

**DOI: 10.52363/passa-2022.1-16**

**UDC 351.82**

*Tsymbol B., PhD Department of occupational, technogenic and environmental safety  
National University of Civil Defence of Ukraine*

ORCID: 0000-0002-2317-3428

## **THE CONCEPT OF PERSONAL SECURITY IN THE CONTEXT OF THE TRANSFORMATION OF LEGAL RELATIONS IN SOCIETY**

*The article examines the basic concepts of personal security, defines an analytical model of personal security in the context of the transformation of society. The main problems in matters of personal safety have been studied. The actual developments in the formation of the personal safety model in modern realities are analyzed. The state of scientific development of forms of personal safety management is characterized, as well as the directions of their modernization are determined.*

***Key words:** personal security, personal security model, security, public administration, threats and challenges, institutionalization of security.*

**Statement of the problem** The development of an analytical model of personal security in the system of transformation of legal relations first involves the definition of basic concepts. Consideration of the concept of personal security in the context of various sciences allows for the development of an interdisciplinary approach in the field of security from the standpoint of assessing the state of security by society and specific actions of political actors to ensure security. This will make it possible to further explore various theoretical approaches to ensuring the safety of the individual in the system of legal relations of modern society.

Therefore, the problem of personal safety in the system of transformation of legal relations, which is related to the specifics of the factual, procedural and structural aspects of the activity of law enforcement and law enforcement authorities

regarding the detection of threats dangerous to the person, society and the state, is becoming more and more urgent and requires further study.

**The purpose of the article** is to study the concept of personal security in the context of the transformation of legal relations in society.

**Paper main body** The term security itself means "a position in which no one is in danger", that is, the absence of a threat. In scientific studies in the field of security theory, the concept of security is defined as protection or the state of protection of the vital interests of a person, society and the state from internal and external threats. At the same time, interests are understood, as a rule, as a set of needs of a certain security subject - an individual, society, state.

This approach, in particular, was implemented in science, where the concept of personal security means the state of protection of the vital interests of the individual, society and the state from external and internal threats.[1]

For a long time, domestic and foreign scientists considered the concept of personal security statically, as a constitutional control over the observance of human rights and freedoms, socially agreed interests. Currently, this approach is considered limited, since the concept of human rights is dynamic, constantly improving. Therefore, scientists consider personal security as a social process within which the protection of human rights and freedoms involves reducing the threat of their violation. [3]

The definition of the concept of personal security as a state of protection against a set of threats is criticized by sociologists, political scientists, and lawyers. According to sociologists, the use of the term "security" in relation to personal safety limits the scope of research, as it is equated with social security of its rights and freedoms. For example, in the Constitution of Ukraine, social security is manifested in social security according to age, in case of illness, disability, loss of a breadwinner, for raising children and in other cases established by law, as well as in maintaining a decent standard of living of citizens who have the right to housing, medical assistance and health care, favorable environment.

Political scientists emphasize that the social protection of the individual is a

complex system of measures on the part of the state, designed to maintain a decent standard of living of citizens and take care of those population groups that are unable to provide it on their own.

Philosophers note that the definition of the concept of personal security as a state of protection from a set of threats is an expression in a quasi-theoretical form of subjective, essentially ordinary, life ideas about security in the everyday, not institutional world.

Therefore, according to the majority of researchers, personal security includes social security as a set of social rights of a person provided by the state. However, along with social rights, a person has private, civil and economic freedoms. In this regard, scientists include the protection of the rights and freedoms of a person and socially approved interests in the concept of personal security, which includes guarantees of their provision, projecting the threat of their violation. [2]

The interpretation of the concept of security as the protection of the vital interests of an individual involves the construction of a different typology of security. Along with traditional types of security - military, biological, demographic, informational, industrial, psychological, technological, ecological, economic - scientists distinguish new types - legal and even historical security. Similar typologies focus on the threat as a starting element of the concept and content of personal security.

