCIETY AND POLICE

The importance of public cooperation to the successful policing of crime and disorder problems has been re-emphasized in the last two decades nationally and internationally by the theory and practice of community policing. While definitions of community policing have been the subject of much debate among scholars, most agree that contemporary community policing is about police working in partnership with the community, and adopting a problemsolving approach to crime. Its importance that it puts more police officers in direct contact with the public and more importantly encourages, communication and cooperation between police and public [2].

Policing requires the ongoing support and voluntary cooperation of the public, to be effective. In a democratic society, police authority rests on public consent. Policing by consent encourages public trust in police, which thereby facilitates an on-going interchange of information between the public and the police and voluntary compliance with the law. Understanding how to motivate public cooperation with the police is the most important future research topic in policing [1].

Many studies concerned with public cooperation with the police have focused primarily on the extent to which such cooperation is an outcome of trust and legitimacy judgments. Often concerned with issues of procedural justice, such research has tended to see cooperation as a more or less 'natural' outcome of positive police-public relationships. Yet, individuals may have many reasons for seeking to contact and cooperate with police (or not), some of which may have little to do with the extent to which they trust and grant legitimacy to officers and