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THE ROLE OF THE LEGAL CULTURE OF LAW ENFORCEMENT OFFICERS IN ENSURING HUMAN RIGHTS

Abstract

The article explores the role of legal culture among law enforcement officers in safeguarding human rights and freedoms. The author argues that legal culture is not merely a component of general culture or professional knowledge, but a fundamental mechanism that guides lawful behavior and shapes the legitimacy and effectiveness of the rule of law. The study outlines the structural elements of legal culture, including legal awareness, values, professional ethics, and skills necessary for lawful conduct. It emphasizes the direct connection between the level of legal culture among law enforcement personnel and the public's trust in state institutions.

The paper analyzes the challenges facing legal culture in Ukraine and examines best practices from European countries, Turkey, Azerbaijan, and Georgia in fostering a responsible approach to the rule of law. Special attention is paid to mechanisms for improving legal culture—through education, continuous training, ethical standards, transparency, and cooperation with civil society. The author concludes that strengthening legal culture within law enforcement is a strategic prerequisite for building a rule-of-law-based democratic state and ensuring the protection of human rights.

Keywords: legal culture, human rights, law enforcement, professional ethics, legal awareness, law application, police, rule of law, trust in government, democratic standards.

In today's world, where the affirmation of human rights and freedoms is a priority for the state, law enforcement agencies play a particularly vital role. These institutions stand at the forefront of ensuring legality, security, and justice. The quality of law enforcement practices and the overall level of public trust in the state largely depend on the professionalism, ethical responsibility, and internal legal maturity of law enforcement officers. In this context, the legal culture of law enforcement personnel becomes not only a matter of professional competence but also a key prerequisite for the practical realization of human rights.[1]

Problem Statement. In a modern rule-of-law state, law enforcement bodies play a crucial role in upholding and protecting human and civil rights. At the same time, they are often at the center of public criticism due to incidents of human rights violations, abuse of authority, and improper treatment of detainees. These issues are not always rooted in legislative gaps—frequently, they stem from an insufficient level of legal culture among individual officers. This highlights the pressing need for a comprehensive analysis of legal culture as a determinant of lawful, humane, and effective law enforcement activity.

Literature Review. The topic of legal culture in the context of law enforcement activity has been examined by both Ukrainian and international scholars. Ukrainian researchers such as O. Kostenko, Yu. Shemshuchenko, I. Seniuk, and T. Kolomoiets have explored issues of legal consciousness, legal behavior, professional ethics, and moral responsibility. International scholars—including J. Kleinig, T. Tyler, and R. Davis—emphasize the connection between the level of legal culture among police officers and public trust in law enforcement institutions. Nevertheless, despite the existence of various theoretical frameworks, the applied

aspect of legal culture in relation to human rights compliance—particularly in light of international experience (e.g., Georgia, Azerbaijan, Turkey, EU member states)—remains underexplored in Ukrainian legal science.

*Purpose of the article.*The purpose of this article is to conduct a comprehensive study of the content and role of legal culture among law enforcement officers in the process of safeguarding and ensuring human rights; to identify the key structural components of legal culture; to analyze the factors influencing its formation; and to generalize international experience in order to develop recommendations for improving Ukraine's national system of professional training for law enforcement personnel.

Presentation of Results. Legal culture is an integral part of the general culture of society, which determines a person's attitude toward law, legality, and justice. In a broad sense, it encompasses a set of legal knowledge, ideas, values, beliefs, attitudes, and models of legal behavior that have developed within an individual or a social group.

For employees of law enforcement agencies, legal culture holds not only general civic but also professional significance. It forms the foundation of their legal consciousness, determines the quality of law enforcement activities, and influences their ability to effectively protect human rights and freedoms.[2]

Structurally, the legal culture of a law enforcement officer includes several interrelated components:

- Legal knowledge – awareness of the content of normative legal acts, especially in the field of human rights, constitutional, criminal, and administrative law;
- Legal consciousness – a deep understanding of the value of law, a conviction of the necessity to comply with legal norms;
- Legal skills and behavior – the ability to apply the law in specific situations, to act within the legal framework even in conflict or critical conditions;

- A value-based attitude toward the law – respect for the principle of the rule of law, human rights, justice, and humanism.[3]

Today, legal culture is not static — it is formed and develops under the influence of education, professional training, work experience, ethical guidelines, and an individual's internal motivation. For a law enforcement officer, a high level of legal culture is the key to lawful, fair, and effective activity, and, accordingly, to public trust in the system of law and order.

The legal culture of a law enforcement officer is not just a set of knowledge about laws, but above all, an internal conviction in the necessity to act according to the law and in the interest of the person. It is the foundation on which responsible and lawful professional behavior is built, which plays a decisive role in protecting human rights and ensuring public order.

One of the main aspects is official legal consciousness, which includes an awareness of personal responsibility for decisions made and their compliance with legal and moral standards. A law enforcement officer with a high level of legal culture is capable of critical thinking and assessing a situation not only from the perspective of legality but also of justice.[4]

Professional legal culture is also manifested in adherence to ethical standards of behavior — respect for a person's honor, dignity, and privacy, especially in conditions where rights are restricted (during detention, search, interrogation, etc.). In such cases, it is precisely the internal legal culture that becomes the regulator that restrains potential abuse of power.

