

***Povkh Mykola,***

Researcher of higher education with a master's degree of the National Academy of Internal Affairs

*Supervisor:* Professor of the Department of Constitutional Law and Human Rights, Assistant Rector for Gender Issues of the National Academy of Internal Affairs, Ph.D in Law, Professor ***Lukianets V.***

## **AWARENESS OF CORRUPTION AS AN IMPORTANT PART OF CORRUPTION PREVENTION**

The purpose of this article is to identify awareness as an important prerequisite for preventing corruption.

The object of research of this article is the human psyche, as well as mental processes associated with the committing a corruption offense.

Awareness is an act of consciousness, the subject of which is its very activity. Awareness is the focus of consciousness on mental processes, on those sensory images of reality that the individual receives through them. Awareness is based on the generalization of their own mental processes, which leads to their mastery. The most general characteristic of awareness of mental processes (mental images) is based on the following principles: first, a person can realize what he perceives, what he remembers, what he thinks, what he is attentive to, what emotion he experiences; secondly, a person can realize that this is what he perceives, remembers, thinks, feels [1].

Corruption as a crime and a negative social phenomenon is directly related to the activities of public servant who have the appropriate authority. The ratio of the subjects covered by the Law of Ukraine on Prevention of Corruption and their psyche is important. The psyche has two areas of reflection: consciousness and the unconscious. Memory is an integral part of consciousness. Memory is the process by which an individual remembers, stores, reproduces, and forgets his or her own experience. It is important for a public servant to have memory, because without memory he cannot exercise his rights and responsibilities and make decisions in the course of his activities. The components of memory are intellection, knowledge, emotions, will, attention and self-awareness [2].

Intellection is primarily a mental process of independent search and discovery of essentially new, i.e. the process of mediation and generalization of the reflection of reality during its analysis and synthesis, which arises on the basis of practical activities and experience [3, 4]. The intellection process can take place in corruption-related crimes. Officials can come up with new ways to operate and the existence of a corrupt system and legalize it by regulations. Thus, the greater the tool of influence of a public servant, the more he can negatively or positively affect the sphere of his public activity.

Knowledge is a theoretically generalized socio-historical experience, the result of a person's mastery of reality, his knowledge. Knowledge raises the activity to a higher level of awareness, increases a person's confidence

in the correctness of its implementation [5]. The availability of knowledge for a public servant is important for the implementation of its activities and official powers, its competence, as well as knowledge of the legislation in the field of prevention of corruption. Every public servant has his/her powers in accordance with the legislation of Ukraine. Official powers are officially duties imposed on a certain person to perform any official activity, as well as certain benefits provided to him for the most effective performance of these duties [6]. A public servant must adhere to principles such as honesty and fairness. Honesty is openness and avoidance of deception in relationships with other people and yourself. Honesty is external – honesty to other people, honesty is internal – honesty to oneself [7]. Honesty is an external reflection of the activities of a public servant. Deception is one of the tools for committing corruption offenses, such as forgery, declaring inaccurate information. Deception can negatively affect the activities of public authorities and local governments, as it is an action aimed at harming the public interest. Fairness must be defined in a broad sense, fairness not for itself, only for society and the state as a whole. The presence of honesty and fairness in a public servant reflects his act of awareness of corruption as a socially dangerous activity.

Emotions are a person's experience of the situational or active meaning of objects and phenomena of the past, present or future. Their psycho-energetic potential, unlike feelings, can quickly increase when it arises, and then just as easily objectify into another mental. A public servant needs to control his emotions during official activities. This is a prerequisite for the effectiveness of official activities. Emotions can distract a person from carrying out their activities. This is due to corruption offenses such as negligence.

Will - is the conscious management of human activities and behavior, which is manifested in decision-making, overcoming difficulties and obstacles to achieving the goal, the tasks [1]. It is important for a public servant to have his own will, not to depend on the will of others and to be diligent in his activities. Will is connected with such corruption offenses as: carrying out by the People's Deputy of Ukraine at the plenary session of the Verkhovna Rada of Ukraine of voting instead of another People's Deputy of Ukraine; bribery of an official or a person providing public services, provocation of bribery.

Attention - the concentration of the subject at a certain point in time on a real or ideal object - an object, event, image, reasoning, etc. [8]. When carrying out official activities, it is important to be careful so that the decision does not have negative consequences, it is also necessary to be careful when studying the legislation of Ukraine on the prevention of corruption. Ignorance of the law does not release from legal liability.

An integral part of the human psyche «unconscious» consists of intuition, instincts and automatisms [2]. Intuition in office is usually not desirable, as intuition is unfounded and can lead to negative consequences for a certain range of relationships. Instinct is an integral part of human life, it ranks first among all human needs. However, a public official who is empowered must, in accordance with the principles of honesty and fairness

in a broad sense, know the reasonable boundary between his own needs and the needs of society. Automatism is actions that are performed continuously or repeatedly over a period of time. A corruption offense can also be subconsciously repeated through repeated committing.

Thus, the level of awareness is the beginning of committing any offense, in particular a corruption offense. Before taking action, it is necessary to understand the nature of the action and, first of all, what the consequences will be for society.

#### *List of sources used*

1. Варій М. Й., Загальна психологія, підручник, Затверджено Міністерством освіти і науки України, м. Київ, «Центр учбової літератури» 2009 р.

2. Вознюк Н. М. Етико-педагогічні основи формування особистості: Навчальний посібник. – К.: Центр навч. літератури, 2005. – 196 с.

3. Данильян О. Г., Тараненко В. М., Основи філософії, підручник, м. Харків, «Право» 2012 р.

4. Козлов Н. І. Енциклопедія практичної психології «Психологіс» 2015 р.

5. Конституція України від 28.06.1996 № 254к/96-ВР. URL: <http://zakon2.rada.gov.ua/laws/show/254k/96-вр>.

6. Лозниця В. С., Психологія і педагогіка: основні положення. Навчальний посібник. – К.: ЕксОб, 1999. – 303 с.

7. Мацокін А. П. Журнал «Держслужбовець», 2019 р.

8. Скрипченко О.В., Загальна психологія «Каравела» 2019 р.

9. Черкаський обласний центр зайнятості / Знання, уміння, навички – в чому різниця? 2020 р.

#### *Пословська Таїсія Іванівна,*

здобувач ступеня вищої освіти магістра  
ННІ № 1 Національної академії внутрішніх  
справ

*Науковий керівник:* професор кафедри  
кримінального права Національної академії  
внутрішніх справ, кандидат юридичних  
наук, доцент **Бабаніна В. В.**

### **БОРОТЬБА З НЕПРАВОМІРНОЮ ВИГОДОЮ: МІЖНАРОДНИЙ ДОСВІД ТА УКРАЇНСЬКІ РЕАЛІЇ**

На сьогоднішній день питання неправомірної вигоди в Україні є досить актуальним. Дана проблема зумовлена багатьма чинниками, з яких одним з головних є зростання корупції. Безперечно, що для кожної держави світу виникнення такої проблеми як корупція є загрозою зменшення темпів розвитку держави, її правової культури, падіння державної значимості на міжнародному рівні, втрата довіри серед населення до правоохоронних органів держави тощо. Так, в