The study of personal safety from the standpoint of identifying "threats" and "challenges" was carried out mainly within the framework of social psychology. "A threat, a challenge is a feeling, a subject's perception of the conditions of his existence, the conditions of his activity." However, the conditions of existence can be perceived by subjects in different ways: as a threat, danger, challenge or as the absence of such. Existing theoretical approaches to the protection of personality in psychology indicate that a person has "two main and quite autonomous special regulatory systems that ensure his psychological protection, respectively, from internal psychological discomfort and from external psychological influence." Therefore, the psychological protection of the individual is a complex multi-level

system of social, socio-psychological and individual-personal mechanisms, formations and forms of behavior, which should ensure the safety of a person in society, as an individual and an active social subject. As a field of research, the theory of security has several levels of research, the concepts of which reflect different social communities - individuals, people, nations.

So, criticism of the "security" paradigm in social sciences is carried out on several grounds. First, in everyday life, the interpretation of security as protection was formed a long time ago, so it is simple and easy to understand. Secondly, when interpreting security as a state of protection, it becomes unimportant who to protect and why, since these actions become an end in themselves. In addition, threats and challenges reflect the specific state of the object's relations with other objects or subjects, while the attitude towards them can be psychological or axiological in nature. [5]

If in science the problem of security is considered "from above", from the side of the state, political parties and other organizations participating in the functioning of authorities and ensuring the security of political institutions and structures, then in public administration, the study of security is carried out including from "below", from a person who assesses the state of security of society and the state through the prism of concrete actions of representatives of state power, political figures, assurances coming from political parties.

The impetus for the institutionalization of security within the framework of the general theory of national security was the involvement of a number of scientists in the conceptual work, which culminated in the emergence of the legislative framework for ensuring the security of Ukraine, which regulates regulatory and legal relations in the field of security: the Constitution of Ukraine, laws and other normative legal acts, such as the Law of Ukraine "On National Security" of 2018. The participation of scientists in the development of doctrinal official documents of the National Security Concept also stimulated the theoretical and methodological understanding of the current security problems of Ukraine, society and the international community. [4]

The Strategy for Ensuring National Security of Ukraine emphasizes that the interests of the individual lie in the realization of constitutional rights and freedoms, in ensuring personal security, in increasing the quality and standard of living, in the physical, spiritual and intellectual development of people and citizens. However, a simple list of interests by itself cannot form the basis of policy and public administration and remains a formality if not filled with concrete content.

As a result, national security is understood as the protection of the vital interests of the individual, our society and the state in various spheres of life from internal and external threats, which ensures the steady progressive development of the country.

According to a number of scientists, this new independent direction in science is designed to provide "growth" of new knowledge for a wide range of sciences: jurisprudence, political science, economics, philosophy, psychology.

An interdisciplinary approach can be applicable to the study of personal security, since the sociology of security examines correlational systems that arise at the interface of social phenomena and processes with natural and social factors of the environment. The specificity of security, according to the scientist, is that the object of its research is those correlational systems in which the subject of adaptation is affected by negative factors of the social and natural environment. The subject of security can be understood as "the study of relations between people, people and institutions regarding life support problems" related to the threat of negative environmental factors. [2]

The statement regarding the subject of security is disputed. Some authors believe that the individual, society and the state are not subjects of security, but objects. Others point out that the individual, society, and state in the context of security theory cannot be either objects or subjects.

An important stage in the study of personal safety is not only "correct identification of subjects of activity", but also objects, conditions of activity. This is due to the fact that the detection of security objects determines all further activities of the researcher. It is the choice of the object, and not the subject, that determines the

content of the work to ensure its security.

Within the sociology of security, the main task of the subject, as well as of the social object, is self-preservation, not self-realization and self-reproduction as private means of self-preservation, which must be absolute. In particular, the self-realization of the subject can be in self-reproduction, but also, under certain conditions, in self-liquidation.

The correctness of the statement that ensuring security is a process of creating favorable conditions for activity is questionable, since the subject interacts not with the conditions, but with the external environment.