In addition, legal culture directly affects the legality and justification of decisions made in everyday activities: drafting administrative reports, participating in pre-trial investigations, maintaining public order, and interacting with the population. A person in uniform is the face of the state, and their attitude toward the law is often perceived as an indicator of the state's commitment to the rule of law.

Thus, a high level of legal culture in a law enforcement officer is not an abstract idea, but a concrete professional necessity that determines the effectiveness, legality, and humanity of the entire law enforcement system. It is through a culture of law that trust in law enforcement bodies — and therefore in the state as a whole — is formed.

In a democratic rule-of-law state, including Ukraine, the observance of human rights is not only a constitutional obligation but also an indicator of the maturity of state institutions. In this context, the legal culture of law enforcement officers becomes a determining factor that either facilitates the realization of human rights or becomes a source of their violation.[5]

A law enforcement officer with a high level of legal culture acts not under coercion or fear of punishment, but out of an inner conviction in the priority of human rights over the formal letter of the law. They understand that rights and freedoms are not a “gift” from the state but a natural good that must be protected and defended, especially in conditions of an individual's vulnerability to state coercion.

A low level of legal culture can lead to the gravest violations: illegal detention, torture, abuse of authority, discrimination based on language, nationality, gender, or social status. Such actions discredit not only the individual officer but also the entire law enforcement system, undermining citizens' trust in the state.

At the same time, legal culture also serves as a preventive instrument. Where it is well established, the number of complaints, violations, and conflicts decreases. An officer who knows international standards, the case law of the ECHR, and the norms of the Constitution of Ukraine acts with caution, justification, and a clear understanding of the limits of the permissible.[6]

The adversarial process in criminal proceedings holds particular importance: ensuring equality of the parties, preventing bias, protecting the rights of the detainee, and inadmissibility of pressure on witnesses. Here, the legal culture of the

prosecutor, investigator, or operative officer directly influences the fate of an individual.

Thus, legal culture is a safeguard and guarantee that allows for the prevention of abuse and ensures the effective realization of human rights in the daily activities of law enforcement agencies. Its development is a necessary condition for building a state governed by the rule of law and a humane society.

Raising the legal culture of law enforcement officers is a strategically important task of the state, since these employees interact with citizens daily, perform law enforcement functions, maintain public order, and influence the level of public trust in government. The formation of a high level of legal culture must be a systematic, continuous, and interdisciplinary process.

The main avenues include:

1. High-quality legal education. A foundational step is obtaining a full legal education with an emphasis not only on knowledge of legal norms but also on understanding the philosophy of law, human rights, and ethics. It is necessary to update educational programs in institutions under the Ministry of Internal Affairs to reflect the standards of the Council of Europe, the European Court of Human Rights, and the United Nations.

2. Continuous professional training. As the legal system evolves dynamically, regular professional development, participation in training sessions, seminars, and webinars is essential to maintain legal awareness. Training should cover not only legislative updates but also judicial practices, common mistakes, and ethical dilemmas.

3. Professional ethics and mentoring. It is important to cultivate a culture of service to the law through mentoring institutions, internal corporate ethics, and the example set by senior colleagues. The Code of Ethics should not merely exist on paper but function as a real moral and legal compass.

4. Oversight and accountability. Effective mechanisms of internal and external control over the legality of law enforcement actions must function impartially. An officer who understands the inevitability of punishment for human rights violations develops internal legal discipline. At the same time, oversight should not be repressive — it should encourage self-improvement.

5. Psychological readiness and communication culture. Communication competence, the ability to resolve conflicts peacefully, empathy, and attentiveness to the emotional state of citizens are all important for building trust. Legal culture is closely linked with psychological preparedness.

6. Engagement with civil society. Cooperation with civil human rights organizations, participation in joint initiatives, openness to criticism and feedback — these are factors that promote public accountability and understanding of societal needs.

Analyzing international experience allows us to assess the effectiveness of national approaches and adopt best practices. In this context, it is important to consider both European models and the experience of countries that are close to Ukraine in legal or historical terms—namely Turkey, Azerbaijan, and Georgia.

In the European Union, the legal culture of law enforcement officers is part of broader human rights protection strategies. Key features include:

- Mandatory human rights training for every officer (educational modules, testing, practical scenarios);
- Community policing — a focus on cooperation with the public and openness of the police to citizens;
- Prevention over repression — the main task of the police officer is not to punish, but to prevent offenses;
- In countries like Finland, Sweden, and Germany, special attention is paid to ethical training, emotional intelligence, and the ability to act non-violently, even in conflict situations.

As for the Turkish police, they are formally oriented toward European standards, especially in light of the country's EU integration efforts. However, in practice, the legal culture of officers often depends on the political context. Main characteristics include:

- Human rights education is provided in police academies, with modules on ethics, human rights, and prohibition of torture;
- A significant issue remains the politicization of the police and their intervention in protests;
- In recent years, Turkey has been reforming training programs, involving European experts in officer education;
- A Code of Professional Conduct for the police is in place, although its practical enforcement is not always effective.