The advantage of the activity approach is the study of objectively safe, favorable conditions for personal safety. This makes it possible to distinguish the institutional conditions for ensuring personal safety from the subject's subjective perception of a set of conditions as safe, controlled by him and legitimizing institutional legal relations. [1]

Thus, personal safety is defined as favorable conditions of activity, the process of mastering the necessary conditions of one's own existence. The proposed definition focuses on the connection between personal safety and sustainable social development of society. Other definitions emphasize the priority of the state in ensuring the safety of the individual or the state of protection of the subject's interests, which leads to the absolutization of stability as the absence of threats.

The security of the individual is not aimed at survival, as explained in modern theories of instability, but at the development provided by the security system.

Despite the various directions of ensuring personal security (economic, ecological, informational), it has a socially oriented character and is effective if it includes the interaction of the state and the regional community to ensure personal security on the basis of social diagnostics and social planning.

Therefore, personal security is defined as the subject's protection from real threats and challenges, and is also a set of measures that provide the prerequisites for the sustainable development of society. This formulation of the problem aims at the connection of personal safety with high quality social management and achieving an

optimal balance of the interests of the state, the region and the individual.

From the above it follows The scientific-categorical apparatus of personal safety research is connected with its various interpretations. Personal security as a complex social phenomenon is studied within the framework of various social sciences: jurisprudence, political science, philosophy, psychology. There are many definitions of personal security, each of which reveals the nature of this phenomenon in a different way.

In jurisprudence, personal security is considered procedurally as the protection of human rights and freedoms, which involves reducing the threat of their violation. Political scientists emphasize the aspect of social protection of the individual by the state, which is aimed at maintaining a decent standard of living of citizens and providing for the disabled. In social psychology and philosophy, the study of personal safety is carried out from the standpoint of identifying "threats" and "challenges".

Therefore, according to most researchers, personal security includes social security as a set of social rights of the individual, which are ensured by the state and reduce the threat of their violation. This synthetic definition demonstrates an understanding of personal safety as the position of a potential victim when nothing threatens him. However, this interpretation has a restrictive rather than a positive meaning, as it guides the understanding of security through antinomy (opposite) and contains analytical characteristics of security.

The advantage of the interdisciplinary approach is its complexity, since representatives of certain social disciplines emphasize either the priority of the state in ensuring the safety of the individual, or the state of protection of the subject's interests, which leads to the absolutization of stability as the absence of threats.

Therefore, personal security means social security against real threats and challenges as a set of measures provided by the state for the purpose of sustainable development of society. The proposed definition focuses on the connection between personal safety and sustainable social development of society. Such formulation of the investigated problem aims at the connection of personal safety with high quality

of social management and achieving an optimal balance of the interests of the state, the region and the individual.

### **References:**

1. Kalashnikova L. V. Bezpeka zhyttiediiialnosti osobystosti u rehionalnomu vymiri (na prykladi Pivdnia Ukrainy). Sotsialni tekhnolohii: aktualni problemy teorii ta praktyky : zb. nauk. pr. Zaporizhzhia : Vyd-vo KPU, 2019. Vyp. 85. S. 94–103.
2. Afonin E. A., Honiukova L. V. Derzhava i hromadianyn: shliakh do spivpratsi : nauk.-metod. materialy z pytan orh. hromad. slukhan. Kyiv : Vyd-vo NADU, 2006. 84 s
3. Bielai S. V. Doslidzhennia mekhanizmiv monitorynhu zahroz natsionalnii bezpetsi Ukrainy sotsialno-ekonomichnoho kharakteru. Universytetski naukovi zapysky. 2013. № 4 (48). S. 481–488.
4. Dzoban O. P. Problemy zakhystu natsionalnykh interesiv Ukrainy u sferi derzhavnoi bezpeky v umovakh heopolitychnykh transformatsii KhKhI stolittia : monohrafiia / O. P. Dzoban, V. Ya. Nastiuk, V. V. Bieliievitseva. – Kharkiv : Pravo, 2013. – 295 s.
5. Spivak V. M. Polityko-pravovyi ta sotsiokulturnyi vymiry hlobalizatsii : monohrafiia / V. M. Spivak. – Kyiv : Lohos, 2011. – 416 s