The Azerbaijani model of law enforcement is undergoing gradual reform, and the legal culture among officers remains inconsistent:

- The state officially declares alignment with the Council of Europe's standards;
- Internal monitoring departments have been established in the Ministry of Internal Affairs, and human rights courses have been introduced;
- A lack of transparent mechanisms for disciplinary responsibility and public oversight remains a problem;
- Despite certain achievements, legal culture has yet to become an organic part of law enforcement professional identity.

Georgia serves as an example of a successful law enforcement reform, centered around rebuilding the police on the foundation of trust and respect for human rights:

- The 2004 reform involved a complete overhaul of personnel and the creation of a new patrol police force;

- Ethics, human rights, and non-violent response models form the core of training;
- Public reporting by police and increased use of video recording have enhanced transparency and accountability;
- The police enjoy a high level of public trust—over 70%, according to Transparency International.[7]

Conclusions. The legal culture of law enforcement officers is a key factor not only in ensuring the rule of law but also in affirming the democratic order and guaranteeing human rights within the state. It is not limited to knowledge of laws — it is a deeper concept that encompasses legal consciousness, moral responsibility, skills of lawful behavior, and an ethical attitude toward the profession.

An analysis of Ukrainian practice shows that the development of legal culture in the sphere of law enforcement remains a pressing challenge. Although the regulatory framework largely aligns with international standards, the actual manifestations of legal culture often fall short of the required level. This is evident in violations of detainees' rights, formalism in investigative procedures, insufficient adherence to ethical norms, and a low level of communication with the public.

At the same time, international experience clearly demonstrates that a high level of legal culture is the result of a systematic state policy. In the EU countries, as well as in the reformed police of Georgia, the priority is not control or punishment, but the formation of the internal conviction of officers in the importance of human rights, ethics, and justice. Education, mentorship, transparency, and openness to civil society — these are the tools that help lay the foundation for trust in the law enforcement system.[8]

Given this, Ukraine should focus its efforts in the following areas:

- the development of interdisciplinary legal education with an emphasis on human rights;
- ensuring real, not merely formal, professional training;

- creation of a system of independent oversight of law enforcement actions;
- promotion of service ethics, transparent personnel policies, and leadership development;
- strengthening cooperation with civil society institutions in the field of human rights;
- adaptation of the best practices of Georgia, the EU, and Turkey, taking into account national realities.

Legal culture is not just a trait of an individual law enforcement officer — it is a mirror of legal statehood, an indicator of societal maturity and the political responsibility of the authorities. It is precisely through improving the legal culture of law enforcement personnel that we can ensure the genuine, rather than merely declarative, protection of human rights, reinforce public trust in law enforcement institutions, and make a significant step toward the sustainable democratic development of Ukraine.

References

1. Kumeda, T. A., & Sheremenda, A. O. (2013). *The legal culture of a police officer*. Filosofski ta metodolohichni problemy prava, (1-2), 107–112. Retrieved from https://irbis-nbuv.gov.ua/cgi-bin/opac/search.exe?C21COM=2&I21DBN=UJRN&IMAGE_FILE_DOWNLOAD=1&Image_file_name=PDF%2FFmpp_2013_1-2_23.pdf

2. Rahayu, D. P., Faisal, A., Yokotani, R. S., & Satrio, N. (2020). *Law enforcement in the context of legal culture in society*. Retrieved from https://www.researchgate.net/publication/363221658_Law_Enforcement_in_the_Context_of_Legal_Culture_in_Society

3. Shkarovskyi, O. (2023). *Formation of police officers' legal culture: Theoretical approaches*. Scientific Notes of the Institute of Criminal-Executive

Service, 2(20), 138–146. Retrieved from https://library.pp-ss.pro/index.php/ndippsn_20231124/article/download/shkarovskyi/pdf/1822

4. Shatrava, S. O. (2022). *Human rights and police activities in Ukraine during martial law*. DSpace of Kharkiv National University of Internal Affairs. Retrieved from https://dspace.univd.edu.ua/entities/publication/0b995409-7a6f-4de7-a6da-866d78346599

5. United Nations Human Rights Office. (2004). *Human rights and law enforcement: A manual on human rights training for the police*. Professional Training Series No. 5/Add.3. Retrieved from https://www.ohchr.org/sites/default/files/documents/publications/professional-training/manual-hr-for-law-enforcement-officials-ch21.pdf

6. Bowling, B. (2007). *Policing and human rights: Towards a framework for accountability*. Retrieved from https://www.files.ethz.ch/isn/45934/4.pdf

7. Transparency International Georgia. (2020). *Public trust in law enforcement in Georgia*. National Institute for Strategic Studies. Retrieved from https://niss-priority.com/index.php/journal/article/download/263/250

8. Association of Ukrainian Monitors on Human Rights Conduct in Law Enforcement. (n.d.). *Wikipedia*. Retrieved from https://en.wikipedia.org/wiki/Association_of_Ukrainian_Monitors_on_Human_Rights_Conduct_in_Law_Enforcement